

Holistic Centres Factsheet

This is a response to the Auditor General's Report: *A Review of Municipal Licensing and Standards Division's Management of Business Licences – Part Two: Licensed Holistic Centres* on November 7, 2017.

What is wrong with the report?

- This report falsely claims that holistic health centres mitigate risks of human trafficking.
- Delisting the PHAs and increasing the law enforcement in holistic centres would infringe on the rights of the practitioners and negatively affect the holistic centres and practitioners.
- Many holistic health practitioners are racialized and a recommendation for more surveillance is experienced as a disguised attempt for racial and social profiling.
- The report is underscored by a moral panic in society against holistic centres and practitioners.
- The report does not address the issue of discriminatory, disproportionate, vigorous inspections and prosecutions as well as the abuse of licensing enforcement targeting holistic centres.

Holistic centres information (December 2016)

- 410 licensed holistic centres
- 2,294 licensed holistic practitioners
- 37 city-approved PHAs

Majority of holistic practitioners are

racialized immigration women over 30 years old.

More than **30%** of them have experienced **discrimination and harassment from law enforcement.**

Related information

- The number of the charges of holistic centres and practitioners increased from 75 charges in 2013 to 337 in 2014.
- The number of visits to holistic centres increased from 569 in 2013 to 1649 in 2014 (also about 1500 visit in 2015, 2016 & 2017).
- The number of inspections of holistic practitioners increases from 611 in 2013 to 2069 in 2014. (2092 in 2015 & 2858 in 2016).

Problems with the Information of the Auditor General Report and decisions of City Council of Toronto

Information from City	Information from Holistic Practitioners
<p>1. Significant number of holistic centres potentially offering unauthorized services In 2014, MLS claimed that that "the majority of holistic practitioners are offering body rub services".</p> <p>In the review of 2015 - 2016, 107 licensed holistic centres had the appearance of offering unauthorized services, such as erotic massage and other services.</p>	<p>1. The report is not evidence based They obtained this information through a simple internet search to make the conclusion that "107 holistic centres" are "potentially offering unauthorized services". They use the non-evidence based and unreliable information to justify their harmful recommendation. Similarly, there is no evidence-based research about the claim of MLS in 2014.</p> <p>There is already regulation of holistic licences to prohibit practitioners from offering unlicensed services.</p> <p>There are only 5 charges of "providing services not on list" (S545-181). It means centres being charged of offering unauthorized services in 2015-2016 is actually less than 1% among the total of 513 charges.</p>
<p>2. Risk of trafficking Holistic centres could potentially pose an array of health, safety and community issues, including risk of human trafficking</p> <p>In 2013, in a meeting of "Initiatives to Address Human Trafficking", City council has passed a motion to urge the city to "more vigorously prosecute charges related to municipal by-law infractions by the adult entertainment, body rub, and holistic license classes."</p>	<p>2. No risk of trafficking and problems of law enforcement The survey on the holistic practitioners has interviewed 52 holistic practitioners indicated that the majority of the holistic practitioners are immigrants between ages 35-44.</p> <p>The survey also shows that none of them have reported that they have been trafficked. However, more than 30% of them have experienced discrimination and harassment from law enforcement.</p> <p>The increase of investigation and prosecution does not identify any cases of trafficking.</p>
<p>3. City policy of increasing investigation and prosecution since 2014</p>	<p>3. The impact of this discriminatory, disproportionate and targeted inspection and prosecution are:</p> <p>A) Breaking the relationship with and increasing the fear of law enforcement. They are hesitant to seek help from law enforcement. B) Increasing the abuse of power and harassment of law enforcement. Infringing on the rights and privacy of the holistic practitioners (e.g. investigating for over an 1 hour to find a minor offence, entrapment, etc.) C) The number of inspections conducted on holistic practitioners increased from around 600 times in 2013 to more than 2,500 times in 2016 – far exceeding those of other businesses. D) Negatively affecting clients and business.</p>
<p>To increase the enforcement complement of the division by one (1) Supervisor and four (4) Municipal Standards Officers, including appropriately marked and equipped vehicles and equipment to enhance dedicated enforcement efforts related to non-compliant businesses currently operating with holistic licences.</p>	<p>Increasing the budget of \$682,000 annually to target 410 holistic centres while the city has put spending fees on significant social services to increase the enforcement complement of the division by one (1) Supervisor and four (4) Municipal Standards Officers, and equipped vehicles.</p>

Information from City	Information from Holistic Practitioners
Recommendation of delisting the 10 Professional Holistic Associations from the Auditor's Report which represent 92% of licensed practitioners in Toronto	There are 2305 holistic practitioners in 2017. It means more than of them may have lost their license (92%). They will lose their jobs and ability to support their families and more than 350 holistic centres may be closed. It will seriously affect the economy in Toronto.
Public Consultation on Review of Professional Holistic Associations Regulations in 2014	No comprehensive consultation has conducted with the holistic practitioners regarding the review of PHA in 2014 . No consultation has been carried out with holistic centres and practitioners regarding the review of holistic license regulation.

Recommendations

- Withdraw the proposal calling for the removal of 10 PHAs until a comprehensive consultation has been held with holistic practitioners.
- Withdraw the proposal calling for five additional By-law enforcement officers until a comprehensive consultation has been held with holistic practitioners.
- End discriminatory and targeted inspections and prosecutions on holistic centres and practitioners.
- Ensure By-law officers interact with practitioners in a non-discriminatory and respectful manner.
- Review and change stringent regulations on body-rub parlours in consultation with body-rubbers.

Sources of information

Communication with MSL and City Clerk.

A Review of Municipal Licensing and Standards Division's Management of Business Licences – Part Two: Licensed Holistic Centres Audit at a Glance - A Review of the Municipal Licensing and Standards Division's Management of Business Licences - Part Two: Holistic Centres

E. Lam (2017) Survey on Toronto Holistic Centre (in press)

Quotes from holistic practitioners

"I was just focusing on doing my work but the by-law enforcement officers treated me like a criminal."

"I was ordered to stand and told not to move. They wouldn't even allow me to go to the washroom."

"They are very unreasonable and disrespectful. A female officer asked my co-worker to take off her clothes and show her underwear. The by-law enforcement officers then took photos of her and gave her a ticket for clothing (having unprofessional clothing)."

"They searched for one hour and could not find anything. Finally, they found a minor issue that warranted giving me a ticket. They refuse to leave until they can find a reason to give you a ticket."

"The mattress of my massage bed is in good condition. I have also covered it with 3 layers of towels so that clients will not contact the mattress directly. But the bylaw enforcement officers removed all of the towels and then flipped the massage bed. I was then given a ticket just because of a little scratch at the bottom of the bed."

"They won't listen to you. Sometimes, when you have a friend visit, the by-law enforcement officer will accuse them of working also and give them a ticket."

"Sometimes, they come with 6-7 people, making both the neighbours and clients feel uncomfortable. It really affects our business and results in neighbours not liking me."