

April 28, 2021

RE: BODY RUB PARLOUR BYLAW AMENDMENT

To Newmarket Town Council and Town Staff:

We are labour rights, racial justice, human rights, migrant rights, and women's rights organizations from across Ontario who are writing to express our concern with Newmarket Town Council's current review of bylaws governing the Town's body rub parlours, the basis of which are stigmatizing and unfounded perceptions that body rub parlours are "disreputable" sites of human trafficking. Already, Newmarket's body rub parlour bylaws are extraordinarily restrictive: not only is there is a two-license cap for body rub parlours, as well as costly and prohibitive licensing fees for owners, operators and attendants, but the bylaws also impose extremely restrictive zoning requirements and prohibit locked doors — jeopardizing worker safety.

Newmarket Town Council must prioritize the health and safety of the workers most directly affected by any bylaw amendments, many of whom are racialized and/or migrant workers. If new bylaws are to be established, a framework likely to present the fewest barriers and harms to body rub parlour workers and particularly those who are racialized and/or migrant would create **two separate classifications for massage services with and without training credentials**. These classifications should be renamed "non-credentialed vs. credentialed personal wellness centres," or "holistic centres vs. personal wellness centres." A new designation would minimize the stigma currently attached to the term "body rub parlour" which has encouraged Newmarket staff and law enforcement to erroneously conflate body rub parlours with sites for human trafficking.

Newmarket must also refrain from further empowering law enforcement to regulate and police body rub parlours or wellness centres. Research has shown how law enforcement models conflate sex work with human trafficking, which negatively affects sex workers, and particularly racialized and migrant sex workers who are wrongly perceived as being involved in trafficking and experience harassment, discrimination and other abuse at the hands of officers. This alienates workers from health, social, legal and police services in times of actual need, and perpetuates — rather than addresses — exploitation. **Law enforcement-led anti-trafficking campaigns do not address real concerns around worker safety, and instead cause more harm by encouraging racial profiling and over-policing of Asian and migrant women working in this industry.**

Therefore, we call on Newmarket Town Council to:

- Further consult with and center the perspectives of the workers most directly affected by the proposed bylaw amendments, i.e., workers in body rub parlours and wellness centres, particularly those who are racialized and/or migrant.

- Remove bylaw restrictions that stigmatize and endanger workers, including the two-license cap on body rub parlours, restrictive zoning requirements, prohibitions on locked doors, and prohibitive licensing fees.
- Establish two separate classifications for massage services with and without training credentials and name these classifications “non-credentialed vs. credentialed personal wellness centres” or “holistic centres vs. personal wellness centres.”
- Refrain from further empowering law enforcement to regulate and police body rub parlours or wellness centres, which does not promote worker safety and encourages racial profiling and over-policing of Asian and migrant women working in the industry.

Signed,

Butterfly - Asian and Migrant Sex Worker Support Network

HIV Legal Network

Parkdale Community Legal Services

Chinese and Southeast Asian Legal Clinic

Toronto Rape Crisis Centre Multicultural Women Against Rape

Workers' Action Centre

International Human Rights Program

Collaborative Network to End Exploitation

Ontario Coalition of Rape Crisis Centres

Women and HIV / AIDS Initiative of Ontario (WHA1)

CAYR Community Connections

Chinese Canadian National Council Toronto Chapter

John Howard Society of York Region