



Photo: Reg Natarajan



Newmarket wants to legislate body rub parlours out of existence

Proposed amendments will strip Asian massage workers of their livelihoods



Opinion by

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In Newmarket, Ontario, a council possessed by the idea of driving sex work out of town is poised to strip Asian massage workers of their livelihoods — regardless of whether they provide sexual services or not.

Proposed amendments to the town’s body rub parlour bylaw will require massage workers to attain particular credentials, effectively leaving many Asian workers unable to do a job they have done for years.

Newmarket’s body rub parlour bylaw offers one window into the quiet violence of municipal bylaws.

“It is not fair to make me take courses to satisfy your ‘professional standards’ when I already have years of experience and related certificates,” said Ive, a self-employed Asian massage worker in Newmarket, in a testimony read before town council last month.

“Your amendment is creating more barriers, including financial difficulties, for us as massage workers,” she concluded, describing the difficulties of running a business during the COVID-19 pandemic, especially as a worker with a family and young children to care for.

Across Ontario, municipalities are using bylaws and licensing to target migrant-run massage parlours. Newmarket’s body rub parlour bylaw offers one window into the quiet violence of municipal bylaws — and the confluence of systemic racism, anti-migrant legal regimes, and anti-sex worker hatred faced by Asian massage workers.

The ‘reputable’ and ‘unreputable’

At first blush, the Newmarket body rub parlour bylaw review may seem like a standard administrative process to modernize an outdated bylaw. The current 20-year-old bylaw regulates businesses that offer massages given by someone who is



In reality, both the original bylaw and the proposed amendments are attempts to get rid of massage businesses suspected of engaging in sex work.

In a recent public information session, Newmarket licensing officer John Comeau explained how the Municipal Act does not authorize municipalities to ban body rub parlours. As a workaround, Newmarket sought to legislate body rub parlours out of existence through a 2002 bylaw that created prohibitive zoning restrictions (body rub parlours can only operate in a tiny corner of the town) and limited the number of body rub parlour licenses to two.

Then why the sudden need for change?

Under the current bylaw, many wellness centres and spas run by middle-class, white business owners fall under the classification of body rub parlour and are operating illegally, without a licence. Newmarket officials have expressed that they do not wish to penalize these “reputable” businesses.

On the flip side, officials have cited challenges with enforcing the bylaw and “getting convictions” for businesses that they *do* wish to penalize — primarily those where they suspect sex work may be taking place.

When deputants drew connections between the bylaw and the murders in Atlanta, they were met with incredulity.

The bylaw review has been framed as an effort to move the “reputable” businesses under a novel licensing framework that will distinguish them from the “unreputable” massage businesses.

In May 2021, Newmarket staff proposed amendments that would replace the body rub parlour business classification with a new “personal wellness centre” classification. This new licensing regime would require any non-RMT workers offering massage services to have particular massage training credentials, and would be tightly regulated by a stringent licensing application process — including



promote massage services with any sort of erotic appeal.

Such changes will have a disproportionate and difficult impact on Asian massage workers and sex workers in Newmarket. These workers already face racism and language barriers to employment and may not have the means to pursue formal training programs. The bylaw's training requirement will put these people out of work or force them into more dangerous settings.

There is also the concern that these procedural changes to the bylaw will be paired with an increase in punitive enforcement strategies, given the council's underlying aim of driving sex work out of Newmarket. As [seen in Toronto](#), these strategies do nothing to make workplaces safer or address human trafficking — instead, they subject workers to heightened surveillance, steep fines, and harassment from police and bylaw officers.



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Feeding anti-Asian racism



three months after a man opened fire at a series of spas in Atlanta, killing six Asian women and two others.

“There’s a hell of a lot at stake,” human rights lawyer Vincent Wong told Newmarket Town Council as part of a deputation in early May.

“People have been harassed; people have been wronged; people have had their livelihood stolen from them. People have been unjustly arrested, charged, and deported. People have been raped, and people have been murdered.”

Over the last few years, municipal licensing departments, bylaw reviews, and bylaw enforcement in places like Toronto, Brampton, and Hamilton have been used to target massage parlours. Asian massage workers have experienced [repressive ticketing and charges, along with harassment and abuse, from bylaw officers](#).

But it doesn’t matter, because the town council isn’t much concerned with human trafficking.

These municipal crackdowns have been largely fuelled by racist, anti-sex work campaigns, under the [guise of anti-human trafficking advocacy](#). These campaigns falsely conflate all migrant massage work and sex work with human trafficking, while ignoring workers’ voices and having little regard for issues of migrant labour exploitation, migrant workers’ rights, and the fight for full and permanent immigration status.

Anti-Asian racism has also intensified amid the COVID-19 pandemic, with a significant rise in verbal and physical attacks, particularly against women.

Newmarket’s white town council, however, has dismissed concerns about anti-Asian racism related to its bylaw review as extreme and unreasonable.

“There is a comingling here,” Councillor Victor Woodhouse said during the deputations on the bylaw proposal. “Saying that because we’re not allowing those of Asian descent to be involved in unregulated massage, that somehow then we are anti-Asian, or that because we have a standard, we’re somehow anti-Asian.”



they were met with incredulity.

“Don’t you think it’s going a little far to say that people who think that massage parlours should be shut down are the same as a mass murderer?” said Mayor John Taylor, rather than trying to understand the root issues of racism, misogyny, and anti-sex worker stigma experienced by Asian massage workers.

Disdain for sex workers

Labour, migrant, sex workers’ and women’s rights advocates urged the town council during the deputations to reduce the harm to massage workers and sex workers caused by the bylaw.

They called for a rejection of unnecessary barriers to licensing, such as requiring formal training credentials; to repeal harmful provisions, such as the prohibition on locked doors; to remove the current licensing cap and zoning restrictions; and to refrain from the use of repressive bylaw enforcement tactics that target migrant massage workers.

Elene Lam, the executive director of Butterfly, a grassroots group whose membership is largely made up of Asian, migrant massage workers and sex workers, highlighted the need to adopt policies that prioritize worker safety. She pointed out the racism inherent in a bylaw that creates barriers to licensing and employment for Asian migrant massage workers.

Sandra Ka Hon Chu (HIV Legal Network), Kennes Lin (Chinese Canadian National Council Toronto Chapter), Chanelle Gallant (Migrant Sex Workers Project), Molly Bannerman (Women and HIV/AIDS Initiative), Marie Morton (CAYR Community Connections), and Luis Alberto Mata (FCJ Refugee Centre) also spoke in support of Asian massage workers’ rights.

The deputations also included the voices of Asian massage workers.

“My fellow massage parlour workers are not good at English,” Lisa Zhang, a Chinese massage worker from Toronto, explained through an interpreter. “They are old, and



“We have always faced harassment from the police and licensing department. They always talk to us with an unfriendly attitude, conflate our profession with human trafficking, check our identification, and further affect our living and working environments.”

Bylaws designed to shut down massage parlours ultimately have the effect of restricting massage workers’ ability to meet their basic needs.

Tsz Chan, a community organizer studying at McMaster University, read out testimonies from Asian massage workers from Newmarket and the Greater Toronto Area.

“I do not understand why the government keeps targeting us. I would not have known about this proposed bylaw amendment if my friends had not told me,” said Ye, a Chinese massage worker in Newmarket, in one of these testimonies.

Despite the knowledge shared by deputants — drawn from years of community-based advocacy, evidence-based policy research, legal expertise and lived experience — the mayor and council members dismissed anyone who raised concerns about systemic racism, migrant rights, or sex workers’ rights.

Other deputants opposed to body rub parlours sought to delegitimize the skills of Asian massage workers and were generally well received by the council. “I assure you that the diploma mill is actually in mainland China,” stated Cassandra Diamond from BridgeNorth, an organization that has received millions of provincial dollars for anti-human trafficking programming. Councillor Grace Simon shared that Diamond was a “personal good friend.”

Sweeping statements were also made that all body rub parlours were sites for trafficking and sexual exploitation, despite York Regional Police data showing that trafficking and exploitation are occurring almost exclusively *outside of* these businesses.



trafficking. They just want to get rid of body rub parlours.

“This isn’t only an issue about potential for human trafficking. It’s about sex work and prostitution, frankly,” said Mayor Taylor. “I don’t want to send a message to the community that prostitution or sex work is acceptable.”

“I think we really just want to drive [sex work] out of our town,” Deputy Mayor Tom Vegh plainly stated. “I don’t think it’s consistent with the values of our town.”

It was apparent that the outcome of the bylaw review had been largely predetermined, backed by a disdain for sex workers and a disregard for their safety and economic well-being.



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A precarious future



and regulatory staff have updated their proposed amendments. In a recent webinar, they shared additional worrisome features of the new regime — including the York Regional Police’s participation in screening licensing applications.

On June 16, Newmarket staff will present their revised proposed regulations to the town council.

All Asian massage workers, regardless of whether they engage in sex work or not, face discrimination rooted in hateful and moralistic perceptions of sex work. Bylaws designed to shut down massage parlours ultimately have the effect of restricting massage workers’ ability to meet their basic needs, while causing further harm through bylaw enforcement fining and harassing workers and an increased risk of arrest, detention, and deportation.

Advocacy organizations and grassroots groups in support of massage workers and sex workers rights are [calling for an end to the racist, anti-sex work attacks on migrant massage parlours](#) being launched by anti-trafficking organizations. More broadly, advocacy is also occurring at the provincial level in response to a never-ending array of anti-trafficking initiatives that have been funded to the tune of \$300 million.

This includes a freshly passed human trafficking bill that empowers police and inspectors to further surveil, harass, investigate and punish sex workers, particularly migrant and racialized sex workers, under the pretext of rescue.

You can read Butterfly and the HIV Legal Network’s joint submission on Bill 251 [here](#).

Correction: An earlier version of this story said the town council was planning to pass the bylaw amendments on June 16. In fact, June 16 was the date for a meeting to further discuss the amendments.

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