July 2nd, 2020

To:

Mayor John Tory,

Toronto City Councillors,

Municipal Licensing and Standards,

Toronto Public Health,

Accessibility and Human rights,

Economic Development & Culture

BusinessTO Support Centre

**Re: Call for an immediate end to racial profiling by Municipal Bylaw Enforcement in holistic centres and body rub parlours**

We are writing this letter to call for an immediate end to racial profiling and discriminatory, excessive, targeted inspections and prosecution of holistic practitioners by Toronto Municipal Bylaw Enforcement.

We write to you today from a cross-section of organizations in Toronto spanning across: the gender-based violence and violence against women sector; human, labour, and migrant rights; and the legal and health sectors. We are deeply disturbed, from our various vantage points, about the ongoing human rights abuses of primarily Asian women working in holistic centres in Toronto simply for doing what the City, the Province, and the Federal government have been encouraging everyone to do: getting back to work.

Well before the current conditions under the Emergency Order, [holistic centre workers have consistently reported being racially profiled, targeted, and abused by City Bylaw Enforcement](https://576a91ec-4a76-459b-8d05-4ebbf42a0a7e.filesusr.com/ugd/5bd754_6d780ceba3cb4f6c85de4d3e9e0b7475.pdf). Last year, 33% of incidents of violence disclosed by holistic practitioners were at the hands of Municipal Bylaw Enforcement.

The following are some examples of human rights violations holistic practitioners are experiencing at the hands of Bylaw officials:

- racial profiling and targeting Asian-run holistic centres;

-excessive investigation and arbitrary prosecution of holistic centre workers;

- dangers due to not being legally permitted to take adequate safety measures, such as  locking  their door;

- sexual abuse, humiliation, and illegal searches of their personal belongings.

**Recent Calls to Action**

Over the last three years, more than 300 holistic practitioners and over 150 human rights activists and organizations have been meeting with Municipal Licensing and Standards (MLS) staff, Bylaw Enforcement officers, and city councillors to call for bylaw officials to immediately stop racial profiling, excessive inspections, arbitrary prosecution, and abusing workers in holistic centres, and to instead begin prioritizing the safety, labour, and human rights of holistic practitioners. These organizations include: Butterfly (Migrant and Asian Sex Workers Support Network); Chinese and Southeast Asian Legal Clinic; Chinese Canadian National Council (Toronto); Workers Action Centre; Showing Up for Racial Justice; FCJ Refugee Centre; Canadian HIV/AIDS Legal Network; International Human Rights Program (University of Toronto); Asian Canadian Labour Alliance; OHIP For All; No One is Illegal; Canadian Women’s Foundation; Parkdale Community Legal Services; Income Security Advocacy Clinic, and others. As of March 10, 2020, Over 500 Torontonians have [called on bylaw enforcement to immediately stop charging workers](https://forms.gle/FQp8EbxUC8CQyDq47)  when they take measures to protect their safety by locking their door, in particular after one worker was murdered and large numbers of workers were robbed in holistic centres over the span of just 3 months.

Since 2019, the City has hired 10 full-time Bylaw Enforcement officers to specifically police 400 holistic centres and body rub parlours, where the majority of workers are Asian or otherwise racialized, leading to them being harassed and charged, and to the detriment and disruption of their businesses and neighbours. With their increased staffing, Bylaw Enforcement continues to racially profile, abuse, and carry out excessive inspections and to arbitrarily prosecute the workers.

Due to massive community pressure and exposure of the issues, Municipal Bylaw Enforcement has committed to carrying out measures to improve their performance. However, we are extremely disappointed that Bylaw Enforcement officers continue to ignore the safety concerns of the workers, abuse their power, ignore and violate their enforcement guidelines, and ultimately, infringe on the human rights of mostly Asian and migrant women working in holistic centres and body rub parlours. As Toronto emerges from the most restrictive conditions related to COVID-19, we are seeing a resurgence of surveillance and ticketing for legal activities carried out by holistic centres and body rub parlours.

**Illegal Ticketing**

In spite of Ontario moving into Phase 2 of recovery, and Toronto businesses beginning to open up over these past few weeks, Bylaw officials are continuing to target, harass, and prosecute workers in holistic centres. On July 1st, the day Canada celebrates its national pride in a time of immense economic downturn, workers in holistic centres are reporting to us that they have been ticketed in their workplaces under the Emergency Order. This is in spite of the fact that Toronto Public Health announced in a [Notice to Body Rub Parlours and Holistic centres](https://576a91ec-4a76-459b-8d05-4ebbf42a0a7e.filesusr.com/ugd/5bd754_c5844bf5a0df438fbf81e709344f4d44.pdf) this past week that holistic centres and body rub parlours can legally operate as of June 24th, lifting previous restrictions related to COVID-19.  At a time when the City should be supporting businesses to re-open, and where there is no government funding for which the vast majority of holistic practitioners would have been eligible during the enhanced measures related to COVID-19, these workers are being punished simply for doing their jobs, despite having received written permission to do so.

The City has also publicly made a commitment to support businesses in Toronto to recover and rebuild.  Policing, punishment, and ticketing induce fear of law enforcement, preventing these workers from doing their jobs, let alone taking safety measures or seeking help and protection when they experience violence or threats. Due to these repressive measures, these businesses and the workers within them are having difficulty surviving given the current conditions, let alone recovering and rebuilding.

**Our Demands**

We will not stand for further repression and penalization of holistic centres and their workers. We therefore demand that the City do the following:

* *Immediately* stop racial profiling and excessive investigations of holistic centres;
* Ensure Bylaw officials cease ticketing holistic practitioners under the Emergency Order *immediately*, as Toronto Public Health (communication of June 26, 2020) has deemed holistic centres and body rub parlours set to open as of June 24, 2020 at 12:01am pursuant to O. REG 263/20, Schedule 2, s. 6;
* *Immediately* ensure Bylaw officials stop charging workers when they lock the door to protect their safety;
* *Immediately* take measures to ensure that no worker is punished for reporting a human rights abuse at the hands of Bylaw Enforcement;
* Stop repressive policies against holistic centres and body rub parlours;
* Defund bylaw enforcement, and re-invest in community supports and initiatives led by the workers themselves.

Workers in holistic centres and body rub parlours have a right to return to work safely. We cannot wait any longer for these harmful practices to stop. Having just emerged from discussions around police violence and the massive budget of the Toronto Police Services, we urge City Council to examine the repressive and harmful policies and practices of Toronto Bylaw Enforcement and their funding. We and many people around the country and around the world are watching, and we will not give up until you heed our call.

**Butterfly (Asian and Migrant Sex Workers Support Network)**