

**From:** [REDACTED]  
**Sent:** 20 January 2022 15:47  
**To:** Amran Ali  
**Subject:** RE: [DPS:28:WON008/001:D] Vanilla Thai Spa, 1 White's Row, London E1 7NF

**Follow Up Flag:** Follow up  
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Dear Mr Ali

You wrote to the owner of Vanilla Thai Spa on 15<sup>th</sup> December, in which you alleged that illegal activity took place at the spa on two dates, 15<sup>th</sup> and 29<sup>th</sup> October 2021. I wrote to you on 6<sup>th</sup> January asking for more details. Your response dated 7<sup>th</sup> January provided some details, but not a great deal. From the outset you said that you are providing "no more than basic information...to enable the legal representative to advise a defendant prior to the commencement of prosecution proceedings". I am somewhat concerned by this because it gives the appearance that the decision to prosecute has already been made. If this is so, then there seems to be no point in making any representations whatsoever, and whatever representations are made will make no difference. I hope that this is not a correct interpretation of your intention, and that you will keep an open mind.

You also state that "such an offence is one of strict liability", without specifying what that offence is, but in any event, I would beg to differ. In my view, any offence would require at least knowledge or connivance on the part of the owner, in other words that such illegality as took place on her premises was with her knowledge and consent, express or implied, indicating participation. She surely cannot be guilty simply because the activity occurred without any knowledge.

I now make my representations on behalf of the owner on the basis of the very limited information that you have provided. [REDACTED]. Needless to say, she has no previous convictions. She bought the spa business in October 2019. Prior to that she owned a takeaway, so although she had experience in business, she had no specific experience in the spa business. The premises had been granted a special treatment license, which was renewable and was renewed. You will note that from October 2019 until October 2021, that is for a period of two years, the business operated without complaint.

The information you have provided has enabled the owner to identify the perpetrator of the sexual offerings. The person in question has already been spoken to, she agreed that she breached the terms of her employment, and she has agreed to terminate her employment. What she did was not permitted under the terms of her employment, she was fully aware of this, signs were posted in each treatment room and prior to commencement of her employment she was told in no uncertain terms that a breach of these terms of employment would result in immediate and summary dismissal.

The most important point to make on [REDACTED] behalf is that since January 2020 she has unfortunately been absent from the UK. She had suffered an injury to her shoulder which was not healing, she decided to go to Hong Kong for medical attention for what she envisaged would be a relatively short visit and to recuperate. However, as you may remember, coronavirus struck and Hong Kong was one of the earliest countries to go into lockdown. In fact since then very strict rules have applied, travel is severely curtailed, and if one leaves the territory, it is extremely difficult to go back in. Only returning residents are allowed in, and even they must subject themselves to a 21 day quarantine period. This explains why [REDACTED] has felt constrained to leave Hong Kong.

The incidents of October therefore occurred in the owner's absence, but have caused the owner to think more carefully about her business and the increased risks caused by her absence. She has now decided to sell the business and is actively looking for a buyer. Clearly, a business which is sold as a going concern will fetch more than a business which has effectively closed, so while the sale proceeds, she hopes to remain open. She will appoint a responsible person to oversee the business during this time, so that it is properly managed.

I should make this final point : this business, like many other businesses, has been through a very difficult time financially. There was of course lockdown, but in fact even after lockdown this business closed for a long period before re-opening only in April 2021. In other words, it was closed for over a year. Even now, turnover is very slow, understandably in view of the close physical contact which is inherently necessary in this type of business. During the fallow period there was help from the government but this was limited to salaries. There was no government help for rent, nor was there any reduction from the landlord.

In closing, and to summarize :

1. It is a clean business, and what happened on two occasions in October is not permitted or tolerated;
2. The owner has unfortunately been absent and therefore had no knowledge;
3. A decision has been taken to sell; the business is operating at a loss;
4. A sale would be more difficult without a license.

I hope that I have dealt with everything, but if not, please let me know and I will try to obtain the missing information.

Kind regards

[REDACTED]  
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From: Amran Ali <Amran.Ali@towerhamlets.gov.uk>

Sent: 07 January 2022 16:56

To: [REDACTED]

Subject: RE: [DPS:28:WON008/001:D] Vanilla Thai Spa, 1 White's Row, London E1 7NF

Dear [REDACTED]

Thank you for your email.

As you may be aware, prior to the commencement of prosecution proceedings in court, an investigating officer is bound to supply no more than basic information on what is alleged to enable a Defence legal representative to advise a defendant.

The offences alleged are that your client as the operator of a business functioning under a special treatment licence contravened the requirements of such a licence, in that services of a sexual nature were offered by an employee of the business in the course of test purchases of massage services. As you may be aware, such an offence is one of strict liability. The test purchases were conducted on behalf of the London Borough of Tower Hamlets by a company contracted to assist the Council with enforcement of the law in such cases.

The 1<sup>st</sup> test purchase was carried out at the above premises on the 15<sup>th</sup> of October 2021 at 12.13pm and the 2<sup>nd</sup> test purchase was carried out on the 29<sup>th</sup> of October 2021 at 11.27am. On both occasions, the test purchaser was offered services of a sexual nature by the therapist towards the end of the massage.

Please note that depending on the outcome of the investigation and subsequent advice from our legal department, the above should not be taken as precluding or limiting in any way, any charges which may eventually arise in any subsequent court proceedings.

With regards to your request for an extension of time to make a response to my letter, the standard time period provided for a response is 21 days. I had already considered the holiday period and therefore had extended the response time to 28 days. However, in considering your request and as a gesture of good will, I am happy to extend the response time by another 7 days which works out to be the 19<sup>th</sup> of January 2022.

Kind regards,

*Amran Ali*

Health & Safety Officer

Environmental Health and Trading Standards

Place Directorate  
London Borough of Tower Hamlets  
2<sup>nd</sup> Floor, Mulberry Place  
5 Clove Crescent  
London E14 2BG

Tel: 020 7364 6619

**From:** [REDACTED]  
**Sent:** 06 January 2022 13:01  
**To:** Amran Ali <Amran.Ali@towerhamlets.gov.uk>  
**Subject:** [DPS:28:WON008/001:D] Vanilla Thai Spa, 1 White's Row, London E1 7NF

Dear Mr Ali

Your letter dated 15<sup>th</sup> December has been passed on to me for attention.

Your letter contains a serious allegation, but other than the fact that there were "test purchases" on 15<sup>th</sup> and 29<sup>th</sup> October 2021, no details are provided, so it is impossible for the license holder to respond. To enable the license holder to do so, we must have sufficient information. Could I therefore request the following :

- Details of the person/s making the "test purchases", name, occupation, time of visit, details of person providing the treatment, etc. If this person or persons made a witness statement, could a copy please be provided?
- Could you please agree an extension of time to provide a response? Your letter is dated 15<sup>th</sup> December, so 28 days expires on 12 January. The letter was sent by post, we have had virtually a week or 10 days of Christmas and New Year break and it is only now that we are being consulted. I do not know when that request will be complied with, but could we please have 28 days from the date that the information is provided to investigate and respond?

I look forward to hearing from you.

Kind regards  
Robert Wong  
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Secure email : [robert.wong@jdspicer.cjism.net](mailto:robert.wong@jdspicer.cjism.net)



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