

Immigration and Refugee Protection Regulations (IRPR)

Immigration laws, sex work and criminality

Canada's immigration laws target massage workers and any foreign nationals who aim to work in a strip club, or for an escort service or massage parlour.

The laws are meant to protect sex workers and other migrants who are at risk of human trafficking and sexual exploitation, but **the reality is they criminalize and isolate them.**

Immigration officers can refuse to give you a work, study or travel visa if they suspect you are at risk of exploitation and abuse (IRPA, s.30(1.4))



If you have a work or study permit, you are not allowed to work for an employer who offers strip tease, erotic dance, escort services, or erotic massages. (IRPR, ss. 183(1) (b.1), 196.1(a), and 200(3) (g.1))

If you don't have a visa, you cannot stay in the country. These restrictions don't apply if you are a Permanent Resident.

Massage workers and others in the industry may choose to lie to immigration officials because of these laws and prohibitions.



But giving false or inconsistent information, or failing to give this information to Immigration, Refugee and Citizenship Canada (IRCC) or the Canadian Borders Services Agency (CBSA) can also make you inadmissible to Canada. It is immigration fraud or misrepresentation.

It carries a risk of immigration detention and/or deportation

You can also be deported if you are involved in a crime. This might happen even though you are a Permanent Resident or are here on an otherwise valid travel, study, or work visa.

Permanent Residents who are convicted of a crime still face deportation if the conviction is for a criminal offence that carries a maximum of 10 years jail (or more) or if they receive a jail sentence of more than 6 months. Jail includes house arrest.

Foreign nationals also face deportation if they are convicted of one indictable offence, or two summary offences. Offences where the prosecutor can choose whether it is summary or indictable are called hybrid offences. Hybrid offences are considered indictable even if the prosecutor chooses to proceed summarily. (IRPA, s.36)

There is a long list of criminal offences that fall into this category, including assault, theft, and fraud.