

*An Open Letter to Toronto City Council In Support of Toronto's Holistic Practitioners*



Since 1985, the Barbra Schlifer Commemorative Clinic (“the Clinic”) has been providing legal representation, counselling and language interpretation to women who have experienced all forms of violence. We assist about 6,000 women every year. We also engage in various educational initiatives, including public legal education, professional development for legal and non-legal professionals and clinical education for law students. The Barbra Schlifer Clinic works on various law reform activities, both within Canada and internationally, and consults broadly with all levels of government on policy or legislative initiatives that impact women survivors of gender-based violence (GBV).

We support the community of holistic practitioners and members who care about individuals working in Holistic Centres throughout the city of Toronto. In this letter, we express our disappointment and concern regarding the Licensing and Standards Committee’s recommendation that City Hall amends the Toronto Municipal Code, Chapter 545, imposing a moratorium on the issuance of new holistic practitioner licenses associated with five Professional Holistic Associations.

The Toronto Municipal Code, Chapter 545, Article XI, “Holistic Centres and Holistic Practitioners” is currently under review. Research is scheduled to take place from May to August this year, and subsequent consultation is scheduled to take place later this year. Inhibiting the issuance of licenses by Professional Holistic Associations before the review is complete, circumvents and undercuts the review itself. This motion to bar new licenses is an unreasonable and unnecessary action resulting in undesirable outcomes.

The consultations regarding the review of the Municipal Code provisions are scheduled to take place in September 2018; thus, the Professional Holistic Associations have not yet had the



opportunity to meaningfully and publicly participate in the review process. The vast majority of holistic practitioners in Toronto are women. The women who would be most affected by the proposed recommendation before City Hall are highly marginalized and often excluded from political decision-making processes due to racial and gendered discrimination, language barriers and lack of access to decision-making forums. To implement this recommendation prior to engaging this population in the review process serves to further their marginalization and exclusion from political processes. Moreover, to suspend the Professional Holistic Association's ability to issue new licenses at this critical stage jeopardizes practitioners' livelihoods without due process.

There are numerous concerns that Professional Holistic Associations have raised about the conduct of by-law enforcement officers, upon whose recommendation this motion is appearing before City Council. Female holistic practitioners have reported instances of abuse and violation that they have experienced at the hands of by-law enforcement officers. In fact, Tracey Cook, executive director of Municipal Licensing and Standards (MLS), informed CityNews last week that the City has launched an investigation into the allegations of sexual harassment by the by-law officers against workers in holistic centres.

In the past five years, Municipal Licensing and Standards (MLS) has increased the number inspections conducted on more than 400 holistic centres, from 500 times in 2013 to about 1700 times in 2016. The number of inspections conducted on holistic practitioners increased from 600 times in 2013 to more than 2,500 times in 2016 – far exceeding those of other businesses. MLS has harassed holistic centres excessively, disrupting business and violating practitioners' right to work and earn a living.

The by-laws provide by-law enforcement officers with the widespread discretion that—in its application—can be used to target and penalize individuals at almost any time for subjective infractions. Owners, operators and practitioners of Holistic Health Centres are required, according to the bylaws, to be “dressed professionally...neat and clean, civil and well behaved”. These requirements have no basis in objective indicators, and are often abused by by-law enforcement. This results in a system where, at any time, by-law enforcement officers may construct an infraction under these broad regulations.

The Barbra Schlifer clinic is also profoundly concerned about the false rhetoric currently circulated and disseminated by the City of Toronto and its officials that portray Holistic Centres as a source of increased risk to public health, community, and safety, including concerns related to exploitation

and human trafficking. In reality, more than 95% of practitioners are over the age of 30, with no minors working as practitioners, and with no evidence that practitioners are trafficked or coerced into the profession. The targeting and over-policing of newcomer communities may serve to isolate further and alienate communities. An overtly punitive and widespread approach in an attempt to address concerns around human trafficking is, at best potentially ineffective and, at worst, counterproductive.


Furthermore, we at the clinic are particularly troubled regarding the accounts of the holistic practitioners detailing incidents where by-law enforcement officers have threatened to report practitioners to CBSA (Canada Border Service Agency) as a means to gain compliance during inspections.

Thank you for your attention to this matter. Please contact me at the coordinates below should you have any questions or concerns.

Sincerely,

The Barbra Schlifer Commemorative Clinic

Per:



Deepa Mattoo, Director, Legal Services

Guncha Murara, Staff Lawyer

Yasmine Abuzgaya, LPP Student

Amy Voss, Articling Student

Barbra Schlifer Commemorative Clinic

489 College Street, Suite 503

Toronto, ON M6G 1A5

T: (416) 323-9149 ext. 241

Direct Line: 416-323-2505

E: [dmattoo@schliferclinic.com](mailto:dmattoo@schliferclinic.com)

F: (416) 323-9107