

June 20, 2021

To Mayor John Taylor, Deputy Mayor Tom Vegh, and Town of Newmarket Councillors,

I am writing to share opposition and feedback to the proposed bylaw and licensing amendments affecting personal wellness establishments in Newmarket. As a taxpayer and citizen, I am concerned that we're conflating issues and jumping to legislate an increase to policing powers, leading to already marginalized members of this community to become even more vulnerable. While we're enforcing stronger rules for businesses, the concern I have is towards the increase of penalties for workers that live and work in our town. Considering that these workers are often immigrants and Asian, this increase in policing power and financial damage serves only to further harm a group that is already facing extreme difficulty surviving and providing for their families. If we are concerned that the establishments in question are "sites of human trafficking" (which there is no evidence for), these bylaws do absolutely nothing to address that issue. The outcome is only systemic racism in action, thinly veiled as good intentions.

Body rub businesses and Asian-owned massage businesses have been a part of standard wellness practice for many years, in many countries. It is critical to note that not all Asian-owned massage businesses provide sex work. This argument has been established already by many workers expressing protest to this initiative. Targeting these businesses with increased fee structures for fines and increased bylaw enforcement is not organic, it's the outcome of conflating nebulous arguments and moral panic with a lack of evidence, and is driven by private interest. As has been discussed by several parties to date, the underlying issue of human trafficking here is concern over sex work and sex workers operating within our town. To be clear, this is a completely separate issue to human trafficking and to conflate this argument with sex work is both regressive and unfounded by evidence (the York Regional Police have acknowledged a lack of evidence to support that trafficking is taking place in our town). It is woefully convenient to conflate a moralistic, puritanical perspective against sex work with an issue that requires actual societal supports and careful, targeted measures to address.

While some of this legislation is in line with federal law (specifically the licensing and operation aspects), the legal area surrounding sex work is undergoing constant challenge and evolution. Additionally, the Canadian public does not have a consensus or majority view on sex work as a profession (proved in research for Bill C-36). I'm concerned that our town councillors are using their platform to transform personal moral positioning into law. As stated by the Council of Women Against Sex Trafficking in York Region, this victory is groundwork they intend to use to increase similar policing powers across York Region. By ratifying these bylaw amendments, the Town of Newmarket is establishing legal precedent that will increase harm to workers and increase policing powers, without doing a single tangible effort to actually prevent human trafficking.

Given the recent wave of anti-Asian racism and violence faced by our fellow community members, I find it concerning that our town council is increasing policing powers against a group of business owners and workers from majority Asian descent. There have been many letters of protest to this initiative by both private citizens and community organizations, and I fail to see our town's government listening to these voices with any gravity.

This effort effectively picks and chooses who we want in this town and serves only to add policing measures to those our town council deems as undesirable. In the same meeting that a commemorative bench is being funded for pride celebrations, we are actively harming and further marginalizing a group that is already at risk. Additionally, this effort unintentionally adds economic harm to a group already severely impacted by the COVID-19 pandemic. If our concern is stopping human trafficking, a pursuit of importance, then our approach must approach the issue as a whole. In addition to amending bylaws, we need to amplify societal supports to increase access to housing, licensing, and financial mobility for all people that live in our beautiful town. These are the efforts that will make Newmarket safer for all.

Sincerely,

Daniel McIntyre