

Tuesday 13 December 2022

C/O The Review Committee - A migration system for Australia's Future

Addressing the calamity that is Australia's massage sector

Australia's massage sector is in crisis.

The temporary and skilled visa programs are the primary source of multiple and serious negative issues affecting the massage sector.

Most significantly, Australia's visa programs fail to meet the needs of the massage sector as determined by the goals of a future- focussed or transformative strategy.

The professional massage sector is a female-dominated sector of complementary health, with a ratio of approximately 4:1 women to men working in the sector. Women use massage to maintain their health and wellbeing at a ratio of 2:1 to men. The negative downstream effects of Australia's many short-term and permanent visa programs on women working in the sector are very significant and include:

- abuse and exploitation of migrant women
- illegal prostitution and indebtedness
- conflation between massage parlour sex workers, quasi massage; and professional massage therapists
- well below average incomes across the professional massage sector
- client sexual harassment in the workplace on a daily basis
- a failure to support or properly recognise the qualifications, skills and contribution of women working as professional massage therapists
- a national culture or belief that all female massage therapists are potential sex workers
- limited financial access to qualified professional massage therapists for women who depend on clinical health-related massage.

While acknowledging and applauding the intent of policy, equality and justice for all, including the elimination of sexual harassment and discrimination, *in reality, current federal policies and legislation, access to complaints forums and commissioners, and prosecution under various laws are having little impact on these issues* or benefit the massage therapists.

A floodgate of unskilled and poorly-trained massage workers is creating significant problems.

The many and varied temporary visas and permanent visa pathways enable the influx of mainly women to work in quasi-massage shops and parlours in Australia.

Unfortunately, despite the rules, checks and balances to ensure permanent and temporary visa programs are working, many young unqualified or poorly trained women of Asian background are employed and/or exploited in the thousands of massage shops that dot the country offering anything from spa style massage to illegal sex services. The evidence to support this is unequivocal. Various independent studies indicate that a large majority of these women enter Australia on short-term visas, with a small proportion on skilled visas.

- A 2018¹ study found that the majority of Asian sex workers commenced sex work when they came to Australia.
- A BaptistCare HopeStreet Women's Services 2019 report² found that over 90 per cent of respondents did not have permanent residency and held a variety of short-term visas. Compared to non-Asian survey respondents, Asian sex workers in this study were older, less well-educated, more likely to have sex work as their main source of income, work longer hours and were more likely to work exclusively in a shop-front massage parlour.
- The 2020 Project Respect Annual Report,³ reporting on their work with women subject to trafficking, sexual exploitation, violence and harm, found that there is a significant population of women on temporary visas in the sex industry, and for the most part, they were ineligible for government support.
- The AIC 2015 Report 131,⁴ which surveyed migrant sex workers in Australia, found that a significant number of women do not have permanent Australian residency and hold student, protection, tourist or working visas, with a third of these women holding a student visa:
 - Apart from a tourist visa (5% of women surveyed) all other visas allow women to legally work in Australia with restrictions.
 - Migrants were more likely than non-migrants to work at massage parlours and less likely to work at brothels. The Report cites Selvey (Selvey et al. 2012: 19) who reported that massage parlours are similar

- in that they have several employees and provide services on-site, but the ‘primary service offered is “relaxation massage”’.

Flow-on effects include violence and harassment across the massage sector

Appallingly, the influx and over-supply of low-skilled, inappropriately or poorly trained women who enter the country on a variety of short-term visas is contributing to factors that lead to suffering and harm to women in the massage sector. This is not restricted to those women who work in massage parlours and quasi-massage shops, but also professionally trained and qualified massage therapists who work in clinical and therapeutic settings.

- Project Respect Annual Report 2020 reported that 50 per cent of respondents disclosed that themselves or their co-workers have experienced work-based violence such as sexual assault, physical/verbal abuse or rough customers.

The crossover into clinical and health-related massage is demonstrated in the results of the 2022 Pulse Survey conducted by Massage & Myotherapy Australia which has over 8,600 members. Respondents indicated that some professional massage therapists experience sexual harassment in their workplace on a daily basis.

- Over 54 per cent of respondents indicated that they were subject to sexual harassment in the form of requests for sexual services, either daily, weekly, monthly or yearly.
- 74 per cent indicated that they must regularly take steps to protect themselves and their staff.
- Nearly 80 per cent indicated that they believe the services of professional massage therapists are devalued or undermined as a consequence of the confusion between professional and quasi-massage services.
- Respondents’ comments provide further insight into the depth and effect that discrimination and sexual harassment have on professional massage therapists. For example:

‘Massage is not sex work. I have undertaken years of ongoing study and to be represented in this way is degrading.’

The evidence indicates that violence against women in the professional massage sector occurs because of a presumption that any woman providing massage is a potential prostitute.

We stress that we are not questioning the legitimacy or otherwise of sex work, but simply stating that *qualified professional massage therapists are not sex workers*.

Visa programs not meeting the needs of the sector.

Australia’s permanent and temporary visa programs do not meet the economic or skills needs of the massage sector.

The Complementary Health Industry Reference Committee 2019⁵ reported that over recent times treatment practices for massage therapists, as well as the wider professional Complementary Health workforce, have evolved significantly.

‘Such change has resulted in evolving skill and competence requirements for the workforce. The sector overall has been experiencing several challenges which are impacting workforce skill requirements and include Government policy/legislation.’

However, Australia’s massage sector is oversupplied and saturated with low or poorly-skilled therapists.

- During the 10 years to end 2019, massage employment numbers reportedly grew by 16.8 per cent in Australia.⁶ However, there is no evidence that demand for professional massage therapy services or full-time employment grew at the same rate.
- Less than a third of the people employed in the massage sector reported working full-time (29.9%). This compares poorly to the national average of 40.2 per cent. Full-time massage workers on an adult wage earn around \$1,038 per week (lower than the average \$1,460).⁷
- A 2017 Australian study of Australia’s complementary medicine workforce found that the average number of hours per week in which therapists are engaged in massage was 18.6 hours, and myotherapy and musculoskeletal therapy was 21.3 hours per week.⁸

The sector already has an appropriate and continuous supply of skilled therapists.

Significant numbers of massage therapists are already trained in Australia in Registered Training Organisations (RTOs) and Universities. This has ensured a continuous and adequate supply of new, properly qualified, and skilled therapists who can fill any growth in demand for professional health-related massage services. During the past 10 years, there has

been substantial progress in the professional massage sector to bring it more closely in line with the professional expectations and standards of Allied Health Professionals and Registered Medical Practitioners. These changes include:

- National Code of Conduct for Healthcare Workers
- State-based health complaints commissioners and health ombudsmen with cross-jurisdictional information sharing powers
- Review of the Australian Government Rebate on Natural Therapies for Private Health Insurance for Natural Therapies which recommended the continued inclusion of massage (2015)
- Creation of a complementary therapies research program – UTS – ARCCIM International Complementary Medicine Research Leadership Program
- Creation of a new ACCC-endorsed national Quality Assurance program for professional massage therapists and myotherapists (Certified Specialist®)
- A considerable number of newly-published papers attesting to the efficacy of massage in alleviating symptoms of pain and stress and as an aid to maintaining and improving mobility in the aged, those with injuries, and those suffering chronic pain or stress.

[Visa policy has not kept pace with the professional development needs of the massage sector.](#)

We submit that the *Australian Skilled Migration Program has not kept pace with these changes*, the higher standards of the sector, or the urgent need to address the negative issues that continue to influence the professional development of the sector.

Low migrant training standards do not meet demand or need in Australia and hence, professional Associations and the Health Funds do not recognise undergraduate courses delivered substantially by distance, online or external modes, or gained outside Australia.

This is because an issued Certificate of Equivalency does not ensure that migrant massage therapists have the qualifications and skills required to meet the standards of professional massage associations or the requirements of the Private Health Insurance Funds which require Australian qualifications.

The [Industry Reference Committee](#) (IRC), which reported to the [Australian Industry and Skills Committee](#) (AISC) during 2019, found that shortages within the Complementary Health sector are seen to be manifesting in insufficiently trained practitioners. Increasingly, therapists work on clients with complex and/or multiple conditions. More advanced clinical skills training is required in this type of massage.

Additionally, differences in the units of competency for migrant workers make it difficult to achieve Recognition of Prior Learning (RPL) of the original qualification with the current Australian qualification. Hence, Complementary Health practitioners who have gained their qualification/s completely through RPL do not meet the educational criteria necessary to be recognised by certain Health Fund providers and Associations that represent professional massage therapists.

Professional massage associations conduct unannounced audits of 10 per cent of their members annually. Unfortunately, they have found that migrant members, and new migrant applicants, often do not meet the membership requirements of the professional massage associations or the Private Health Funds. There appears to be four reasons for this:

1. Poor English and client communications skills
2. The Certificate of Equivalency does not provide an accurate indication of the quality or level of massage training undertaken by migrants
3. The Certificate of Equivalency does not provide for current OHS/WHs legislation requirements
4. While promoted as a Remedial Massage qualification, and being eligible for a Qualification Award Certificate, training provided by some Registered Training Organisations (RTOs) who sponsor migrants appears to be inadequate and does not prepare migrant students to work in a professional Australian setting, or alongside Allied Health or Medical practitioners as part of an integrated clinic.

The Associations collectively often find numerous deficiencies in the training, knowledge, and skills of visa-based massage workers and skilled visa-based massage therapists including:

- Poor communication with the client due to language barriers leading to limited understanding of the client's health risks or needs, e.g., contraindications, cancer and pregnancy
- An inability to keep accurate and meaningful client notes
 - generally, there are issues with English as a second language and clinic notes are required to be completed in English

- notes that are kept are often written in very poor English
- during audits, remedial support is provided via telephone, however, most of the time the practice manager intervenes to translate for the therapist
- Poor understanding of human physiology
- Very limited understanding of the [National Code of Conduct for Unregistered Healthcare Workers](#) including:
 - health complaints laws
 - laws that regulate specific activities, such as use of medicines, therapeutic goods and medical radiation equipment
 - regulation of public health threats such as infectious diseases
 - consumer protection laws
 - employment law
 - other laws, such as criminal law, tort law (negligence) and the law of contracts.
- They also have a poor understanding of voluntary certification or self-regulatory membership arrangements operated by various professional Associations that can include:
 - set qualification and probity standards for membership
 - accredited training programs for membership purposes
 - ongoing professional development/education requirements
 - code of ethics that members must subscribe to
 - complaints handling services involving health service users about members
 - sanctions for unprofessional conduct, including withdrawal of membership in serious cases
- Poor understanding of the Australian Private Health Insurance system
- Poor understanding of the Australia health system to identify how to best support patient outcomes.

Numerous government department policies perpetuate the negative issues.

A lack of consistency and coordination across government departments perpetuates the issues of the massage sector.

Despite professional massage therapists having recognised qualifications under the National Qualification, which ranges from Cert IV to post-graduate, with the exception of the Private Health Insurance Rebate Scheme, *Federal health policy does not recognise or even mention the role that professional massage therapists play in Australia's health system.*

However, professional remedial massage or myotherapy (massage therapy) is engaged privately by practically every elite sports teams in the world, all major cancer centres in Australia, aged and palliative care, hospital pregnancy wards, and in mental health and addiction rehabilitation.

More importantly, Australia's health policies and regulations do not acknowledge or define the scope of practice that qualified professional massage therapists already play in the provision of healthcare. While massage therapists are not classified as Allied Health service providers nor do they want to be, they are not eligible to receive Federal Medicare funding either. This is discriminatory, and erodes the reputation of professional massage therapists, contributing to and perpetuating the conflation of professional health care-related massage therapists with sex workers and the many serious problems our sector faces.

This is in direct contrast to the Federal Human Rights Commissioner and National Code of Conduct for Health Care Workers which recognise and regulate massage therapists and provide investigation, prosecution and information sharing powers between state and Federal jurisdictions. Additionally, the Australian and New Zealand Standard Industrial Classification 2006 (ANZSIC) which provides a framework for organising data about businesses by enabling grouping of business units carrying out similar productive activities, does not recognise Remedial Massage Therapy or the skills and competencies required, despite them being part of the National Qualifications Framework, and the Private health Insurance Rebate scheme. Therapeutic massage which is often used in the care of cancer patients, is included in Other Allied Health Services (8539) with complementary health services. Massage is also classified in the activities of brothels, section (9534) 'Massage Parlours'. It is also referred to as an activity of Physiotherapists, Chiropractors and Osteopaths.

Policy across government is discriminatory and contributes to perpetuating inequality.

To further illustrate the contradictions, we also provide the following example.

Federally funded Registered Allied Health professionals who provide healthcare services, such as nurses, physiotherapists, or chiropractors can include massage as part of a treatment for a condition, without specific documentation and reporting in terms of its efficacy. This enables funded massage to be provided by Allied Health practitioners as an adjunct modality, but rarely documented in their patient or client notes or any other data collection

or public record. Patient responses concerning how they feel or the evaluation of massage techniques and modalities used, are rarely gathered, measured, or assessed through follow-up patient evaluation. Hence, the value of massage treatments in government funded settings is unclear and unacknowledged by the wider health community despite private patients regularly seeking out the services of professional massage therapists, in preference to other care and treatment options. This contravenes best practice and perpetuates a lack of:

- appropriate scrutiny in terms of who, when and how massage is applied
- documentation about the results that these therapies achieve in helping improve a client's condition
- accurate and specific data collection and reporting pertaining to the practitioner who delivers massage and myotherapy treatments
- accurate and specific reporting and data collection concerning the massage modalities used to treat given conditions
- any clear understanding of the contribution massage makes to recovery and management of conditions treated
- accurate data or evidence to support legislative reform.

The lack of policy or even acknowledgement across Federal Government departments, policy and legislation, perpetuates confusion about what constitutes health-related massage, and contributes to the conflation of professional massage therapists with the poor skills and education levels of massage workers in quasi-massage shops and massage parlours.

There are numerous reforms which could help to redress the issues.

1. Acknowledge that the skilled migration visa program is not meeting the needs of the professional massage sector or health sector.
2. Implement far greater levels of scrutiny and ongoing monitoring around temporary and skilled visa holders and overseas agencies, sponsors and linked Registered Training Organisations.
3. Vet massage therapist visa applicants through compulsory interviews and support services, before approval is issued and before any contact with their sponsors or agencies is enabled or allowed.
4. Remove massage from the list of occupations that temporary visa holders can undertake.
5. Establish a massage sector working group to review Skilled Visa requirements to ensure:
 - a. migrants meet the labour needs and standards required in Australia
 - b. an understanding and recognition of the massage skills and competencies in health service provisions
 - c. effective monitoring, detection and prosecution of 'massage shops' that exploit their migrant workers and misrepresent their services and qualifications
 - d. improved and more secure health career and income paths of professional massage therapists
 - e. sponsor and subsidise skills training and education programs in countries of origin for visa applicants prior to arrival in Australia.

We hope that this information will be heard and influence and inform the development of the strategy.

Your sincerely



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References

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² BaptistCare HopeStreet Women’s Services, *Working with Migrant Sex Workers in Sydney’s Lower-End Brothels Research Report 2019*.

³ *Project Respect Annual Report 2020*.

⁴ Lauren Renshaw, Jules Kim, Janelle Fawkes, Elena Jeffreys, *Migrant sex workers in Australia*, AIC Reports Research and Public Policy Series 131

⁵ Complementary Health 2019 Industry Reference Committee, *Industry Skills Forecast, SkillsIQ*

⁶ <https://joboutlook.gov.au/occupations/occupation?occupationCode=4116>.

⁷ <https://joboutlook.gov.au/occupations/massage-therapists?occupationCode=4116>.

⁸ Steel, Amie; Leach, Matthew; Wardle, Jonathan; Sib Britt, David; Schloss, Janet; Diezel Helene; Adams, Jon, 2018/01/02, ‘The Australian Complementary Medicine Workforce: A Profile of 1,306 Practitioners from the PRACI Study’, VL 24, DO 10.1089/acm.2017.0206, *The Journal of Alternative and Complementary Medicine*.