

May 20, 2019

Deputation by Rupaleem Bhuyan for the General Government and Licensing Committee

RE: Review of Body Rub Parlour and Holistic Centre By-laws - Consultation and Research Findings

Dear Committee Members,

My name is Rupaleem Bhuyan. I am an Associate Professor in Social Work at the University of Toronto. I have also worked on issues related to violence against women and immigrant rights since 2001 and since coming to Toronto in 2008, have led several community-based research projects that explore the how public policies impact how immigrant women access social and health services including police services, when they are faced with gender-based violence. I am here today to speak in response to the staff recommendations regarding holistic centres and body rub parlours. My remarks today are based upon my review of the Auditor General' Report, the Staff Report, a Fact Sheet on Holistic Centres in Toronto produced by Butterfly, and discussion with community advocates and women who work in the industry.

An estimated 2,220 people are currently employed in a licensed holistic centre in Toronto, the majority of whom are immigrant women who are over the age of thirty. As such, many of these workers rely on the income from their employment to support themselves and their family members. As the City of Toronto considers amending the City's By-laws that regulate this sector, I encourage the City Councilors to ensure the labour rights and safety of these workers, including minimizing the fear of police harassment and threat of deportation that has been documented as a social justice concern for immigrant communities in Toronto.

As part of the City of Toronto's efforts to detect and deter human trafficking, holistic centres have come under scrutiny as a place where women are more vulnerable to being trafficked. The Auditor General's report introduced broad claims about the prevalence of unauthorized services that were not evidenced based. Rather, the report based on information gathered from an online search and review of images and comments that were deemed to be 'erotic.' The report itself concedes that the online search methodology is not sufficient to determine the veracity of these claims. This type of methodology is also highly problematic as it relies on racial and gender stereotypes of Asian women as hypersexual and vulnerable to trafficking. The elimination of all forms of discrimination is fundamental to protection of human rights, including protection from human trafficking¹.

To minimize the discrimination that workers in holistic centres face, the City should consult directly with people who work in holistic centres to identify risk factors for human trafficking in these settings and develop protocols in collaboration with workers and anti-violence against women programs so that workers who may be vulnerable to trafficking can seek support. This includes measures that allow workers to continue to maintain their employment if/when they seek help for gender-based violence.

¹ Committee for the Elimination of Discrimination against Women (2018). Concept Note: General Recommendation on Trafficking in Women and Girls in the Context of Global Migration. United Nations Human Rights Office of the High Commissioner, Geneva, Switzerland. Available at <https://www.ohchr.org/Documents/HRBodies/CEDAW/Trafficking/ConceptNote.docx>

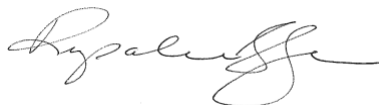
The City of Toronto must consult with people employed in holistic centres and body rub parlours, as key community stakeholders, to ensure the protection of their labour rights, health, safety and well-being. Criminalizing this work could potentially increase risks for trafficking by forcing workers to go underground or accept unsafe work conditions in order to earn a living. The city must uphold the rights of these workers, including freedom from discrimination, when reviewing amendments to the current by-laws that regulate body rub and Holistic Centres

I support the following amendments to the Executive Director, Municipal Licensing and Standards' report that you are considering today:

1. City Council adopt the following principles for regulating the body rub *and Holistic Centre* industry
 - A. Ensuring the *Labour Rights*, health, safety, and well-being of persons;
 - B. Consumer *and Worker* protection: and
 - C. Ensuring the general well-being of the City of Toronto, including mitigating community impacts.

2. City Council direct the Executive Director, Municipal Licensing and Standards, to report to the General Government and Licensing Committee in the fourth quarter of 2019 with proposed amendments to the Body Rub Parlour and Holistic Centre By-laws that are informed by the principles in Recommendation 1 and include an analysis of the feasibility and impacts of:
 - A. Removing the licence requirements for holistic centres and practitioners *in consultation with Holistic Centres and practitioners*;
 - B. Modernizing the requirements of the Body Rub Parlour By-law, including increasing or removing the cap on the number of body rub parlours permitted in the City of Toronto *in consultation with Holistic Centres and practitioners, and Body Rub Parlours and body rubbers*; and
 - C. Increasing safety requirements *for workers* in the Body Rub Parlour By-law.

Thank you for considering these recommendations - I urge you to work with the people whose lives will be directly impacted by these bylaws as this process moves forward.



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