

## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:09 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Safe Harbour Outreach Project

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**From:** [REDACTED]  
[REDACTED] September 30, 2019 9:00:54 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Re: Safe Harbour Outreach Project

Hi there, I wanted to write today as a show of my support to the Safe Harbour Outreach Project. I think individual safety in one's profession is of utmost importance, regardless of profession, and I want to commend the efforts put forth already. I encourage you to support lifting the ban on sex shops, however I would like to clarify that I in no way support the use of the name Massage Parlour in association with prostitution,. I am a Registered Massage Therapist. In my experience, using the name massage parlour in reference to prostitution, a brothel or sex shop has had a negative impact on our registered health care profession. We have fought for years to get registration, to make sure everyone has the same education standards for safety of our clients. It takes a lot to achieve the RMT status. We go through 2 years of formal, in class training, and countless hours of practical (unpaid) hands-on training in the form of clinic and outreach events. That amounts to over 2200 HOURS of training, not to mention preparation and taking the written and practical Objective and Subjective Comprehensive Exams, which are not only two of the most stressful things I've done in my life but cost an arm and a leg. We also have to pay \$800 a year to maintain those three letters, RMT, after our names. We are currently fighting to be recognized among Physiotherapists and Chiropractors nationally for health service status so we no longer have to collect taxes on our services. SO MUCH goes into becoming a Registered Massage Therapist and the amount of times I've had people speak down to me or verge on sexually harassing me at work has to stop. I would never want people treating another human like that at work even if they are a sex worker, but especially not after I've worked so hard to achieve what I have. We can accomplish this together by moving forward in a positive manor with current prostitution work by creating a safe environment for people to work in through lifting this ban as well as identifying it by it's actual name without the intention to degrade. Call it what it is, nothing more, nothing less. We need your help. Please talk to the Massage Therapy Association for more information, I beg of you. Thank you for your time and consideration.

[REDACTED]

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[REDACTED]

[REDACTED]

Registered Massage Therapist

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:03 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Lift ban on massage parlours

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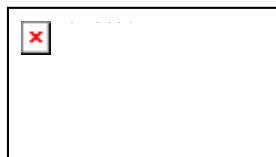
**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 2:55:27 PM  
**To:** Hope Jamieson <hjamieson@stjohns.ca>  
**Subject:** Re: Lift ban on massage parlours

Hi Hope,

Thanks for your quick response! I hope you're able to consider this at tonight's vote.

Kind regards,

[REDACTED]  
[REDACTED]  
[REDACTED]  
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[REDACTED]

[REDACTED],

[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** [REDACTED]

**Sent:** Monday, September 30, 2019 12:05:51 AM

**To:** CouncilGroup <[councilgroup@stjohns.ca](mailto:councilgroup@stjohns.ca)>

**Subject:** Lift ban on massage parlours

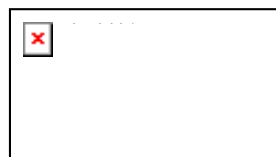
Good evening,

I would like to express my support with regards to lifting the ban on massage parlours here in the City of St. John's.

As an individual who works closely with those impacted my sexualized violence and an ally for sex workers in our province I urge St. John's city council to take into consideration the risk that this ban imposes on sex workers and to consider lifting it so that they may work in safer conditions.

Kind regards,

[REDACTED]  
[REDACTED]  
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[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]

**Sent:** Sunday, September 29, 2019 11:12:07 PM

**To:** CouncilGroup <councilgroup@stjohns.ca>

**Subject:** massage parlour - lift the ban

I am writing in support of the motion to life the ban on massage parlours. Not only does the empirical research support doing so, conversation with the sex workers who this ban directly effects speaks to the need to do so for safety and agency of the workers. I'm sure will add nothing to the conversation if you are well versed in the arguments presented by these two populations so I urge you to do the right thing and lift the ban.

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:05 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: massage parlours

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 9:10:15 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** massage parlours

Dear Councillor,

I am writing to show my support for lifting the moratorium that is currently in place for massage parlours in our city. There is credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://sjwomenscentre.ca/.../Lifting-the-Ban-SHOP-Report-for...>

[REDACTED]  
[REDACTED]  
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[REDACTED]

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Dear Councillors,

I am a former sex worker and massage parlour employee who has chosen to maintain anonymity in writing this letter. I am writing today in response to Councillor Burton's motion to lift the existing moratorium on new licences for adult massage parlours in our city. I would like it to be known that this motion has my full and unreserved support, an opinion shared by many others with whom I have spoken, both within the sex industry and outside it. While I recognise that diversity of experience does of course exist, I feel that my experiences, and those aligned with mine, are worthy of consideration.

In general, my experience working in massage studios was quite positive, a position that is certainly shared by many friends and former colleagues. Studio work allowed me to survive at some of the toughest times of my life, and to do so under superior conditions. Having also engaged in “independent” sex work, where I saw clients in private locations, I have found that studios by nature are considerably safer and more stable work environments than their alternatives. Studios offer their workers physically secured buildings, closed-circuit cameras, enhanced client screening protocols, extensive networking between workers, and the safety in numbers that comes with having colleagues by your side. None of these were conditions I found available outside the studio environment, or at least not nearly so easily. Studios also offered workers the ability to remove themselves from their homes to work, an essential condition for those who might not enjoy supportive living situations. When issues with clients arose, they stemmed from the patriarchal culture in which all sex workers regrettably operate; in other words, they were not specific to studio work, and their solutions require tackling broader social issues. Further, I found that studios left me better equipped to handle potential incidents than working alone would do. It is a testimony to this level of security that I experienced not a single incident of sexual or physical violence while working in a studio.

In my opinion, the moratorium is an ill-advised, woefully misguided piece of legislation that has only served to hinder the development of safe work places for sex workers. By limiting the number of potential new studios, and restricting the movement and growth of existing ones, the moratorium has made it impossible for concerned industry members to improve substantially on current working conditions. Studios are de facto prohibited (or at least hindered) from moving if necessary, or from expanding if their track record should prove successful. Should issues arise with existing businesses, their owners face little external pressure to fix them, and new competitors cannot improve on them. If those issues should result in the closure of businesses, there are few to no recourses available to the incredibly vulnerable people who will then be made unemployed. In these ways, the moratorium has directly worsened the issues of insecurity and safety for which its proponents still trumpet it as an answer. Lifting it would empower the creation of more studios and the expansion of the safety protocols I have described here, and would ultimately make sex workers safer.

While I accept that experiences vary between individuals, I know virtually no sex worker who feels that a restrictive approach to massage studios would improve sex worker safety – or, indeed, community safety. Though some specific troubling testimonies have been made public in the last few years, their claims are neither universal nor necessarily even structural, and in most cases they have been addressed internally with enhanced security measures and improved communication. Removing the moratorium would actually enable studios to better handle such criticisms: they could operate more openly, with less stigma, and with more potential for growth and change overall. Additionally, should any process of provincial regulation be put forward, workers could be ensured of finding a fully compliant workplace in the competitive marketplace that would result from the moratorium's removal,

and owners would be duly incentivized to ensure their businesses are up to snuff. Community members, too, could feel safer knowing that the new development regulations create some distance between themselves and new studios, and that studio owners and workers – including existing ones – would be working hard to contribute positively to their communities. Lifting the moratorium, as Heather Jarvis of SHOP was recently quoted as saying, would be a “good news story” all around.

Too frequently, these truths are ignored in our discourse, often in favour of abolitionist narratives that paint with broad strokes to portray the sex industry in a generally negative light. When these tactics serve to limit or shrink the industry, they only result in workers gaining stigma and being driven further underground, potentially placing them in greater danger. As some of our society's most vulnerable people, sex workers often rely completely on the sex industry for economic stability. For studio workers, the moratorium has often resulted in a severe restriction on their working choices, a fact that has explicitly driven some workers into less safe working situations if or when a studio job has not worked out. As the moratorium has also resulted in an ownership monopoly, something as simple as a personal conflict or a false innuendo might strip a worker of this work choice altogether.

At the end of the day, I find this unacceptable, in large part, because there are few industries of which that could be said. Sex work is *work* first and foremost, but this moratorium treats it like something else. It has placed arbitrary restrictions on workers based on (often) misguided community concerns, and stigmatised the people who manage to work within those restrictions. It has singled out an already vulnerable group of people for punishment based on the perceived errors of past community members, and has silenced our ongoing efforts to prove that our work choice is valid and positive. It has resulted in the worsening of conditions that it sought out to address, and should be withdrawn based on this consequence alone. Most of all, it has made us feel that our industry, and our work choice, are not supported by this council – and, indeed, that we are not. We are not looking to bother anyone, or to have any effect on our community that's not positive. We are also not trying to negate the experiences of those who have worked in studios and found them problematic – in fact, we are trying to ensure that no worker ever has such an experience. We are simply trying to earn a living in a society that's often made that difficult for us, and we alone are restricted from doing so under this moratorium. I, and so many other people, are begging this Council to lift this ban and allow us to flourish and grow in the ways we know we can.

With thanks,



## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:12 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Support motion to lift the current ban on massage parlours in St. John's

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**From:** [REDACTED]  
**Sent:** Sunday, September 29, 2019 8:50:38 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Support motion to lift the current ban on massage parlours in St. John's

I agree with the message below to deregulate sex work for the safety of sex workers.

Please carefully consider the information with an open mind.

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in our city. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf>

Thank you

[REDACTED]  
[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:09 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Ban on Massage Parlours

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**From:** [REDACTED]  
**Sent:** Sunday, September 29, 2019 11:59:39 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Ban on Massage Parlours

I am writing in support of lifting the moratorium on massage parlours in the city of St. John's.

As a current social work student, I've had many opportunities to learn about sex work and the ways we can make communities safer for both sex workers and other community citizens. For example, I've learned that much of the legislation in place is in fact not of benefit to many employed in the industry. Federal laws such as Bill C-36 were established to "help" sex work professionals but many feel it does the opposite. The same goes for the ban on massage parlours in St. John's, Newfoundland and Labrador. Combined with federal law, the ban means more "...unregulated situations that push sex workers further underground into isolation and into more vulnerability", says [REDACTED], program coordinator of SHOP in a recent news article.

To further [REDACTED] point, such decisions should not be made lightly, without consultation from those the moratorium has the greatest impact on— sex workers themselves. They are the experts in this situation. They know the ins and outs of their profession, more so than anyone else who could be brought to the table for discussion.

If the council is looking to make the city a safer place for all residents, including sex workers, lifting the ban is most certainly the best bet.

After all, doesn't everyone have a right to safety?

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:12 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Expression of support to end the moratorium on massage parlours in St. John's

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 12:33:46 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Expression of support to end the moratorium on massage parlours in St. John's

Dear Councillors, Mayor & Deputy Mayor;

I am writing to express my support to end the moratorium on massage parlours in our city. Research has shown that restricting massage parlours affects the safety of sex workers. If you are unfamiliar with safety concerns of sex workers & how massage parlours play into this, I encourage you to read the report completed by our city's own Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting Monday, Sept 30th:

"Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized"

You can find the full locally created report here:

<https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf>

If you have further questions or concerns, I encourage you to speak with SHOP, St John's Status of Women's Council & Living in Community - a collective that you help fund through Happy City St. John's.

As a resident who has lived in an area of St. John's where people engage in street level sex work I saw regularly the dangers people were put in.

I ask that you place your personal opinions aside & consider that of residents like myself who have reached out to you & also sex workers in our city. All people deserve safe working conditions, no matter your job title or industry.

[REDACTED]  
[REDACTED]  
[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 2:50 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Massage Moratorium

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 3:52:27 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Massage Moratorium

Dear Council,

Please let people work safely and securely, in the presence of others. Please let new parlours open so that workers can choose the best owner, or a close location. Please remember that sex workers are city residents and your constituents, and that this isn't an us vs them situation. Please listen to the voices of lived experience and front line expertise. Work with the community to deal with hiccups but know that the massage situation in this city is getting worse and less safe because of the moratorium.

Regards,

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:08 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: "Massage" parlours in response to safe harbour outreach project

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**From:** [REDACTED]  
**Sent:** Tuesday, October 1, 2019 10:16:54 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** "Massage" parlours in response to safe harbour outreach project

To whom it may concern,

As a young, female, massage therapist, I would like to express my concern on how frustrating it is that the council in our province/city are supporting the practice of "massage parlours". Say what you will, but the practice of sex workers is in no way a massage, it is prostitution.

It is offensive to those such as myself who have spent years, and a lot of money to earn the title of a RMT, only for it to be threatened as it gets looked at as a sex trade. My job deserves the recognition of a health care practitioner.

Why not remove the title of Massage from the name, and call it what it is... a brothel, prostitution, sex workers, whore house, adult parlour, there are lots of options that don't involve the word massage. Quite frankly it confuses the public, and leads them to believe they can go to any massage clinic and have sexual favours performed. And they are mistaking. It is insulting when a client comes in and requests a "adult treatment". And it pisses us off, again as we worked long and hard to get our title and be able to treat clients for HEALTH conditions.

Please take this into consideration with what you're doing in our city..

Regards,

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:12 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Protect Workers; Lift Moratorium on Massage Parlours in St. John's

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 4:22:04 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Protect Workers; Lift Moratorium on Massage Parlours in St. John's

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in our city. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

[https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf?fbclid=IwAR07E82X-BbiJDyaWmlslpfnNjT\\_ChieeCWpe3uFzRb8XGq\\_0RXnoshlhW](https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf?fbclid=IwAR07E82X-BbiJDyaWmlslpfnNjT_ChieeCWpe3uFzRb8XGq_0RXnoshlhW)

Thank you,

[REDACTED]

[REDACTED]  
[REDACTED]

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Dear St. John's City Council,

September 24, 2019

We want to thank you for taking the time to hear diverse voices of current and former sex workers, many of whom are survivors, around the impact the moratorium on massage parlour permits has had since 2015 and taking an important first step in working towards lifting this moratorium. Thank you for meeting with SHOP in December 2018 and accepting our report titled, "Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights" which included a letter from SHOP, references to national and international research and evidence, and multiple letters from current and former sex workers and survivors in our city. At SHOP, we have and continue to hear, time and again, from our sex working community that working indoors is inherently safer, offers increased workplace discretion, and provides greater opportunities for sex workers to have agency and control over working conditions. Sex workers who we have connected with in St. John's are overwhelmingly in favour of lifting the ban, ending this moratorium, and want to be involved in the decisions that impact their day to day lives. Thank you for listening and believing sex workers and survivors, and thank you for understanding more meaningful consultation and engagement.

Today we heard from several people in our community and we wanted to share some of these words with you:

"Finally! I'm so glad they are finally acting after all of us speaking out."

"This is a good example of what meaningful consultation with sex workers on their own terms can look like. This is acting on evidence and best-practices, instead of stigma and fear."

"Listening to the people most impacted by decisions made by the City is one of the most important things Councilors can do. Thank you."

"We need honest to goodness people to help women stay off the street and provide them with a good income for their work."

"After several years women's voices are being heard."

"I think it's important to account for the long-term ramifications of the way our leaders view us, and whether or not they listen and believe us or not."

"This decision shows the City is prioritizing safety over stigma, prioritizing human rights over fear-based measures that criminalize and disproportionately impact sex workers as people living and working in this city."

Canadian and international research has shown repeatedly that indoor workers are much less likely to experience violence than outdoor workers. We know this issue is fraught with many emotions and calls to action but removing punitive barriers for people in the sex trade that push them underground, to instead have more options to be indoors working with others is about safety. We have an opportunity to work towards an innovative approach in St. John's and our province, that upholds and prioritizes the safety, protections and human rights of sex workers', and recommits to safer regulations guided by the ongoing expertise and consultation of the very communities they impact.

Sincerely,

SHOP Staff, Volunteers, and Several Participants



**SAFE HARBOUR  
OUTREACH PROJECT**

*Support + Supplies + Sex Work Allies*

# **Lifting the Ban:**

Recommendations to Protect the Human Rights of  
Sex Workers in St. John's

**REPORT FOR ST. JOHN'S CITY COUNCIL**

Presented by SHOP

December 2018

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

Dear Mayor Danny Breen and St. John's City Council,

The Safe Harbour Outreach Project (SHOP) is the first and only sex worker advocacy program in Newfoundland & Labrador, operated by the St. John's Status of Women Council and Women's Centre. Our mandate at SHOP is to advocate for the human rights of all women who have engaged in sex work across our city and province, both on an individual and collective level. To date, we have connected with over 400 people with experience in the sex trade, and in practice our work involves a great deal of individual support, outreach, and advocacy. This unique program was developed in partnership with women who engage in sex work, and everything we do is informed by the real experts - sex workers themselves.

In our work, we are guided by values of sex workers' self-determination, harm reduction and social justice. In practice, we come from a place to meet each individual where they are at, and often for the people we serve that means supporting them in the ways they identify as they experience unsafe and inadequate housing, barriers to basic healthcare, interpersonal violence, isolation, poverty, food insecurity, sexual violence, untreated mental health and addictions, criminalization, stigma and fear. Some of our most basic work is in offering a real and safe sense of community where current and former sex workers can be valued and heard, with no waitlists, no discharge dates for our support, and no predetermined agenda for their needs. For some women who are ready to transition out of the sex trade, we support them to make these significant changes when and if they are ready, and for other women who are trying to survive under highly complex and layered conditions, we support them in navigating systems that are often very adversarial and harmful to their reality of deciding to engage in sex work.

In five years of operating, our program has secured a physical space, we offer weekly drop-in programming, safer sex supplies, counselling, ongoing outreach to shelters, massage parlours and clubs, community organizations, people's homes and monthly visits to the NL Correctional Centre for Women in Clarenville, and we are a proud member of the Canadian Alliance for Sex Work Law Reform, a national alliance of sex workers and advocates that spans 30 groups across over 20 cities in Canada. SHOP is proud to have spearheaded the Living In Community model in St. John's, an innovative approach to community dialogue around sex work and the prevention of youth sexual exploitation that brings multiple stakeholders together, an important collaboration with our City, law enforcement, local businesses, residents, community non-profit organizations, and sex workers. We are currently involved in two national research projects, one through the Pierre Elliott Trudeau Foundation on national research and action to mobilize sex workers', and one through a partnership between the University of Calgary and Status of Women Councils in NL to both heighten the voices of sex workers from our province and share art-based exhibits created by sex workers in NL. We also participate in province-wide education and advocacy responding to ongoing media requests, and offering training on multiple topics related to sex work and human trafficking to nurses and healthcare professionals, child welfare workers, law enforcement, clergy, students studying in various departments at MUN, Crown prosecutors with Legal Aid, and staff and volunteers in front-line community organizations across St. John's. Furthermore, through our advocacy we have been recognized as the leading voice on sex workers' human rights in Atlantic Canada.

**We request that our City Council lift the moratorium on massage parlours – one important action that will continue the work to protect sex workers' human rights through decriminalizing consensual involvement in the sex trade, known as sex work.**

We are asking that St. John's City Council remove a moratorium which was created rapidly, without adequate consultation or contribution from those directly impacted – the very people working in massage parlours. The moratorium on massage parlour licenses was issued as a superficial response to stigma, fear, and discrimination against sex workers in our city. As a result, this moratorium has been an ineffective response to concerns of violence and sexual exploitation of both youth and adults in St. John's.

**In fact, what we know is that this moratorium acts as a form of criminalization, restricting the legal and regulated options for sex workers to work indoors, and instead increasing the unregulated sex work occurring in residential locations, pushing sex workers underground, into isolation and more vulnerable to exploitation and violence. We have heard from numerous sex workers in and outside of massage parlours that this moratorium has restricted their options, made them vulnerable to harassment and exploitation from**



## **Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights**

**landlords and neighbours, and allows people who do enact violence against women and sex workers greater access and power to do so.**

SHOP, alongside sex workers in our city and province, and internationally, adamantly condemn sexual exploitation of youth and adults, and human trafficking for the purpose of sexual exploitation. SHOP believes that sex workers are integral to working against sexual exploitation and human trafficking. We support relationship-building and meaningful consultation between sex working communities, government and law enforcement, which must be founded in trust and transparency.

Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized.

Finally, we support repealing the ban on massage parlour permits as an important first step towards sex workers in our City having access to both safe conditions and options within their work, and we would look forward to enacting more safe and supportive regulations around massage parlours. We have and continue to hear, time and again, from our sex working community that working indoors is inherently safer, provides diverse opportunities for choice, and increases their agency and control over working conditions. Sex workers who we have connected with in our city are overwhelmingly in favour of lifting the ban, ending this moratorium and want to be involved in the decisions that impact their day to day lives. We have an opportunity to work towards an innovative approach in St. John's and our province, that upholds and prioritizes the safety, protections and human rights of sex workers', and recommits to safer regulations guided by the ongoing expertise and consultation of the very communities they impact.

On behalf of SHOP, the St. John's Status of Women Council, and the hundreds of sex workers and women who we support in our city, we are asking that you repeal the moratorium that has been places on massage parlour licenses, ownership, and movement in St. John's. Repealing this moratorium is a first step towards adequately supporting the safety and well-being of adult sex workers in our city, and in working towards a strengthened relationship between St. John's City Council and sex working communities in St. John's. Removing the moratorium is a powerful action affirming that sex workers are deserving of respect, labour rights, and access to safety in their employment, ultimately upholding sex workers' human rights in and across St. John's.

**Please see information included after this letter that make up a report including evidence-based research nationally and internationally, numerous letters of sex workers who live and work in our St. John's community, and specific recommendations from SHOP to St. John's City Council.**

Sincerely,

[Redacted Signature]

# Research and Evidence on Sex Worker Safety: From Third Parties to Decriminalization

## Sex Work in Canada (2015)

By Cecilia Benoit & Leah Shumka

Conducted through the Centre for Addictions Research of BC, Professor, Department of Sociology, University of Victoria, Canada.

### ABOUT THIS STUDY:

This research was conducted to address the stereotyping of sex workers that goes on in the popular media and among people with little firsthand experience of sex work and its profound impact on the health, safety, and security of sex workers, as well as their friends and families, those who pay for their services, and those who play a managerial role in the sex industry. This study seeks to gain a comprehensive understanding of the sex industry across Canada, so as to help improve the social, cultural, and legal environments that shape the health and well-being of the people associated with the sex industry.

Available:

[http://www.understandingsexwork.ca/sites/default/files/uploads/2015%2005%2007%20Benoit%20%26%20Shumka%20Sex%20Work%20in%20Canada\\_1.pdf](http://www.understandingsexwork.ca/sites/default/files/uploads/2015%2005%2007%20Benoit%20%26%20Shumka%20Sex%20Work%20in%20Canada_1.pdf)

### **Selected quotes:**

"In the case of indoor workers:

- Canadian and international research has shown repeatedly that indoor workers are much less likely to experience violence than outdoor workers. While it depends greatly upon their specific work setting (e.g. home-based, massage parlour, strip club, or escort agency), studies report that anywhere from 60-80% of indoor workers report never experiencing any work-related violence."  
(pp 13-14)
- "Some indoor workers report that because they have less direct contact with police they can implement important safety strategies that are less available to street-level workers. These include:
  - o Taking money upfront and hiding it;
  - o Having friends, roommates, bodyguards, or managers on-site who can help ensure their safety and security;
  - o Opportunity to negotiate the terms of the transaction over the phone before the encounter to mediate any potential disputes;
  - o Greater opportunity to assess the clients character, either on-line, over the phone or at the door, or through a manager;
  - o Greater accountability if a client pays by credit card.
- Managed workers or those who work under a person who is hired to provide direction and coordination, including training, hiring, monitoring, disciplining, and setting workplace standards for sex workers, may be the most safe, especially in a decriminalized environment because, according to Abel and Fitzgerald, escort agency and massage parlour workers feel there are policies and laws in place to protect them, they are more confident that the police will respond to their complaints, and there is added security in the form of co-workers and cameras to ensure clients behave appropriately."

(p 14)

# **Upholding and promoting human rights, justice and access for migrant sex workers: Municipal Law and Migrant Sex Workers' Rights (2017)**

By Tara Santini and Elene Lam

Conducted and funded by The Law Foundation of Ontario, Butterfly: Asian and Migrant Sex Workers Network, Chinese Canadian National Council Toronto Chapter, The Chinese and Southeast Asian Legal Clinic, St. Stephen's Community House

## **ABOUT THIS DOCUMENT:**

This document provides information and insight for legal, social, health, community, and other service providers to help develop their capacity to provide adequate, accessible and appropriate services to migrant sex workers. These documents were written and produced with the direct and meaningful participation of migrant sex workers, and reflect the autonomy, knowledge, skill, brilliance and expertise that migrant sex worker communities embody.

Available:

[https://docs.wixstatic.com/ugd/5bd754\\_3284af1908704da0935a4cf60e66abf3.pdf](https://docs.wixstatic.com/ugd/5bd754_3284af1908704da0935a4cf60e66abf3.pdf)

## **Selected quotes:**

“People are taught to think of sex work as a crime, a social nuisance, a social inequality, gender violence, sexual exploitation and human trafficking. These perspectives and assumptions do not reflect the realities of many sex workers. When providing services, it is essential to listen to the individual to understand how they experience their reality and what aspect of their circumstances they are looking to address.

Migrant sex workers' realities are unique and diverse. People make the decision to do sex work based on the range of options available to them. The scope of this range differs across individuals and communities depending on their level of privilege and access. Like other kinds of employment, people may do sex work for many different reasons, including generating income to provide for themselves and their families, and accessing the things they need and want.”

(p 5)

“Indoor workplaces increase migrant sex workers' capacity to control their environment, to implement health and safety practices, and to protect their human rights.”

(p 20)

“Migrant sex workers are concerned with their working conditions and identify the criminal, immigration and municipal prohibitions and enforcement practices related to sex work as key barriers to improving their working conditions and protecting their rights.

... Exploitative working conditions occur in many informal labour industries. The criminalization of some informal labour markets – like sex work – encourages over- regulation via criminal, immigration and other laws that isolate workers, maintain precarious working conditions, and exclude the application of labour protections that could address exploitations at work.”

(p 23)



# Beyond Pimps, Procurers, and Parasites: Mapping Third Parties in the Incall/Outcall Sex Industry (2013)

By Chris Bruckert and Tuulia Law

Conducted through the Social Sciences and Humanities Research Council of Canada (SSHRC), the Faculty of Social Sciences and Department of Criminology at the University of Ottawa,

### ABOUT THIS STUDY:

In recognizing the lack of evidence-based knowledge about third parties in the sex trade (who are neither clients nor sex workers), this report draws on data collected as part of a 3-year Canadian study entitled Rethinking Management in the Adult and Sex Industry Project to map and unpack the roles and relationships of third parties in the incall (services are provided in an establishment) and outcall (services are provided in a location selected by the client) sectors. Not only are these the largest sectors of the sex industry, but they are also subject to an astounding array of legal prohibitions that effectively criminalize all third parties regardless of their roles or the nature of their relationship to sex workers. This issue of third parties has become especially urgent in the current socio-political context in Canada as, in 2013 and the years that followed, national laws changed dramatically.

Available:

[http://www.nswp.org/sites/nswp.org/files/ManagementResearch%20\(4\).pdf](http://www.nswp.org/sites/nswp.org/files/ManagementResearch%20(4).pdf)

### **Selected quotes:**

"A number of the participants (particularly in the Halifax focus group) spoke of incall/outcall sex work for a third party as an alternative to street-based sex work. According to Sweet, a sex worker in Halifax: "Some of my advantages of working for an escort service – number one, you didn't have to stand on the corner [...] I could sit at home, wait for my call."

... Like other sex workers who spoke positively about particular third parties, Sweet also told us, "It was a relationship. There was respect there, so that was a perk." The idea of relationships extends to solidarity with other sex workers. Moxie spoke of "sisters working together" sharing information, supplies and protecting each other. This advantage is, of course, largely restricted to incall establishments. Alana, an Ottawa area sex worker, bemoaned that she "didn't know any of the other girls who worked for the agency."

While collegiality speaks to emotional wellbeing, other sex workers appreciated the security that working for a third party afforded them: "one security [measure] is [that]: 'I'm not doing this at my place' [...] That it's in an apartment building gives me a certain sense of security, just because there is a lot of movement – there are people around"<sup>3</sup> (honey, Montréal). Whereas Honey valued the safety in numbers, others spoke of the significance of security protocols such as the 'two-call' and safety call procedures. For Sandra from Toronto it was not only about security but also the accompanying reduction of anxiety, "It's absolutely safer, I think, when you're working in a network of people. So I think safety and less stress."

(p 26)

"Sex workers work for, with, or hire third parties for a variety of reasons. These third parties may:

- Provide the opportunity of working indoors which sex workers told us is safer, more pleasant (e.g., not standing in the cold) and less subject to criminalization and harassment;
- Provide an establishment that fosters a sense of community and workplace solidarity with others that is not available when working independently;
- Provide an environment where sex workers can learn about the industry from third parties and other workers;
- Take measures (e.g., screening, safe calls) that increase the safety and security of sex workers;
- Provide an environment made more secure by the presence of others;
- Establish rules and protocols that assist sex workers in their negotiations with clients;
- Assume responsibility for tasks that the sex worker may not wish to do, or for which they do not have the skill-set;

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- Assume legal liability so workers are not vulnerable to being charged as “keepers of a bawdy-house” under CC s. 210(1);
- Provide useful business (e.g., clients, booking) and security (e.g., drivers, security persons) services.

However, by no means do all third parties provide good services and operate in the interest of sex workers. As we will see throughout this report, sex workers told us of problematic policies and practices by third parties. For example, some labour practices are exploitative and some agency owners are less than transparent or ethical. What emerges is that, as is the case in any occupation, some bosses are good, some mediocre, some bad. These findings are consistent with those of other researchers who draw attention to the complexity and array of relationships sex workers have with third parties.”  
(pp 28-29)

“We feel strongly that sex workers must take the lead in determining the policies and laws that should govern their industry – not only are sex workers the experts but they are the people who will live the consequences of any regulatory regime most profoundly.”  
(p 89)

### Sex work is not 'commercial sexual exploitation' (2014)

By SCOT-PEP

#### ABOUT THIS RESOURCE:

SCOT-PEP is a registered charity dedicated to the promotion of sex workers' rights, safety, and health. Who has been involved in the campaign for sex workers' rights for over 20 years, from our roots in a research project on HIV and sex work, through two decades of service provision to sex workers in Edinburgh, to our current role as a campaigning organisation. We are members of the Global Network of Sex Work Projects (NSWP), International Committee on the Rights of Sex Workers in Europe (ICRSE), and the UK Network of Sex Work Projects (UKNSWP), and although our primary focus is on Scotland, we view ourselves as a proud and active member of the global movement for sex worker rights.

Available:

[http://www.scot-pep.org.uk/sites/default/files/reports/sw\\_is\\_not\\_cse\\_summary1.pdf](http://www.scot-pep.org.uk/sites/default/files/reports/sw_is_not_cse_summary1.pdf)

#### **Selected quotes:**

"Sex work is often conflated with trafficking, and this conflation and the policies that result from it harm the rights and safety of migrants, sex workers, and migrant sex workers.

... A definition of sex work – as intrinsically a form of violence against women – creates and exacerbates serious harms to sex workers. This definition makes invisible the violence that sex workers themselves define, meaning there is no incentive to pursue policies that reduce that violence.

When sex workers object to the definition of sex work as violence, they are not denying that violence and exploitation are often present in sex workers' workplaces: no one knows that reality better than sex workers themselves. Criminalisation is a fertile ground for human rights abuses. But this conflation means there is no incentive to pursue policies that reduce the violence that sex workers themselves identify. If sex work is violence, and so is sexual assault, then disrupting a sex worker's workplace can be presented as 'tackling violence' in the same way that preventing or punishing sexual assault is. That's despite the fact that limiting or displacing a sex workers' ability to sell sexual services, or disrupting their workplaces, might force them to seek out unfamiliar or risky work venues, making them more vulnerable to violent individuals.

The definition provides political justification to push for policies that demonstrably increase violence against sex workers, as defined by sex workers themselves... It means that sex workers are systematically excluded from policy-making around sex work."

# Setting the record straight on protecting the human rights of sex workers (2015)

By Amnesty International - Canada

### ABOUT THIS STATEMENT:

In 2015 Amnesty International's International Council announced a resolution, and a forthcoming policy, on state obligations to respect, protect, and fulfil the human rights of sex workers, after recognizing the high rates of human rights abuses experienced globally by individuals who engage in sex work. Amnesty International identified that in line with the rights of individuals involved in sex work this position actively seek to promote women's rights, children's rights, Indigenous rights, LGBTI rights, the right to health, and the rights to live free from discrimination, violence, and trafficking (amongst other rights). In the Canadian context, Amnesty International Canada also acknowledged this was in support of their previously identified position working to end violence against Indigenous women and girls in Canada.

Available:

<https://www.amnesty.ca/blog/setting-the-record-straight-on-protecting-the-human-rights-of-sex-workers>

### Selected quotes:

"Those SELLING sex should be decriminalized in all circumstances so as to not further marginalize sex workers, who are often stigmatized and at risk of violence and other human rights violations. The BUYING of sex and ORGANIZATIONAL ASPECTS of sex work (i.e. security guards, drivers, receptionists) that do NOT involve trafficking, children, exploitation or violence should be decriminalized so as to make sure that sex workers can operate in safety and their human rights are protected.

... People who sell sexual services should be able to do so without fear of harassment, arrest or prosecution. These actions only serve to further marginalize sex workers and expose them to a far greater risk of violence and abuse. We also expect that when women, children and men who have been trafficked or sexually exploited know that they will not be criminalized, they will be more willing and able to assist police.

Sex workers must also be able to take measures to increase their own security. Such actions might include working with others, working in a brothel, or hiring a driver. Crimes like 'brothel keeping' or 'promotion' of sex work are often used to prosecute sex workers themselves, or to prevent them from taking actions that increase their safety, like working together. Instead of using 'catch all' offences like these ones, governments should focus their laws on criminalizing trafficking, violence, and coercion or exploitation in sex work."

# Amnesty International Policy on State Obligations to Respect, Protect and Fulfil the Human Rights of Sex Workers (2016)

By Amnesty International

### ABOUT THIS POLICY:

In 2016 Amnesty International released a policy recognizing the high rates of human rights abuses experienced globally by individuals who engage in sex work, identified the most prominent barriers to sex workers' human rights, and underlined states' obligations to address them. The policy calls on all governments internationally to "decriminalize consensual sex work" after 500 delegates from 80 countries reviewed evidence and research and voted in favor of an initial recommendation to decriminalize. Amnesty International spent more than 2 years developing their policy to protect the human rights of sex workers, based on extensive work done by organizations such as World Health Organisation, UNAIDS, the UN Special Rapporteur on the Right to Health, other UN agencies, and the Global Alliance Against Traffic in Women. They also engaged in extensive and open consultation with sex worker groups, groups representing survivors of prostitution, organizations promoting criminalization, feminist and other women's rights representatives, LGBTI activists, anti-trafficking agencies, HIV/AIDS activists and many others.

Available:

<https://www.amnesty.org/download/Documents/POL3040622016ENGLISH.PDF>

### Selected quotes:

#### "CRIMINALIZATION and OTHER PENALTIES:

The primary and secondary evidence gathered by Amnesty International demonstrates that criminalization and penalization of sex work have a foreseeably negative impact on a range of human rights. These include: the rights to life, liberty, autonomy and security of person; the right to equality and non-discrimination; the right to be free from torture or cruel, inhuman or degrading treatment or punishment; the right to privacy; the right to the highest attainable standard of health; the right to information and education; the right to freedom of opinion and expression; the right to adequate housing; the right to just and favourable conditions of work; the right to family life and to found a family; and the right to remedy for human rights abuses.

...Where sex workers are required by law to operate alone and/or are prohibited from securing premises, their capacity to secure a safe working environment is greatly reduced. Laws against paying for consensual sex or organizing sex work have a detrimental impact on their ability to work and lead to the penalization of sex workers. Such laws regularly force sex workers to operate covertly and/or prohibit actions that sex workers take to manage their safety and, in doing so, violate sex workers' human rights."

(p 10)

"Labour and employment regulations: States can regulate sex work either via the general laws that apply to all businesses or employment practices, or through the introduction of regulations specific to sex work. Amnesty International does not take a position on whether states should formally recognize sex work as a form of work that requires regulation specific to sex work, nor does it take a position on the exact form such regulation should take... Such laws and regulations should not be applied in a way that conflates all sex work with violence and/or exploitation or acts as a de facto prohibition on sex work."

(p 13)

#### "REGULATION OF SEX WORK:

States have an obligation to ensure that all persons, including sex workers, have access to just and favourable conditions of work (which includes matters of safety) and are protected against exploitation, including those who are self-employed or who make their living in informal settings. There has been some movement at all levels – international, regional and national – to recognize that sex workers must be protected with relevant labour and employment guarantees even in the absence of explicit recognition by the state of sex work as an occupation and where sex work has not been decriminalized.



## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

Amnesty International does not take a position on the exact form that regulation of sex work should take, or whether it is necessary for such measures to be either within or apart from the general laws that broadly regulate other businesses or employment practices in a country. Rather, this should be determined in collaboration with sex workers and should comply with human rights standards.

Restrictions that would aim to limit sex work to the extent that it becomes impossible or risky or which prohibit sex workers from working together for safety – for example, by organizing collectively – would not be legitimate.”

(p 14)

“In the context of regulating sex work, states must:

- Respect and protect the right of sex workers to just and favourable conditions of work;
- Ensure that regulatory frameworks comply with international human rights law and that the safety and fulfilment of sex workers' human rights is the paramount objective for any such regulations;
- Ensure the meaningful participation of and consultation with sex workers, including those facing multiple forms of discrimination, in the development of any regulatory frameworks; and
- Recognize the rights of sex workers to associate and to form and/or join trade unions.”

(p 15)

## **Prevention and Treatment of HIV and Other Sexually Transmitted Infections for Sex Workers in Low- and Middle-Income Countries: Recommendations for a public health approach (2012)**

By the World Health Organization

### ABOUT THESE GUIDELINES:

The World Health Organization (WHO), in partnership with UNFPA, UNAIDS, and the Global Network of Sex Work Projects, developed new guidelines in 2012 aimed at better protecting sex workers from HIV and other sexually transmitted infections (STIs). following consultations with a wide range of stakeholders, including national programme managers, researchers, sex workers' representatives, international organizations and development partners. The new WHO guidelines recommend that countries work towards decriminalization of sex work and urge countries to improve sex workers' access health services. They also outline a set of interventions to empower sex workers and emphasize that correct and consistent condom use can reduce transmission between female, male and transgender sex workers and their clients.

Available:

[https://www.who.int/hiv/mediacentre/feature\\_story/sti\\_guidelines/en/](https://www.who.int/hiv/mediacentre/feature_story/sti_guidelines/en/) and  
[http://apps.who.int/iris/bitstream/handle/10665/77745/9789241504744\\_eng.pdf?sequence=1](http://apps.who.int/iris/bitstream/handle/10665/77745/9789241504744_eng.pdf?sequence=1)

### **Selected quotes:**

"Sex workers often find it difficult to access HIV and STI prevention and treatment services, even though many countries have effective programmes in place. Many sex workers fear the stigma, discrimination and, in some cases, violence they may encounter.

The new WHO guidelines recommend that countries work towards decriminalization of sex work and urge countries to improve sex workers' access health services. ... Evidence indicates that where sex workers are able to negotiate safer sex, HIV risk and vulnerability can be sharply reduced."

### **"Summary of Recommendations:**

1. All countries should work toward decriminalization of sex work and elimination of the unjust application of non-criminal laws and regulations against sex workers.
2. Governments should establish anti-discrimination and other rights-respecting laws to protect against discrimination and violence, and other violations of rights faced by sex workers in order to realize their human rights and reduce their vulnerability to HIV infection and the impact of AIDS. Anti-discrimination laws and regulations should guarantee sex workers' right to social, health and financial services.
3. Health services should be made available, accessible and acceptable to sex workers based on the principles of avoidance of stigma, non-discrimination and the right to health.
4. Violence against sex workers is a risk factor for HIV and must be prevented and addressed in partnership with sex workers and sex worker led organizations."

(p 8)

# Letters from St. John's Sex Workers Responding to the Massage Parlour Moratorium

SHOP presents the following letters from current and former sex workers in St. John's discussing the moratorium on massage parlour permits and massage parlour safety.

These individuals represent the diversity of the sex working community of our city as people who range in age from 18 to over 50 years old, cisgender and transgender, gender-variant and non-binary individuals, queer and bisexual people, single parents, people who are sober and who use drugs, and Indigenous voices.

## LETTER 1:

To Whom It May Concern,

I am a citizen of the City of St. John's and have been all of the 38 years of my life. In fact, I am very proud to be so. I have recently heard of issues concerning bans being forced on massage parlours throughout the City which are simply being placed, in my opinion, to cause difficulty for these businesses – such as difficulty in renewing licenses, where a business may be located, services offered, and employee rights. Personally, I find any of these hardships to be utterly irresponsible of the Labour Board. If it was any other typical business none of these issues would be a concern.

I have also been notified that anti-sex trade workers are also having a say in this. I personally was a sex-trade worker [on the street and indoors], approximately two years ago in a time of need. Though practically every girl working in this trade are labelled as drug addicts, there are many who do this to get by in life. It was the same aspect for us, we were encouraged not to work in certain areas (if at all), made to feel extremely low, and were constantly made to feel as if we were in the wrong. This is how the ban on various massage parlours in our city must feel - degraded, unworthy, and controlled.

No member of our City should be made to feel this way when they are simply trying to make a living for themselves. I am not ashamed of my past, but I am disgusted by how professionals are placing these labels on us. These people do not know others' living conditions and are only placing degrading issues by banning massage parlours.

I will certainly help in any way possible to speak up for these businesses.

– *Mother, friend, former sex trade worker*

## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 2:

To the Mayor,

The city should not have a ban or restriction on massage parlour permits. Massage parlours should be allowed in our city. I used to work at one and in my experience it was better working there than on the streets, out in the rain, in the wintertime, being picked on by men, and being penalized by the public. We need more permits available in our city.

There should be more places in St. John's or Mount Pearl that are safe for women to get off the streets, where they are able to do work safely indoors. Open up a place where women can work independently, this would help keep us off the street. There is safety in numbers when more people work together. I'd always rather work with someone else than by myself, it has always been safer. As far as I'm concerned, it's the City's responsibility to help keep people safe.

All kinds of massage parlours in other cities have staff designated to maintain everyone's safety, to protect and take care of the workers. Adults who are choosing to work aren't hurting anyone. I wish more people looked at the sex trade the way I see it. We're not hurting people.

To people who are worried about massage parlours being dangerous and violent, that's just not the case. I know this to be true because I've done this work. I've worked on the street and I've worked in massage parlours. I know the difference. I've been through it. Listen to my experience.

– ***Sincerely, former sex worker now 39, began sex work at 18***

## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 3:

To whom it may concern,

Having access to indoor workspaces is a fundamental key to providing safe resources for sex workers in our city and can be empowering to workers who would like to have their own space. Enforcing a moratorium puts us in potentially unsafe situations and allows a greater potential for street-based exploitation.

#### 1) Safety in numbers:

When we work at a shared indoor location we have the security of having other workers in the general vicinity. We are our own security. Undoubtedly, it is easier to enforce our own security in a space that we own and control than in a public space or the personal space of a client.

#### 2) Familiarity:

We know the layout. We know the neighbourhood. Being familiar with our work space allows us to have the ability to remove ourselves from potentially dangerous situations much more easily than if we were working in an unfamiliar environment.

#### 3) Collective experience and expertise:

We learn from each other and support each other. Our network is strong and when we have other sex workers in the same workspace we are able to learn and grow for the experiences and expertise of those who may have already dealt with a particular situation. The knowledge and wisdom that is shared between us empowers us. There is safety in wisdom.

Personally, I have had over a decade of experience working at a few massage parlours and can honestly say that I have felt safer, more empowered, and better able to assert boundaries when dealing with clients while in these parlours. For the most part, when a client visits me on "my turf", they tend to be more respectful and aware of my limits than when I have encountered clients on the street.

Certainly, there are issues in any workplace. We are not perfect. No workspace is. But being allowed to have that space in the first place is the initial step in providing a safer environment for all sex workers. Giving us the option to move indoors or change locations, just like any other business, is a fundamental need.

– ***St. John's sex worker and former massage parlour manager***

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

## LETTER 4:

To our St. John's City Council and Mayor,

I'm thankful the City of St. John's is considering lifting the moratorium on massage parlours. The moratorium on permits should be lifted. Sex workers need more options for safe indoor places to work.

When the moratorium was put into place in 2015 it left us in the hands of three license holders and left these businesses tethered to the addresses of each of the licenses, which means nobody can move their business. We once had three separately owned massage parlours in our city and now have only two owners. A decrease in options is always a problem. It gives the business owners a monopoly and an opportunity to take advantage of people who have limited indoor options. Add to that the inability to move addresses, and this leaves us vulnerable to landlords and neighbours.

Landlords could use the threat of eviction whenever they felt necessary. Neighbours knew about a sex-related business and complained to the media. Their complaint wasn't valid and didn't match the situation. Yes, the business is adult, but it is still a business operating within the city, provincial, and federal laws.

I'd like our City to avoid giving weight to things that aren't facts. All the ways that massage parlours are discussed as if they 'open up space for exploitation' is fear-based stigma and it has an impact on us. Instead, I would like City Council to speak to the workers themselves and to consider massage parlours as businesses. Take a positive perspective when considering who the ideal candidates are to own and operate them. Our city has incredible respectful business-minded people and feminist entrepreneurs that could increase the safety of indoor sex work.

We want fair regulations. There are regulations for places that serve/sell alcohol, cannabis, tobacco, that host/profit from VLTs, there are regulations placed on strip clubs. Why not massage parlors? What all these places have in common is their adult themes. One must be of legal age to participate, as an employee or patron of such establishments.

Please understand that I'm not saying sexual exploitation does not exist. It does and it is very real, as real as workplace violence, sexual assault, and domestic abuse just to name a few. These are serious matters that should be taken to the police. I am writing this from the point of view of a woman who chooses and consents to working in the sex industry.

Lifting the ban on massage parlor permits will give power back to the workers. It will give them a choice of location and owner. It will allow for feminists and or seasoned veterans of the industry to become owners/operators of massage parlors. Normalizing sex-based businesses to the point that we normalize alcohol, tobacco, cannabis, gambling will help to destigmatize them, the workers and the patrons.

Sex work is work. Give us a place to work.

– ***Rachel, has worked in the sex industry for 10 years***

## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 5:

To Whom it May Concern,

The issue of no new licenses for massage parlours being created in the City of St. John's has many consequences that you may be unaware of. The first and most important consequence is on safety. Right now, I know of several individuals who are working 'on the street' that would kill for a position in a safe working environment.

Being in a safe work environment, to a working individual, means everything. Because that's what sex work is: it's work, a job, an occupation. In the process of trying to prevent sex trafficking, which I wholeheartedly agree is a terrible issue, you are hurting the individuals who are choosing this occupation in ways you can't even – and don't want to – imagine.

Yes, there is sex trafficking here, it is in every single highly populated place on earth. But let me make it clear, the vast majority of sex workers in this city choose this job for our own reasons, and are not being forced into this work. I don't have a gun to my head as I'm writing this. I'm a mother. I'm a published writer. I'm a spouse. I'm a sex worker. I should have the right to choose a safe work environment.

Thank you for your time.

– [REDACTED], *mother, writer, working as an escort for several years*

## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 6:

To whom it may concern at City Council,

I write in regards to the moratorium on massage parlours in St John's. I have been a sex worker in St John's for 4 years. Currently I work on my own but I have worked in a massage parlour in the past. I've also worked in restaurant kitchens, call centers, retail shops, construction, and security, been a university student, a college student and a 40 year old student of life. Of all the jobs I've had the single best, hands down, has been working on my own as a sex worker. Everything else from the massage parlour to the construction work has all been the same. It is in that sense that I'd like to address this moratorium.

I have come to notice the argument for the moratorium breaks down into several things. First that you are being taken advantage of, "selling your body" as they say. Well I can tell you, while working in a massage parlour I didn't feel any more taken advantage of then when I worked in a restaurant, or certainly a call center. In fact, I felt more like an actual human being while at the parlour. What sort of dignity is there in working 60+ hours a week at minimum wage in dangerous conditions (deep fryers on top of wet floors next to the grill) for less than 1% of the profit off your labour so someone else can make the other 99%. Many people are exploited in this way. If you want to put a moratorium on massage parlours because they don't get treated fairly at work then I propose a moratorium on all restaurants, retail, construction, gas stations... you get the idea. If the exploitation of people's labour is the reason for the moratorium then, if you are going to be fair, we need to look at many other jobs and professions as well.

Another issue is women being taken advantage of in the sex industry. Well, women get taken advantage of in every workplace. Harassment happens walking down the street. You know this. There isn't a higher percentage of women being taken advantage of in the sex industry because it's the sex industry. It's because predators know they can take advantage of people that not only society shuns but even their government's stance is that they shouldn't exist. This is the real exploitation. Government, not-for profit groups, etc pushing women further into the jaws of predators while blaming them for not being able to keep from being bitten. Lift the moratorium, regulate it, police it and give women a safe place to work. This is the only humane solution. Which leads me to my final issue.

It seems the final issue is, unfortunately, moralizing of sex. Quite frankly, I believe this is what it all boils down too. It is the stigma of sex foisted upon those who work with sex that causes so much consternation toward these parlours. Stigma is circular. A group of citizens say they have a problem with another group. When the government's answer is to shun those people that drives the stigma deeper. That is not what government is for. It is there for all people. The answer is supposed to be that sex workers are citizens of this city as well. Of course, we can work out an agreement but they add to the economy, they pay taxes, and they provide a service that thousands of people avail of. To make criminals or pariah's out of thousands of people in this city for doing something someone feels is 'icky' is the real moral failing here.

Government is a group of elected leaders. Leaders should lead. We have come far in the progressive battle to be better people. The fight to unite people never ends because the forces dividing us are the demons of our human nature. Government needs to end this moratorium and explain to people that it is not right to send a group of people into the darkness where danger is. It is the essence of civilization to bring everyone into the light and keep them safe.

– ***Anonymous sex worker, aged 40, began escorting at 35***



## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 7:

A message on massage parlours:

I worked in a massage parlour on Queens Street about ten years ago. We used to work day shifts and night shifts, and men may be coming from other businesses or, and they would want some pleasure and company before they went home. It wasn't the best place to work. We need to be careful that the men who own massage parlours aren't using it to have control and become pimps in a way. But it doesn't have to be that way. The most important thing is to listen to us, the women who are working.

I don't think there should be a ban on massage parlours. If massage parlours can't exist people would have to hide and run businesses out of their own home without a license or permit because the City doesn't allow that. If you continue the ban or shut them down you're going to force people on to the street – it's that simple.

When you work in a massage parlour and you do a shift late at night, you should never be by yourself because it becomes a safety issue. If people can work together, you can help keep each other safe. We're gonna work but we can try to never work alone, we can try to have cameras for our security, and have places where workers are making and keeping more of the money because they are the ones who are doing the work. There should be more parlours or licenses for us because there should be more indoor spaces for us to work. A lot of women are working online now and working from their homes because indoors is always safer.

Safety issues should be based on regulations for the workplace. It should be a safe place to work, with good electricity and plumbing, it shouldn't be a rundown building, you know. The City can't walk into any business and shut them down or make up new rules and they shouldn't be able to do that for massage parlours either. This should be treated like any other business – like a restaurant or a corner store. Make sure they get regular health and safety checks and workers have a way to talk about the place they work honestly.

We need honest to goodness people to help women stay off the street and provide them with a good income for their work. I now work independently and I know how to play the game safe, I'm trustworthy, I don't put myself in harm's way. I try to help other women be safe when they're outside and I want that for all of us.

– *L, in her 50s, now working independently*

## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 8:

To whom it may concern,

Five minutes after meeting each other, we both knew our lives would never be the same. That our connection has been so powerful and transformative is the stuff of a romance novel. That we met as coworkers in a massage parlour is what elevates our story to a separate realm of unlikely love. And yet, still, in 2018, we cannot openly divulge that this was so.

We are a passionate couple, devoted to one another and totally in love. We experience emotion for each other like we have never known, and we try to radiate the positivity we share to everyone around us. We co-parent a beautiful child, and teach them the virtues of equality and acceptance that we wish to see in our world. We are proud volunteers, unlikely activists, strong friends, colleagues, relatives. And yet we cannot sign our real names to this letter.

The ludicrous and archaic laws governing our work have left us afraid to tell even our closest confidantes how we feed our family and put our child through swimming lessons. We are forced to limit our presence to pseudonymous advertising in quiet corners of the Internet, where we might find the most modest forms of acceptance through apathy. We risk harm every day at work, lacking the certainty of safe conditions and consistent security that would better enable us to fulfill the dreams we share for our future. Our pride is stymied every time we lie about our careers, or risk arrest or questioning for taking ourselves above ground when we find our presence driven under.

We know our social circle to be progressive and accepting: we are a lesbian couple - one transgender, one cisgender - who live openly, colorfully, and with tremendous support from those who surround us. But the current legal and cultural climates have silenced us in openly expressing one of the central elements of our relationship, and have placed us in danger every time our work gives us the security of buying new clothes or paying for heat in a Canadian winter. This is a paradox that would have made Orwell proud: we, who have gained so much through acceptance of our unique life together, stand to lose everything if the comprehension were truly total.

And yet there is no pressure to deliver us from this science-fiction future. The laws still stagnate, and the name of our meeting place, like much else, still passes judgmental lips with the usual mixture of snide prudishness and schoolyard derision. We watch as our friends who "work the hill" shake nightly, wondering whether their evening might feature violence or arrest or both. In some ways we've had it easy, but in every way, no one in this industry does. Governments aren't responding. People in power aren't listening. We're still scared.

The more misapprehension we permit, the slower change will come. Perhaps by writing this, and by speaking with whatever volume we find possible, we can join the thousands of other voices across Canada - as much of the world - trying to advance our profession into something like this millennium. If we fail, we'll try again, and we'll still be here, just like always. But the closer we come to being able to openly divulge how we support our family, the better. With that comes openness and security and so much of what we and our friends need, and with it comes a happiness we have sought since the first day we set eyes on each other.

We are strong. We fight for what we know is necessary. We are in love. We are sex workers. And we wait with bated breath for the day when we can sign our real names to this letter. Until then, we remain,

– Sex working couple

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

## LETTER 9:

Hello City Council,

I am not in favour of the moratorium on massage parlours. I've been a sex worker ever since I turned 18, and have been working for the largest parlour company in the city within the last year. I am vulnerable in several ways based on my identity. I feel I am worse off without more options for my workplace. Due to a lack of opportunity in my parlours, I have to accept more clients independently (partially outside of my own comfort), and I have to do it in secret. If my boss knew, I would be fired. However, I am not just writing to provide you with my own personal experiences regarding my options. I have opinions and insight on the industry that would be valuable to the decision regarding the moratorium.

In a lot of larger cities, stringent screening processes are often conducted by sex workers to verify the identities of their clients. This is possible in the environment of the parlour, and the owner has the opportunity to set a positive precedent for the entire city. He will not, however, as he currently has no competition for safety procedures. It is too much to risk his clientele in order to improve conditions for his workers. Since it is currently one of the safest ways to work in this city, many of my coworkers have no better option. He holds a monopoly on the entire industry, running the most popular local advertising website, and the most successful company. By not allowing more parlours to open, it enables one man to have disproportionate control over our work. Any work to improve parlour conditions has been done at the expense of the workers there, with not much compensation. For any other industry, this would be unacceptable. Supporting this monopoly is a poor decision to protect our workers.

There have been concerns over underage workers and sex trafficking in parlours. To address the first, I am younger, I know I have been screened for my age. There are no underage workers I've seen or known of at my parlour company. Moreover, parlour owners have no benefit in hiring underage people, as it puts their business at risk. So, while underage workers are an issue, it is really an issue to be tackled with better social services for youth. As for the second, I wouldn't consider people who have a stable working environment at high risk for trafficking. People are often targeted for trafficking are in a place of instability. People who are working regular shifts in a somewhat supported environment, surrounded by peers, are not the ideal victims for traffickers. People who are vulnerable, working independently, underground, and especially on the street, are at a higher risk of facing violence and trafficking. Currently, the limit in massage parlours means more individual workers cannot move their work into more stable environments, and the moratorium supports this imbalance in the industry.

Sex work and sex trafficking are not equivalent, and must be treated as related but separate issues, both socially and in regulation. That being said, many people working in the parlour are being exploited domestically. I think this speaks volumes to the way our system neglects and disappoints gender minorities, rather than the nature of sex work itself.

Issues surrounding drugs in the parlours have been raised. It is a real issue. My opinion is that drugs exist everywhere, you can't fire someone for just being an addict. In our business, drug issues are more overt, due to the fact that our workplace is essentially anarchy, driven by gossip and stigma, rather than good work practices. I think that the people creating laws surrounding sex work have neglected to truly research their impact. I think it has been commonplace to use these problems as ammunition to attempt to shut the sex work industry (and the drug industry, really) down as a whole. This doesn't work. Sex work has existed since the beginning of time. The only way to counter these issues is to fully acknowledge them, understand the economy of the industry, and address the culture that enables it through thoughtful law-making and stronger labour protections.

## **Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights**

I understand that much of the input in support of the moratorium has come from people worried about youth, their local communities and neighborhoods. I think this is a zoning issue more than anything, and it's irresponsible to allow stigma from any of these people to get in the way of the health of vulnerable people working in this industry.

Abuse at the hands of clients is very problematic. I have been assaulted by men while working. There is no secret that sex workers are not necessarily respected by all of those hiring them. I think perpetuating this idea that sex work is an illegitimate industry (due to attempting to quell the industry with brute force, rather than properly regulating it) reinforces these cultural paradigms. So, while treating the industry with respect doesn't have immediate impact, I think it's important to account for the long-term ramifications of the way our leaders view us. I'd also like to note I've been assaulted by men outside of work at a very similar ratio. It is not sex work that makes me someone who has experienced abuse and assault, it's my gender, it's a cultural environment, and it's stigma.

Sex work is a livelihood as anything else is. I go home to my family at the end of the day, saving money for an education. My friends use their money to care for their friends, pets, and parents. Many people at work are going home to their babies, husbands, and relatives. The balance of this industry impacts real people, who are putting food on the table, just like everyone else. I think a stronger effort should be made to access the people who have relevant opinions and information on this issue. I have the privilege to be involved with SHOP, to have the knowledge and resources to tell you what I know and think. Not everyone does. Value hides in the darkest corners of our communities, people who are not willing or able to speak on the matters. SHOP has worked hard to access and communicate with us and have done amazing work. That being said, this is also the job of governments, as a part of democracy. So please put your efforts in hearing from more people.

***– Sincerely, a current massage parlour worker***

## Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

### LETTER 10:

A conversation between massage parlour workers:

Person 1: What's it like working in a parlour?

Person 2: Well, I can actually make a living off of this [at the parlour]. I used to work like 40 hours a week in fast food and retail and I could hardly make ends meet. Now I work part time and I have money to spare. I can buy the things I want, and I can buy the things that I need. I don't have to scrape together dollars and I don't ever have to worry about paying bills because I can. I'm actually financially secure for the first time in my life and I actually like going into work because it's not miserable and I don't hate things there, things are actually pretty good all things considered. Obviously, there are issues with parlours but in comparison with other places I've worked its actually heaven. I kid you not! Working in fast food was the worst ever. For what? 10 dollars a hour? To get yelled at by people all day long and come home basically suicidal? I've never felt like that working at the parlour. Even though bad shit happens, but bad shit happens at every job.

In terms of the moratorium, I think lifting it is important. We need options. When you limit us to three parlours, several owned by the same person... he can make the conditions as shitty as he wants, there's no competition.

I like it, I quite enjoy it [working in the parlour]. It's fun, its entertaining, I get some good laughs out of it. It's very relaxed and chill in comparison to any other job it's not high stress for me, my brain can handle it, it works. People are nice to you there, that's a plus, in terms of clients, generally, I'd say 80% of clients I see. Some are tools. That's just men.

Person 1: Would lifting the moratorium, having more massage parlours, doing anything for percentage of nice men?

Person 2: Honestly not quite sure... maybe? For the sole reason that the nicer ones might go to a nicer parlour.

Person 1: If the moratorium lifted, would we want regulation? Standard for STI testing, healthcare, drug use, anti-discrimination, information on resources, rules?

Person 2: There should be standards. In terms of health and safety, I don't think it's taken as seriously as it should.

Person 1: Construction jobs, they have rules such as hard hats and steel toe boots.

Person 2: Exactly, we need rules similar to that, ones conducive to our job.

Person 1: If we did have rules about our health and safety, they'd need to come from us and our perspective. They can't just be assumed. Fairly sure the construction workers have a say in what they need, their rules that impact them. The same way, sex workers need to be the ones making the rules about what happens with sex work.

— *Two workers, part of the LGBTQI community*

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

## LETTER 11:

A Legal Perspective from a Former St. John's Sex Worker (*attached*)

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### On the St. John's Adult Massage Parlour Moratorium:

A Legal Perspective from a Former St. John's Sex Worker

AJK

#### Introduction

Every year on December 17th, for 15 years now, women just like me gather to acknowledge and honour the sex workers and allies who are victims of violence in our society. We reflect on the issues pertaining to our access to justice, the protection of our human rights, and the ongoing struggle we face to recognize, redefine, and destigmatize ourselves. December 17th: The International Day to End Violence Against Sex Workers.

It's kind of ironic, isn't it?

We have a day to end violence against a marginalized group of individuals in our society, and yet we continue to debate the validity of the work (yes, real work) that has already been declared by the Supreme Court of Canada to be not illegal.

Read that again.

The Supreme Court of Canada, the highest court in our entire nation, has decriminalized sex work. Some of the most accomplished, educated, rational and highly intelligent people in our country have already determined that sex work is not a crime. And yet here we are debating whether or not we will offer these workers a safe space to work their very legitimate jobs.

... Seriously?

#### The History

The *Canadian Charter of Rights and Freedoms* is the very first part of the *Constitution Act, 1982*. It exists, in part, to guarantee and protect certain political rights of Canadian citizens and civil rights of everyone in Canada from the provinces, regions, and other actions of all areas and levels of government.

Did you catch that, City of St. John's?

The *Charter of Rights and Freedoms* applies to **all government laws and actions**, including the laws and actions of federal, provincial, and **municipal** governments.

Huh, imagine that.

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

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As per the *Canadian Charter of Rights and Freedoms (1982)*:

Section 1. "The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

Section 7. "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

## Bedford and Bill C-36

The decision to decriminalize "prostitution" or sex work in *Bedford v. Canada* was a monumental victory for those of us in the sex work community. The premise of the *Bedford* case was the argument that three provisions in the Criminal Code of Canada which criminalized aspects of sex work in fact violated sex workers' constitutional right to security of the person.

From the decision of the court written by the Chief Justice:

"The prohibitions at issue do not merely impose conditions on how prostitutes (sic) operate. They go a critical step further, by imposing dangerous conditions on prostitution; they prevent people engaged in a risky – but legal – activity from taking steps to protect themselves from the risk." (para 60)

After the *Bedford* decision came the introduction (in 2014) of Bill C-36, more formally called the *Protection of Communities and Exploited Persons Act*. This was an act to amend the Criminal Code of Canada in response to the decision by the Supreme Court.

The purpose of Bill C-36 has been described as an attempt to protect the dignity and equality of women who are engaged in sex work, to protect communities and children (see: publication), and to reduce the demand for sexual services. All of these issues are a part of a larger theme to reduce the occurrence and impact of sexual exploitation and human sex trafficking, which I think we all agree are detrimental to the individual and the community.

But what is sexual exploitation and where does sex work fit into all of this?

## The Language of Sex

One of the underlying issues at play here is the perceived stigmatization of sex work and sexual exploitation under the larger umbrella label of "the sex trade". But let us be completely clear here: sex work and sexual exploitation are not the same thing and can absolutely be mutually exclusive.



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Sexual exploitation is stated in the Criminal Code as follows:

153 (1) Every person commits an offence who is in a position of trust or authority towards a young person, who is a person with whom the young person is in a relationship of dependency or who is in a relationship with a young person that is exploitative of the young person, and who

- (a) for a sexual purpose, touches, directly or indirectly, with a part of the body or with an object, any part of the body of the young person; or
- (b) for a sexual purpose, invites, counsels or incites a young person to touch, directly or indirectly, with a part of the body or with an object, the body of any person, including the body of the person who so invites, counsels or incites and the body of the young person.

The table below differentiates some of the features of an individual who is positively engaged in sex work contrasted with the features of an individual who is being sexually exploited.

A Person Who Does Sex Work	A Person Who Is Being Sexually Exploited
Adult over the age of consent (18)	Can be any age
Involves consent	Does not need to involve consent
By choice or circumstance	By circumstance or influence
Independence	Dependence
More power	Less power
More autonomy	Less autonomy
More choice	Less choice
More security	Less security
More freedom	Less freedom
More flexibility	Less flexibility
Positively engaged in the "sex industry"	Negatively engaged in the "sex industry"
Sex work is decriminalized	Sexual exploitation is illegal

There are some pretty clear differences.

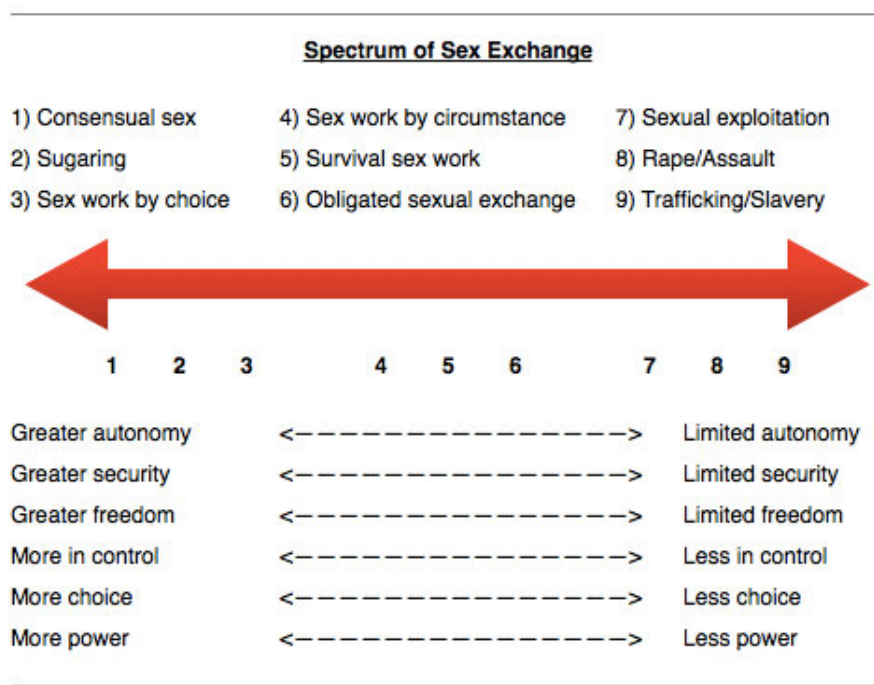
And while it is important to distinguish between sex work and sexual exploitation, it is also important to remember that the position of an individual on the spectrum of sexual exchange at any given time can be fluid.



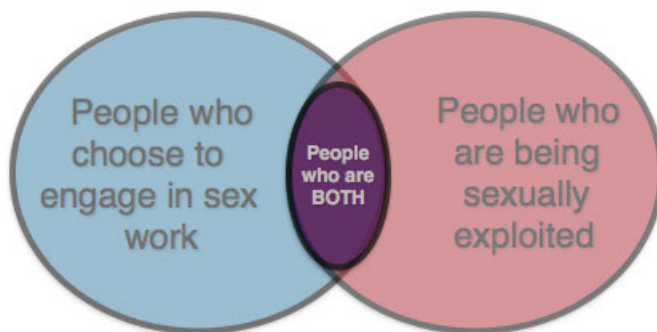
# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

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One interpretation of the Spectrum of Sex Exchange is given here:



Certainly, there can be people who are both sex working and victims and also victims who are being exploited. This intersectionality can be illustrated in a Venn diagram, as per below.



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The position of an individual on the spectrum (or in the circles) at any given time can be situational and the position of any one person on the spectrum (or in the circles) may change depending on the circumstances of any particular moment. We are humans. We are not perfect and we change depending on our circumstances.

## The Issues

When we discuss the issue of the moratorium on adult massage parlour permits in St. John's, what is the real issue we are debating? Better yet: what is the purpose of such a moratorium in the first place?

We are told, as a community, that the moratorium on adult massage parlours is to keep us (sex workers) safe and free from exploitation. We are told that we must limit the number of massage parlours to prevent sexual exploitation and human trafficking. We are told that we are not safe when we work indoors.

Wait... what? According to whom?

## The Reality

In Bedford, the application judge found that "on a balance of probabilities, the safest form of prostitution is working independently from a fixed location". (para. 300) The judge also concluded that indoor sex work is far less dangerous than street-level based sex work "a finding that the evidence amply supports" and that "out-call work is not as safe as in-call work".

This moratorium on massage parlour permits forces sex workers to work alone, to be less visible, and to forego protective mechanisms. This prevents sex workers from "having a regular clientele and from setting up indoor safeguards... which would reduce risks". (application decision, para. 421)

The massage parlour moratorium increases reliance on pimps and booking agents, which in turn, leads to sex workers having greater exposure to potentially exploitative relationships and behaviours. It also "interferes with provision of health checks and preventative health measures".

Preventing sex workers from having access to indoor locations also prevents sex workers from safe screening protocols and setting terms for the use of condoms and other safe guards.

All of these issues further aggravate the risk of disease, violence, and death in an already marginalized and vulnerable population which is disproportionately made up of people of marginalized genders, people of Aboriginal and Indigenous heritage, members

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

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of the 2SLGBTQ+ community, and former survivors of gender-based and intimate partner violence. In this way, a moratorium on adult massage parour permits in St. John's, NL is merely a continuation of the normative stigmatization and state violence against sex workers that we have already seen for years now.

## Back to the Charter

As per the *Canadian Charter of Rights and Freedoms (1982)*:

Sect on 1. "The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

Sect on 7. "Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice."

## Principles to Consider

In examining the decisions of the Supreme Court in *Bedford*, we are given three principles for interpreting the constitutionality of a law: arbitrariness, overbreadth, and gross disproportionality.

**Arbitrariness** asks whether there is a direct connection between the purpose of the law and the impugned effect on the individual, in the sense that the effect on the individual bears some relation to the law's purpose. (SCC 2013, par. 111.)

**Overbreadth** deals with a law that is so broad in scope that it includes some conduct that bears no relation to its purpose. In this sense, the law is arbitrary. (SCC 2013, par. 112.)

**Gross disproportionality** asks whether the law's effects on life, liberty or security of the person are so grossly disproportionate to its purposes that they cannot rationally be supported. Under s. 7 of the Charter, it does not consider the beneficial effects of the law for society — it balances the negative effect on the individual against the purpose of the law, not against societal benefit that might flow from the law. (SCC 2013, par. 120–121.)

## Violation of s. 7

From the Supreme Court of Canada decision in *Bedford*, re: the section 7 violation:

"The prohibitions also heighten the risks the applicants face in prostitution — these are a negative activity. They do not merely impose conditions on how prostitutes operate. They go a critical step further, by imposing dangerous conditions on

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prostitution; they prevent people engaged in a risky —but legal— activity from taking steps to protect themselves from the risks.”

“The voice of a John does not diminish the role of the state in making a prostitute more vulnerable to that voice.”

“The question under s. 7 is whether anyone’s life, liberty or security of the person has been denied by a law that is inherently bad; a grossly disproportionate, over broad, or arbitrary effect on one person is sufficient to establish a breach of s. 7.”

## Conclusion

The current moratorium on massage parlours in St. John’s, NL harms sex workers by partly preventing them from “working in safer fixed indoor locations”, “screening potential clients for intoxication and propensity to violence”, and “taking measures that would increase their safety, and possibly save their lives.” These negative effects of the moratorium are not outweighed by the premise of saving sex workers from exploitation, residential issues, and reducing the rare neighbourhood nuisance complaint.

**Arbitrariness** — The massage parlour moratorium is arbitrary in that it increases sex worker reliance on pimps and booking agents without access to a safe indoor location.

**Gross disproportionality** — The negative impact of the massage parlour moratorium on sex workers’ security of the person is grossly disproportionate to its objective of reducing sexual exploitation and human trafficking in our city.

**Overbreadth** — Laws which prevent people (sex workers) who are engaged in a legal and non-exploitative activity (sex work) from taking steps to protect themselves from the risks, which makes it overbroad.

As illustrated, the massage parlour moratorium is arbitrary, grossly disproportionate, overbroad. It infringes upon rights granted in s. 7 of the *Charter of Rights and Freedoms* and cannot be saved under s. 1.

This moratorium is unconstitutional.

It is time for the ban on adult massage parlour permits to be lifted.

This is the only logical answer.

Let us make this change.

The time is now.

The sex workers have spoken.

# Lifting the Ban: Recommendations to Protect Sex Workers' Human Rights

Page 8 of 8

## An Appeal

Dear City of St. John's Council Members,

It is time to drop the moratorium on permits for adult massage parlours. This continued moratorium is unconstitutional in that it violates the s. 7 rights of individuals who engage in sex work by depriving us of our right to security of the person, as protected in the *Canadian Charter of Rights and Freedoms* and confirmed in the unanimous decision of the Supreme Court of Canada in the *Bedford* case.

As an individual with over a decade of lived experience in the St. John's sex industry, with real experience in multiple local massage parlours, and with real experience managing a massage parlour, I ask you to consider this moratorium debate through the lens of honest experience and rational thinking. We know what we need. And we know what doesn't work.

This December 17th, on the International Day to End Violence Against Sex Workers, consider making the change that will help us to move in the right direction.

The time for change is now.

Sincerely,

■

Sex Worker of St. John's (2008 — 2018)

Massage Parlour Manager (2013 — 2018)

Dated: December 6, 2018

### **S.H.O.P. Recommendations for City Council**

#### **1. ENSURE CITY STAFF AND CITY COUNCIL UNDERSTAND THE DIFFERENCE BETWEEN CHILD AND YOUTH SEXUAL EXPLOITATION AND ADULT SEX WORK**

- Recognize sex work is defined by consent, by adult age, and by self-determination and agency.
- Distinguish between cases of forced labour, sexual exploitation, sex work and sex workers' experiences of workplace violence in all discussions, policies and regulations regarding the sex trade.
- Recognize that sex workers are strong allies in combatting sexual exploitation and human trafficking, and their meaningful participation is essential in achieving community safety.

#### **2. CONSULT WITH ADULT SEX WORKERS**

- Recognize that sex workers are diverse and many are survivors of violence who exist in neighbourhoods across St. John's, and sex workers are voting constituents with concerns and needs that should be taken seriously by City staff and representatives.
- Recognize the importance and value of evidence-based research on sex worker safety, labour protections, and human rights. Consult existing national and international sound research.
- Increase collaboration with organizations/groups that work directly with people engaging in sex work, recognizing that sex workers and sex workers rights organizations are best placed to provide insight and leadership for legislation that targets sex work, and also best placed to provide evidence-based direction on legislative and regulatory regimes that comply with human rights legislation and that are supported by evidence-based research.

#### **3. SUPPORT MUNICIPAL APPROACHES THAT PROTECT AND UPHOLD SEX WORKERS' LABOUR AND HUMAN RIGHTS**

- Should City Council be able, commit to reviewing and updating municipal bylaws and regulations under your purview on adult erotic services and indoor sex work in direct consultation with adult sex workers and their advocates. Know that many of the existing municipal acts that already guide the lives of residents in the City of St. John's, such as traffic, noise, zoning, operational hours, and businesses that sell adult products or services, can be applied to create an innovative St. John's specific approach.
- Continue to your vital participation and support Living In Community, a unique approach to community dialogue around sex work and the prevention of youth sexual exploitation that brings multiple stakeholders together, an important collaboration with our City, law enforcement, local businesses, residents, community non-profit organizations, and sex workers.
- Recognize that lifting the moratorium on massage parlour permits is only one step to address the human rights of sex workers in St. John's, and that municipal and legislative reform must be accompanied by a holistic set of measures to address health, poverty, housing and labour supports, education, and municipal services.

Monday, September 30, 2019

Dear City of St. John's Council Members,

*Note: This letter is solely for the consideration of the Members of the City Council of St. John's, Newfoundland and Labrador as of September 30, 2019. The information shared herein is to remain private and confidential. None of this letter is to be published, shared, divulged, or reproduced in any way by any one without my own written consent.*

My name is [REDACTED] and I'm a second year student at the University of New Brunswick's Faculty of Law and an alumnus of Memorial University of Newfoundland with a background in linguistics and psychology. I'm a community activist, a sole proprietor, and a proud mom to the most spoiled cats. And surprise! — I am also a sex worker.

To give you a bit of context, I have been working in the sex work industry for over a decade, with nine of those years being in and around St. John's, NL. The vast majority of my experience took place at two different massage parlours, both of which were located in St. John's and one of which I ended up managing for a number of years. I am still actively involved in sex work and the sex working community in St. John's, NL (and now in my new temporary home city of Fredericton, NB) and have been since I was 19 years old. I am now 30. The last time I did sex work in St. John's, NL was a month and a half ago, in August 2019.

I'm reaching out to you today in hopes of sharing my perspective on the issue of whether to remove or maintain the massage parlour moratorium in St. John's, NL, on which you will be voting. It is important to have a variety of voices and perspectives to gain a full grasp of the issue being discussed, particularly with an issue as multifaceted as this. My concern centres on how the maintaining of this moratorium will continue to negatively effect the real lives of my sisters and friends within the sex working community if the moratorium is not lifted.

### *My Story*

To preface all of the below, I want you to know and understand that I was never forced to enter into sex work. The choice to do sex work was, and still is, very much my own. I feel happy and successful some days and on other days I feel blah. Just like everyone else. That said, every individual's experience is unique and equally valid. I do recognize that I am speaking from a place of privilege and that others may have had experiences that are unlike my own. Again, that is why it is important to consider all perspectives and the ways in which those experiences may apply to the issue at hand.



My experience in sex work began in 2008 when I began working in an erotic massage studio in downtown St. John's, Newfoundland and Labrador. Executifsweet Spa was located at [REDACTED] Water Street, directly across from the once empty lot that has since become the Alt Hotel. When Executifsweet first opened, years before, it was the first of its kind in Newfoundland. By the time I started working there, it was one of three licensed adult massage parlours, the other two being Studio Aura on Forbes Street in the west end and Hush on Lemarchant Road. Executifsweet and Studio Aura were each individually owned and operated by women. Hush was owned and operated by a couple. There were three different permits held by three separate parties.

As an aside — I feel that it is important to note that there were also a number of unlicensed massage parlours scattered throughout the city. These operated outside of city permitting regulations so are not particularly relevant to the issue at hand as the issue is about a permitting moratorium. It would be safe to say that places that operate without permits are unlikely to comply with a moratorium or any city regulations implemented anyway. So really, this issue is entirely about the ongoing situation with regard to the licensed massage parlours, not the unlicensed ones. To put a hold on permitting actual massage parlours for fear of the unlicensed and unregulated establishments would be like putting a hold on all medically licensed organ donation programs for fear of unregulated underground organ smuggling markets. Putting a hold on organ donation programs isn't going to put a stop to the underground smuggling, it's just going to hurt the people who need those licensed programs in the first place.

Now, at the time, back in 2008 through 2011, Executifsweet did not have what we would now consider to be adequate security features. There were no security cameras in the parlours back then. What we did have was a door alarm, multiple exits, peepholes in the massage room doors, fire extinguishers, and a first aid kit. Back then, we were still allowed to advertise in the Yellowpages of the phone book, in the newspaper and other local print media (e.g. Buy and Sell Magazine), and on a decent handful of websites. Times were good. I went to school and was able to work around my class schedule. When work was slow, I could fill my time with studying. At this time in my life, I was both a full time student at MUN and working whatever hours I could to cover my cost of living while being unable to qualify for a student loan. That's right — tuition is expensive and I was paying for my education by working at Executifsweet.

After working on and off at Executifsweet for a few years, a conflict with the owner of the business ended my employment at that location. Fortunately for me, because the three licensed massage parlours were all owned by different people, I was able to choose a new place to work. I had options and took my time to compare the differences between the work environments and services offered at both Studio Aura and Hush. I began working at Studio Aura.



Studio Aura was owned by a woman with lived experience in sex work, who worked there herself as well as owning and operating the business. What set Studio Aura apart was the business owner's involvement, her dedication to providing a safe space, and her ability to be the catalyst for change. This is where my experiences really allowed me to grow and have a positive influence in my community. Only a few months after I started working at Studio Aura, Executifsweet closed and Kendra's Red House (owned and operated by a female sex worker who had previously worked at Executifsweet) opened as an alternative.

Sometime around then, Hush was listed for sale and was eventually sold from the couple who had originally owned and operated it to the current owner, Mr. Norm Lush. It may be of interest to note that the new owner of Hush was (and still is) also the owner of the for-profit advertising website known as NLAdult. The ownership of the website was beneficial to the business development of Hush in the following months, and arguably, years.

In 2014, after a sad series of permitting issues and unfortunate publicity, Kendra's Red House moved from Wood Street to Water Street. The business was rebranded as The Red Room and was sold to its current owner, [REDACTED]. Both Hush and The Red Room benefited from the use of NLAdult as a primary advertising source. To restrict the competition, Studio Aura and all of its employees were blocked from using NLAdult to advertise, even for paid ads.

In November 2014, the implementation of Bill C-36 brought together a group of sex working women in a collaborative effort from which arose the HardOnTheRock project. With introduction of Bill C-36, sex workers and sex work businesses were no longer able to access most of our usual advertising services. We could no longer post ads in newspapers, phone books, or classifieds without putting the owners of those publications at risk of being charged. But without advertising, how could we reach our clientele?

The advertising of sex work and sexual services had to move entirely "underground" to unedited and unmoderated online spaces; places like Backpage, Craig's List, and NLAdult (for independent sex workers or employees of Hush or The Red Room only). After Bill C-36, there was a huge influx of new users on these websites. The increased traffic lead to server crashes and increased the general anxiety being felt by sex workers across the province. The drama began. A lot of women were publicly outed online. The unmoderated spaces became a drip tray for the real names, addresses, family members, and personal contact information of sex workers in our province. We needed a better solution. In early 2015, the idea for HardOnTheRock was born.

We wanted HardOnTheRock to be the go-to place for all Newfoundland sex work and adult themed information, advertising, and community resources. We envisioned a no-cost, female-

moderated, LGBTQ allied, trans-friendly, fiercely feminist, community oriented, safe advertising space for sex workers, but without the drama and the fear of being outed. With a small amount of funding from a private donor (and it seriously wasn't from SHOP no matter how much some people may think it was... I know who the private donor was but you'll never get my sources), we built the website, bought the domain, and contacted community groups to get permission to feature them as resources in our database. We grew. We made logos, ordered promotional materials, participated in discussion panels, launched a sex work awareness campaign, and grew our pool of collaborators. HardOnTheRock has been an individually funded grassroots initiative, by and for sex workers. We currently have a voluntary crew of passionate women with lived experience in sex work working behind the scenes to keep our initiative growing. We believe that access to safe (and free) advertising spaces are a necessary part of harm reduction for sex workers in our community.

Within a few years of working at Studio Aura, I graduated (in 2015) with my Bachelors Degree from Memorial University of Newfoundland. I took on the role of manager and website designer and we began to plan a new home for Studio Aura on the opposite side of the plaza from where it was originally located. We started with an empty space; no walls, no floor, no plumbing, no electrical work. A blank canvas. Our vision was simple: to create a safe, secure, sustainable space by and for female-identified sex workers in our city. It would be owned and operated by women, with a focus on harm reduction, ensuring physical safety, empowering women, and peer support. From that, we grew. As a group, we came together to make the floor plans. Every room must have two doors - an escape route, if needed. Peepholes, security cameras, off-site DVR monitoring, and more. We created a community resource board, wrote a training manual, connected staff with outreach opportunities, facilitated naloxone training for staff through the Safe Works Access Program, and began our current peer support system. We came together and grew ourselves and each other.

While all of this was unfolding, I was also getting more involved in my community volunteer work. I connected as a volunteer with the Safe Harbour Outreach Project, the NL Sexual Assault Crisis and Prevention Centre's 24-Hour Crisis Line, and the St. John's Status of Women Council. I ended up serving on the Steering Committee and then the elected Board of Directors for the Community Coalition for Mental Health and then the same for PTSD Buddies. Both organizations are now incorporated not-for-profits in Newfoundland and Labrador.

Acting on an impulsive decision, after a bad break up, I wrote the LSAT and applied to law school in late 2017. Shockingly, I received my acceptance in January 2018. Realizing that I would need to move my entire life to New Brunswick for three years, I began to transfer

operations of Studio Aura back to the owner (she had taken time off for maternity leave) and prepare for my inevitable move. During the period of transition, I left my role as manager at Studio Aura and began working independently between St. John's, NL and Fredericton, NB. I rented out my house to a a fantastic tenant and finalized my move to Fredericton on September 1, 2018 and began my first year of law school. At this point, I was both a full time student and an independent sex worker with my own little sole proprietorship (of sex work).

I am writing to you now as a full time second year law student who is still actively (and happily) participating in sex work as I have for many years. In the year that I've lived in Fredericton, Studio Aura was sold from its original owner and operator to [REDACTED]

Need I remind you that there were only three permits at the time the massage parlour moratorium went into effect? Three permits, originally held by three different entities, now held by one person. Yes, that's right. There is now a total monopoly on massage parlour permits in St. John's, NL. That is where we are now.

This is where my story stands now. I have experienced so much change in the sex working community over the last decade. My experiences are real and they are valid. I will now address some of the issues at hand in relation to my own experiences.

### *On Massage Parlours*

Licensed massage parlours act as safe indoor working locations for individuals who are employed in sex work. In order to keep one's business license, occupancy permit, etc. the building (and business within it) must meet certain requirements for safety and fire regulations. This means that these permitted businesses are routinely inspected and, often, without notice.

One of the concerns referenced by those who are opposed to lifting the massage parlour moratorium is the fear of enabling child and youth sexual exploitation, human trafficking, drug trafficking, and other such things. It seems to me that these types of illicit activities, taking place in a city licensed and routinely inspected establishment, would be quite difficult to hide without notice. Certainly, having underground unlicensed pop-up sketchy business establishments would be much more of a risk to children, youth, and other humans.

By lifting the moratorium, you would be encouraging women to seek out safer indoor working locations and would also encourage any potentially existing non-permit-holding locations to become licensed for their own legitimacy purposes. Competition in business acts as an incentive for workplaces to provide better working conditions to attract better workers. Allowing permits would incentivize potential business owners to apply for the permits for a competitive advantage.

This advantage would be further regulated by the use of routine inspections, as is already an established practice for ensuring compliance to building code and fire regulations.

(An aside: Human trafficking victims don't get to choose where they work. A human trafficker would not place a victim in a licensed establishment for fear of getting caught. Removing the ban on massage parlours would not grow the risk of human trafficking or youth exploitation but would deter it from becoming pervasive in our community.)

### *On Safety*

In my story section above, I mentioned how Executifsweet, at the time between 2008 and 2011, did not have what we would now consider to be adequate safety features. That was very much not the case at Studio Aura, nor is it the common practice at the currently owned establishments which are currently permitted in the city.

As discussed, Studio Aura had a focus on harm reduction, ensuring physical safety, empowering women, and peer support. Every room was equipped with two doors — so there was always an escape route in case of fire, if needed. The doors on the rooms did not have locks for the same reason. All main doors had peepholes for the safety of our staff and as a deterrent for disrespectful behaviour. The front entrance way was closed off from the rest of the business, with a door that locked with allowed staff to welcome clients by letting them in through a secondary locked door. We installed wifi and hard line security cameras (I have a glorious picture of me awkwardly perched on a ladder screwing one of the wifi cameras into a wall) in the front entrance way and the hallways, with off-site DVR monitoring, and an app to enable access to the cameras at all times.

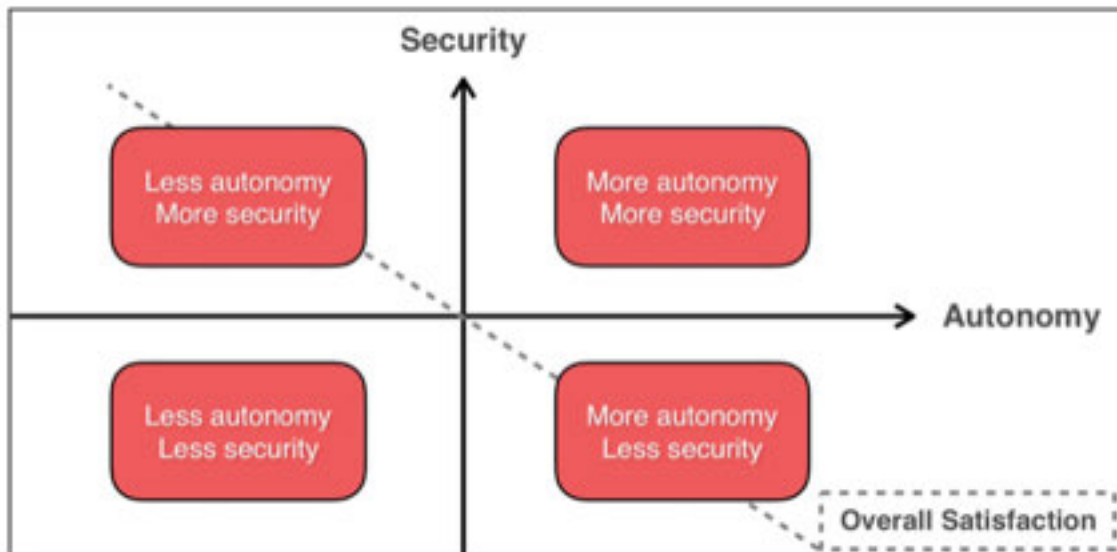
### *On Security and Autonomy*

While we encouraged staff to be themselves and make their work their own, we also had a team-made Studio Guidebook with policies specific to the business and its operation. These included instructions on how to ID young looking clients, the process for setting up an interview between a new potential staff member and the manager (me) including questions to ask the potential new staff member regarding their understanding of consent, their autonomy and comfort level with the type of work, their perspective on confidentiality, etc.

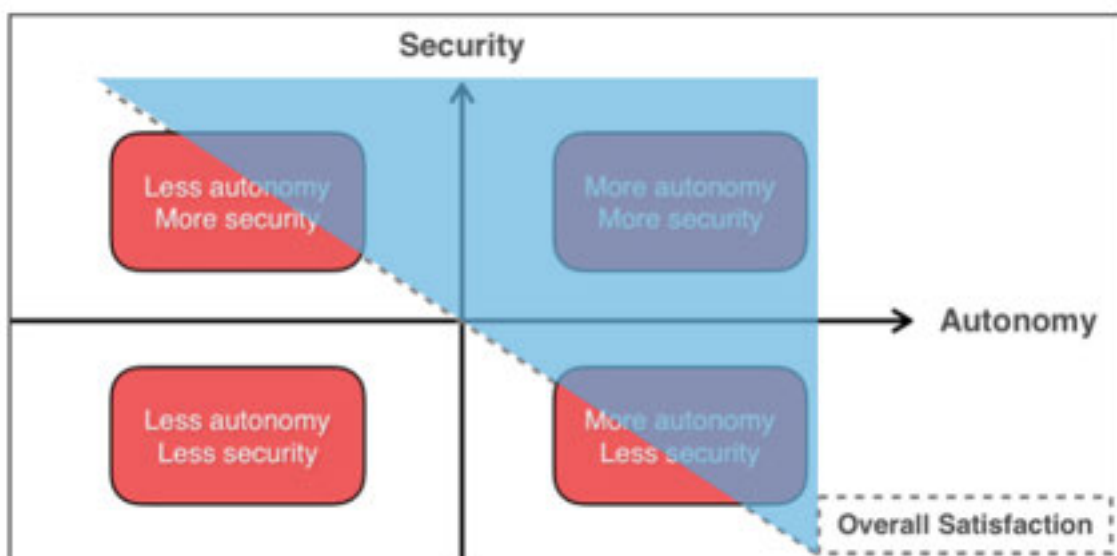
Part of the interview process involved a tour of the Studio, a chat with whatever staff were around that day, a meeting with the Studio cat, and an overview of the guidelines of the Studio and the safety features that we have. New staff were always required to bring an ID, which I would check with my best due diligence.

In my own experience, greater overall satisfaction in sex work is correlated with more autonomy and more security. Greater autonomy allows women in sex work to have more control over their work experience. Greater security allows women in sex work to feel comfortable and safe while working.

Behold — Part One of the Security-Autonomy Satisfaction Scale



Behold — Part Two of the Security-Autonomy Satisfaction Scale (the blue triangle overlay shows where the greatest job satisfaction can be found)



What do we mean by "autonomy" in sex work?

- Freedom from external control or influence
- Flexibility in when and how we work
- Independence, respect, equality
- Self-governance and the ability to influence change

What do we mean by "security" in sex work?

- Physical safety without threat of harm
- Regular and reliable work in a safe indoor location
- Financial security
- Healthy judgement-free support network

Together, autonomy and security help to combat the negative influence of stigma on women who are working within the sex industry and help to reduce the occurrence and susceptibility of vulnerable persons to sexual exploitation and exposure to generally unsafe or exploitative working conditions.

### *On Equality*

Charter of Rights and Freedoms, s.7: Life, liberty and security of person

*7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.*

Charter of Rights and Freedoms, s.15: Equality rights

*15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.*

*(2) Subsection (1) does not preclude any law, program or activity that has as its object the amelioration of conditions of disadvantaged individuals or groups including those that are disadvantaged because of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.*

Life, liberty and security of the person are guaranteed under the Canadian Charter of Rights and Freedoms. Security of the person, after the *Bedford* decision, has been determined to include the

right to safe working conditions. See the *Bedford* case and the amendments made in Bill C-36 to improve access to safe working conditions for sex workers in Canada.

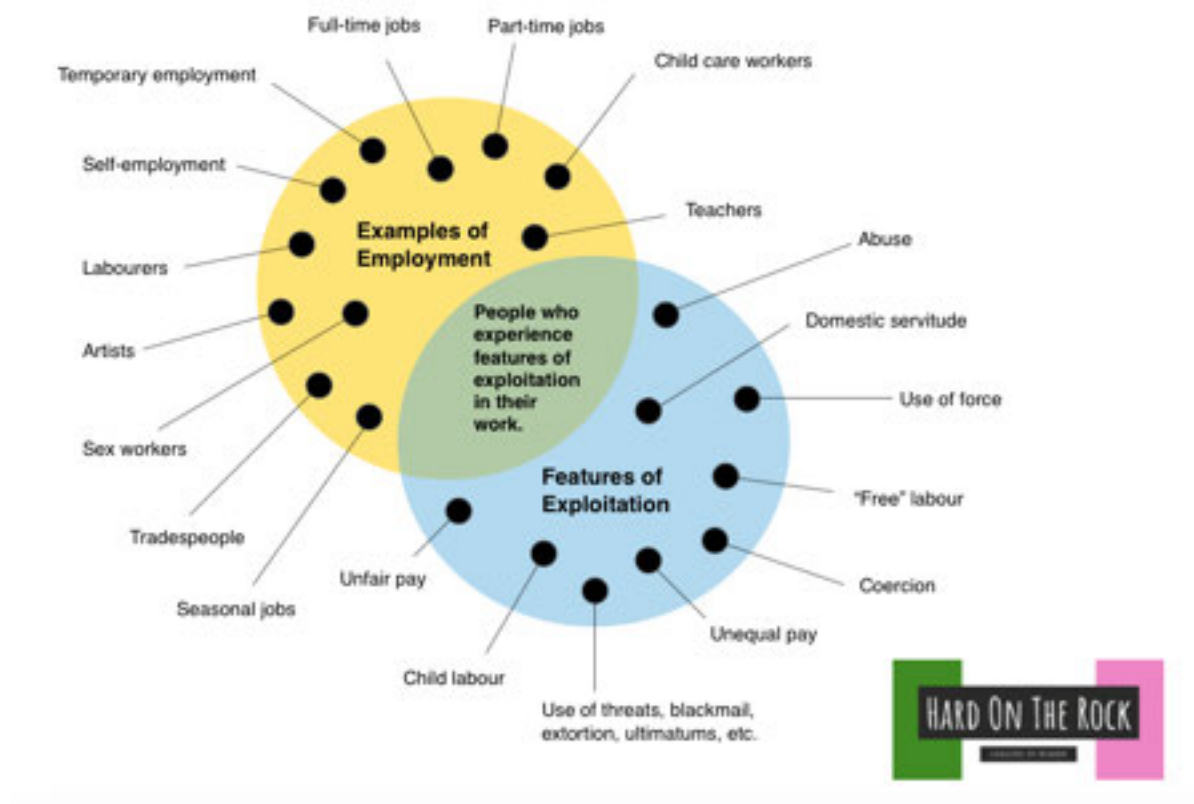
To continue the moratorium on massage parlours in St. John's, NL would be to continue to deny already vulnerable and marginalized people in our community the right to security of the person through having a safe place to work. This right is guaranteed to all persons in the Canadian Charter of Rights and Freedoms.

### *On Exploitation*

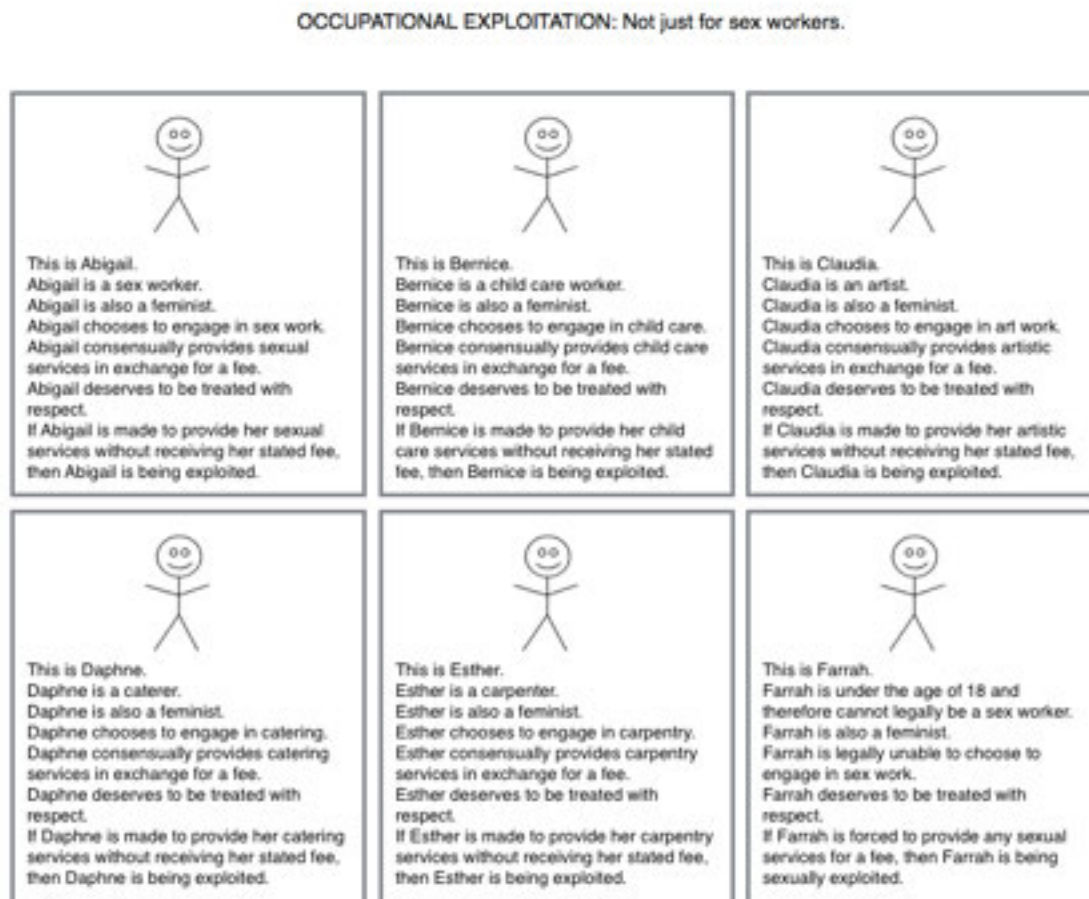
We seriously need to stop conflating sex work with human trafficking and youth sexual exploitation. Seriously. I don't even know how to make it any simpler at this point. How many books and articles and papers do actual sex working women have to write on this?

Fortunately, I'm prepared with illustrations!

Behold — a Venn diagram illustrating what exploitation in the workplace can look like:



Behold — a further delightful illustration of what occupation exploitation can actually look like:



Exploitation is exploitative. Exploitative work is not consensual work. Sex work is consensual work. Consensual work requires consent, not exploitation. If sex is not consensual then it is rape. Rape is not work. Sex work is not rape because sex work requires consent. If there is no consent then it is rape.

Further, if a child or youth is doing sex work, then it is not sex work, it is either sexual exploitation or rape. Sex work requires both parties to be consenting adults. Children and youth are not adults. Children and youth cannot consent to sex work. Children and youth cannot, by definition, do sex work.

### *On Misinformation*

Misinformation on sex work, sex workers, and our lives is rampant, even in the city of St. John's, NL. One often spouted "fact" used by exiting organizations, is that "the average age for a child to begin sex work is between 12 and 14 years old". This is both untrue and super gross because of



what we just read in the previous section. A person who is 12-14 years old CANNOT consent to sex with an adult and, as per the Criminal Code of Canada, a person who is 12-14 years old CANNOT consent to sex work. This statement, so often referred to in organizations within even our fair city of St. John's, is blatantly, definitely untrue.

Fun tidbit of knowledge for general awareness purposes:

According to an actual research study done by Raven Bowen at the PACE Society in Vancouver, "only an estimated 5-15% (of people in the sex industry) actually work for survival."

### *On Change*

Right now, there is an opportunity before you to create the potential for safer indoor working spaces for real sex working individuals in our city, our communities, and our social networks. The stigma of sex work is so horrifically strong, that I would easily wager that each one of you knows more than one person who has participated in some form of sex work. The data supports this. We know this is a necessary change to establish greater safety for real people. The time for this change is now.

### *My Ask to You*

After all of this, dear Members of the City Council, my ask to you is a small and simple one: Please. Please vote to lift the moratorium on massage parlours in St. John's, Newfoundland and Labrador. We are asking for the dignity and security of having a safe place to work. That is all.

This is all I've got in me. It's now 4:30am and I have class in five hours. Wish me luck. I'll be thinking of you all day and waiting for what I hope will be good news. I believe in you all.

With great respect and solidarity,

*(this is where I would put my signature if I weren't too tired to figure out how to do that now)*

[REDACTED]

## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:07 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: \*\*\*\*UPDATED\*\*\*\* Some facts and realities facing St. Johns Residents if the Massage Parlour ban is lifted \*\*\*\*UPDATED\*\*\*\*  
**Attachments:** thumbnail\_Screenshot\_20190930-120424\_Messenger.jpg; thumbnail\_Screenshot\_20190930-120305\_Messages.jpg

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 12:27:51 PM  
**To:** Sheilagh O'Leary <soleary@stjohns.ca>; Mayor <mayor@stjohns.ca>; Deanne Stapleton <dstapleton@stjohns.ca>; Hope Jamieson <hjamieson@stjohns.ca>; Jamie Korab <jkorab@stjohns.ca>; Ian Froude <ifroude@stjohns.ca>; Wally Collins <wcollins@stjohns.ca>; Maggie Burton <mburton@stjohns.ca>; Dave Lane <dlane@stjohns.ca>; Sandy Hickman <shickman@stjohns.ca>; Debbie Hanlon <dhanlon@stjohns.ca>  
**Subject:** \*\*\*\*UPDATED\*\*\*\* Some facts and realities facing St. Johns Residents if the Massage Parlour ban is lifted \*\*\*\*UPDATED\*\*\*\*

\*\*\*\* I sent this email yesterday and I want to thank Sandy Hickman for taking the time to read my email and send me a reply in apporeciation. That was greatly appreciated and will be noted to any media outlets that ask! !

I just wanted to UPDATE you fellow esteemed members of council just how my Sunday was working in the Adult massage parlour industry! Just in case anyone was interested in what This city has waiting for it IF you open more studios without a lot of work done first!! Maybe someone on city hall should stand up when presenting facts and give these... the residents of the city has a right to know... So today when standing up and talking about this issue Mrs. Maggie Burton, please make sure the residents of your city has ALL the facts please. It's very negligent on your part to NOT take the time to speak with owners of current massage studios OR any women who actually work in them! So, during your time presenting today, can you kindly fill us in why you did no homework on this issue but feel you want to open more blindly? Exactly who is pushing for this?? THE CITY HAS A RIGHT TO NOW!!

- Here is a screenshot of a conversation i have been dealing with for the last few days of a very mentally ill man who hates me just because of my sexuality and because of the type of work I do. I have been attacked

and fielding his threats for the last few days trying to calm him down... Nothing new! ( screenshot included in email )

- Does anyone know where I can fix this? Showed up to one of my locations and late Saturday night, someone either tried to break in or took some frustration out on my front door window at one of my businesses. ( Picture of broken window included )

So yeah, this industry is crazy and scary and anyone who wants to open more in this city, should do a lot more homework for the concern and safety of the residents of this city. I have worked very hard to clean up the industry and for some strange reason, 2 months ago the universe joined all 3 studios we have now and I am asking for a while to see how that settles before we decide if we need more or not. Having the studios work under one union I feel will be the best thing for this city! I have been contacted by a few reporters today and I asked them to wait until tomorrow for a response from me. I want to have all the information first before I react.

Hello city of St John's and its esteemed members of council. My Name is [REDACTED] and I am emailing you concerning the moratorium that's currently in place on opening new massage parlours.

As a businessman, I am not fully opposed to opening more Studio because anyone reading this email with half a business mind would know, that any business person would and should only be too eager to expand if the market and the need was there. I currently operate three adult massage studios in this city and I am going to be the first to admit that this is probably one of the fastest and scariest rides I have ever been on. Now for anyone who's going to come to this city hall and recommend that a moratorium be lifted without having extensive research and first-hand experience to know how these massage parlours operate, is extremely careless and negligent on anyone's part. I am telling you emphatically, that adult massage parlours are scary and the City of St John's really needs to invest time and resources into understanding, appreciating and regulating any new massage parlours that are open.

In order to do that the city really needs time and resources spent, out of taxpayers money to operate and regulate an industry that they can assure is not going to cause issues and problems for the residents of St John's. Plain and simple. To do it without the proper planning and time and energy and resources spent, would be negligent and



careless and anything that would come of such actions would be placing full liability in my head, on City Hall. Trust, me, I am not the only one who feels this way!

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My businesses are short 7 shifts this week coming up because a few of my friends who i consider family, are not able to work responsibly for one reason or the other so we have them off the schedule for their own safety and ours.

If the only three massage studios in this city is short shifts every single week because there's not enough people interested or able to be working in the studio full-time to fill the schedule completely, why oh why can anyone stand here today and say that we need more? Diversity is great I agree but again, we are not ready! Adding more will completely throw a wrench into everything that we have accomplished in the last 4 years. It will make these women a commodity plain and simple. That's the scariest and most important part I need anyone reading this email to focus on. If we have three studio now and there's not enough people to fill the weekly schedule what happens if three more open?? Then the women working there will become treated as a commodity, and HELLO! human trafficking!!! These new Studios will be bringing in people from other provinces and other countries and with no people watching them and regulating them, that's when St John's open the door and welcomes minors working in this industry, and women who are forced here to work in this industry becaue the local ladies can not and will not be able to . Unless every single member of City Hall is ready to stand up today and say unequivocally that they are ready to spend resources and time managing and regulating and watching these new Studio's day in and day out to protect your residents and the people who voted you in office? You have no other choice but to vote no on lifting the moratorium ban but commit today, to working with people like me, to do so in the near future.

I am a smart intellectual businessman and I would love the opportunity to expand my business and grow. That's every business person's Ultimate Dream is it not? So please, do not think that I am trying to ask you to vote no on this for any other reason than me simply telling you, WE ARE NOT READY!!! Plain and simple!!! Point blank!! No other answers to it, sadly, WE ARE NOT READY. Take the next year and anyone who has a honest interest in this industry, and want to help build and grow it safely, I will gladly sit with you and help build and plan policies and regulations to grow and further this industry. But and this is a very resounding BUT, we need to make sure that it's done NOT at the expense of the residents, of this amazing City. In fact, if there is a need for a fourth or a fifth I will gladly work with the city very closely to open those Studio to make sure that if the need ever do arise, that people working in this industry have a safe place to work, but I'm telling you right now absolutely no lies there's no need for a fourth. In fact, if you have anyone contacting you or asking you to push to open more Studio's because they need a safe place to work kindly refer them to me or my manager and let them know that we currently have space for at least four more serious responsible individuals working in this industry to fill our schedule.

So in closing and to summarize this entire lengthy email, I'm pretty much contacting the city as a businessman, as a resident of the city and as a concerned person who wants to make sure that this city does the right thing for its residents, I am asking you NOT to lift the ban on the massage parlour moratorium just yet. Not to keep it in place forever, like I said I'm a businessman and when the time comes I would love the chance to open a fourth. BUT It's been only two months since I acquired the third one and officially joined everyone as one working company and unit. Give me some time to build structure in that, to regulate that and then let's all open new ones ( if needed)!! I can promise every single person in city hall today, that i will be the first person in line looking for a new permit when it does. In fact, honestly I feel it would be the right thing for the city of St John's to do. I know that may sound ridiculous but I'm not afraid to ask for something that I feel I deserve. Like I said four years ago I went to the city on two different occasions asking as an aspiring businessman to open a massage studio so that I could have my chance. I got turned down on two occasions and because of that you implemented a moratorium. I had to buy and clean up three other people's messes to get into the business and I did so very successfully. So yes, I will be the first person in line the day the permits are allowed, expecting the city 2 give me the opportunity to grow and build one from scratch like everyone else. But even I I'm telling you unequivocally, that this city and the people who work in this industry are not ready yet for anymore massage Studios. I say let's revisit this in a year and in the meantime everyone do some homework and let's all figure out a way to do this the safest way possible. We all owe it to the people of St Johns.

[REDACTED]

[REDACTED]

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:07 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: \*\*\*\*UPDATED\*\*\*\* Some facts and realities facing St. Johns Residents if the Massage Parlour ban is lifted \*\*\*\*UPDATED\*\*\*\*  
**Attachments:** thumbnail\_Screenshot\_20190930-120424\_Messenger.jpg; thumbnail\_Screenshot\_20190930-120305\_Messages.jpg

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 12:27:51 PM  
**To:** Sheilagh O'Leary <soleary@stjohns.ca>; Mayor <mayor@stjohns.ca>; Deanne Stapleton <dstapleton@stjohns.ca>; Hope Jamieson <hjamieson@stjohns.ca>; Jamie Korab <jkorab@stjohns.ca>; Ian Froude <ifroude@stjohns.ca>; Wally Collins <wcollins@stjohns.ca>; Maggie Burton <mburton@stjohns.ca>; Dave Lane <dlane@stjohns.ca>; Sandy Hickman <shickman@stjohns.ca>; Debbie Hanlon <dhanlon@stjohns.ca>  
**Subject:** \*\*\*\*UPDATED\*\*\*\* Some facts and realities facing St. Johns Residents if the Massage Parlour ban is lifted \*\*\*\*UPDATED\*\*\*\*

\*\*\*\* I sent this email yesterday and I want to thank Sandy Hickman for taking the time to read my email and send me a reply in apporeciation. That was greatly appreciated and will be noted to any media outlets that ask! !

I just wanted to UPDATE you fellow esteemed members of council just how my Sunday was working in the Adult massage parlour industry! Just in case anyone was interested in what This city has waiting for it IF you open more studios without a lot of work done first!! Maybe someone on city hall should stand up when presenting facts and give these... the residents of the city has a right to know... So today when standing up and talking about this issue Mrs. Maggie Burton, please make sure the residents of your city has ALL the facts please. It's very negligent on your part to NOT take the time to speak with owners of current massage studios OR any women who actually work in them! So, during your time presenting today, can you kindly fill us in why you did no homework on this issue but feel you want to open more blindly? Exactly who is pushing for this?? THE CITY HAS A RIGHT TO NOW!!

- Here is a screenshot of a conversation i have been dealing with for the last few days of a very mentally ill man who hates me just because of my sexuality and because of the type of work I do. I have been attacked

and fielding his threats for the last few days trying to calm him down... Nothing new! ( screenshot included in email )

- Does anyone know where I can fix this? Showed up to one of my locations and late Saturday night, someone either tried to break in or took some frustration out on my front door window at one of my businesses. ( Picture of broken window included )

So yeah, this industry is crazy and scary and anyone who wants to open more in this city, should do a lot more homework for the concern and safety of the residents of this city. I have worked very hard to clean up the industry and for some strange reason, 2 months ago the universe joined all 3 studios we have now and I am asking for a while to see how that settles before we decide if we need more or not. Having the studios work under one union I feel will be the best thing for this city! I have been contacted by a few reporters today and I asked them to wait until tomorrow for a response from me. I want to have all the information first before I react.

Hello city of St John's and its esteemed members of council. My Name is Norman Lush and I am emailing you concerning the moratorium that's currently in place on opening new massage parlours.

As a businessman, I am not fully opposed to opening more Studio because anyone reading this email with half a business mind would know, that any business person would and should only be too eager to expand if the market and the need was there. I currently operate three adult massage studios in this city and I am going to be the first to admit that this is probably one of the fastest and scariest rides I have ever been on. Now for anyone who's going to come to this city hall and recommend that a moratorium be lifted without having extensive research and first-hand experience to know how these massage parlours operate, is extremely careless and negligent on anyone's part. I am telling you emphatically, that adult massage parlours are scary and the City of St John's really needs to invest time and resources into understanding, appreciating and regulating any new massage parlours that are open.

In order to do that the city really needs time and resources spent, out of taxpayers money to operate and regulate an industry that they can assure is not going to cause issues and problems for the residents of St John's. Plain and simple. To do it without the proper planning and time and energy and resources spent, would be negligent and

careless and anything that would come of such actions would be placing full liability in my head, on City Hall. Trust, me, I am not the only one who feels this way!

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Norman Lush

709-740-4970

Norman Lush

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## Maureen Harvey

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**From:** Elaine Henley  
**Sent:** Thursday, October 31, 2019 12:44 PM  
**To:** Maureen Harvey  
**Subject:** FW: Moratorium on new massage parlours

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

**From:** [REDACTED]  
**Sent:** Tuesday, September 24, 2019 11:00 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Cc:** [REDACTED] Maggie Burton <mburton@stjohns.ca>  
**Subject:** Moratorium on new massage parlours

Members of St. John's City Council,

I am writing you in reference to Coun. Burton's motion to lift the moratorium on new massage parlours in St. John's. I am writing in opposition for several reasons.

1. Increasing the moratorium will lead to abusive pimps and organized crime organizations setting up in St. John's and this will lead to abusive pimps having a significant amount of influence over our local sex work businesses.
2. Currently only one business/proponent can operate in this city, the proponent owns Hush/Red Room, and now Studio Aura. This individual does not operate the business from a pimp exploitation model and instead allows sex workers to have management roles within Hush/Red Room and a significant amount of personal autonomy over their work. The currently model also prevents organized crime from opening shop in the city as sex workers have a significant amount of safety protections, financial and personal autonomy, and leadership over Hush/Red Room/Studio Aura.
3. The City of St. John's has never been able to publically address the issue of these businesses operating as brothels and is therefore not properly prepared to consider the implications of the same. The City has also refused to visit these establishments and met with the local management to determine what the role of sex work is within these businesses.
4. The current Hush/Red Room/Studio Aura establishments are also drug free and there is no significant background of drugs being associated with the clients and workers when they are meeting in these establishments. I personally have very low confidence that this would be the same if other businesses were allowed to open in the city. There would be a massive increase in drug use in these establishments and there would also be a significant increase in violence against sex workers as pimps would have more control over the business model and clients would be finding themselves in establishments that do not have protocols to protect the workers.
5. Council should also be inviting sex workers directly to provide feedback to the council (anonymously) for consideration regarding their experiences working in these establishments.



6. Council also appears to have very poor knowledge of what is happening in these establishments. The proponent of Studio Aura to my understanding did significant renovations to the building recently, however council is not able to find any information regarding permitting or authorization for the same.

Overall, council has not displayed a strong enough understanding of these issues to make educated, informed decisions regarding public interest. Council does not appear to understand the role of pimps in sex work, and other sex work models which do not promote organized crime and pimps (i.e. sex worker autonomy and independent worker models, as used in Hush/Red Room). Council also does not have any strong understanding of how to address the issue of organized crime and drugs in hypothetical new establishments. Therefore, it is my recommendation that council spend further time studying the organizational model of Hush/Red Room to learn about encouraging non-abusive forms of sex work.

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:08 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Massage Psrlors

---

**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 7:50:07 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Massage Psrlors

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in our city. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsjwtomenscentre.ca%2Fwp-content%2Fuploads%2F2019%2F09%2FLifting-the-Ban-SHOP-Report-for-City-Council.pdf&data=02%7C01%7C%7C4c8e312668204bdae1fe08d7458fc57f%7C77d442ceddc64c9ba7e df2fb67444bdb%7C0%7C1%7C637054356104419546&sdata=P9gHx3DMUVfQ161SG1t%2BT7NG%2FNZ1t%2BYqtNAuxvS0K5q%3D&reserved=0>

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

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## Maureen Harvey

---

**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:12 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Motion to lift moratorium on new massage parlours

---

**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 1:02:36 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Motion to lift moratorium on new massage parlours

To St. John's City Councillors,

I'd like to express my support for the planned motion to lift the moratorium on new massage parlours in St. John's.

This is an issue that primarily affects sex workers in our city and my understanding is that sex workers are absolutely in favour of having access to massage parlours as an indoor alternative to street-based sex work. As the Safe Harbour Outreach Program report "Lifting the Ban: Recommendations to Protect the Human Rights of Sex Workers in St. John's" indicates, banning massage parlours only pushes sex work outside and underground, making working conditions far more dangerous for sex workers. I would like to see the city listen to the group of people most directly affected by the moratorium on massage parlours and understand that they have the power to lay the groundwork for a system that collaborates with and supports rather than ignores and suppresses the input of sex workers. I refer you to Heather Jarvis's closing thoughts in the SHOP report: "Removing the moratorium is a powerful action affirming that sex workers are deserving of respect, labour rights, and access to safety in their employment, ultimately upholding sex workers' human rights in and across St. John's."

Please uphold the human rights of sex workers and vote to end the moratorium on new massage parlours in St. John's.

Thank you for your time,

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:05 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Support to Lift the Ban on Massage Parlours

---

**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 10:02:20 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Support to Lift the Ban on Massage Parlours

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in our city. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf>

Thank you

[REDACTED]  
[REDACTED]  
[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:12 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Lift the ban on massage parlours

---

**From:** [REDACTED]  
**Sent:** Sunday, September 29, 2019 8:58:34 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Lift the ban on massage parlours

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in the city of St. John's. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf>

Thank you

[REDACTED]

[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:04 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: 'Massage' Parlour Ban

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 11:38:57 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** 'Massage' Parlour Ban

Good Morning,

I am reaching out to you this morning as it has been brought to my attention your council will have its meeting today regarding lifting the current ban on 'massage' parlours in St. John's. I felt the need to contact you to let you know I'm not opposed to these adult parlours and the sex trade in general however I am opposed to the title 'massage parlour' being used and would request your council put forth a motion to change the name so it does not include the title 'massage' in it.

I am actually a Registered Massage Therapist (RMT) practicing in St. John's and felt it was in my due diligence to contact you about this matter. I wanted to make sure my voice was heard regarding the amount of time, study, stress, preparation and money it takes to hold this title. To become an RMT has been tremendous for me on a personal, social and professional level. So to have someone who practices in the sex trade use part of my title as their title for a sex trade to me is extremely frustrating and belittling. As I indicated I am not completely opposed to these adult or sex parlours but am definitely opposed them using part of the title I have worked so hard to achieve.

I have earned the right to this title due to the amount of time, money and stress I have put forth to obtain such a designate whereas the sex trade workers have not therefore they should not be able to use said title.

There are many other labels these sex trade workers could use for these parlours. For example, Sex Trade Parlour or Adult Touch Parlour or simply just Adult Parlour. Realistically they should be named for what they are. I am titled Registered Massage Therapist, because by definition that is my job/career. Shouldn't sex trade workers encompass a similiar title to reflect their "career" choice?

I would ask you to give my email as well as the other Registered Massage Therapists who are emailing you serious consideration regarding this "Massage Parlour" title and having a new, more appropriate name used in it's place.

I thank you in advance for your time on this matter and hope to see favorable results in the near future.

[REDACTED]

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## Maureen Harvey

---

**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:06 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Ban on massage parlours

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Sunday, September 29, 2019 11:06:08 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Ban on massage parlours

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in our city. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada,

there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf>

Thank you

[REDACTED]

[REDACTED]

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## Maureen Harvey

---

**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:06 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Massage parlours

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 9:26:02 AM  
**To:** Hope Jamieson <hjamieson@stjohns.ca>  
**Cc:** Maggie Burton <mburton@stjohns.ca>; Sheilagh O'Leary <soleary@stjohns.ca>  
**Subject:** Massage parlours

Dear Hope,

I urge you to vote against lifting temporary ban on massage parlours today.

I am concerned particularly about the safety of workers in a patriarchal society where working conditions of sex workers is often not as great a concern as it should be. At this time it would be better to continue to press the provincial government to do their part to ensure worker safety before lifting the temporary ban.


As well I am concerned re zoning and regulations in our city especially for families like mine that live in the downtown. Five years ago our neighbour opened a massage parlour nearly next door to my family in Willicott Lane. We had three children including a 10 year old daughter and a very disabled son. The lack of regulation at all levels of government was of great concern.

More work needs to be done before the temporary ban is lifted.

This issue is a difficult one for a feminist like myself. As a community we need more discussion to form a greater consensus on what is needed before lifting a ban that may hurt workers in the sex industry and community members.

Regards,

[REDACTED]  
[REDACTED]



Sent from my iPhone

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## Maureen Harvey

---

**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:06 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Support of Motion

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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** [REDACTED]  
**Sent:** Sunday, September 29, 2019 9:52:40 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Support of Motion

Hello,  
We are writing to share my support for lifting the moratorium that is currently in place for massage parlours in St. John's. We would like you to take the time to read the report published by Safe Harbour Outreach Project on how the ban affects sex workers in our city.

"...we support repealing the ban on massage parlour permits as an important first step towards sex workers in our City having access to both safe conditions and options within their work, and we would look forward to enacting more safe and supportive regulations around massage parlours. We have and continue to hear, time and again, from our sex working community that working indoors is inherently safer, provides diverse opportunities for choice, and increases their agency and control over working conditions. Sex workers who we have connected with in our city are overwhelmingly in favour of lifting the ban, ending this moratorium and want to be involved in the decisions that impact their day to day lives. We have an opportunity to work towards an innovative approach in St. John's and our province, that upholds and prioritizes the safety, protections and human rights of sex workers', and recommits to safer regulations guided by the ongoing expertise and consultation of the very communities they impact"

You can find the full report here:



In Solidarity,

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:44 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Give us a safe place to work: St. John's sex workers. Please read

---

**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 2:22:53 PM  
**To:** Jamie Korab <jkorab@stjohns.ca>; CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Re: Give us a safe place to work: St. John's sex workers. Please read

Jamie at al.

It's funny that you bring up restaurants as your example since I do own a food service establishment - that is licensed. Respect that I am talking to you using my pseudonym for my own safety. I'm using my sex worker identity and experience to state why I am in authority on this subject. Alternatively I am a well educated business professional who votes. Before your previous election I met with candidates to ask them about this vary issue. I voted accordingly, afterwards I met with members of the city council. I've reached out through women's organizations through the media and now directly through these emails.

I disagree with your last email, you as a city can absolutely regulate the number of massage parlors. Currently there are three lifting the moratorium will increase the numbers of massage parlors in the city.

[REDACTED]

On Mon, Sep 30, 2019, 1:41 PM Jamie Korab <[jkorab@stjohns.ca](mailto:jkorab@stjohns.ca)> wrote:

[REDACTED]

I understand your frustration, but no, we cannot regulate how many massage parlours are in the city. Massage parlours are in accepted use in certain zones.

To use a comparison, We can't limit the amount of restaurants the city has. I know we're talking about two different things, but they're treated the same in our regulations and we wouldn't legally be allowed to not allow them.

Jamie

**From:** [REDACTED]

**Sent:** Monday, September 30, 2019 1:59:34 PM

**To:** Jamie Korab <[jkorab@stjohns.ca](mailto:jkorab@stjohns.ca)>

**Subject:** Re: Give us a safe place to work: St. John's sex workers. Please read

Jamie et al.

You as the city can regulate three things:

- 1) Location
- 2) Building code
- 3) THE NUMBER OF LEGAL ADULT MASSAGE PARLOURS!!!!

Today the city is literally voting to legalize more indoor spaces, designated for the purposes of adult erotic massage for workers to use.

What happens next with respect to safety and worker rights remains to be seen. Lifting the moratorium means more and different people including feminists can start their own small business. Creating a larger job market for workers puts them in a position of power where they can negotiate with the owners of the rental spaces. Additionally this will hopefully open up space for streetbase sex workers to work indoors in comfort and safety.

On Mon, Sep 30, 2019, 1:14 PM Jamie Korab <[jkorab@stjohns.ca](mailto:jkorab@stjohns.ca)> wrote:

Hello [REDACTED]

I've received and read your email. Thanks for taking the time to reach out. I always appreciate feed back from residents.

We as a city can only regulate two things with massage parlours:

- 1) Location
- 2) Building code

All else falls under service NL (Province) and RNC, what happens inside, safety, etc.

There will be a much clearer motion made at tonight's council meeting and an explanation on how the lifting of the moratorium would take place.

Jamie

Jamie Korab - Ward 3 Councillor - City of St. John's - 576.8643 - [jkorab@stjohns.ca](mailto:jkorab@stjohns.ca)

---

**From:** [REDACTED]

**Sent:** Monday, September 30, 2019 4:47:45 AM

**To:** Mayor <[mayor@stjohns.ca](mailto:mayor@stjohns.ca)>; Danny Breen <[dbreen@stjohns.ca](mailto:dbreen@stjohns.ca)>; Sheilagh O'Leary <[soleary@stjohns.ca](mailto:soleary@stjohns.ca)>; Deanne Stapleton <[dstapleton@stjohns.ca](mailto:dstapleton@stjohns.ca)>; Hope Jamieson <[hjamieson@stjohns.ca](mailto:hjamieson@stjohns.ca)>; Jamie Korab <[jkorab@stjohns.ca](mailto:jkorab@stjohns.ca)>; Ian Froude <[ifroude@stjohns.ca](mailto:ifroude@stjohns.ca)>; Wally Collins <[wcollins@stjohns.ca](mailto:wcollins@stjohns.ca)>; Maggie Burton <[mburton@stjohns.ca](mailto:mburton@stjohns.ca)>; [dlane@mun.ca](mailto:dlane@mun.ca) <[dlane@mun.ca](mailto:dlane@mun.ca)>; Sandy Hickman <[shickman@stjohns.ca](mailto:shickman@stjohns.ca)>; Debbie Hanlon <[dhanlon@stjohns.ca](mailto:dhanlon@stjohns.ca)>

**Subject:** Give us a safe place to work: St. John's sex workers. Please read

I am writing to you at the eleventh hour, hoping that you will have a chance to read this and consider my words in time. There is a vote about to take place. A vote for or against lifting the ban on a massage parlor license. Supporting this means legitimizing the erotic massage industry and profession. Yes I am talking about sex work and sex workers. I am not talking about sexual exploitation or human trafficking. Sex work is done consensually, and sex work is work. Sex worker rights are human rights. I am, again, asking The City of St John's for a safe space to work.

I am a sex worker, and have been for a while now. I spent the better part of a decade working in St. John's. In two different massage parlors, both where licensed, female owned and operated, safe, clean, legal, legit established businesses. During that time and through that work I found, financial independence, feminism, autonomy and I learned so much; there was both personal and professional growth. To make my experience relate to your vote later today I can tell you the tales about the massage parlors in St. John's as I know them. Because my story takes place before, during and after the moratorium.

A massage parlor is not a bawdy house - commonly known as a brothel. Massage parlours rent space to workers. The rooms are private, furnished with a massage table, a chair, and a small table. Adjacent to a bathroom or equipped with washing facilities. Amenities such as antibacterial hand soap, massage oil, body wash, towels, laundry detergent, cleaning supplies were included. There was even space for the workers to lounge, like a breakroom, with couches, a vanity for hair and makeup, mini fridge, microwave, and tv. The amount of rent collected is based on the amount of time the worker uses the massage room. A massage parlor is a business and it does make a profit. Lifting the moratorium means the city would be vetting the owner(s) and or operator(s) of the business. Then ensuring that the building the business is occupying is up to code. A vital step in ensuring safe working conditions for sex workers because sex work is work.

Before the moratorium there were 3 licenced massage parlors; ExecutifSweet, Hush and Studio Aura. ExecutifSweet closed and Kendra's Red House opened downtown. During the moratorium; neighborhood residents complained to the city and media about activity outside of Kendra's Red House. A very small number of complaints are on record (two, if I recall correctly). Then suddenly the moratorium was put in place, for the entire city of St. John's. Kendra's moved to a different location, in a more commercial area of downtown.

After... The owners of Hush sell their business and subsequently their license. Kendra too sells, to the same person who bought Hush. Both businesses remain open under a new owner. There are three licensed massage parlors, but only two owners. Years later the owner of Studio Aura sells her business and now one person owns the Monopoly of massage parlors in the city. He has full control over the limited number of indoor spaces designated for the use of erotic massage by sex workers.

Lifting the ban on licensed adult erotic massage parlors will create more workplaces. Massage parlors are small local businesses. They need to attract patrons, in this case, the workers and clientele. Giving the workers and clientele a choice of different companies fosters good business competition. Thus benefiting the workers, the clientele then the owners. This argument is derived from the saying 'take care of your employees and they will take care of your customers.'

And again, I am, again, asking for your support, please lift the ban on adult massage parlor licenses in the city of St John's. At this point hopefully you have noticed how often I used 'again' please see the attached cbc news article ... I'm there, the second one on the right, walking down the street on a cold day in February. With a few of my fellow colleagues from an adult massage parlor in town, reaching out to you the politicians and the public.

<https://www.thetelegram.com/news/local/give-us-a-safe-place-to-work-st-johns-sex-workers-184234/>



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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:04 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Listen to SHOP

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 12:10:50 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Listen to SHOP

You know what I do when I'm not 100% sure about a topic I'm tackling?

I seek out the best possible source and ask them the necessary questions to ensure I am well-informed and properly educated before making any decisions.

Please listen to the Safe Harbour Outreach Program, and don't let outdated, negative stigmas cloud your perception.

If you ban massage parlours, and another woman dies because there is no accountability in place to ensure safety for sex workers, the blood will be on YOUR hands.

And I will never ever ever let you forget it.

--

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:14 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Request for more time for massage parlour name change

---

**From:** [REDACTED]  
**Sent:** Tuesday, October 15, 2019 3:17:05 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Cc:** [REDACTED]  
**Subject:** Request for more time for massage parlour name change

Dear City Council,

On behalf of the St. John's Status of Women Council/Women's Centre, SHOP, and the many current and former sex workers and survivors we are connected to, we would like to request that City Council allow more time and consultation before changing the designation of massage parlours to "body rub parlours". Since learned of this upcoming vote this morning, and have already had several conversations with women engaging in different forms of sex work who find the term "rub" acts to increase stigma, has been harmful when used in the past, and is not language they use to define their own work.

While we acknowledge and understand the concerns brought forward by many registered massage therapists in our city, we believe the decision to change the designation name does not need to happen this quickly. We believe more engagement with the people directly impacted is essential, to hear registered massage therapists as well as current massage parlour workers on the language used for their work.

Earlier in September during the vote on the moratorium on massage parlours, there was a unanimous vote on the need to have more public engagement and consultation on the development regulations around massage parlours. With this in mind, we sincerely request that a change of designation title for massage parlours allow more time for people working in them to be adequately consulted. We believe more ideas will come forward that can address the needs and concerns of many.

Sincerely,

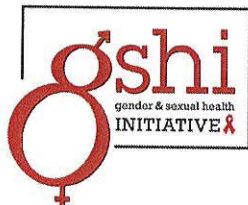


[REDACTED]

[REDACTED]



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## RESEARCH BRIEF

# Safety, Violence Prevention and Municipal Licensing of Indoor Sex Work Establishments

### Background

To date, there is little to no research on the different ways that licensed indoor sex work establishments, including massage parlours, beauty salons and body rub studios, are licensed, regulated and policed. To address this gap in research, researchers at the BC Centre for Excellence in HIV/AIDS compared licensing and policing practices of indoor sex work establishments across municipalities in the Greater Vancouver Area, to look into how these policies and practices shape health, safety and the risk of violence for sex workers in these settings.

### Methods

As part of a larger ethnographic and qualitative investigation of the physical, social and structural HIV risk environment of the sex industry, this study draws on 46 in-depth interviews conducted in 2011 with sex workers, managers and business owners of licensed indoor sex work establishments, including massage parlours, beauty salons, acupressure and body rub studios, as well as micro-brothels, in the Greater Vancouver Area. The interviews were conducted in English and/or in Mandarin, and were recorded, transcribed, translated, coded and then analysed to allow researchers to uncover themes and issues of importance.

### Results

This study showed that several different aspects of the municipal licensing requirements and policing practices had a negative impact on the health, safety and risk of violence for sex workers in these settings. These requirements can roughly be divided into the following categories: those that impact the physical environment; those that impact who is employed, manages or owns such businesses; those relating to policing and bylaw enforcement; and those relating to the overall impact of a formal, licensed workplace, versus an informal, unlicensed one.

#### The Physical Environment

**Door lock restrictions** – Some licenses (eg. Body Rub Salons in Burnaby) require front doors to remain unlocked during business hours, to provide police and inspectors immediate access to the premise for inspection. Participants reported that this left them vulnerable to theft and robbery, and unable to screen for potentially violent or problematic clients. As a policy intervention, prohibitions on door locking decrease workplace safety by punishing managers with fines or license revocations if they attempt to protect workers by locking the front door.

*"If they ring the doorbell, we would come out and see what this client is like by talking to them shortly. If they seem drunk, we would definitely ask them to leave and not let them in."*

**Lighting and windows** – Many licenses require bright lighting and unobstructed windows or doors into the massage rooms, again to enable police and inspectors access to the massage rooms. This prohibition on privacy can undermine a worker's ability to manage their work environment, and cause stress, a fear of exposure, and makes workers vulnerable to harassment, humiliation and fines in the event of police raids.

*"I think it is unreasonable to ask us not to hang towels in front of windows. It not only invades my privacy but also my clients'. And it doesn't really deter us from doing this work."*



*Security cameras* – Many violence prevention measures identified by workers as key to their safety are not included in licensing regimes and are therefore not mandatory. Participants reported that security cameras deter violence by signaling to clients that they will be held accountable for any theft or violent acts. Security cameras also assist with screening unwanted or potentially dangerous clients.

*"If the client sees that you are alone, they feel like they can bully or abuse you, and you can't defend yourself. The security camera we install in the parlour can also serve as a warning, that if the client's do not behave themselves, they will leave evidence behind, and the police can find them."*

### **Employees, Managers and Owners**

*Owners with experience* – Many licenses (eg. Body Rub Studios in Richmond and Health Enhancement Centres in Vancouver) are not available to anyone who has been convicted of a sex work related criminal offense. This is problematic for employees, who reported inexperienced owners as more likely to issue fines for having condoms around, pressuring them to provide higher risk services (eg. sex without a condom), undervaluing the labour and physical demands of sex work, and less likely to support them in a conflict with a client. Experienced owners were reported to be more likely to encourage HIV prevention, provide condoms, and protect them from dangerous clients.

*"If I had any issues, whether it's inside the rooms, or if we were short on condoms, [the current owners] would always listen to me...because they've worked in the trade. The parlours before, [the owners] hadn't. It's completely different. The ones where they just want to make money for themselves...even if we were in danger, we weren't able to call the police..."*

*Working alongside others* – Current licensing regimes do not require or encourage owners to ensure that more than one employee or receptionist is present, despite employees reporting the important role of co-workers in collectively deterring violence, de-escalating conflict, intervening in case of violence and sharing information about dangerous clients. In fact, some participants reported that fear of attracting attention of police, and losing their business licenses, discouraged them from having larger establishments with more employees.

*"This place is safe in every aspect...there is always more than one person working in the parlour. We usually have about four people here... the clients wouldn't do anything to us."*

*Employee registration* – Some licenses (eg. Body Rub Studios in Richmond) require individual employee registration, including their name, address and sometimes even a photograph. Participants reported avoiding working in municipalities that require registration due to concerns about their privacy, the privacy of their families and homes, the potential impact on future employment opportunities, and their ability to exit the sex work industry. Employees reported the individual licensing process as onerous and expensive, as increasing their stigma and marginalization and as pushing them towards unlicensed, less safe venues. Owners reported difficulty adhering to the strict registration requirements due to high worker-driven turnover; as many employees prefer to set their own schedules and rotate among establishments to achieve better working conditions.

*"I may choose micro-brothels, rather than getting a [registration] card. My family or relatives would know if I registered in this industry."*

### **Policing and Bylaw Enforcement**

*Police raids* – Licensing regimes allow police to target, raid and fine licensed indoor sex work establishments. Many owners reported feeling betrayed for obtaining the license that most accurately reflected the nature of their business (eg. Body Rub Studios) despite the high annual fee (\$3000-9000), only to be punished by police raids, inspections, fines or license revocation for violations of the licenses burdensome requirements.



Police raids deter clients, cause lost revenue, and ultimately result in the closing of many safer indoor work environments, displacing workers to hidden, unlicensed, and less safe, venues. Participants reported the psychological stress of police raids as the most difficult part of their work, describing it as humiliating and stressful. They reported that raids are usually conducted without a translator, which for migrants or new immigrants is extremely stressful, compounding other stresses they report experiencing such as income security, single parenting, language, immigration obstacles, and social isolation resulting from the stigma of sex work.

*"I'm afraid that they would put it [the police raid] up in the news, so then everyone would know...I've heard that this would definitely affect my [Immigration] status. The biggest concern is that my child finds out, or my family finds out."*

**Lack of police support** – Fear of losing clients, being fined, or losing their business license motivates owners to forbid workers from calling the police when faced with violent clients. Participants reported being unable to rely on police for support or protection, even when subjected to extreme violence or sexual assault. Additionally, clients are able to manipulate workers into providing free or unsafe services by threatening to anonymously report a business to the police. Some owners turn to gangs as security providers in response to violence or theft as they report being unable to rely on police.

*"If anything happens, it's difficult or impossible to report anything to the police because we're working illegally. We can't really seek protection. They [clients] can still call the police on us if they want to threaten us."*

### **Licensed vs. Unlicensed and Covert Venues**

**Displacement** – Burdensome licensing regimes, along with stress and loss income caused by police raids, can lead workers to leave licensed establishments, despite reporting them to be safer. Some are displaced to more hidden, unlicensed venues, such as micro-brothels, a worker's home, or take outcalls in client's homes or hotels, while others may opt to work in more covert, less explicitly sex work related licensed venues, such as beauty salons, spas or acupuncture clinics.

Participants working in these covert types of establishments reported that the incongruity between the business license held and the services actually offered, places a burden on the employee to negotiate services, price, and safety conditions, such as condom use, with clients, and creates more opportunity for conflict, especially when there is a language barrier. Additionally, restrictions around signage and advertising can make it difficult for owners to communicate job expectations to new applicants, and may lead someone to unintentionally enter the sex work industry.

*"Regulation without proper planning and consideration has led to businesses such as spas and beauty salons illegally providing sex services. If you always bother licensed businesses like massage parlours, the workers will leave these businesses, but they will not leave this industry or this city, they will find other ways to do this business...I think the present regulation just exacerbates the problem."*

## **Implications**

This study supports a growing body of evidence of the harms to sex workers of a criminalized and enforcement-based approach, and highlights some of the potential benefits of decriminalization, including increased safety, improved health, the prevention of violence and better relationships with police. With the constitutionality of Canada's sex work law currently being decided, there will likely be an immediate need to consider how current municipal licensing, regulations and police practice regimes can be revised to better support sex workers, business owners and managers.

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## Violence prevention and municipal licensing of indoor sex work venues in the Greater Vancouver Area: narratives of migrant sex workers, managers and business owners

Solanna Anderson<sup>a</sup>, Jessica Xi Jia<sup>a</sup>, Vivian Liu<sup>a</sup>, Jill Chatter<sup>a</sup>, Andrea Krüsi<sup>a</sup>, Sarah Allan<sup>a</sup>, Lisa Maher<sup>b</sup> and Kate Shannon<sup>a\*</sup>

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Using a socio ecological, structural determinants framework, this study assesses the impact of municipal licensing policies and related policing practices across the Greater Vancouver Area (Canada) on the risk of violence within indoor sex work venues. Qualitative interviews were conducted with 46 migrant/immigrant sex workers, managers and owners of licensed indoor sex work establishments and micro brothels. Findings indicate that policing practices and licensing requirements increase sex workers' risk of violence and conflict with clients and result in heightened stress, an inability to rely on police support, lost income and the displacement of sex workers to more hidden informal work venues. Prohibitive licensing and policing practices prevent sex workers, managers and owners from adopting safer workplace measures and exacerbate health and safety risks for sex workers. This study provides critical evidence of the negative public health implications of prohibitive municipal licensing in the context of a criminalised and enforcement based approach to sex work. Workplace safety recommendations include the decriminalisation of sex work and the elimination of disproportionately high fees for licences, criminal record restrictions, door lock restrictions, employee registration requirements and the use of police as licensing inspectors.

**Keywords:** sex work; venues; structural factors; violence; licensing

### Introduction

A growing body of international research highlights vast differences in violence and other social and health inequities among female sex workers according to the legal, policy, social and physical environments within which they operate (Shannon and Csete 2010). Recognising the heterogeneity in experiences of violence among sex workers, there have been increasing calls to employ a socio-ecological and structural determinants framework to better examine and address workplace violence against sex workers (Shannon et al. 2008; Blanchard and Aral 2010). This framework illustrates how harms within sex work are situated within the social and physical features of the work environment, which are a product of macro-structural factors (e.g., laws, policies) that govern how sex work organisation and indoor work environments (e.g., venues) operate to promote or constrain health and safety. Rather than reify workplace violence against sex workers as an intrinsic 'risk of the trade' or hold sex workers themselves responsible for violence prevention,

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a socio-ecological structural perspective highlights the critical role of structural interventions in promoting or limiting workplace safety in sex work venues and redistributes accountability for sex workplace safety to a wide range of actors, including policy makers, courts, municipalities, police, managers and clients.

As features of the social environment of indoor sex work venues, third party actors, such as managers or receptionists, may play a vital safety role by establishing codes of client conduct, screening potential clients, removing violent clients and alerting workers in advance of police raids (Whittaker and Hart 1996; Katsulis et al. 2010; Yi et al. 2012; Bruckert and Law 2013). Research on Canadian (Bungay et al. 2011, 2012; O'Doherty 2011), US (Nemoto et al. 2004) and Australian (Berg, Bates, and Harcourt 2011) indoor sex work venues also suggests that the ability of migrant and new immigrant workers to safely manage the work environment can be further constrained by language barriers, economic insecurity, immigration status and unfamiliarity with laws governing sex work. Finally, within the literature addressing the structural determinants of violence and harm experienced by sex workers, there is a growing body of evidence documenting the negative impact of the enforcement of criminal laws related to sex work (Rekart 2005; Sanders and Campbell 2007; Shannon et al. 2008; Weitzer 2009; Katsulis et al. 2010; Maher et al. 2011; Boittin 2013; Deering et al. 2014)

To date, the majority of structural, socio-ecological research on indoor sex work venues as physical and social sites of risk promotion or reduction has been drawn from low and middle-income countries, primarily Brazil (Lippman et al. 2010), with a limited body of data from mostly legalised and regulated environments such as Las Vegas, USA (Brents and Hausbeck 2005). Research on socio-structural variation in experiences of violence and health inequities among sex workers in higher-income settings has largely focused on street-based sex work scenes due to the high visibility of this segment of the sex industry (for Canadian exceptions see Lewis and Maticka-Tyndale 2000; O'Doherty 2011; Bungay et al. 2012). While it is estimated that the majority of female sex workers work in indoor venues in Canada (Hanger and Maloney 2006), as in most countries worldwide, the preponderance of public attention, academic research and health outreach focuses on street-based sex work (Weitzer 2009).

In Canada, sex work is *de-facto* criminalised, whereby the sale and purchase of sex for money are legal, but the predominant policy response and laws governing the sex industry make it virtually impossible to engage in sex work without breaking the law. Specifically restricting indoor sex work venues, the 'bawdy house' law prohibits workers from offering their services from fixed indoor locations where two or more workers work together and the 'living on the avails' law prevents sex workers from paying others to provide security or client-screening services or a safe location within which to work.<sup>1</sup>

Despite the criminalised nature of sex work in Canada, indoor sex work establishments have long existed in the form of licensed massage parlours, beauty salons, body rub studios and unlicensed micro-brothels. Many Canadian cities sell costly licences and enforce regulations (e.g., criminal record restrictions, employee registration, uniform requirements etc.) through fines and police raids (Craig 2011). While experiences of violence reportedly vary greatly among sex workers within indoor settings (Bungay et al. 2012), we have a limited understanding of the structural roots of this variation. This study addresses this gap by evaluating the impact of municipal licensing policies and related policing practices on sex worker safety and the risk of violence in indoor sex work venues.

This study is located in the Greater Vancouver Area of Canada, which includes 22 urban municipalities and a population of two million people. Of residents, 40% are immigrants to Canada (Statistics Canada 2011), with Asian immigrants constituting over



65% of new immigrants (Statistics Canada 2009). The criminalisation and stigma of sex work makes it very difficult to determine the exact number of indoor sex workers or sex work venues in the region. However, estimates indicate that there are hundreds of licensed indoor venues and unlicensed micro-brothels in the Greater Vancouver (Remple et al. 2007). For the purposes of this study, micro-brothels are defined as unlicensed sex work venues run collectively by two or more workers, usually operating in a rented or privately owned apartment or house. By contrast, in a licensed venue, sex work takes place surreptitiously under the auspices of a legal business, such as a beauty salon, an acupuncture clinic, massage parlour or body rub studio. While this study investigated the experiences of workers and managers operating in 'in-call' sex work venues with two or more workers, indoor sex work can also take place in a worker or clients' private residences or in informal 'outcall' venues such as hotels, and can be coordinated either by an independent worker or a escort agency (Lewis et al. 2005).

## Methods

This qualitative study is situated within a larger US National Institutes of Health-funded longitudinal qualitative and ethnographic project investigating the features of the physical, social and policy environments shaping sexual health, violence, HIV/STI risks and access to care of sex workers in metropolitan Vancouver. The research builds on community partnerships developed since 2004 with a Community Advisory Board comprised of over 15 community, sex work and health support agencies. The origins and development of this project and its community partnerships are described in detail elsewhere (Shannon et al. 2007). The qualitative project runs alongside a longitudinal cohort of over 800 street and off-street sex workers across Vancouver, known as AESHA (An Evaluation of Sex Workers Health Access). Workers, managers and business owners were invited to participate through outreach to sex work venues and online. Eligibility criteria for the current study were: (1) currently working in an indoor sex work venue (within the last 30 days), either as a worker or manager/owner or both and for sex workers only, (2) female gender (inclusive of transgender women), (3) immigrant or migrant (e.g., born outside Canada), (4) aged 14 years or older and (5) exchanged sex for money in the last month in an indoor venue. Participants were purposively selected to reflect a range of worker and manager/owner experiences, representing municipalities with different licensing and policing regimes, as well as a variety of licensed (e.g., acupuncture, body rub studio etc.) and unlicensed (e.g., micro-brothel) venues.

Semi-structured interviews were conducted in Mandarin or English by a trained female interviewer, using an interview guide invoking broad discussions of participants' experiences in the sex work industry, views on licensing and interactions with police, city officials, co-workers, managers and owners. The interview guide was piloted and revised prior to implementation. Interviews were conducted in a location selected by the participant (usually a private room in their workplace) and lasted between 30 and 120 minutes, were audio-recorded, translated into English when necessary, transcribed and checked for accuracy. In line with our ethics approval (details below), participants could chose to complete interviews in one of our research offices or any other safe place as identified by the participant. In all cases, participants chose to conduct interviews at their workplace. All participants provided informed consent by reading and signing plain-language (Mandarin/English) consent forms that outlined the purpose of the study, voluntary nature of participation, confidentiality, risks and benefits of participation and where to address further questions. Anonymity and confidentiality were maintained



through the use of code names and the removal of personal identifiers from all documents. The study operates under ethical approval granted by the Providence Healthcare/University of British of Colombia Research Ethics Board and participants were remunerated with a CA\$30 honorarium.

After reading and re-reading the field notes and transcripts several times, interview transcripts were coded (SA) for emergent categories in Atlas.ti 7 using a detailed codebook developed and refined by five members of the researcher team (SA, JJ, VL, AK, KS), based on themes inductively generated from the data or identified in related literature. We defined violence as ‘incidences of physical, sexual and psychological violence related to sex work, including verbal conflicts and robbery, perpetrated by clients, managers, police or other sex workers’. After coding for recurring content themes, quotations related to the risk of violence were conceptually categorised in relation to structural determinants of risk and protection (Shannon et al. 2014). The analysis, interpretation and policy recommendations were checked for validity through consultation with a massage parlour worker and a manager, both of whom had many years of experience working across a variety of municipalities and licensing contexts (e.g., body rub, micro-brothel, massage parlour). These participants were invited to offer feedback on the study findings, explained orally and summarised in a three-page document, translated into Mandarin. In addition to drawing on interview data on participants experiences of the licensing process, fees, fines and interactions with police and city inspectors, we collected data through our ethnographic fieldwork on venues (e.g., licences posted on the venue walls), and conducted an online policy document review of licensing stipulations for all venues, found on Greater Vancouver Area municipal websites (City of Surrey 1999; City of Burnaby 2001; City of Richmond 2006; City of North Vancouver 2013; City of Vancouver 2013a), in order to compile the list of fees, fines and stipulations displayed in Table 1.

## Results

Of the 46 participants, 23 were sex workers and 23 were managers/owners, of whom 15 were both workers and managers/owners. All participants had migrated or immigrated from Asia (45 from China; 1 from Thailand) for economic or family reasons and, with the exception of one cisgender male manager/owner, all participants identified as cisgender female. Participants had lived in the Greater Vancouver Area for an average of 8.6 years and had a median age of 42 years (interquartile range: 24–54). Participants were sampled from five different municipalities, working either in venues operating without a licence (micro-brothels) or under one of five different licences. Municipal licensing regimes across the Greater Vancouver Area differ in terms of licensing requirements, licences available, cost of licence and penalties and fines for licence infractions. Table 1 outlines some of the key characteristics of the licences participants work under.

### *Licensing and the physical features of indoor sex work venues*

#### *Door lock restrictions*

Unlike other businesses (e.g., health enhancement centres, beauty salons etc.), body rub licences require that the front doors of the business remain unlocked during opening hours, ostensibly to give police and city inspectors unencumbered access to premises. This requirement limits a manager’s ability to screen clients and leaves workers extremely vulnerable to robbery and unwanted or violent clients:

Table 1. Licensing and indoor sex work venues in the greater Vancouver area.

Municipality	Licence	Participants in study	Annual fee	Fines for infractions	Select requirements
<b>Vancouver</b>	Health Enhancement Centre	13	\$242	\$500 – \$10,000*	Applicant and employees must: Have knowledge of therapeutic technique Have no sex-work related criminal charges** Not engage in acts or offers of prostitution
<b>Vancouver</b>	Beauty and Wellness	6	\$307	\$250 – \$10,000*	Premises must be used for beauty and wellness through skin, hair and body treatments.
<b>Vancouver</b>	Micro-brothel (unlicensed)	2	n/a	n/a	n/a
<b>Vancouver</b>	Acupuncturist	1	\$129	\$250 – \$10,000*	No specific requirements listed
<b>Burnaby</b>	Body Rub Salon	12	\$3,000		Entrance must be unlocked when business is open Police must be permitted to enter at all times Employees must carry ID at all times. Rooms must not have locking devices & must be equipped with a window visible from reception area, with lighting of at least 550 lux.

(Continued)

Table 1 – continued

Municipality	Licence	Participants in study	Annual fee	Fines for infractions	Select requirements
<b>Richmond</b>	Body Rub Studio	7	\$3,542 (Studio); \$124 (ea. employee)	\$50 – \$2000	Owner must register employee names, address and picture ID and inform inspector of any employee changes within 24 hours Rooms must not have locking devices, must be equipped with a window visible from reception area, with lighting of at least 550 lux. Employees must wear clothing covering between the neck and top of the knee, sleeves must reach below the elbows; Employees must not have convictions for sex work related criminal charge (e.g. SS. 210, 211, 212, or 213)
<b>Surrey</b>	Health Enhancement Centre – Acupressure	4	\$170		Applicant and employees must: Have knowledge of therapeutic technique Have no sex-work related criminal charges Not engage in acts or offers of prostitution.
<b>North Vancouver</b>	Beauty salon	1	\$150		No specific requirements listed

\*Fine for each offence, or per day if the offence is of a continuing nature

\*\*In December 2013, the City of Vancouver removed specific reference to sex work charges, instead including a provision applying to all businesses, stipulating that licence holders must comply with all municipal, provincial and federal legislation including criminal code (City of Vancouver 2013)

If we lock [the doors], we will be fined \$500, and on re offence even be shut down . . . . If we don't lock the doors, there is a high risk of robbery. And also, the customers I don't want to accept, like those that have been drinking, those in groups, I can't refuse them. (Participant 2, Worker/Owner, Body Rub Salon, Burnaby)

The front door is locked . . . so I can see what kind of client comes in, and be certain that the client isn't aggressive in anyway. I feel safer this way. (Participant 42, Worker, Body Rub Studio, Richmond)

While the manager/owner collects a flat fee (usually CA\$60) from clients before entering the massage room, clients make an additional payment ('tips') directly to the worker for specific sexual services. Participants reported that, in addition to preventing violence and robbery, door locks offer added assurance of client payment for sexual services: 'The advantage of being able to lock the door is, in case of facing a problematic client who refuses to pay, having the door closed may prevent the client from fleeing the parlour' (Participant 38, Worker, Body Rub Salon, Burnaby). As macro-structural factors (e.g., laws, policies) shape the physical features of indoor sex work venues, licensing bans on door locking decrease workplace safety by punishing managers with fines or licence revocation if they attempt to protect workers from theft or unwanted clients.

#### *Regulations on lighting and windows*

Licences for body rub salons or studios also require bright lighting and unobstructed windows or doors into the massage rooms. This venue-based physical requirement generates considerable stress, fear of exposure and lack of privacy for workers, which can undermine a worker's capacity to manage their risk environment:

[I]f we could cover the windows, then the worker would be safe and healthy, because she's no longer worried. And she wouldn't be in a rush, to provide extra services to get customers to ejaculate sooner and leave. (Participant 2, Worker/Owner, Body Rub Salon, Burnaby)

I think it is unreasonable to ask us not to hang towels in front of windows. It not only invades my privacy but also my clients'. (Participant 38, Worker, Body Rub Salon, Burnaby)

#### *Licensing and the social features of indoor sex work venues*

##### *Safety and risk management benefits of owner/managers with experience*

A municipal licence regime can significantly influence managerial practices within indoor sex work venues by determining the necessary qualifications of the business' licence holder. Although some Greater Vancouver Area licences require that the licence holder demonstrate therapeutic skill (e.g., massage therapy), there is no requirement that owners or managers of indoor sex work venues have experience, skill, knowledge or training in sex work, sexual health or violence prevention. On the contrary, several licences stipulate that the licence holder cannot have a record of a conviction of a sex-work-related offence. This requirement has the potential to discriminate against experienced sex workers, who are invariably more likely to have sex-work-related convictions, compared to those with limited or no experience of sex work.

Although current licensing regimes do not require licence holders to have sex work experience or knowledge and training in sexual health or violence prevention, participants in our study repeatedly highlighted the health and safety benefits of owner/managers who have direct experience:

If I had any issues, whether it's inside the rooms, or if we were short on condoms, [the current owners] would always listen to me . . . because they've worked in the trade.

The parlours before, [the owners] hadn't. It's completely different ... even if we were in danger, we weren't able to call the police. (Participant 28, Worker, Beauty Salon, North Vancouver)

I think it's better for the manager to have previous experience. She will have a better judgement on clients and ... she would know how to better protect the working women. (Participant 3, Worker, Beauty and Wellness, Vancouver)

If the manager worked as a working woman before, she will tell us about safe sex practices. If she has no prior experience, she will not. (Participant 45, Worker, Body Rub Studio, Richmond)

Workers reported that owner/managers without sex work experience were more likely to pressure workers to provide higher-risk services (e.g., sex without a condom) and undervalue the physical demands of sex work. Owner/managers who had not previously worked in the sex industry conceded that their lack of experience limited their ability to train workers or provide job-related health and safety information:

I only have limited knowledge [about safety, hygiene, difficult clients], because I don't work myself ... I only started learning after I bought this business .... Since the girls have that experience, I might as well let them teach each other. (Participant 29, Owner, Body Rub Studio, Richmond)

#### *Safety and risk management benefits of working with others*

As a social feature of indoor sex work venues, participants reported that co-workers play an important role in collectively deterring violence, de-escalating conflict and sharing information about dangerous clients:

Working here, there are a few women working together; if anything happened, they just scream and all the other women would be there. We can at least hold him off. (Participant 10, Worker/Owner, Body Rub Salon, Burnaby)

This place is safe in every aspect ... there is always more than one person working in the parlour ... the clients wouldn't do anything to us. (Participant 35, Worker, Health and Wellness, Vancouver)

Current licensing regimes in the Greater Vancouver Area do not encourage licence holders to ensure that more than one person is present to deter and assist in case of violence, robbery or client conflict. In fact, several participants reported that larger, busier parlours were more likely to attract police raids, often resulting in fines and licence revocation, despite the safety benefits of working alongside others in a larger parlour. Some participants expressed reservations, however, about the possibility of licensing that required the presence of multiple employees during operating hours, noting that this could infringe on the flexibility of workers and their ability to leave the workplace to pick up children from school or run errands.

#### *Licensing as a potential source of safety*

While participants criticised existing prohibitive licensing requirements, many reported that working in a licensed business enhanced overall workplace safety. In contrast to working on the street or in unlicensed spaces (e.g., client's homes, hotels or micro-brothels), workers in licensed venues perceived that they were less vulnerable to robbery and more likely to be treated professionally and respectfully by clients: 'I feel safe ... [t]he parlour has a business licence, a government-issued licence, so it is protected'

(Participant 39, Worker, Body Rub Salon, Burnaby). Comparing the safety of working in a licensed venue to working in a micro-brothel, another participant stated:

[I]f you're working here, at the very least . . . there is a licence. Even though it's not a sexual service licence, it is at least a licence, so that the clients won't mess around. (Participant 10, Worker/Owner, Body Rub Salon, Burnaby)

In addition to deterring client violence, one participant maintained that her employee licence registration protected her from police harassment: 'I don't worry about the police, and they would not have any questions of me, since I am registered with City Hall' (Participant 43, Worker, Body Rub Studio, Richmond).

### *Stigma, privacy and employee registration*

While a licence's symbolic authority can reduce the risk of workplace violence, licences that require individual employee registration can also increase workers' risk of social harm. Given the social stigma surrounding sex work, participants stressed the importance of occupational privacy and a reluctance to register with city hall or have their photographs or addresses recorded by the police:

[I]f I have to be registered as a worker of this industry, I would be too ashamed . . . I have just been doing this work for one or two years to cover my basic expenses, I don't want to have a record for doing this work. (Participant 38, Worker, Body Rub Salon, Burnaby)

Workers feared that individual registration of names and addresses would restrict future employment opportunities. As one participant explained, 'any form of record may affect us when looking for other jobs down the road' (Participant 38, Worker, Body Rub Salon, Burnaby). More immediately, workers sought to avoid registration in order to prevent police harassment at their homes and the disclosure of their work to the public or family members. In the words of one worker, 'I'm afraid of working in Richmond because I don't want to be registered as a sex worker and [have this] affect the life of my child' (Participant 33, Worker, Beauty and Wellness, Vancouver).

Those currently working under business licences that require employee registration also expressed frustration over the burdensome and expensive registration process. Rather than professionally integrate workers within the standard municipal licensing of other businesses, the registration process heightened many workers' sense of marginalisation: 'I don't think [registration and criminal record checks] are necessary and it makes me feel there is prejudice against working women' (Participant 45, Worker, Body Rub Studio, Richmond). Owners also found it difficult to adhere to strict registration requirements in light of high, worker-driven rates of staff turnover in the industry. As many workers prefer to set their own work schedules and/or rotate among parlours to seek out new clients or safer workplaces, owners struggled both financially and logistically to register and pay registration fees (CA\$124 per worker) for constantly shifting staff.

### *Licensing, policing and the social environment of indoor sex work venues*

#### *Impact of police raids on safety and violence*

Although sexual services are sold in businesses operating under a wide variety of licences, those owners who register for costly licences that most align with sex work services (e.g., Body Rub Salons) attract the most frequent police raids, city inspections and fines and licence revocations for violations of the licence's burdensome requirements.<sup>2</sup> Many

owners felt betrayed by municipalities that charged CA\$3000 \$9000 annually for body rub licences:

It is quite unfair to have such differences in licence fees .... Right now, it seems that everyone is running this type of sex business: micro brothels, beauty salons, acupuncture clinics ... and yet only massage parlours are heavily targeted [by police]. (Participant 46, Owner, Body Rub Studio, Richmond)

In addition to providing police with a list of venues to target for inspection and raids, existing licensing regimes reinforce and exacerbate police targeting of sex workers and managers within a criminalised environment. Participants observed that during raids, police target sex workers and managers through licence-related fines and licence revocations, as opposed to attempting to curtail sex work through the more direct but onerous process of obtaining a warrant, collecting evidence, laying criminal charges and bringing a case to court:

I think that bylaw [requiring unobstructed doorways into the massage rooms] is not good at all. [When we were raided, the police] ... gave me a ticket not for the sex; they gave a ticket ... [because] I covered the window of the door with a towel. (Participant 28, Worker, Beauty Salon, North Vancouver)

By targeting body rub salons for licensing violations and closing parlours, fining owners and scaring away clients, police make it harder for workers to use licensed indoor venues as a safe workplace. Frequent police inspections also undermine the income security of workers and owners:

As soon as we opened, the police came and caused a ruckus all around us, which immediately affected our business: We never saw anyone [any clients] after that. (Participant 5, Beauty and Wellness, Worker/Owner, Vancouver)

In addition to negatively impacting sex workers' income security, police raids increase workplace stress and the likelihood of police harassment. Many participants ranked the psychological stress of police raids as the most difficult part of their work:

After the massage, [the client and I] began to have sex, and halfway through intercourse, the police came in. There was about five of them ... all the police were looking at me naked ... staring at me, and I felt embarrassed. (Participant 28, Worker, Beauty Salon, North Vancouver)

I'm afraid that they would put [the police raid] up in the news, so then everyone would know ... I've heard that this would definitely affect my [immigration] status. The biggest concern is that my child ... or my family finds out. (Participant 21, Worker, Acupressure, Surrey)

Police raids, usually conducted without translators, compound pressures experienced by workers who, as a migrants and new immigrant workers, must manage considerable stress related to economic insecurity, language barriers, immigration obstacles and social isolation resulting from the stigma of sex work.

### *Violence and the inability to rely on police support*

The business costs of losing clients and workers due to police attention and the fear of fines or licence revocation motivated many owners to forbid workers to call the police in the event of client violence:

I am not afraid of contacting the police, but most owners do not want you to, because they are afraid of troubles, or attention ... that results in licence checks. (Participant 38, Worker, Body Rub Salon, Burnaby)

Consequently, workers cannot rely on calling police for support or protection in response to violent attacks:



[After] we caught the client strangling the working woman, we didn't call police because we were afraid. (Participant 33, Worker, Beauty and Wellness, Vancouver)

[A client] was penetrating me ... it was very painful ... he was treating me very violently. I asked him to be more gentle and he refused, and he insisted I finish service .... The manager outside didn't help me, and we also couldn't call the police. (Participant 28, Worker, Beauty Salon, North Vancouver)

At the same time, the uncertain legal and regulatory status of these businesses as premises for sex work can enable clients to coerce workers into providing free or unsafe services by threatening to report a parlour to the police:

If anything happens, it's difficult or impossible to report anything to the police because we're working illegally. We can't really seek protection. [Clients] can still call the police on us if they want to threaten us. (Participant 44, Worker, Body Rub Studio, Richmond)

### *Policing, licensing and displacement*

While all our participants expressed a safety-motivated preference for working in licensed venues, burdensome licensing regimes and stress and lost income caused by police raids can displace workers to informal work venues, such as micro-brothels, a worker's home or outcalls in a hotel:

If massage parlours are always being inspected and shut down ... [this will] lead to an increase of micro brothels. In comparison, massage parlours provide a safe environment. The micro brothels will not call the police if anything bad happens because they are illegal. (Participant 46, Body Rub Studio, Richmond)

Another micro-brothel owner/worker explained that, while she would prefer to work in a licensed massage parlour for safety reasons, difficulties posed by city inspections and criminalisation meant that this was not an option:

In a [licensed] parlour there are more people, so relatively speaking it is a bit safer. [Then why do you operate here by yourself?] No, I do want to open a parlour, but I fear that it's a lot of hassle: city hall inspections, being shut down, or other things .... We would face many losses, because ultimately it isn't a legal trade. (Participant 13, Worker/Owner, Micro Brothel, Vancouver)

Similarly, in order to avoid the expensive and invasive requirements of body rub licences, many workers opt to work in licensed venues such as beauty salons, spas or acupressure clinics, which are less likely to attract police scrutiny: 'since it is known that businesses with massage licence may be targeted by the city and police, then people will look for other business venues to do this work, like spas' (Participant 38, Worker, Body Rub Salon, Burnaby). While operating under other licences shields workers from police raids, the incongruity between a business' licence and the services offered increases the potential for conflict between clients and workers regarding service expectations:

Once a client comes in, it is ... difficult to tell whether they are simply looking for beauty and spa services or if they would want to demand more. We may be exhausted and accept clients into a room and start a massage only to realise that they might expect us to offer those types of services. (Participant 31, Owner, Health and Wellness, Vancouver)

Within this ambiguity, workers assume the full burden of negotiating services and safety conditions, such as condom use, with clients, in the absence of explicit managerial or venue-based support (e.g., the manager providing condoms and/or communicating condom use expectations to clients), which heightens the risk of conflict and situational violence between workers and clients (Lowman 2000; O'Doherty 2011). As we report elsewhere, managers of licensed sex work venues often restrict workers' access to



condoms and sexual health services, out of fear that police or city inspectors will use these as evidence of criminal activity or licence violation (Anderson et al., [forthcoming](#)).

## Discussion

This is one of the first comprehensive examinations of how municipal licensing regimes shape the safety of indoor sex work transactions in a higher-income setting where most aspects of sex work are criminalised. Findings indicate that current policing practices and prohibitive licensing requirements increase sex workers' risk of violence, robbery and conflict with clients, and result in increased stress, an inability to rely on police support, lost income and the displacement of sex workers to more hidden work venues, such as micro-brothels, or less explicitly licensed venues, such as spas and beauty salons. We found that licences with descriptions that most closely aligned with sex work services (e.g., body rub) had more onerous requirements and were more likely to attract police raids, all of which increased the risk of workplace violence. By contrast, sex work venues operating under standard licences (e.g., beauty salons, health enhancement centres) attracted less police attention and allowed managers and workers greater autonomy in promoting workplace safety.

Drawing on a structural determinants framework (Shannon et al. 2014), our findings suggest that features of indoor sex work environments, including physical layout, safety measures and manager-sex worker relations, are determined by the overriding structures of licensing and criminalisation, which leave managers, owners and workers with little autonomy to create safer working conditions. As noted in a number of narratives, managers are often forced to adopt measures that place sex workers at increased risk for violence either as a direct result of licensing (e.g., restrictions on locking front doors) or as a means to avoid increased scrutiny by licensing and policing authorities (e.g., managerial policies that prohibit calls to police in response to client-perpetrated violence). Corroborating O'Doherty (2011) and Bungay et al.'s (2011) research on indoor sex work in Vancouver, our findings suggest that violence is not an inherent risk of sex work; rather, the risk of violence varies according to the socio-structural factors (e.g., laws, licensing) that shape the social, physical and economic characteristics of the workplace. Furthermore, while efforts to control, regulate or prohibit sex work persist the world over, researchers have identified sex worker autonomy and the ability to control one's work environment and manage related risks as the single most important determinant of workplace safety (Lewis et al. 2005; O'Doherty 2011; Krüsi et al. 2012). Given the correlation between autonomy and workplace safety, the negative safety consequences of punitive and restrictive licensing regimes found in this study are unfortunately predictable.

Despite the adverse impacts of prohibitive licensing regimes and policing practices, our findings also indicate that municipal licensing, alongside legislative change (e.g., sex work decriminalisation), have the potential to dismantle some of the stigma associated with sex work. While participants were critical of prohibitive licensing regimes, many maintained that they were less vulnerable to violence and more likely to be treated professionally and respectfully by clients while working in a licensed business. By legitimising sex work within a normalised business context, licensing disrupts the dominant 'discourse of disposability' (Lowman 2000) that underlies violence against sex workers. Insofar as a business licence symbolically dismantles the stigma and marginalisation that engenders violence against sex workers, licensing regimes can reshape the structural framework of sex work and serve an important intervention to support violence prevention. We echo the caution put forward by Bruckert and Hannem

(2013), however, in noting that sex-work-specific regulation regimes can structurally reinforce the stigma attached to sex work, particularly when based on ideologically driven misassumptions about the health and safety risks of sex work. Furthermore, our findings confirm existing research on sex work regulation and decriminalisation models (Donovan et al. 2012) and suggest that the violence prevention capacity of a licensing regime is severely undermined if businesses are unable to promote the true nature of services offered or if licensing includes prohibitive requirements, such as high annual fees or worker registration, which exclude or displace workers to more hidden sex work venues.

These findings should be interpreted in light of the following limitations. This sample drew from female-identified foreign-born migrant and immigrant sex workers (and one male manager/owner). Canadian-born sex workers may have different experiences (Bungay et al. 2012) and greater research and outreach efforts are needed to understand and respond to the safety needs of male sex workers, as well as sex workers working in more hidden, informal venues, such as private homes, hotels and micro-brothels. Finally, due to potential self-selection sampling bias, this study may underestimate the impact of policing and licensing on safety and the risk of violence in indoor sex work venues. Several participants reported that managers and workers who have had negative experiences with police are more likely to decline interactions with health outreach workers or researchers.

## Conclusion

In December 2013, the Supreme Court of Canada made a historic decision to strike down all criminal code provisions related to sex work in Canada, giving the Canadian government a year to bring the laws in line with their decision (i.e., by December 2014). Ultimately, the decriminalisation of sex work in Canada would position municipalities to more formally regulate indoor sex work establishments, as has happened in New Zealand and New South Wales, Australia. Many municipal licensing regimes in Canada essentially regulate sex work as it would in a legalised environment (e.g., Nevada), that is, through regulation specific to sex work business, such as the body rub licences studied here and escort licensing studied elsewhere (Maticka-Tyndale et al. 1999; Lewis et al. 2005; van der Meulen and Durisin 2008). Increasing evidence suggests that such sex-work-specific regulation models are punitive to sex workers and may increase harms, including displacing more marginalised sex workers underground (Kilvington, Day, and Ward 2001; Weitzer 2009; Sullivan 2010; McCarthy et al. 2012). Similarly, the licensing of escorts in Windsor, Canada (Lewis and Maticka-Tyndale 2000) and massage parlours in Vancouver (Bungay et al. 2011) has been found to increase city and police surveillance of sex workers, with negative health and safety impacts.

As a result, and in line with calls by international bodies such as the World Health Organization and the Joint United Nations Programme on HIV/AIDS, the full decriminalisation of sex work (as in New Zealand and New South Wales, Australia) has been proposed, in which sex work would be subject to the same regulatory and workplace health and safety standards applied to other businesses and professions. Research on the decriminalisation of sex work in New South Wales, Australia, suggests that sex worker health and safety is best promoted when sex work venues are regulated like other businesses as 'home occupations', rather than regulated separately as sex-worker-specific 'brothels' (Crofts and Prior 2012). Our study supports this model, providing critical evidence of how prohibitive municipal licensing explicitly targeting and regulating sex work indoor venues limit sex workers, managers and owners from

adopting safer workplace measures and directly exacerbates health and safety risks for sex workers.

Recent moves in the City of Vancouver suggest some momentum towards change, including the creation of a city-wide Sex Work Taskforce, intended to redress some of the negative consequences of the existing licensing regime (City of Vancouver 2013). While substantial municipal licensing and federal legal reform remains in the hands of policy makers, this research offers critical evidence to inform reforms that may better promote health and safety in sex work venues. Specifically, our results suggest the elimination of obstacles that displace workers from licensed venues, including disproportionately high fees for licences, criminal record restrictions, door lock restrictions and employee registration requirements. Accounting for the pervasiveness of stigma against sex workers (Weitzer 2009; Lazarus et al. 2012), our findings warn against the use of sex worker registration systems, which limit a worker's ability to work with a sense of personal security and privacy and to move between venues to achieve better working conditions. Finally, as police raids on sex work venues prevent sex workers from being able to call the police in the event of client violence, we support the use of city inspectors with translators, rather than police, to conduct any necessary licence inspections. This recommendation is also sustained by research on supportive venue-based interventions in a range of low- and middle-income settings, including many Asian countries as well as Brazil and Dominican Republic, which indicates that the success of such policies depends on the cessation of police targeting of sex work venues (Kerrigan et al. 2003; Lippman et al. 2010; Hong, Poon, and Zhang 2011; Jeffreys and Su 2011). The negative impact of police raids is of particular concern within some migrant and immigrant communities, in which language barriers and immigration status concerns may result in increased vulnerability to police harassment and alienation from police services (Nemoto et al. 2004). Finally, in light of the potential for sex work regulations to infringe on sex worker rights, our research highlights the critical importance of including sex workers in the design of any policy or legal shift that may impact upon their work.

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### **Disclosure statement**

No potential conflict of interest was reported by the authors.

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### **Notes**

1. In December 2013, the Supreme Court of Canada struck down all criminal code provisions related to sex work, giving the Canadian government a year to bring the laws in line with their decision. Data for this study was collected in 2011, prior to these legal changes.

2. In addition to requirements discussed above regarding door locks, windows and bright lighting, some body rub licences include strict clothing requirements, for example, that worker's shirtsleeves extend past their elbows (City of Surrey 1999; City of Richmond 2006)

## References

- Anderson, S., J. Xi Jia, S. Goldenberg, V. Liu, J. Chattier, A. Krüsi, and K. Shannon. forthcoming. "Condoms and Sexual Health Education as Evidence: Criminalization of Sex Work Managers & In call Venues Impacts Migrant Sex Workers' Access to HIV/STI Prevention in a Canadian Setting."
- Berg, R., J. Bates, and C. Harcourt. 2011. *South Eastern Sydney and Illawarra Health Region Gap Analysis: Vulnerable Sex Workers*. Sydney: Eastern Sydney and Illawarra Area Health Service.
- Blanchard, J. F., and S. O. Aral. 2010. "Emergent Properties and Structural Patterns in Sexually Transmitted Infection and HIV Research." *Sexually Transmitted Infections* 86 (Suppl 3): iii4–iii9.
- Boittin, M. L. 2013. "New Perspectives from the Oldest Profession: Abuse and the Legal Consciousness of Sex Workers in China." *Law & Society Review* 47 (2): 245–278.
- Brents, B. G., and K. Hausbeck. 2005. "Violence and Legalized Brothel Prostitution in Nevada: Examining Safety, Risk, and Prostitution Policy." *Journal of Interpersonal Violence* 20 (3): 270–295.
- Bruckert, C., and S. Hannem. 2013. "Rethinking the Prostitution Debates: Transcending Structural Stigma in Systemic Responses to Sex Work." *Canadian Journal of Law and Society/Revue Canadienne Droit et Société* 28 (1): 43–63.
- Bruckert, C., and T. Law. 2013. *Beyond Pimps, Procurers and Parasites: Mapping Third Parties in the Incall/Outcall Sex Industry*. Ottawa: Rethinking Management in the Adult and Sex Industry Project.
- Bungay, V., M. Halpin, C. Atchison, and C. Johnston. 2011. "Structure and Agency: Reflections from an Exploratory Study of Vancouver Indoor Sex Workers." *Culture, Health & Sexuality* 13 (1): 15–29.
- Bungay, V., M. Halpin, P. F. Halpin, C. Johnston, and D. M. Patrick. 2012. "Violence in the Massage Parlor Industry: Experiences of Canadian born and Immigrant Women." *Health Care for Women International* 33 (3): 262–284.
- City of Burnaby. 2001. "Burnaby Adult Services Regulation Bylaw No. 11254." Accessed 15 August 2014. <https://burnaby.civicweb.net/Documents/DocumentDisplay.aspx?Id=9910>
- City of North Vancouver. 2013. "Business License Bylaw, 2004, No. 7584." Accessed August 15, 2014. <http://www.cnv.org/~media/8B9E0C04E0B94B06AEE2D4BCC2DD73A1.pdf>
- City of Richmond. 2006. "License Chapter 834 Body Rub Parlour." Accessed 2 January 2015. <http://code.municipalworld.com/richmondhill/834.pdf>
- City of Surrey. 1999. "Business License By law, No. 13680." Accessed 15 August 2014. [http://www.surrey.ca/bylawsandcouncillibrary/BYL\\_reg\\_13680.pdf](http://www.surrey.ca/bylawsandcouncillibrary/BYL_reg_13680.pdf)
- City of Vancouver. 2013. "Report Back on Missing Women Commission of Inquiry and City Task Force on Sex Work and Sexual Exploitation." In *Policy Report: Social Development*, 1–11. Vancouver: City of Vancouver.
- City of Vancouver. 2013a. "License By Law No. 4450." Accessed 15 August 2014. <http://former.vancouver.ca/bylaws/4450c.PDF>
- Craig, E. 2011. "Sex Work by Law: Bedford's Impact on Municipal Approaches to Regulating the Sex Trade." *Review of Constitutional Studies* 16: 97–120.
- Crofts, P., and J. Prior. 2012. "Home Occupation or Brothel? Selling Sex from Home in New South Wales." *Urban Policy and Research* 30 (2): 127–143.
- Deering, K., A. Nesbitt, P. Duff, E. Argento, J. Shoveller, A. Amind, C. Moreno Garcia, and K. Shannon. 2014. "A Systematic Review of the Correlates of Violence against Sex Workers." *American Journal of Public Health* 104 (5): e42–e54.
- Donovan, B., C. Harcourt, S. Egger, L. Watchirs Smith, K. Schneider, H. Wandan, and J. M. Kaldor. 2012. *The Sex Industry in New South Wales: A Report to the NSW Ministry of Health*. Sydney: Kirby institute, University of New South Wales.
- Hanger, A., and J. D. Maloney. 2006. *The Challenge of Change: A Study of Canada's Criminal Prostitution Laws*. Ottawa: House of Commons Canada.
- Hong, Y., A. N. Poon, and C. Zhang. 2011. "HIV/STI Prevention Interventions Targeting FSWs in China: A Systematic Literature Review." *AIDS Care* 23 (sup1): 54–65.

- Jeffreys, E., and G. Su. 2011. "China's 100 Per Cent Condom Use Program: Customising the Thai Experience." *Asian Studies Review* 35 (3): 315–333.
- Katsulis, Y., V. Lopez, A. Durfee, and A. Robillard. 2010. "Female Sex Workers and the Social Context of Workplace Violence in Tijuana, Mexico." *Medical Anthropology Quarterly* 24 (3): 344–362.
- Kerrigan, D., J. M. Ellen, L. Moreno, S. Rosario, J. Katz, D. D. Celentano, and M. Sweat. 2003. "Environmental structural Factors Significantly Associated with Consistent Condom Use among Female Sex Workers in the Dominican Republic." *AIDS* 17 (3): 415–423.
- Kilvington, J., S. Day, and H. Ward. 2001. "Prostitution Policy in Europe: A Time of Change?" *Feminist Review* 67 (1): 78–93.
- Krüsi, A., J. Chettiar, A. Ridgway, J. Abbott, S. A. Strathdee, and K. Shannon. 2012. "Negotiating Safety and Sexual Risk Reduction with Clients in Unsanctioned Safer Indoor Sex Work Environments: A Qualitative Study." *American Journal of Public Health* 102 (6): 1154–1159.
- Lazarus, L., K. N. Deering, R. Nabess, K. Gibson, M. W. Tyndall, and K. Shannon. 2012. "Occupational Stigma as a Primary Barrier to Health Care for Street based Sex Workers in Canada." *Culture, Health & Sexuality* 14 (2): 139–150.
- Lewis, J., and E. Maticka Tyndale. 2000. "Licensing Sex Work: Public Policy and Women's Lives." *Canadian Public Policy / Analyse De Politiques* 26 (4): 437–449.
- Lewis, J., E. Maticka Tyndale, F. Shaver, and H. Schramm. 2005. "Managing Risk and Safety on the Job: The Experiences of Canadian Sex Workers." *Journal of Psychology & Human Sexuality* 17 (1–2): 147–167.
- Lippman, S. A., A. Donini, J. Diaz, M. Chinaglia, A. Reingold, and D. Kerrigan. 2010. "Social environmental Factors and Protective Sexual Behavior among Sex Workers: The Encontros Intervention in Brazil." *American Journal of Public Health* 100 (S1): S216–S223.
- Lowman, J. 2000. "Violence and the Outlaw Status of (Street) Prostitution in Canada." *Violence Against Women* 6 (9): 987–1011.
- Maher, L., J. Mooney Somers, P. Phlong, M. C. Couture, E. Stein, J. Evans, M. Cockcroft, N. Sansothy, T. Nemoto, and K. Page. 2011. "Selling Sex in Unsafe Spaces: Sex Work Risk Environments in Phnom Penh, Cambodia." *Harm Reduction Journal* 8 (1): 30.
- Maticka Tyndale, E., J. Lewis, J. Clark, J. Zubick, and S. Young. 1999. "Social and Cultural Vulnerability to Sexually Transmitted Infection: The Work of Exotic Dancers." *Canadian Journal of Public Health* 90 (1): 19–22.
- McCarthy, B., C. Benoit, M. Jansson, and K. Kolar. 2012. "Regulating Sex Work: Heterogeneity in Legal Strategies." *Annual Review of Law and Social Science* 8 (1): 255–271.
- Nemoto, T., M. Iwamoto, S. Wong, M. N. Le, and D. Operario. 2004. "Social Factors Related to Risk for Violence and Sexually Transmitted Infections/HIV among Asian Massage Parlor Workers in San Francisco." *AIDS & Behavior* 8 (4): 475–483.
- O'Doherty, T. 2011. "Victimization in Off street Sex Industry Work." *Violence Against Women* 17 (7): 944–963.
- Rekart, M. L. 2005. "Sex work Harm Reduction." *The Lancet* 366 (9503): 2123–2134.
- Remple, V. P., D. M. Patrick, C. Johnston, M. W. Tyndall, and A. M. Jolly. 2007. "Clients of Indoor Commercial Sex Workers: Heterogeneity in Patronage Patterns and Implications for HIV and STI Propagation through Sexual Networks." *Sexually Transmitted Diseases* 34 (10): 754–760.
- Sanders, T., and R. Campbell. 2007. "Designing out Vulnerability, Building in Respect: Violence, Safety and Sex Work Policy." *The British Journal of Sociology* 58 (1): 1–19.
- Shannon, K., V. Bright, S. Allinott, D. Alexson, K. Gibson, and M. W. Tyndall. 2007. "Community Based HIV Prevention Research among Substance using Women in Survival Sex Work: The Maka Project Partnership." *Harm Reduction Journal* 4 (1): 20.
- Shannon, K., and J. Csete. 2010. "Violence, Condom Negotiation, and HIV/STI Risk among Sex Workers." *JAMA* 304 (5): 573–574.
- Shannon, K., S. M. Goldenberg, K. N. Deering, and S. A. Strathdee. 2014. "HIV Infection among Female Sex Workers in Concentrated and High Prevalence Epidemics: Why a Structural Determinants Framework is Needed." *Current Opinion in HIV and AIDS* 9 (2): 174–182.
- Shannon, K., T. Kerr, S. Allinott, J. Chettiar, J. Shoveller, and M. W. Tyndall. 2008. "Social and Structural Violence and Power Relations in Mitigating HIV Risk of Drug using Women in Survival Sex Work." *Social Science & Medicine* 66 (4): 911–921.
- Statistics Canada. 2009. "B.C. Immigration Trends: 2009 Highlights." Accessed. [http://www.welcomebc.ca/welcome\\_bc/media/Media\\_Gallery/docs/communities/immigrationtrends2009.pdf](http://www.welcomebc.ca/welcome_bc/media/Media_Gallery/docs/communities/immigrationtrends2009.pdf)



- Statistics Canada. 2011. "National Household Survey Focus on Geography Series Vancouver." Statistics Canada, Accessed Sept 13, 2013. <http://www12.statcan.gc.ca/nhs/enm/2011/as/sa/fogs/spg/Pages/FOG.cfm?lang=E&level=3&GeoCode=933>
- Sullivan, B. 2010. "When (Some) Prostitution is Legal: The Impact of Law Reform on Sex Work in Australia." *Journal of Law and Society* 37 (1): 85–104.
- van der Meulen, E., and E. M. Durisin. 2008. "Why Decriminalize?: How Canada's Municipal and Federal Regulations Increase Sex Workers' Vulnerability." *Canadian Journal of Women and the Law* 20 (2): 289–311.
- Weitzer, R. 2009. "Sociology of Sex Work." *Annual Review of Sociology* 35: 213–234.
- Whittaker, D., and G. Hart. 1996. "Research Note: Managing Risks: The Social Organisation of Indoor Sex Work." *Sociology of Health and Illness* 18 (3): 399–414.
- Yi, H. S., T. T. Zheng, Y. H. Wan, J. E. Mantell, M. Park, and J. Csete. 2012. "Occupational Safety and HIV Risk among Female Sex Workers in China: A Mixed methods Analysis of Sex work Harms and Mommies." *Global Public Health* 7 (8): 840–855.

## Résumé

En s'appuyant sur un cadre socio écologique et basé sur des déterminants structurels, cette étude évalue l'impact des politiques municipales d'octroi des licences et de maintien de l'ordre dans le Grand Vancouver, sur le risque de violence au sein des établissements de prostitution. Des entretiens qualitatifs ont été conduits avec 46 migrantes travailleuses du sexe, les gérants et les propriétaires d'établissements de prostitution à huis clos et de « micro bordels ». Les résultats indiquent que les pratiques de maintien de l'ordre et les critères d'obtention des licences augmentent le risque de violence et de conflits avec les clients pour les travailleuses du sexe, avec pour conséquences un niveau de stress important, l'incapacité de compter sur l'aide de la police, une baisse des revenus et le déménagement vers des établissements plus discrets et informels. Les licences prohibitives et les pratiques de maintien de l'ordre empêchent aux travailleuses du sexe, aux gérants et aux propriétaires d'adopter des mesures pour garantir un environnement de travail plus sûr et augmentent les risques pour la santé et la sécurité des travailleuses du sexe. Cette étude fournit des preuves critiques des implications négatives, en matière de santé publique, de la politique municipale d'octroi des licences dans une approche de pénalisation et de contrôle du travail du sexe. Nous recommandons pour un environnement sûr du travail du sexe incluent la dépenalisation du travail du sexe; et la suppression des redevances très élevées pour les licences, des restrictions fondées sur les casiers judiciaires, de l'obligation de la « porte fermée », des exigences pour l'immatriculation des employés et du recours à la police pour l'inspection des licences.

## Resumen

A partir de un marco socioecológico de determinantes estructurales, en este estudio evaluamos cómo afectan las políticas municipales de licencias y las prácticas policiales relacionadas del área metropolitana de Vancouver (Canadá) al riesgo de violencia en los centros de trabajo sexual. Se llevaron a cabo entrevistas cualitativas con 46 trabajadoras sexuales inmigrantes, gerentes y propietarios de establecimientos y micro burdeles dedicados al trabajo sexual autorizado. Los resultados indican que las prácticas policiales y los requisitos de licencias hacen aumentar el riesgo de violencia y de conflictos con los clientes para las trabajadoras sexuales, causando por tanto mayor tensión, incapacidad de confiar en el apoyo policial, pérdida de ingresos y el desplazamiento de las trabajadoras sexuales a locales ocultos e informales de trabajo. Los requisitos prohibitivos para las licencias y las prácticas policiales impiden que las trabajadoras sexuales, los gestores y los propietarios puedan adoptar medidas para un lugar de trabajo más seguro y agravan los riesgos para la salud y seguridad de las trabajadoras sexuales. En este estudio se demuestra desde una perspectiva crítica que los requisitos prohibitivos para las licencias municipales tienen repercusiones negativas en la salud pública en el contexto de un enfoque en el trabajo sexual que se basa en la penalización y aplicación de normativas. Las recomendaciones de seguridad en el lugar de trabajo incluyen la despenalización del trabajo sexual y eliminar las tasas desproporcionadamente altas de las licencias, las restricciones de antecedentes penales, las limitaciones al cierre de puertas, la necesidad de llevar un registro de los empleados y el uso de la policía como inspectores de licencias.

## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:13 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: In Support of Councillor Burton's Motion to Lift Moratorium on Massage Parlours  
**Attachments:** Research Brief Safety, Violence Prevention & Municipal Licensing of Indoor Sex Work Establishments.pdf; Violence prevention and municipal licensing of indoor sex work venues in the Greater Vancouver Area.pdf

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**From:** SWAN Vancouver [REDACTED]  
**Sent:** Wednesday, September 25, 2019 9:42:25 PM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Cc:** Heather Jarvis [REDACTED]  
**Subject:** In Support of Councillor Burton's Motion to Lift Moratorium on Massage Parlours

Dear City Councillors,

I am writing as Executive Director of SWAN Vancouver Society, a Vancouver sex work organization, which for over 15 years has provided services and advocacy to women working in massage parlours. I am also Community Developer for Living in Community and was involved for several years with the initial implementation of Living in Community in St.John's. I am writing to support and applaud Councillor Burton's forthcoming motion to lift the moratorium on new massage parlours.

Much research has been carried out in Vancouver in regards to the municipal licensing of massage parlours. This research unequivocally states that "prohibitive licensing (and police practices) prevent sex workers, managers, and owners from adopting safer workplace measures and exacerbate health and safety risks for sex workers." (full study attached). SWAN's extensive on-the-ground experience working with multiple municipal licensing frameworks throughout Greater Vancouver supports the research findings. Prohibitive licensing increases vulnerability to violence when women are forced to work in isolation. Maintaining the moratorium on new massage parlours is not in the best interests of sex workers nor the communities as a whole in which they live and work.

Standing in solidarity with sex workers in your community is work that requires courage in the face of criticism from those who do not work directly with sex workers and/or seek to eradicate the sex industry entirely. I

encourage you to stay the course and take direction from the women these changes will impact the most, women such as those who access SHOP's services and programs. I encourage you to pass Councillor Burton's motion and implement evidence-based policy. By doing so, you demonstrate leadership in choosing evidence over anti-sex work misinformation, something few other municipalities in Canada are courageous enough to do.

Best Regards,

[REDACTED]

[REDACTED]

**SWAN Vancouver**

101-1101 Seymour Street, Vancouver, BC V6B 0R1

PH: 604-719-6343

[Website](#) / [CanadaHelps](#) / [Facebook](#) / [Twitter](#) / [WeChat](#) ("SWANnetreach")

With gratitude for the wisdom of all First Peoples, we acknowledge that we live & work on the stolen lands of the Musqueam, Squamish & Tsleil-Waututh Nations.



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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:05 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Massage Parlour Moratorium

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 10:20:17 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Massage Parlour Moratorium

Hello,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in St. John's. I would like you to take the time to read the report published by Safe Harbour Outreach Project on how the ban affects sex workers in our city.

"...we support repealing the ban on massage parlour permits as an important first step towards sex workers in our City having access to both safe conditions and options within their work, and we would look forward to enacting more safe and supportive regulations around massage parlours. We have and continue to hear, time and again, from our sex working community that working indoors is inherently safer, provides diverse opportunities for choice, and increases their agency and control over working conditions. Sex workers who we have connected with in our city are overwhelmingly in favour of lifting the ban, ending this moratorium and want to be involved in the decisions that impact their day to day lives. We have an opportunity to work towards an innovative approach in St. John's and our province, that upholds and prioritizes the safety, protections and human rights of sex workers', and recommits to safer regulations guided by the ongoing expertise and consultation of the very communities they impact"

You can find the full report here:

<https://sjwomenscentre.ca/wp-content/uploads/2019/09/Lifting-the-Ban-SHOP-Report-for-City-Council.pdf>

Thanks for your hard work, time, and consideration.

Best,

[REDACTED]  
[REDACTED]

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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:05 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: Lifting the ban on massage parlours

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 10:37:38 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** Lifting the ban on massage parlours

Dear Councillors,

I understand that there will be a vote this afternoon as to whether to repeal the ban on new massage parlours. I want to write to express my support for repealing the ban.

A few years ago, I lived on York Street, around the corner from a massage parlour, Kendra's Red House. We could see the building from our front door. For the first 8 months that we lived there, we had no idea that the building housed a massage parlour. In fact, the only reason it came to our attention was that someone made a joke that folks in our neighbourhood must all have smiles on their faces from all the happy endings. On seeing our confused faces, the individual informed us of the local business in the vicinity. We believed it was a BnB and the impacts on the neighbourhood were very similar, i.e. occasionally there were more cars parked in the area. That's about it. We did not hear yelling, fights, nor did we see evidence of drug use. By contrast, when we lived on the other side of town, in the Long's Hill area, where street-based sex work is more prevalent, the impact on the neighbourhood was more observable.

All this to say that massage parlours operate like other small businesses and, in my experience, have no negative impacts on the neighbourhoods they are a part of. On the other hand, they provide safety and agency to the workers and customers. In my view, the benefits far exceed the costs.

I would encourage you all to vote in favour of repealing the ban.

Thank you,



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## Maureen Harvey

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**From:** Hope Jamieson  
**Sent:** Thursday, October 31, 2019 3:12 PM  
**To:** Maureen Harvey  
**Subject:** Fwd: In Support of the Lift On Moratorium for Massage Parlours

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**From:** [REDACTED]  
**Sent:** Monday, September 30, 2019 1:12:52 AM  
**To:** CouncilGroup <councilgroup@stjohns.ca>  
**Subject:** In Support of the Lift On Moratorium for Massage Parlours

Dear Councillor,

I am writing to share my support for lifting the moratorium that is currently in place for massage parlours in our city. There is ample credible research and personal stories that show restricting massage parlours affects the safety of sex workers. I encourage you to read the report completed by the Safe Harbour Outreach Project prior to deciding how to vote on the motion being brought forward at the meeting this week:

“Alternative to the belief that massage parlours are gateways to violence and exploitation – a belief that is often based in defining sex work and sexual exploitation as one and the same – we counter the concern that lifting the moratorium will create an environment for increased risk for sexual exploitation of youth or adults, or increased risk of human trafficking for the purpose of sexual exploitation. Across municipalities in Canada, there is no evidence that bans on permits like this moratorium act to quell exploitation or increase the safety and protections of sex workers. Both locally and historically, punitive laws and legislation instead push sex work underground and create the very conditions where sex workers and people at risk of being exploited have been targeted and victimized”

You can find the full report here:

<https://can01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fsjwomenscentre.ca%2Fwp-content%2Fuploads%2F2019%2F09%2FLifting-the-Ban-SHOP-Report-for-City-Council.pdf&data=02%7C01%7C%7C51f87efbdb114b31bfdb08d74558482f%7C77d442ceddc64c9ba7edf2fb67444bdb%7C0%7C1%7C637054117777660923&data=CzlmnA12lodj%2FAiYCMvFvQA5ic%2FUD Ddk9Bf5i9E7O48%3D&reserved=0>

Thank you

[REDACTED]

[REDACTED]

[REDACTED]

Sent from my iPhone

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Oct 22, 2019

In response to lifting the ban on opening of new massage parlours, I would like to take this opportunity to express your voice of lived experience.

In reference to the lifting of this ban, I have a number of serious concerns related to safety (or the absence of), presence of underage girls, unhygienic working conditions and rampant drug use.

Women in the sex trade are not safe. The argument has been presented that women in massage parlours experience safer working condition, but this is not true. The parlour has neither security guards nor cameras to monitor or protect the women working inside. The women greet the buyer and money is exchanged. The exit and entrances are locked using a key, however Inside the parlour all doors are left unlocked while service is being rendered. The concern is that if shit goes down getting out safely is much more challenging. Furthermore, if a buyer gets out of hand or becomes violent, it is up to the girl to remove the man from the premise. Aggression toward the women is immediate, as the buyer feels that the girl is his possession. Although many of the women who work in the parlours don't identify the extent of the violence they experience, I assure you that every experience I have had has been associated with some form of verbal or physical violence. With half of the fee taken by the parlour, where does this money go, as it certainly doesn't go towards keeping the women safe.

Another argument used in support of the massage parlours, notes that they are cleaner and don't allow for underage girls. From my experience, the girls are the ones who are responsible for changing the sheets and cleaning and disinfecting the rooms. However, this rarely happens. Many of the girls also don't clean themselves between buyers and earn extra money by having unprotected sex. Additionally, men are never asked about their medical history.

Underage girls are a reality of the massage parlours and are in very high demand. The massage parlours rarely ask for ID, and if they do women provide fake IDs. The underage women are not turned away even when there is a suspicion that their IDs are fake. There is a high demand for underage girls.

Advertisements for massage parlours often state "drug free girls": NOT THE CASE. Everything from crack to coke, marijuana, Ritalin etc etc can be seen inside these parlours. The buyers frequently bring in drugs and alcohol for consumption inside the service rooms. As the perspective of managers is that what goes on behind closed doors is between two consenting adults.

So in light of the ban being lifted, from my perspective the safety of the girls is not even being considered. I believe that the lifting of the ban needs to be reconsidered because there too many physical safety and mental health concerns for the women and community as whole. Many of the women in these parlours are mothers who after years of mental, physical, emotional and substance abuse have had their children removed and placed into care, while mom is being empowered by a society that tells her to keep seller herself for money. At no point is she provided with the supports necessary for her to rebuild her family. If we want to make a change, lets start there!!

Rec'd  
Nov 4/19  
m.H.

By lifting of the ban on massage parlours I believe, based on my lived experience, that women are in danger of increased substance abuse, under threat of physical and mental safety and are frequently trafficked for selling drugs. Additionally, the parlours offer underage girls, very young women and pregnant women whose breast milk is on offer for sale.

Women are in danger of increased substance abuse because drug dealers are encouraged to hang around the parlour or in close vicinity to get the girls to offer drugs to the clients, which increases the free offering of drugs to the owner. Clients are permitted if not encouraged to bring their own drugs, alcohol and sex toys. The owner's philosophy is anything goes, as long as it is behind closed doors. Drug dealers often hang around the parlours to recruit girls to sell for them, or girls are offered up to dealers in exchange for free drugs for the owner.

The amount of drug and alcohol use increases the risk to women's safety. The argument that the parlours are safer is false. There are no security guards, only two women alone with the clients. Although a camera may be in place, it is focused on the doors, not for the safety of the women, but so the owner can know how many clients entered to keep track of the money he is owed or to ensure the client's privacy. When a camera is present, it is only monitored when the owner is in the building. Women's safety is further at risk when they are sent to out calls, which occur frequently. The women are not provided a ride to a stranger's place. They are out alone without any safety support. In both situations women are commonly verbally and physically assaulted. The women are left to help each other if an incident occurs, which happens often. Women are asked to do anything and everything, and if they the client complains that a woman won't do as he asks, she is reprimanded by taking away her shifts or removing pictures from her ads to ensure she makes less money.

The location and hours of operation also put the women at further risk. The Red Room is located downtown and offers services until five in the morning. Drunk or high clients stumble into the parlour at all hours and are often more aggressive or violent. Hush is located next the extended stay. Clients who are from out of town feel more free to do what they want as no one knows them.

The lifting of the ban is supporting women to make money not by getting an education but by selling their bodies. Once women are in the sex trade, it is so hard to get out of it because it is so closely connected to drug use.

*Life lessons.*

*Rec'd  
Nov 4/19  
msh.*



## Maureen Harvey

---

**From:** CityClerk  
**Sent:** Wednesday, November 6, 2019 4:51 PM  
**To:** [REDACTED] CityClerk  
**Cc:** Maureen Harvey; Andrea Roberts; Ann-Marie Cashin; Ashley Murray; Dave Wadden; Gerard Doran; Jason Sinyard; Karen Chafe; Ken O'Brien; Lindsay Lyghtle Brushett; Planning  
**Subject:** RE: Reg: Body Rub Parlour Regulations

Good Afternoon:

We thank you for your feedback and advise that your submission, along with all others, will be presented to Council for consideration prior to a final decision being reached on this matter.

*Elaine Henley*

Elaine Henley  
City Clerk  
t. 576-8202  
c. 691-0451

**From:** [REDACTED]  
**Sent:** Wednesday, November 6, 2019 2:41 PM  
**To:** CityClerk <cityclerk@stjohns.ca>  
**Subject:** Reg: Body Rub Parlour Regulations

2019.11.06

Good day,

In regards to the St. John's Development Regulations of Massage Parlour Regulations, I would wish to raise my concerns.

We have heard testimonies from sex workers, current and former, describing the hidden violence that occurs in these premises. These women are describing horrendous situations in which they are not in control but instead at the mercy of the john(s) and the business owner(s). We have been told that business deals are done without the workers approval and they are often signed up for sex work they are uncomfortable with and business deals are not done with the consent of the worker. We have also heard multiple times that underage girls are working on these premises. This is completely unacceptable and not a business model that our city should be supportive of.

With proposed regulation, I wish to include the following questions and concerns before you are moving forward:

- Safety: It has become clear in this debate that many of the sex workers in our province are already part of a marginalized and a vulnerable population. Those who run their own sex work business, from their homes or hotels, will most likely continue to do so, i.e. the body rub parlours will be a place for marginalized workers. We have heard testimonies from sex workers issuing this as a problem as they feel safer on the street, where they are in control, they are visible and where they choose their own clients and further, can call out for help and be heard. Controlling the location and destination for services seem to be a key factor in the workers safety. Can body rub parlours provide same?
- Who are you proposing will do the regulation checks on the businesses? City workers? Law enforcement? Will the regulators receive specific training in order to comprehend and spot potential human trafficking and minors working in these businesses? Will they receive training on how to detect hidden and unwanted violence performed? If city workers detect illegal activities, what will be their actions?
- If regulators identify the issues raised above, what is the city proposing as support services for its victims?
- How will the city regulate that all sex work in these parlours is performed with consent from both parties? Will legal contracts be signed between worker and client?
- Will there be a standardized “menu” of services with price regulations? Who will ensure the consistency of this across the city? It will be important that both the business owner, the client and the sex worker are following procedure in order to ensure the safety and health of the sex workers.
- Public Health: Will sex workers with addiction issues be allowed to work in these premises? Research shows that sex workers often experience depression, drug dependence and PTSD. How will this be assessed and monitored, and by whom? Will a medical professional work with them to ensure their safety and health?
- Public Health: Can you ensure that the sex workers are tested regularly for STD’s and BBV’s?
- Public Health: Will alcohol be allowed to be sold in these premises?
- Public Health: Will indoor smoking be allowed in these premises?
- Ownership: Will individuals with a criminal record be allowed to be a business owner of a body rub parlour?

Additionally, I have questions to Ms. Maggie Burton.

Ms. Burton, as you are the main advocate on this topic, I would like to remind you that although sex-work is legal in Canada, purchasing sexual service is not. Let us be clear about Body Rub Parlours and call them for what they are: a place where johns can purchase sexual activities. By allowing Body Rub Parlours, you suggest that performing illegal activity is suitable and acceptable. Do you think this is an appropriate suggestion as a city counselor? If so, are there any other illegal activities that you support?

Further, several descriptive news articles informs us that you are working closely with a group called SHOP. Spoke persons for this group have been very vocal in media and argue that they speak out for sex workers wanting to stay in the trade. I find it extremely concerning that you as a city councilor are collaborating and taking side with SHOP, whose main goal seem to be targeting an extremely vulnerable part of our population, i.e. a population with seeming severe mental health issues and drug dependences, and most importantly; are keeping these extremely vulnerable women in the trade instead of helping them exciting and form a healthy life. I live downtown, I see these women every day. There is no way you can convince me that they are doing this line of work because they want to. It is out of necessity and addiction.

Further, I have a question for the representatives for SHOP, saying they are speaking for sex workers. As you are pushing this along, saying you are supportive of the sex workers, then why have you not suggested to the workers that they form a union that the city can consult with directly? Is it perhaps so that they are too vulnerable to speak for themselves? If so, would you not agree that this idea, as proposed, is a disaster and awfully unethical?

Kind regards,  
A Concerned St. John's Citizen

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The Coalition Against the Sexual Exploitation of Youth (CASEY), which represents over 20 community, government and police organizations as well as individuals with lived experience, is asking the City of St. John's to pause its motion to lift the moratorium on massage parlours. It is our understanding that the city supported lifting the moratorium in order to provide safer work conditions for individuals engaged in the sex industry. It is also our understanding that the City states it has no authority to create regulations that may improve safety, and the provincial government currently has no regulation in place.

The Canadian Human Trafficking hotline was established in 2019, and therefore is unable to produce reliable data on the amount of calls they receive pertaining to exploitation and trafficking in massage parlours. However, the Manager of Research & Policy, Julie Drydyk, views massage parlours as "hotspots" for trafficking. For example, between 2009 -2016 there were 962 human trafficking violations within Ontario, Quebec and Alberta (Statistics Canada, 2016). The 2013 RCMP Report, Domestic Human Trafficking for Sexual Exploitation report found that victims were "increasingly being forced to provide sexual services in massage parlours" however the massage parlours were typically owned and operated by personnel other than a trafficker. Therefore, it seems very reasonable to make the correlation between sexual exploitation and massage parlours. So without any means of regulation or oversight, what steps will be taken to prevent the exploitation of individuals within these venues?

Youth also have to be considered in this decision. Research notes that youth under the age of 18 who have experienced trauma such as abuse, witnessing violence, family dysfunction, involvement in the child protection system etc. can be predisposed to sexual exploitation. For example, in the BC Medical Journal (2004) it reports that approximately 50 to 80% of child sex trade in BC is carried out in massage parlors, karaoke bars and trick pads. How is the City of St. John's going to ensure that underage individuals will not be exploited in these parlors? Will parlors be allowed to set up close to Group homes? What safeguards will be established?

Through interviews with 101 sex buyers and 101 non sex buyers in 2017 researchers found major differences between the two groups that suggest sex buyers exercise violence towards women including greater hostile masculinity, greater self reported likelihood of sexual aggression including rape. Research into violence in the massage parlour industry in Vancouver found that 68.9% experienced the deceptive removal of a condom during sexual activities, 68% experienced financial exploitation, 58.1% were verbally assaulted and 42.5% reported being sexually assaulted. The participants of this study discussed methods of staying safe; however, violence was also described as an inevitable part of the job. In summarizing the findings, the authors said there is an urgent need for health and social service policy and programming to address violence against indoor commercial sex workers. Another research report that interviewed 65 participants of women and transwomen who were seeking support to leave the industry found that of the 65 people interviewed, 40 had sustained head injuries during their sex work/exploitation. 39 had been hit in the head and 30 had their head shoved into an object.

The research is clear, massage parlours provide a venue for traffickers, exploitation and violence. When reviewing research from Authors in a 2018 research paper, the findings from this study suggested that violence is indeed occurring within every realm of the sex industry; this violence may take different shapes and forms with devastating and long-lasting effects. Yet the city is willing to open up the licencing for these venues without taking any responsibility to prevent exploitation or violence. Is there a proposed limit on the number of licences that would be approved? Will the city, at the very minimum screen people who are applying for licences, or would someone with a history of violence against women be able to obtain a licence? Will the city provide any supports or services to those harmed/exploited as a result of this expanding market?

## **Question 1: Is there evidence that when there is an increase in massage parlours there is also an increase in sexual exploitation and/or trafficking?**

### **General Information of Findings**

While the polarizing topic of massage parlours/body rub parlours (BRP) is strongly debated, a large number of stakeholders throughout Canada and internationally are wanting to move away from an increase in massage parlours. For example, in a recent open letter titled “Survivors Say No to Full Decriminalization of Prostitution” directed at US presidential candidates, survivors of prostitution and trafficking plead to candidates to abolish prostitution due to their witnessing of connections between decriminalization and expansion of prostitution and exploitation/trafficking. The letter is signed by hundreds of stakeholders. The authors of this letter note that “full decriminalization means allowing pimps, sex buyers, and brothel owners to operate with impunity. Sex trafficking (including that of children) and organized crime increases when pimping and sex buying are legalized” (Bender, SPACE International, Hatcher, 2019, par. 4). They also argue that most “survivors of prostitution and trafficking want to put an end to the buying and selling of vulnerable people and know first-hand that the best way to do so is to ensure that pimping and sex buying remain behaviours that aren’t encouraged or tolerated” (Bender, SPACE International, Hatcher, June 25, 2019par. 6)

Throughout Canada, human trafficking is a systemic issue that is increasing at an alarming rate with the highest amounts of violations taking place in provinces with the largest populations. For instance, between 2009- 2016, there were 723 human trafficking violations in Ontario, 149 human trafficking violations in Quebec and 90 human trafficking violations in Alberta (Statistics Canada, 2016). While human trafficking is being monitored, intervened and recorded as a result of urgency and the development of human trafficking task forces, understanding the direct link between human trafficking for sexual exploitation in Canada and massage parlours is unclear. However, the concern is very much clear and there is a significant amount of anecdotal evidence along with lived experience of survivors as fact that suggests that human trafficking for sexual exploitation is taking place in massage parlours. Considering the

fact that in “Canada, it has been estimated that 80% of all female sex workers work within indoor venues” (Bungay, Halpin, Halpin, Johnston & Patrick, 2012, p. 264) the correlation between sexual exploitation and massage parlours can be somewhat illustrated.

The Canadian Human Trafficking Hotline was established in early 2019 and due to this it is currently unable to produce reliable data on the amount of calls they receive pertaining to exploitation and trafficking in massage parlours. However, the hotline does receive calls pertaining to human trafficking for sexual exploitation in relation to massage parlours and as a result the Canadian Centre to End Human Trafficking views massage/body rub parlours as “hotspots” for human trafficking. (personal communication, Julie Drydyk, Manager of Research and Policy, Canadian Centre to End Human Trafficking, October 2019) Due to the fact that human trafficking only becomes known data when it is in the top 5 charges that a person or organized entity receives, the data that is known is not necessarily representative of the amount of trafficking taking place. In addition, while it is known that trafficking rates are higher in Ontario and Quebec, as mentioned above, these provinces have human trafficking task forces and therefore they have better access to reporting rates. Other provinces are indeed infused with trafficking and could have similar rates that are not being monitored and/or addressed. (personal communication, Julie Drydyk, Manager of Research and Policy, Canadian Centre to End Human Trafficking, October 2019) The Canadian Human Trafficking Hotline and research and policy department takes the position that whether policies and legislation lean towards decriminalization, the Nordic model or a full ban, the focus needs to be about increasing supports for survivors and those working within the industry or currently being trafficked.

What is known throughout Canada is that human trafficking for sexual exploitation is taking place throughout all aspects of the sex industry. According to Montreal’s **2014-2016 National Action Plan on Prostitution and Human Trafficking for Sexual Exploitation**, the prostitution settings in which human trafficking for sexual exploitation takes place “are varied (escort agencies, strip clubs, massage parlours, the street, etc.)” and “all the evidence suggests that the people who work as prostitutes are

generally recruited locally – are largely women and teenage girls who are forced to work in the sex trade and gravely exploited by criminals acting as procurers” (p. 6)

### **The Polaris Report on Human Trafficking in Illicit Massage Parlours**

A recent report titled **Human Trafficking in Illicit Massage Businesses** from the US organization, Polaris, looked into dangerous risk factors of illegal massage businesses (IMBs) operating throughout the US and the occurrence of human trafficking taking place within them. The authors of this report capture quantitative and qualitative data obtained through literature reviews of law enforcement data, public reports, media articles, jurisdictional scans, focus groups, interviews with service providers, analysis of cases brought forward to the National Human Trafficking Hotline and google searches of media sites and advertisements. “Polaris created the term “illicit massage business” to describe a very specific type of exploitative organized, commercial-front trafficking venue that [they] saw implicated over and over in cases reported to the Hotline.” (p. 8)

The authors note that women are not blatantly trafficked in IMBs, which increases the difficulty of monitoring and intervening with this widespread issue. “Traffickers operate in the shadows, and the tools they use to exploit victims are such that the victims themselves often do not know that what is happening to them is against the law” (Polaris, 2018, p. 12). While it is difficult to capture the exact amount of human trafficking for sexual exploitation taking place within IMBs, as many women working within tend to state they choose to do so, “evidence suggests that of the thousands of women engaging in commercial sex in IMBs or “massage parlors” are victims of human trafficking.” (p. 7)

Through in-depth analysis of the “booming” massage parlour industry in the US, the authors of the Polaris posit that licensing these establishments can actually be used as a tactic for trafficking. “Licensing and regulation of these businesses is an easily exploitable patchwork of state and local laws and ordinances that allows this blatantly illegal industry to survive and thrive in such a public way.” (p. 11)

Also noted in this report is the occurrence of sex buyers, most of whom in the US are said to be predominately white, affluent males, who become traffickers themselves and examples were provided wherein the buyers/traffickers assaulted and harassed the



workers throughout their time as both buyers and traffickers; they exploit and profit from the women in IMBs. (p.38)

### **The External Variable Perpetuating Exploitation: The Internet**

Websites associated with illicit massage parlours that allow men to rate and review women while discussing methods to coerce them into providing sexual acts contribute to the risks of human trafficking. They are known as “review boards” and the sites specifically connected to IMBs in the US are RubMaps.com, usasexguide.com, MPReviews.com, aampmaps.com, and spahunters.com. According to the Polaris report, “aspects of the sites include advise on ways to, for example, pressure a woman for additional sexual activity than she is initially willing to provide. Unfortunately, the very existence of these review boards normalizes and empowers sex buying, giving buyers a sense of community and invincibility that feeds this harmful behaviour.” (2018, p. 15) RubMaps.com is the most popular site amongst these review boards and it allows paid subscribers to easily search IMBs by state and city in the US. (p. 15) Sometimes buyers who are refused services often retaliate on these websites and will tell other buyers to harass the women who refused them, which has also been known to lead to forms of assault. (p. 53) The use of review boards in the US is also said to be a form of control by managers of massage parlours. “Managers monitor the customer reviews on sites like Rubmaps.com, ready to punish any woman receiving bad reviews from unhappy buyers by forcing them to accept dangerous buyers.” (p. 32) While the above review boards are specific to the US, Yelp can also be used for the same purposes, is accessed in Canada and may allow sex buyers and traffickers to remain anonymous while searching and reviewing women working in massage parlours. An important note throughout the Polaris report also outlines how the mere existence of such online practices and sites legitimize massage parlours and perpetuate sexual exploitation and trafficking – these sites circumvent the law and regulations and even though some have been shut down and are monitored, traffickers quickly shift their tactics (e.g.: when Craigslist shut down its “adult services adds”, the ads quickly moved to Backpage.com and other sections of Craigslist)” (pp. 66-68).

Makin and Bye (2018) explored factors connected with online activity that influence sex crimes as well as how the general population is connected with prostitution and sex crimes through the internet. They did this by analyzing the amount of interest towards Backpage.com in regard to strip clubs and massage parlours. The authors use a data tracking system through Google to measure the amount of time spent on review sites as well as the high amount of searching requests for massage parlours and strip clubs through Backpage.com. The authors found a strong correlation between Backpage.com and the use of massage parlours. The important take away from this correlation is that Backpage.com has since been shut down due to proof that it was facilitating human trafficking for sexual exploitation.

(<https://www.reuters.com/article/us-usa-backpage-justice/sex-ads-website-backpage-shut-down-by-u-s-authorities-idUSKCN1HD2QP>)

Other websites similar to Backpage.com still exist and are not easily regulated or addressed by government enforcement. (p. 49).

Recruitment strategies also take place online. According to the 2013 RCMP report, **Domestic Human Trafficking for Sexual Exploitation in Canada**, “Traffickers occasionally advertise false employment opportunities, usually in the music business and as waitresses, models, or masseuses, with large salaries on Internet websites such as Kijiji and Craigslist” (p. 18). It seems that while massage parlours are not operating specifically as a result of the usage of review sites and online recruitment related to trafficking, but there is still a connection. The fact that online platforms can circumvent the law and are being used for both trafficking and massage parlours is indeed a concerning connection.

### **Immigrant Women in Massage Parlours: Proof of Exploitation**

Provinces throughout Canada are varied with regards to immigration and thus each province is different in how human trafficking for sexual exploitation in massage parlours occurs in relation to immigration. Kate Quinn from the Centre to End All Sexual Exploitation states:

“One big concern re: licensing and lifting the moratorium is that this makes it easy for organized criminal elements to buy or set up businesses and circulate

women through different cities. In our Edmonton experience, this includes a high percentage of Asian women. We have seen a shift from 2006 where there were no Asian owned or Asian-themed parlours and now half of the 32 parlours are Asian. We know women move every two weeks or so. We know women eat, sleep and live in these parlours. They are isolated, and usually only speak enough English to talk with men about sex services and prices.” (personal communication, October 2019)

Devon Hill from Freedom Catalysts in Regina also discussed a similar concern, as 18 of the 20 massage parlours in Regina are Asian owned or themed parlours and it appears that exploitation is taking place within them as well. (personal communication, October 2019) Furthermore, during consultations with all sources of information for this report, the complex combination of Asian immigrants and increasing amounts of massage parlours was noted as a sign of sexual exploitation in massage parlours throughout Canada, as there are added components of vulnerability – language barriers, debt and threats of deportation. (personal communication, Hill, October 2019; Farley, 2019; Quinn, 2019; Drydyk, October 2019)

It seems that with an increase in massage parlours there is always a forthcoming increase in locations that advertise Asian women with both suspicious and overt exploitation taking place. Drawing from other occurrences and sources of information pertaining to immigration and massage parlours (Polaris, 2018; <https://www.ctvnews.ca/canada/rcmp-breaks-up-canada-wide-prostitution-ring-1.2308275>) , there is evidence that human trafficking and exploitation are extensions of the expansion of prostitution including massage parlours and BRPs. According to the Polaris report, most of the trafficked women working in IMBs in the US are from China and South Korea. They are recruited through false advertisements online through social media and/or other websites, and they are controlled through fear of law enforcement, debt, fear of deportation, threats to family and shame. (Polaris, 2018)

## **Perspectives of Sex Buyers and Non-Sex Buyers as Sources of Information Regarding Exploitation**

Farley, Golding, Matthews, Malamuth and Jarrett (2017) interviewed 101 men who buy sex (SB) and 101 who do not buy sex (NSB) in Boston. In doing so, they looked at variables such as perceptions, sexual aggression, hyper masculinity and informal sex partners in relation to buying sex. Informing the correlation between prostitution and exploitation/trafficking, the authors found direct connections. “Forty-one percent of SB had used a woman in prostitution who was controlled by a pimp”. In addition, both groups of men seemed to have awareness of human trafficking in connection with women involved with prostitution: “Two thirds of SB (66%) and NSB (66%) stated that a majority of women are lured, tricked, or trafficked into prostitution” (p. 3611). Furthermore, both groups of men had an overwhelming level of awareness of sexual exploitation of children and youth taking place in various places: “SB (96%) and NSB (97%) shared the opinion that minor children are almost always available for prostitution in bars, massage parlours, escort, and other prostitution in Boston. An SB reported that pimps had sought his help in recruiting women, asking him to “find them certain types of girls in the psych hospital...” (p. 3614).

## **Case Study of Toronto**

Body Rub Parlours (BRP) in Toronto are capped at 25; however, there are 410 licensed holistic centres, 107 of which appear to be offering unauthorized sexual services. (Auditor General, 2017) While it is unknown how many human trafficking charges are related to BRPs, “the Human Trafficking Enforcement Team has charged 295 people with charges related to human trafficking over the last six years, resulting in 56 convictions, and identification of 250 victims” (Social Development, Finance and Administration, Toronto, 2019, p.12). A review of holistic centres and their governing organizations was conducted by the Auditor General in 2017 and sparked concern in the City of Toronto. As a result, consultations and reviews of the current state of holistic centres in relation to the bylaws associated with BRPs within the city took place and stakeholders discussed whether opening up BRP licenses to holistic centres would reduce exploitation and create safer experiences for women. “Aside from potentially

being a violation to the licensing and zoning bylaws, these centres could potentially pose an array of health, safety and community issues, including the risk of human trafficking” (p. 3). Further, throughout the consultation on how to approach BRPs and holistic centres in Toronto, the occurrence of human trafficking was of major concern:

“From the available data and anecdotal information, which includes information provided by survivors of human trafficking, sex workers, and the Toronto Police Service, it is clear that human trafficking occurs throughout Toronto, in licensed establishments, as well as unlicensed establishments, hotels, condos, short-term rentals, cars, streets, private residences, and several other locations. Consensual sex work occurs in most of these locations as well.” (Social Development, Finance and Administration, Toronto, 2019, p.4)

This information was continuously echoed through all consultations and was notably expressed by people with lived experience of consensual sex work as well as survivors of human trafficking; they revealed “significant exploitation, grooming, and trafficking is occurring in licensed Body Rub Parlours and holistic centres as well as other sites, such as schools and group homes” (Social Development, Finance and Administration, Toronto, 2019, p.5) People with lived experienced consulted through this process also stated that “Governments are licensing businesses in which illegal, dangerous sex work and trafficking are occurring.” (Social Development, Finance and Administration, Toronto, 2019, p. 5)

According to the 2013 RCMP Report, **Domestic Human Trafficking for Sexual Exploitation**, which reviewed domestic human trafficking cases for sexual exploitation between 2007-2013, victims were “increasingly being forced to provide sexual services in massage parlours, particularly in the areas of York and Toronto. In these cases, the massage parlours [were] typically owned and operated by personnel other than the traffickers” (p. 29). While there isn’t concrete data pertaining to whether sexual exploitation increases with the expansion of massage parlours/BRPs in this area, there is a significant amount of anecdotal information: “The Toronto Police Service indicates that it has anecdotal information that there is human trafficking and consensual sex

work occurring in licensed Body Rub Parlours, holistic centres, and locations throughout the city.” (Social Development, Finance and Administration, Toronto, 2019, p.7)

If an increase in massage parlours or BRPs is to take place through expansion, licensing, regulations etc., the stakeholders in the consultations of Toronto provide important advice: ensuring supports are in place for those who may be vulnerable to human trafficking is paramount. For instance, “identifying specific approaches to supporting Indigenous people who are survivors of human trafficking, as well as those who may be traffickers. It is essential to work with community partners that serve First Nations, Inuit and Metis peoples” (Social Development, Finance and Administration, Toronto, 2019, p. 16).

There has currently been no concrete movement on changing the BRP and holistic centre bylaws in Toronto, but updates were scheduled to take place in the 4<sup>th</sup> quarter of this year. (personal communication, Julie Drydyk, Manager of Research and Policy, Canadian Centre to End Human Trafficking, October 2019)

## **A Global Perspective of Expansion and Decriminalization of Prostitution**

### **The Netherlands**

Renate van der Zee, a feminist journalist from the Netherlands, addressed the 2019 Coalition to End Sexual Exploitation Global Summit and stated that it's been almost 20 years after the legalization of prostitution in the Netherlands and the problems experienced by women have not been solved. She states that she discovered this through her 10 years of research which allowed her to spend time with survivors and work with prostituted women currently in the red-light district of Amsterdam. Through her research, van der Zee also consulted police, aid workers and policy makers. A significant amount of these stakeholders informed her that legislation didn't make the prostitution business a better place for women. She goes as far as to state that almost every prostituted woman is being exploited by a man. van der Zee explains that in 2007 there was a governmental evaluation of the country's legislation, which suggested a mildly positive industry and that the well-being of women only slightly deteriorated. However, in 2008 the national police seized the biggest human trafficking case the country had ever experienced: a gang of Turkish pimps who came to the Netherlands in

the late 90's was found to have exploited 120 women over the years and their methods were brutal – forced breast enlargements, forced abortion and all forms of abuse. van der Zee points to the fact that this took place in a legalized industry – one that progressively sought to make conditions safer for women in prostitution. Through her work, van der Zee has found that brothel keepers are often not pimps; rather, pimps work outside of the brothels and are thus exempt from the governing laws.

Link to video presentation: <https://endsexualexploitation.org/articles/the-failure-of-legalization-of-prostitution-in-the-netherlands/>

### Germany

Prostitution has been legal in Germany since the 19<sup>th</sup> century. In 2002, the invention of the Prostitution Act, which “legalized prostitution even more than before and decriminalized most aspects of pimping” and contributed to the lack of data pertaining to “what legalization means to women involved in prostitution”. (Schon, 2019, par. 8) Manuela Schon (2019), a sociologist and activist for the Nordic Model of Prostitution, quotes the governmental evaluation of the Prostitution Act:

“The Prostitution Act has not been able to create any measureable real improvement in the social security situation of prostitutes. As regards the working conditions in prostitution hardly any measurable effects could be identified in practice. {...} Exit possibilities from prostitution have not been improved by the prostitution act. There are no viable indicators of the Prostitution Act having had any crime-minimalizing effect.” (par. 37)

Schon also conducted research on the amount of prostitution murders and murder attempts that have taken place in Germany since 2002. She discovered 84 murders and 47 murder attempts. (<https://sexindustry-kills.de/doku.php?id=prostitutionmurders:de>)

Link to blog: <http://manuela-schon.de/en/2019/10/22/the-myth-of-legal-makes-it-safe/>

## References

- Auditor General. (2017). A Review of the Municipal Licensing and Standards Division's Management of Business Licences – Part Two: Holistic Centres.  
[file:///Users/temp/Downloads/Auditor%20General%20Report%20Pt.%202%20-%20Body%20Rub%20Parlour%20Review%20\(1\).pdf](file:///Users/temp/Downloads/Auditor%20General%20Report%20Pt.%202%20-%20Body%20Rub%20Parlour%20Review%20(1).pdf)
- Bender, R., SPACE International & Hatcher, M. (2019). Survivors say no full decriminalization of prostitution: an of prostitution and trafficking. Retrieved from: <https://medium.com/world-without-exploitation/survivors-say-no-full-decriminalization-of-prostitution-2272a86719c8>
- Centre to End All Exploitation. (2016). Safety and Violence Survey. Retrieved from: <https://www.canadiancentretoendhumantrafficking.ca/wp-content/uploads/2017/09/Safety-and-Violence-Survey-FINAL.docx.pdf>
- Bungay, V., Halpin, M., Halpin, F., P., Johnston, C. & Patrick, M., D. (2012). Violence in the massage parlor industry: experiences of Canadian-born and immigrant women. *Health Care for Women International*. 33(3), 262-284. Retrieved from: <http://dx.doi.org/10.1080/07399332.2011.603868>
- Bungay, V. & Guta, Adrian. (2018). Strategies and challenges in preventing violence against Canadian indoor sex workers. *AJPH Research*. 108(3), 393-398.  
  
Retrieved from: <https://www.ncbi.nlm.nih.gov/pubmed/29346001>
- Farley, M., Golding, M., J., Matthews, E., S., Malamuth, M., N., & Jarret, L. (2017). Comparing sex buyers with men who do not buy: new data on prostitution and trafficking. *Journal of Interpersonal Violence*. 32(23), 3601-3625. Retrieved from: <https://pdfs.semanticscholar.org/52c9/a2b8bd52ab3333c35636301910610ec8e602.pdf>
- Farley, M., Banks, E., M., Akerman, R., J. & Golding, M., J. (2018). Screening for traumatic brain injury in prostituted women. *Dignity*. 3(2). 1-20. Retrieved from: [file:///Users/temp/Downloads/Screening\\_for\\_Traumatic\\_Brain\\_Injury\\_in\\_Prostitute.pdf](file:///Users/temp/Downloads/Screening_for_Traumatic_Brain_Injury_in_Prostitute.pdf)
- Makin, A., D. & Bye, C. (2018). Commodification of flesh: data visualization techniques and interest in the licit sex industry. *Deviant Behaviour*. 39(3), 46-63. Retrieved



from: <file:///Users/temp/Downloads/CommodificationofFlesh2017.pdf>

Moran, R. & Farley, M. (2018). Consent, coercion, and culpability: is prostitution stigmatized work or an exploitative and violent practice rooted in sex, race, and inequality? *Archives of Sexual Behavior*. Retrieved from:

<file:///Users/temp/Downloads/MoranFarleyConsentCoercionCulpability2019.pdf>

Polaris. (2018). Human Trafficking in Illicit Massage Businesses. Retrieved from: [https://polarisproject.org/sites/default/files/Full\\_Report\\_Human\\_Trafficking\\_in\\_Illicit\\_Massage\\_Businesses.pdf](https://polarisproject.org/sites/default/files/Full_Report_Human_Trafficking_in_Illicit_Massage_Businesses.pdf)

RCMP. (2013). Domestic Human Trafficking for Sexual Exploitation in Canada.

Retrieved from: <http://www.rcmp-grc.gc.ca/ht-tp/publications/2013/proj-safekeeping-eng.htm>

Statistics Canada. (2016). Trafficking of persons in Canada.

<https://www150.statcan.gc.ca/n1/pub/85-005-x/2018001/article/54979-eng.htm>

Service de Police de la Ville de Montreal. (2016). Action Plan on Prostitution and

Human Trafficking for Sexual Exploitation. Retrieved from: <https://spvm.qc.ca/plan-action-prostitution-en.pdf>

Social Development, Finance and Administration, Toronto. (2019). Supporting Survivors Of Human Trafficking. Retrieved from:

<https://www.toronto.ca/legdocs/mmis/2019/ec/bgrd/backgroundfile-132985.pdf>

## **Question 2: Is there any data on reports of violence/assaults related to massage parlours and/or the sex industry?**

Through reviewing literature and research pertaining to massage parlours and the sex industry as a whole, it seems that a staggering amount of violence is taking place. This violence is most often perpetrated by sex buyers and clearly directed towards women and other vulnerable people working in the industry. Throughout the research, reoccurring and overlapping types of violence have emerged.

In order to address violence that takes place in existing BRPs, a recommendation pertaining to safety measures was brought forward by Toronto city council for consultations regarding licensing BRPs and holistic centres. City council suggested that alert systems/panic buttons be mandatory for BRP rooms. However, anti-human trafficking advocates and survivors stated that these are already in place in some cases and they do not make a difference, as management and other workers are fearful of intervening in violent situations. (Municipal Licensing and Standards, Toronto, 2019, p. 7)

The 2018 Polaris report corroborates the fact that violence is perpetrated by sex buyers. The authors of this report state that “physical violence is not as frequently used by management of IMBs to control women as in other types of trafficking, but violence against IMB victims from customers place a role in other forms of coercion and control” (p. 32). The authors discuss instances of violence from their reviews of news stories in the US and state that sex buyers have a history of “acts of violence including sexual assault, rape, punching, slapping, and assault with weapons or fire (e.g. lit cigarettes), and insist on not using a condom.” (p. 32) The authors further note that massage therapists who work in non-sex service massage parlours and who do not engage in selling sex are also subjected to violence as a result of the violence that takes place in IMBs. “When men perceive massage therapists as potentially open to sexual advances, the massage work environment becomes dangerous.” (p. 53)

Through interviews with 101 sex buyers and 101 non-sex-buyers, Farley, Golding, Matthews, Malamuth and Jarrett (2017) found major differences reported between the two groups that suggest sex buyers exercise violence towards women: “sex buyers had more sex partners, were more likely to express preference for

impersonal sex, had greater hostile masculinity, had greater self-reported likelihood of raping, and had a greater history of sexual aggression.” (p. 3616) In addition, “SB (15%) were more likely than NSB (2%) to report that they would force a woman to have sex or rape a woman if they could get away with it and no one knew about it” (Farley et al., 2017, p. 3611)

Bungay, Halpin, Halpin, Johnston and Patrick (2012) looked into violence in the massage parlour industry in Vancouver, BC, which was (and still is) home to “an extensive indoor sex market that operates under the guise of legitimate licensed businesses including massage parlours, escort agencies and exotic dance clubs” (p. 264). At the time of the study, Bungay et al. (2012) interviewed 129 Canadian born and immigrant women in order to understand their “experiences of violence and associated structural and interpersonal factors within 39 commercial sex venues” (p. 263). The findings demonstrated that “the majority of participants had experienced at least one form of structural, interpersonal, or both types of violence, with the attempted removal of a condom during sexual services being sited most frequently” (p. 263). Both Canadian born and immigrant women combined experienced financial exploitation (68%), verbal assault (58.1%), sexual assault (42.5%), and the deceptive removal of condoms during sexual activities (68.9%) (Bungay et al, 2012, p. 270). With regards to the deceptive removal of condoms by sex buyers, “women reported being able to “convince” many of their clients of the need for a condom, they also experienced situations where the client would attempt to deceptively remove a condom during sexual activities thereby violating women’s sexual health rights and increasing their risk for STI and unplanned pregnancies” (p. 272). Aggression was also noted as a reoccurring issue within this study. “In some instances, clients became aggressive and violent when “they were not getting what they wanted,” which is a phrase used by women to describe clients’ requests for services that they were uncomfortable performing due to personal preference or, in many instances, put them at significant risk for sexual assault.” (Bungay et al., 2012, p. 271) In summarizing the findings of this study, the authors “illustrated the urgent need for health and social service policy and programming to address violence against indoor commercial sex workers.” (p. 276)

While engaging with 85 sex workers in Vancouver, BC, Bungay and Guta (2018) explored their strategies and challenges in preventing violence. “Clients and landlords were the most frequently discussed perpetrators of workplace violence. Deceptive condom removal, sex without a condom, engaging in uncomfortable sex practices, being hit, being pushed, not being paid for service, and having personal belongings stolen were the common forms of client-related violence” (p. 394). The participants of this study discussed various methods of staying safe; however, violence was also “described as an inevitable part of the job” (p. 394).

In an attempt to capture the occurrence of violence in massage parlours in Edmonton from June – August 2016, the Centre to End All Exploitation conducted surveys with 42 women working in BRPs. “Of the 42 respondents, 24 (57%) identified some form of physical and/or sexual violence that was perpetuated against them by men who sought to buy their services” (par. 2). Moran and Farley (2018) also examined perceptions of violence in prostitution and state that throughout “thousands of interviews, we have heard prostituted women, men, and transwomen describe prostitution as paid rape, voluntary slavery, signing a contract to be raped (in legal prostitution), the choice that is not a choice, and as domestic violence taken to the extreme” (Moran & Farley, 2018, p. 2).

With regards to chronic injuries associated with violence experienced in the sex industry as a whole, Farley, Banks, Ackerman and Golding (2018) looked into the prevalence of traumatic brain injury among 65 prostituted women and transwomen. The authors interviewed participants through services for exiting the sex trade offered at organizations in San Francisco, Chicago and Toronto. “Of the 65 women, 40 (61%) had sustained head injuries during prostitution. This represents 65% of the 62 women with any lifetime head injury. Of the 40 women who had sustained head injuries during prostitution, 39 (98%) had been hit in the head, and 30 (77%) had their head shoved into an object” (p. 7). The authors further describe the specific methods of which the women had experienced head injuries. “Of the 40 women who had been hit in the head during prostitution, 46% had been hit with hands or fists. These women also reported being hit with sticks, bats, bottles, hammers, canes, screwdrivers, guns, telephones, belts, bed slats, and steel tubes” (p.7) With regards to the women having their head

shoved into objects, the authors further describe the specifics: “One third of the 30 women who had their head shoved into objects during prostitution had been shoved into walls, with others reporting having their heads slammed into the floor; against furniture or sinks; against dashboards, steering wheels, or windows of cars; against another person; or against vehicles, buildings, doors, or stairs” (p. 7). After describing their experiences of violence, the women then described their ongoing symptoms as a result of sustaining head injuries, which “included dizziness (80%), depressed mood (77%), and headaches (73%)” among other chronic and intersecting health issues (p. 9). The findings from this study suggest that violence is indeed occurring within every realm of the sex industry; this violence may take different shapes and forms with devastating and long-lasting effects.

To City Council,

RE: Public Consultation on Massage Parlours

Based on my lived experience of working in several massage parlours, the massage parlours are not safer environments for women. They are not safer because the owner will take anyone off the street and put them to work immediately if they have a proper ID.

The parlours are not clean or safe because women are not given the supplies or the money to purchase prior to their shift to keep the rooms clean. The security of the girls is mostly at the discretion of the client and the client mostly does nothing to keep the girl safe. Clients only want to ensure their own anonymity. There is a lot of manipulation – clients often threaten to reveal our identity. This makes us fearful of being in public – St. John's is a very small city. (I cannot imagine what this would be like in a town)

I have been forced into sex with aggressive clients. I've experienced physical abuse and harm from clients who are into dominatrix and BDSM who later found out where I lived. Clients have sought out where I am and what I am doing.

Also when getting a ride home, the cabs that were supposed to be secure, were not. The drivers who gave me a ride home often physically forced or coerced me into performing sexual acts in exchange for drugs or a free ride. I've been taken to places that I didn't know where I was. I felt like I had no choice but to do what I was told.

While working in the parlours and when I said no to a service, I was often beaten up and holes were put in the walls. And although there was no money to pay for cleaning supplies, there was always money to hide the damage or violence. Women are discouraged from going to the hospital because of fear of judgement and fear of not being believed. The one time I reported an incident, I wasn't believed because I had drugs and alcohol in my system. There is often a fear of the police or people in authority and in the public eye because even police, city council, or hotel workers are possible clients.

This is not only an issue that affects women. There are very young looking men who both buy and sell sex. Regardless of how often it happens, it should also be addressed. Underage girls can also be found in the parlours. Technically this isn't permitted, but the girls will be hired if they have fake IDs. The concern with the underage girls is that they are more vulnerable and are taken advantage of by management. Young girls don't know how to set boundaries to ensure their own safety. They really don't understand that they can say no.

From my personal experience, whether I got the money before or after the client got what they came for, I was sometimes beaten up for the money. I rarely walked out of there with my dignity or the money that I worked for. Often clients would try to offer me drugs in place of money. There are so many drugs in the parlours because, although I wanted to believe that I was doing the work and empowering myself, many of us used in order to cope. I never woke up one day and said this is what I want to do.

I look back and I remember the feeling of being chosen when a purchaser came in and picked me. I felt so special. Feeling rejected most of my life, it felt good to be 'the one'.

Now that I am out and can look back with hindsight, I want to reach out to ensure the safety others and offer my little 'mom' hug.

I know that it is not that simple. The resources or supports to help individuals in the way they need to be helped are not always available. It took me seven years to get out.

I hope you hear this.

*Finally Free and Still at War*

## Elaine Henley

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**From:** [REDACTED]  
**Sent:** Wednesday, November 6, 2019 12:49 PM  
**To:** CityClerk  
**Subject:** Statement - Public Meeting - Massage Parlours

The City has no right to promote the sexual exploitation of marginalized and abused women and girls. The fact that a small number of women choose to engage in prostitution does not negate the fact that almost all women caught in this abuse wish to exit but are incapable due to many factors such as financial constraints and drug abuse. Many women caught in sexual exploitation have a history of being subjected to male violence, often during childhood, and they have been utterly failed by society. Legitimizing the renting of their bodies by men is yet another profound failure.

Pimps in this country often target the most vulnerable underage females such as those who live in foster care. Many women who enter prostitution did so as minors. All of these women need, and have a right to, health care, housing, and support. They do not need governmental bodies to facilitate their exploitation. I strongly suggest that the Council consult with mental health professionals who have a background treating marginalized women with complex PTSD.

The City Council is lying when you refer to these places as "massage parlours". The City Council is lying when you refer to these places as "body rub parlours". What you are actually talking about are brothels. It is deeply unethical to attempt to white wash the sexual exploitation of women.

The Council appears unaware, or hostile, to the fact that in Canada we operate under the Nordic Model. This approach decriminalizes all prostituted persons, provides them with support to exit, and makes buying people for sex a criminal offense. This is absolutely necessary because it is humane and it drives down demand. What the Council seeks to do right now is increase demand for sexual exploitation. The Nordic model was implemented in Canada under [Bill C-36](#)

If the Council proceeds with the promotion of the sexual exploitation of women you can expect strong and sustained opposition from real feminists who understand that in Canada women are full citizens and not receptacles for violent men.

[REDACTED]



To the St. John's City Council,

Since 2017, the [Living in Community St. John's](#) Steering Committee has been working to bring together our community to discuss the safety concerns of folks with past and current experiences of sex work and sexual exploitation. Much of this work has involved listening to the many concerned residents, sex workers, and organizations whose work supports marginalized groups and share the common goal of ensuring St. John's is a safe, and welcoming, place for all to live and work.

The recent lifting of the moratorium on massage parlours has been a positive step in ensuring safe working environments for sex workers and their clients; freedom of choice in the type and number of massage parlours in which to work prioritizes the rights of sex workers.

As this conversation evolves into discussions about zoning regulations and formal re-naming, **the Living in Community Steering Committee makes the following recommendations:**

- Any further decisions about issues related to sex workers must include sex workers. Noting that it is often dangerous for a sex worker to identify themselves as such, their engagement must be encouraged through more than an open, public engagement session. Their right to privacy, to affirm their safety, should be respected through redactions, anonymous online submission, and any other possible means.
- To this end, as the process to identify the suggested name change to date has not included consultation with those who work in or avail of massage parlour services, we would advise that further engagement is necessary. We recommend developing a list of possible names, shared with time for public response. It is our concern that the suggested revision of "Body Rub Parlour" would further stigmatize sex workers and that even though it may only be used in city documentation as such, it sends a message that the City of St. John's is not mindful of the possible harmful language used when discussing it's citizens.
- To move forward, we suggest that the text remain as is (current as of 1994 development regulations) and that the planned name change is adopted into the final editing of the new development regulations (2020) to allow for more time for further engagement.

Living in Community St. John's values safe space for open dialogue from all stakeholders (community organizations, government, sex workers, businesses, and residents) and believes that a rights-based approach ensures that voices often missing from our policy, processes, and procedures are centred. We are grateful to the City Council for being open to conversation about what is often a difficult subject. Your willingness to grow along with us as we explore what supporting all parts of our community means is an invaluable step toward equality.

Respectfully,  
The Living in Community St. John's Steering Committee



Living in  
Community

- St. John's, NL

### **What is Living in Community St. John's?**

Living in Community St. John's is a project informed by the initiative of the same name in Vancouver. It's a city-wide initiative that brings together representatives from government, service providers, law enforcement, community, and sex workers in a facilitated process aimed at creating safer communities for all. Our vision is to create respectful communities of health, safety and belonging for everyone in relation to sex work and youth sexual exploitation. This can only happen by bringing the wide range of voices involved to the table for solutions-focused engagement, as systemic change only happens when groups work collaboratively.

### **Our Values**

- Embracing diversity and being respectful of everyone
- Encouraging learning and self-growth as a path to change
- Active involvement of sex workers
- Taking a stance against youth sexual exploitation and for social justice
- Enabling equitable participation, understanding and building community
- Listening and being open to different perspectives
- Do no harm - not making decisions that put sex workers at greater risk
- Maintaining the confidentiality of committee members

This project is supported by Happy City St. John's as an independent community organization dedicated to community dialogue around issues affecting our city.

Learn more about Living in Community Vancouver: <https://livingincommunity.ca/>

Learn more about Living in Community St. John's: <https://www.livingincommunityyyt.com/>

Learn more about Happy City St. John's: <http://happycity.ca/>

### **Questions?**

Mica McCurdy

Community Developer, Happy City St. John's

(Living in Community Facilitator)

[livingincommunity@happycity.ca](mailto:livingincommunity@happycity.ca)

**Elaine Henley**

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**From:** [REDACTED]  
**Sent:** Wednesday, November 6, 2019 8:24 PM  
**To:** CityClerk  
**Cc:** [REDACTED]  
**Subject:** Massage Parlours

Definition. A brothel is where sex is purchased. Why not name it properly? ie St. John's want to expand 'legal' brothels?

Also, buying sex is illegal in Canada. Why is our provincial capital not recognizing this or enforcing it and is now seeking to expand purchasing opportunities?

**Elaine Henley**

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**From:** [REDACTED]  
**Sent:** Wednesday, November 6, 2019 1:35 AM  
**To:** CityClerk  
**Subject:** Massage Parlours

Hi,

I am a resident of St. John's and strongly disagreed (as do most) about opening massage parlours in NL. This will only bring trouble, more domestic disputes, crime, more drugs and unwanted/ unlawful types of people into our community. We want to raise the bar with our community, be a community we are proud of. And no one can be proud of this.

I hope you strongly reconsider opening these types of businesses or any business that could possibly support crime in our community (which these types of places will bring around). We have enough crime and unwanted "activities" going on in our town. We don't need anymore.

Thank you,

[REDACTED]

Sent from my iPhone



Thrive is a community organization that offers low to no barrier programs designed to support individuals, inclusive of gender or sexual orientation who are primarily between the ages of 12-29-year-old however we don't refuse anyone and offer many of our services to folks who are 30+ years. Thrive offers services through our Education program, Street Reach, the Blue Door program and CASEY. The programs strive to meet participants where they are and offer flexible services that are rooted in the principles of anti-oppressive practice, self-determination, respect and harm reduction. At Thrive we understand the intersection of toxic stress and trauma and how that impacts the way in which people experience the world. These experiences form the context in which people make decisions about relationships, supports, and the lens through which they define others. At Thrive we use the term Sex Trade as it is inclusive and respectful of everyone's experiences and represents the whole continuum including survival sex (no exchange of money), exploitation and sex work. Experiences do not always fit into specific categories and folks can define experiences in whatever way they wish.

Street Reach served 700 individuals last year, and has worked to support folks at the street level for the past 15 years. Our educational initiatives are currently working with 30 students in class with 25 on the waitlist, and the Blue Door is serving 21 people with 20 on the waitlist. Participants who avail of Thrive's programming are those who have had a range of experiences from working in massage parlours, doing in-calls and doing street level sex work. Our services are person centered and folks have the right to self-determination and it is important that all options are on the table of what support looks like for them, this process is inherently embedded in the context of harm reduction, and therefore includes such options as exiting the sex-trade, regardless of whether someone identifies as a sex worker or sexually exploited. The Blue Door program offers a whole continuum of intensive individualized services and supports to address barriers to the exiting process as people exit sex trade activities and/or sexually exploitive situations including sex/human trafficking. Through the Street Reach program, we work with agencies like SHOP to support individuals to ensure folks are safe as possible, and have the broadest reach of community supports. Our programs work in an integrated fashion, giving a variety of supportive options. This allows people to choose the support and program options that best meets their needs, and creates a responsive, fluid system of support, allowing participants to maintain their autonomy in decision making. Given our extensive history of working alongside participants and experience in the continuum of the sex trade we are making the following recommendations:

1. Many of the youth in Thrive programming have experienced disrupted attachment with their primary care givers, leaving them more vulnerable to coercive relationships. With this in mind we are recommending that regulations indicate massage parlours should not be near group homes, youth community agencies or other places where youth gather.



2. It is generally recognized that substance use can increase violence and we are recommending that massage parlours should not be near places such as bars where people are engaging in alcohol and substance use and should reflect hours of operations to ensure the safety of those working in massage parlours.

What we have heard from our participants regarding issues at Massage Parlours:

- Sexual Exploitation is happening in massage parlours, one of our participants was underage when she started working there and others have reported to us they have worked with under age young women.
- Younger women are in higher demand
- All reported experiences of sexual violence not always safer in MP

## Quotes from Thrive Participants

*"I run into situations every few days. If you had one day with no violence it was a good day"*

*"When girls drop boundaries and then it up for other women to have to do this"*

*"I was recruited to work in a massage parlour" "he said it was going to be safe and was more legitimate, he was very professional but once I started it was not legitimate or safe"*

*"I had to do special services we did not talk about this when I started"*

*I was asked to start doing out calls at houses, there was no security... you may have to do anything. I did not want to do them because I heard a lot of stories and you did not know what you would face."*

*"I did not want to do out calls but you had to"*

*"Sex and drugs are all part of the work"*

*"yes there are under age girls at massage parlours, I was 17 when I started working there"*

*"I don't think we should lift the moratorium, if we lift the moratorium this will not guarantee a safe work environment, why not change the unsafe work environments that are already here?"*

*"I had to do things I did not want to do lots of times"*

*"there are lots of drugs around, its part of the experience"*



Thank you for your time- Thrive looks forward to the opportunity to continue to offer expertise in creating recommendations and bringing forward the voice of those most impacted by these regulations.

Mary Fearon, M.SW. , RSW  
Thrive  
Director- Blue Door Program

Ellie Jones, M.Ed., CCC  
Thrive  
Director- Outreach and Education

To City Council,

RE: Public Consultation on Massage Parlours

There are a number of concerns around lifting the ban on massage parlours without first establishing regulations that help to ensure the safety of women working there. These concerns are that currently one individual has a monopoly on who can/cannot work in the massage parlour sex industry; there are underage girls working in the parlours; there is a lack of security due to unmonitored cameras and no security guards; there is also a lack of resources and information around STI's and testing and excessive drug use.

I believe that massage parlours can be safer for women working in the sex trade, but the parlours currently running in St. John's have not established safe practices for women working in the industry.

The parlours could be made safer by having a security guard present at all times, having cameras that are actually monitored and by providing transportation to women who are doing out calls. Right now, women rely on each other if something happens with a client under the influence who because aggressive with the staff. The safety of the girls could also be improved by monitoring hours of operation. The later the parlour is open the greater the likelihood that the client could be drunk or high and aggressive or violent.

Personal safety for the girls and for the clients could also be increased by offering support and information and even regulations around unsafe sex practices. Women are not offered or required to undergo STI testing and are often, for large sums of money, allowing their clients to preform sex acts without a condom. There is an increased likelihood of really young women engaging in these risky or unsafe behaviours because they are often more vulnerable, less vocal about their own safety and often more desperate for the money.

Although the parlours deny having underage girls and the owners say that all of the women have IDs, it is commonly known that there are underage girls working in the parlours with fake IDs. There needs to be a way to ensure that the IDs are accurate and that underage girls are not being exploited. Further still, because the parlours are owned by one individual, this individual has a monopoly on the massage parlour sex trade. The issue is that women are often circled around the parlours, pitted against each other, competing to be on the owner's good side and often shut out of the parlours altogether, if the don't stay in line.

Although, based on lived experience, I believe that sex parlours can be safer for women in the sex trade if regulations are put in place, I also believe that there are concerns about the work and its link to excessive drug use. Women who work in the parlours may begin working there to support a drug habit, while others begin using to cope with actually doing the work.

I do believe that women working in the massage parlours are safer than those women who are doing sex work independently and alone. Greater considering needs to be taken in creating regulations that will support the safety of the women.

*Voice of Lived Experience*