

Newmarket Town Council Body Rub Parlour Review:

The Need to Center Worker Safety

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May 2021



What is the root of the concern?

Unchallenged perception among Newmarket Council and Council staff that body rub parlours in Newmarket are sites of human trafficking. **This has not been borne out by the evidence:**

- York Regional Police have confirmed that they are unaware of human trafficking in Newmarket's body rub parlours.
- Local women's organizations and organizations that provide support to women in body rub parlours have also confirmed that **a crackdown on body rub parlours would fuel human trafficking.**

Conflating sex work & human trafficking

In many municipalities including Newmarket, **body rub workers are often Asian and migrant women who have made the choice to work in body rub parlours to meet their own basic needs, maintain economic security, and provide for their families.**

Targeted investigations, regulation, and surveillance of body rub parlours are not an effective means of addressing human trafficking or promoting worker safety.



Harmful impacts of crackdowns

Municipal governments cause harm when they assume body rub parlours are sites of human trafficking:

- 2015: Ottawa police charged 11 migrant women working in massage and body rub parlours; these women were detained by CBSA and faced deportation.
- 2017: following reports from anti-human trafficking groups that holistic centers in Toronto were operating outside their licensing parameters, bylaw inspections increased by 212% & inspections of practitioners increased by 323%; HIV Legal Network research illustrated how this resulted in law enforcement abuse, intimidation, threats, harassment, and unwarranted searches.

The legal status of sex work: the “criminal element”

Two Ontario courts (*R. v. Anwar* (2020) and *R. v. N.S.* (2021)) found three criminal prohibitions on sex work introduced by Bill C-36 (PCEPA) unconstitutional:

- The prohibitions on procuring, materially benefiting from, and advertising sexual services violate sex workers’ Charter rights to safety and security.

Since PCEPA was passed in 2014, extensive research has shown how the law causes grave harm to sex workers and prevents them from taking measures to ensure their safety.

Centering Worker Safety

For any new regulation governing body rub parlours:

- Repeal the prohibition on locked doors
- Remove unnecessary zoning restrictions
- Remove the cap on total # of licenses allowed to be issued
- Reduce costly and prohibitive licensing fees

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- Of the four options presented to the Newmarket Council, **Option 2 – which would create two separate classifications for massage services with and without training credentials – presents the fewest harms to body rub parlour workers, and in particular those who are racialized and/or migrant.**
- In implementing Option 2, **we recommend Newmarket rename the “body rub parlour” category with a new designation that distinguishes between massage services provided with and without training qualifications:**
 - non-credentialed vs. credentialed personal wellness centres
 - holistic health centres vs. personal wellness centres

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- We urge Newmarket to **refrain from further empowering law enforcement to regulate and police body rub parlours or wellness centres.**
- Law enforcement models conflate sex work with human trafficking, which alienates workers from health, social, legal and police services in times of actual need, and perpetuates — rather than addresses — exploitation.
- Instead, **adopt a human rights-based approach, centering worker safety and the perspectives of people who are most directly affected by regulatory amendments.**

Thank you