

**Comments for Toronto Municipal Licensing and Standards Committee
The Canadian Centre to End Human Trafficking
April 10th 2018**

Intro:

Good Morning Mr. Chair and Members of the Committee.

My name is Barbara Gosse, I am the CEO of the Canadian Centre to End Human Trafficking. I am here this morning to provide comments pertaining to the proposed *Work Plan to Review Chapter 545, Licensing, Body Rub Parlours and Holistic Centres* being considered today.

The Centre's work on the Issue:

The Canadian Centre to End Human Trafficking is a National Charity, the only national coordinating organization focused on ending human trafficking in Canada. The Centre coordinates and works together with Stakeholders and organizations (non-profit, corporations and governments) dedicated to ending human trafficking, to advance best practices and eliminate duplicate efforts across Canada.

We are working with law enforcement, including the Human Trafficking Enforcement Team at Toronto Police Services, Front Line Service Providers, across this country, including Covenant House and, perhaps most importantly Survivors of this horrific crime, to advocate on this issue and we are currently developing a national, human trafficking hotline that will act as a central response and referral mechanism, offering 24/7, multilingual access to a safe and confidential space for victims, and members of the public to report incidence and tips and to be referred to services and supports.

The Centre has met with city policy makers, and city politicians, including Councillor Burnside and Mayor Tory, to identify the facts surrounding the human trafficking occurring in city licensed establishments such as the holistic centres and body rub parlours in Toronto. In September of 2017, we met with MLS and Social Development staff, along with additional stakeholders including survivors, victim advocates and Toronto Police. It was disappointing to see that none of the details of our meetings were identified under the reports section *Previous Stakeholder Feedback*.

What we know:

1. Victims of human trafficking are being sold within body rub parlours and holistic centres licensed by the City of Toronto.
2. In 2013, Toronto City Council publicly recognized that this crime was taking place in these establishments, however, to date, relatively nothing has been done to stop it.

3. Survivors of human trafficking, Toronto Police and front-line service providers have all confirmed that people are being trafficked in these establishments.
4. Toronto Police has confirmed that: **“at one time or another, every victim of sex trafficking in this City is forced to provide sexual services in the legitimate body rub parlours or the illicit massage business pretending to be holistic centres.”**
5. In 2013, City Council directed City staff including ED of MLS, the City Manager, City Solicitor, the Executive Director, Social Development, Finance and Administration to look at the incidence of HT and find ways to mitigate this crime in the City of Toronto. City Council directed these staff to:
 - a. to undertake a review of licensing by-laws concerning trades and businesses that are known to be destinations for human trafficking with the objective of establishing measures and policies aimed at addressing the consequences of human trafficking from the perspectives of health and safety, and crime prevention.
 - b. to report back on a strategy to more vigorously prosecute charges related to municipal by-law infractions by the adult entertainment, body rub, and holistic license classes.
 - c. In addition, City Council, understanding the complexity of this crime and the need to proceed with great sensitivity, regardless of the nature of the exploitation (sexual exploitation, forced labour, and/or forced marriage), directed staff to continue to work with all stakeholders to raise public awareness of this crime, increase services and supports for trafficked persons, and increase efforts to prevent human trafficking.

Why we are here:

It is our hope that as one of the most important Committee's in the City, one which has an impact on the lives of many vulnerable Torontonians, that you operate with full information.

I'm here for three reasons:

1. To identify why there needs to be moratorium on the issuance of licenses under Professional Holistic Associations that are operating under false pretenses or are operating illegally;
2. To provide how publicly available data can illustrate activity outside of city licenses and possibly criminal activity; and
3. To provide you with our recommendations.

1. The Auditor General's Report, of October 24th, 2018, adopted by City Council on November 8, 2017, clearly identified that ***"There is also a problem with many City-approved Professional Health Associations (PHAs)"***. The City relies on the accredited Professional Health Associations to govern their members (licensed holistic practitioners) to ensure integrity and honesty of their services. The City's Auditor General reviewed the top 10 PHAs, by membership, and found, and I quote that: ***"a number of them appear to operate on paper only"***. **Many have all the required documentation in their applications, but they have questionable addresses such as residential addresses, one located in an abandoned building another at a cottage or a P.O. Box. "**

If the Auditor General can identify that 10 of the PHAs are operating basically illegally, without accreditation or, at the least, under false pretenses, why does the MLS Division not recognize this also? We know that there is no By-law provision enabling MLS to revoke the approval of a PHA or to de-recognize PHA members even when MLS determines a PHA is not fulfilling the Bylaw requirements. However, you, as responsible members of this Committee, can require the MLS Division to put a moratorium on those licence renewals or new licenses being applied for under those illicit PHAs. The report before you irresponsibly proposes a moratorium **only on (5) Professional Holistic Associations**, even when the recent Auditor General's report emphasised that there were double that number basically operating illegally.

The moratorium on new licenses, or renewals of existing licenses, should extend to all those being submitted under the guise of the "illegal", or non-accredited, Professional Holistic Associations identified by the City's Auditor General. New licenses or renewals of existing licenses as should only be permitted, by the City, when it is proven that the related Professional Holistic Association is in good standing and operates legally in accordance with solid professional business practices. No municipal sanctioned Licenses should be granted or renewed if the business is operating under false pretenses or potentially operating illegally without accreditation (certified professional standing). If this is not done – the health and safety of anyone working within those premises is at risk.

As the City Auditor said: ***"There are many legitimate licensed holistic centres and practitioners. However, for those providing unauthorized services, aside from potentially being a violation to the City's licensing and zoning bylaws, these centres could potentially pose an array of health, safety and community issues including the risk of human trafficking."***

It is important to recognize that generally legitimate businesses are regulated to protect the health and safety of their employees. Businesses licensed by the City should be **NO DIFFERENT**.

2. It is important to understand that The City's Auditor identified 107 licensed holistic centres that had the appearance of offering unauthorized services such as erotic massages and other services, outside of the licensed services – They accomplished this Through a simple and non-exhaustive, internet search, matching the information with MLS's licensing database.

The Centre has also obtained similar information and through data analytics of various open sources like back pages, sex buyer review websites and businesses records of the 410 licensed Holistic Centres. We applied a non-exhaustive list of 20 red flag indicators, that when applied highlight the risk potential of the operations under the addresses and business operations of the city licensed Holistic Centres. Of the 410 **we found that 168 of the 410 holistic centres in Toronto were providing unauthorized services such as topless massage, massage extras etc.**

- **12 of those 168 identify were directly advertising sex; and**

- **10 of those 12 were operating, openly as brothels based on the explicit evidence scraped from websites like rub-maps and massageplanet.com.**

- We are now working to review records of Canadian Businesses to do a network analysis on the ownership of every holistic centre in Toronto to uncover evidence of possible criminal intent and collusion amongst owners.

Recommended Actions:

1. We recommend that the staff at MLS be instructed to only issue new licenses or renew licenses under applications associated with legally operating Professional Holistic Associations, who offer full and correct information on their practices, membership, address and operations;
2. We recommend that the staff at MLS be instructed to place a moratorium on all applications that request a new license or a renewal of an existing licence under any Professional Holistic Association that seems to "operate only on paper" or operates under false pretenses in accordance with the Auditor General's Report;
3. MLS staff need to report formally on the feedback already received from Stakeholders working on anti-human trafficking efforts, including Toronto Police services, the Canadian Centre to End Human Trafficking, Covenant House and, most importantly from Survivors of Human Trafficking. The report before you is devoid of this;
4. A more fulsome, detailed Terms of Reference for the study to be undertaken by MLS needs to be developed and made public at this Committee and before City Council. This should include the names of participants in the proposed Stakeholder groups to be consulted, particularly those who work in anti-human trafficking (which are not identified now); The report

should also include the identification of participating City Staff as well as the number, timing and content of the proposed meetings to be held etc. The report is not specific in this regard. The terms of reference should also provide specifics on the areas of study or scope of work including, but not limited to:

- i. A full review of licensing by-laws concerning trades and businesses that are known to be destinations for human trafficking with the objective of establishing measures and policies aimed at addressing the consequences of human trafficking from the perspectives of health and safety, and crime prevention;
- ii. report on a strategy to more vigorously prosecute charges related to municipal by-law infractions by the adult entertainment, body rub, and holistic license classes;

Conclusion:

The City can no longer turn their backs on those being exploited in licensed, illicit massage businesses. We look forward to being part of the future consultations of this issue and will continue to advocate for stronger regulations to assist and support the rights of individuals who are being forced into prostitution in these legitimate and illicit massage businesses. We will continue to be a voice for those who have survived the horror of being trafficked in these establishments. We are committed to working in a collaborative manner with the City and other groups to develop solutions or strategies that will assist with the identification and reduction of human trafficking incidence in the City of Toronto.

Thank you!