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**New South Wales Community Relations Commission
For a multicultural NSW**

“Inquiry into the Exploitation of Women through Trafficking”

The opportunity to examine issues pertaining to the exploitation of women through trafficking is welcome and we are pleased to submit the following response with regard to the terms of reference noted below:

- 1. Investigate the current issues surrounding the trafficking and exploitation of people in the sex industry and in other forms of employment**
- 2. Identify the Commonwealth Government initiatives and policies to address the trafficking of people and their effectiveness.**
- 3. Identify practical measures to address the trafficking of people in NSW**

The 2010 report of the United Nations Office on Drugs and Crime stated that worldwide, 79% of identified victims of human trafficking were subject to sexual exploitation, 18% to forced labour and 3% to other forms of exploitation. Of these victims, 66% were women, 13% girls, 12% men and 9% boys.¹ The Australian Federal Minister for the Status of Women, Kate Ellis stated in 2011 that, consistent with global statistics, 83% of human trafficking victims in Australia were women working in the sex industry.² The United States Department of State 2012 Trafficking in Persons Report (U.S. TIP Report) cited that Australia is “primarily a destination country for women subjected to forced prostitution and to a lesser extent, women and men subjected to forced labor.”³ Many women are forced to migrate to Australia to work in the sex trade, and some migrate

¹2010 United Nations Office on Drugs and Crime Annual Report Pg. 23 http://www.unodc.org/documents/frontpage/UNODC_Annual_Report_2010_LowRes.pdf

² Statement by MP Kate Ellis, Federal Member for Adelaide, Federal Minister for the Status of Women http://www.kateellis.fahcsia.gov.au/mediareleases/2011/Pages/victims_of_people_trafficking_9022011.aspx

³ United States Department of State Trafficking in Persons Report 2012 p.73

voluntarily based on false job offers of legitimate jobs, and a lack of understanding of the actual conditions under which they will be working. The 2012 U.S. TIP Report goes on to say, "Some women from Thailand, Malaysia, South Korea, China, and, to a lesser extent, India, Vietnam, Eastern Europe, and Africa migrate to Australia voluntarily intending to work legally or illegally in a number of sectors, including the sex trade. Subsequent to their arrival, however, some of these women are coerced into prostitution in both legal and illegal brothels...Asian organized crime groups recruit Asian women to migrate to Australia, sometimes on student visas, and then subsequently coerce them into the sex trade. The women and girls are sometimes held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, and obliged to pay off unexpected or inflated debts to their traffickers. Some victims of sex trafficking have also been exploited in domestic servitude."⁴

Based on the reality that most human trafficking globally is for the purpose of prostitution,⁵ it is important for those seeking to abolish human trafficking to practically address the problem of growing prostitution markets such as there are in NSW.⁶ The U.S. government took important steps in that direction by adopting a strong position against prostitution in a December 2002 policy decision. In 2008 Ambassador Mark Lagon, the Director of the U.S. Office to Monitor and Combat Trafficking in Persons noted that, "prostitution is inherently harmful and dehumanizing and fuels trafficking in persons. Turning people into dehumanized commodities creates an enabling environment for human trafficking. The United States Government opposes prostitution and any related activities, including pimping, pandering, or maintaining brothels as contributing to the phenomenon of trafficking in persons. These activities should not be regulated as a legitimate form of work for any human being. This policy represents a significant paradigm shift. U.S. policy now categorizes prostitution as primarily a harmful phenomenon rather than a neutral work choice or market transaction. Why? Because prostitution fuels human trafficking. Because few activities are as brutal and damaging to people as prostitution. And because organized crime networks do not protect prostituted people."⁷

Since 1992 prostitution laws in Australia have been characterized by a predominantly liberal and lax approach. NSW has adopted some of the most liberal laws that not only allow the sale of sex, but also allow brothels to operate legally, although in reality, illegal

⁴ Ibid

⁵ "Human Trafficking" as defined by the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons. See also the 2010 United Nations Office on Drugs and Crime Annual Report Pg. 23 http://www.unodc.org/documents/frontpage/UNODC_Annual_Report_2010_LowRes.pdf

⁶ See footnote #8 and #9

⁷ "Overlaps of Prostitution, Migration and Human Trafficking" Ambassador Mark P. Lagon, Director of the Office to Monitor and Combat Trafficking in Persons Berne, Switzerland November 12, 2008 <http://2001-2009.state.gov/g/tip/rls/rm/2008/111997.htm>

brothels in NSW outnumber legal ones by a ratio of four to one.⁸ Chris Seage the spokesperson for the Adult Business Association has said the situation in Sydney is “out of control” as the total number of brothels in 2009 was set to exceed 400 and was growing.⁹ Because of laws that legalize and decriminalize the sex industry, Australia has given traffickers and pimps a relatively hospitable operating environment. Contrary to progressive thought, based on two decades of research, which views prostitution as a form of violence against women, the NSW government has adopted an “old think” mentality on the issue of prostitution. This mentality, which views the buying and selling of people as a legitimate form of business, denies the factual link between legal prostitution and the injustice of sex trafficking,¹⁰ and provides an enabling environment for traffickers, pimps and buyers to continue to exploit with impunity. The decriminalization of prostitution in NSW is not only a barrier to the effective prevention of the trafficking of women into the sex industry, but is also a predominate cause of the trafficking of women in NSW.

Extensive research has proven that legal (or decriminalized) approaches to prostitution increase human trafficking. A quantitative empirical analysis for a cross-section of up to 150 countries has shown that, on average, countries with legalized prostitution experience a larger degree of human trafficking inflows.¹¹ When prostitution is legal or decriminalized the market for prostituted people is drastically expanded. The link between legal prostitution and human trafficking in Australia was highlighted in the U.S. State Department's 1999 Country Report on Human Rights Practices, released by the Bureau of Democracy, Human Rights and Labor. The report noted that “Trafficking in East Asian women for the sex trade is a growing problem. Immigration and federal police have developed profiles and identified trends in the industry, but lax laws--including legalized prostitution in parts of the country--make (anti-trafficking) enforcement difficult at the working level.”¹²

⁸“Illegal brothels are exploding across Sydney amid accusations all levels of government are doing little to drive them out of business. It's been claimed "tough" new laws have failed to prevent unprotected sex, slavery and corruption. An investigation by The Daily Telegraph has revealed illegal brothels and escort services outnumber licensed establishments by four to one and the gap is growing.” Daily Telegraph May 18 2008 See also *The Examiner* May 15, 2012 <http://www.examiner.com.au/story/86862/legalised-prostitution-is-a-failed-experiment/>

⁹Walters, Adam “Illegal Brothels Booming Across Sydney” *The Daily Telegraph* May 18, 2009 <http://www.dailytelegraph.com.au/news/sydney-news/illegal-brothels-booming-across-sydney/story-e6freuzi-1225713067757>

¹⁰Seo-Young Cho, Axel Dreher, Eric Neumayer Does Legalized Prostitution Increase Human Trafficking? September 2011 (updated January 2012) Courant Research Centre ‘Poverty, Equity and Growth in Developing and Transition Countries: Statistical Methods and Empirical Analysis’ Georg-August-Universität Göttingen

¹¹Ibid

¹²1999 Country Reports on Human Rights Practices Released by the Bureau of Democracy, Human Rights, and Labor U.S. Department of State, February 25, 2000 http://www.state.gov/www/global/human_rights/1999_hrp_report/australi.html

The Sydney Morning Herald reported in May 2012 that plans are underway in Sydney to build the biggest brothel in Australia, which, if approved, will be opened 24 hours per day with 61 rooms in operation.¹³ According to a March 2012 report funded by the Ministry of Health, there are as many as 200 legal brothels within 20 kilometres of Sydney's central business district.¹⁴ In 2010 it was reported, based on a government survey, that in NSW as a whole there were 271 legal brothels and many more illegal brothels. The number reported was “just the beginning,” as only 56 of NSW's 152 councils responded to the government survey on which the numbers were based. It is not surprising that there are an estimated 10,000 prostituted people working in the sex industry in NSW, putting the state on par with Amsterdam. “Experts say it is far easier to start a brothel than a pub”¹⁵ in NSW.

These numbers indicate a growing prostitution market, and they also indicate that the demand for sex in NSW is very high. This is due, in large part, to the system of decriminalized and legal prostitution. Where government sanctioned prostitution exists, trafficking persists. The Swedish Government has said, “International trafficking in human beings could not flourish but for the existence of local prostitution markets where men are willing and able to buy and sell women and children for sexual exploitation.”¹⁶ According to the U.S. Department of State's 2007 Trafficking in Persons Report, “Sex trafficking would not exist without the demand for commercial sex flourishing around the world. Prostitution and related activities—including pimping and patronizing or maintaining brothels—encourage the growth of modern-day slavery by providing a façade behind which traffickers for sexual exploitation operate. Where prostitution is tolerated, there is a greater demand for human trafficking victims and nearly always an increase in the number of women and children trafficked into commercial sex slavery.”¹⁷

As further evidence, in May 2012, in an on-the-record interview, Myung Sook Chae, Deputy Director of the Women's Rights Support Division of the Korean Ministry of Gender Equality and Family, stated that legal (and decriminalized) prostitution in Australia was a “main cause” of the trafficking of Korean women into the sex industry in Australia. She also stated that the Korean government estimates that there are between 4,000-5,000 Korean women who have been trafficked into the sex industry in Australia. Chae supported this figure by saying the “Foreign Ministry in Korea has said

¹³*Sydney Morning Herald* May 28, 2012 <http://www.smh.com.au/business/australias-biggest-brothel-poised-to-get-planning-nod-20120528-1zdzq2.html>

¹⁴Read more: <http://www.smh.com.au/business/australias-biggest-brothel-poised-to-get-planning-nod-20120528-1zdzq2.html#ixzz21IRYRmJX>

¹⁵Tabakoff, Nick. *The Daily Telegraph* November 11, 2010 <http://www.dailytelegraph.com.au/archive/national-old/sydney-the-brothel-capital-of-the-south-pacific/story-e6freuzr-1225952320313>

¹⁶Swedish Ministry of Industry, Employment, and Communications. 2004. Fact Sheet: Prostitution and Trafficking in Women. <http://www.sweden.gov.se/content/1/c6/01/87/74/6bc6c972.pdf>

¹⁷June 2007 United States Department of State Trafficking in Persons Report

that they estimate there are 1000 registered in the sex industry...but still we believe it is four or five times more because of research done that shows there are four or five times more illegal sex businesses (than legal businesses).”¹⁸

This estimate is not a surprise considering recent news and reports on the “Koreanization” of the sex industry. “In 2005, Seoul Metropolitan Police arrested seven people on charges of arranging travel and employment in Australian brothels for 38 women. One of these women told police that brothel owners in Australia had exploited her throughout her stay, and she had been trafficked to pay a KRW70 million debt owed to her pimp in Seoul.”¹⁹ One of the women who was rescued told police she was used by five men a day.²⁰ The trafficking of Korean women into Australia’s sex industry has been recognized as a problem by both the Australian Federal Police, as well as the Federal Government.”²¹ Australia’s Minister for Home Affairs and Justice, Brendan O’Connor, stated that South Korea was close to overtaking Thailand as the largest source country for women trafficked into Australia’s sex industry.²²

The Australian government has taken steps to address the problem of human trafficking. These steps include, but are not limited to: the ratification of the United Nations Convention against Transnational Organized Crime in 2004, and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children in 2005, the creation of dedicated Australian Federal Police teams to investigate people trafficking operations, the creation of an Interdepartmental Committee (IDC), comprising a number of agencies which are responsible for coordinating the Government’s response to human trafficking, and an allocation of \$38.3 million over four years in the 2007-08 Budget, which included \$26.3 million for new initiatives.

However, there are areas that need improvement which can be identified. One such area is the Department of Immigration and Citizenship’s “Working Holiday Visa” program. This visa program has been identified as facilitating the trafficking of Korean women into Australia. Myung Sook Chae, of the Korean Ministry of Women and Gender Equality, stated that the working holiday visa was “very easily issued” and was used in the trafficking of women from Korea into Australia. On June 26, 2012 it was reported in the Korean press that a large scale prostitution ring was taken down by the Seoul Metropolitan Police Agency. The police arrested eighteen people on charges of

¹⁸Interview on May 23, 2012 1:00 PM Seoul, Republic of Korea Myung Sook Chae Deputy Director Women’s Rights Support Division Korean Ministry of Gender Equality and Family & Laila Mickelwait Manager of Policy and Public Affairs, Exodus Cry

¹⁹ Norma, Caroline. RMIT University “The Koreanisation of Australia’s sex industry” September 28, 2011 <http://raws.adc.rmit.edu.au/~e81843/blog2/?p=1023>

²⁰ Ibid

²¹ Ibid

²² Ibid

trafficking South Korean women into Australia by abusing the working-holiday visa program.²³ Additionally in 2012, the Australian Institute of Criminology identified the working-holiday visa as one of three visas most trafficking victims use to enter the country.²⁴ It is evident that the continued availability of the working-holiday visa needs to be looked at in light of its use in the trafficking of victims into Australia.

NSW has the potential to significantly reduce the instance of human sex trafficking by addressing the demand for prostituted people. According to the economic theory of supply and demand, if there was a reduction in demand for prostituted people there would be a corresponding reduction in supply, and thus a reduction in the trafficking of women into and within Australia, and NSW, for the purpose of sexual exploitation. This can be accomplished by criminalizing the purchase of sex, but not the sale of sex in NSW. Sex purchase laws constitute a progressive legislative approach recognizing the fact that legal prostitution fuels human trafficking, that prostitution is inherently harmful, and that an overall reduction or total elimination of the number of people for sale should be the goal of prostitution legislation. This approach recognizes that those with the most choice (i.e. the buyers, pimps and traffickers) are the ones who should be punished for exploitation, and those with the least choice or no choice (prostituted women, men and children) should be offered help and services for escape from the sex industry.

In addition, this victim-centered approach is one recognizing that prostitution is not about the commodification of sex and of people, but is actually a manifestation of sex inequality.²⁵ Across the world women are the majority of those being sold in prostitution, and men are those buying. In cases where men are sold, they are most often feminized “lady boys,” trans-gendered or trans-sexual. Thus, on the whole, the feminine is sold to the masculine. This is evidence that prostitution is a manifestation of sex inequality, and that sex trafficking is largely a gendered injustice. If it were not so, and if the phenomenon of prostitution was only about the commodification of sex, then the masculine would be sold to the feminine in an equal manner as feminine is sold to masculine, but this is not the case. Therefore, if gender equality is ever to be accomplished, and the oppression of women overcome, there cannot continue to be a sub-group of women and feminine men being sexually exploited through prostitution.

On January 1, 1999, Sweden became the first country in the world to introduce legislation criminalizing the purchase, but not the sale, of sexual services. Since the introduction of the ban on the purchase of sex, street prostitution in Sweden has been

²³ Yohap News Agency 6/29/2012 <http://english.yonhapnews.co.kr/national/2012/06/29/0302000000AEN20120629007200315.HTML>

²⁴ Joudo, Jacqueline and Renshaw, Lauren. “People trafficking in Australia” Trends & issues in crime and criminal justice no. 441 ISSN 1836-2206 Canberra: Australian Institute of Criminology, June 2012 <http://www.aic.gov.au/publications/current%20series/tandi/441-460/tandi441.aspx>

²⁵ The issue of gender inequality was explicitly addressed when creating Sweden’s sex purchase laws.

reduced by 50%²⁶. Less than 7.8% of its active adult male population now buys sex, compared to 13.6% before the law was enacted. In comparison, the prevalence of street prostitution was about the same in the three capital cities of Norway, Denmark and Sweden before the ban on the purchase of sexual services was introduced, but the number of women in street prostitution in both Norway and Denmark subsequently increased dramatically.²⁷ In fact, in 2008, the number of people in street prostitution in both Norway and Denmark was estimated to be three times higher than in Sweden. The increase in Norway and Denmark did not equal the reduction in Sweden and was a not the result of it, but was a result of a model of legislation that did nothing to hinder growing prostitution markets. In light of the great similarities that exist between these three countries, economically and socially, it is reasonable to assume that the reduction in street prostitution in Sweden is a direct result of the criminalization of the purchase of sex.

To gauge Swedish public opinion concerning sex purchases, surveys were conducted before and after criminalization was introduced. Judging by the results of four population-based opinion polls, there has been a change of attitude with regard to the purchase of sexual services that coincides with the criminalization of the purchase of sex. “The marked shift in attitude that occurred – without an equivalent shift in Norway and Denmark – must be interpreted as meaning that the ban itself has had a significant normative effect which, given that support for criminalisation is greatest among young people, can be expected to last.”²⁸ In all three surveys conducted since the ban was introduced, more than 70% of those asked took a positive view of the ban.²⁹ Sweden’s aggressive approach has created both a normative change in the population’s attitudes toward the purchase of sex, and an important trade barrier between pimps, traffickers and johns. The powerful combination of changing attitudes toward prostitution, alongside creating a “bad market” for johns, pimps, and traffickers, has been extremely successful. It is believed that Sweden now has the lowest rate of human trafficking in the European Union.

On January 1, 2009 Norway followed suit and adopted legislation that explicitly criminalized the purchase of sex. After the law was put into effect there was a dramatic reduction in both indoor and outdoor prostitution. According to the government funded

²⁶Selected extracts of the Swedish government report SOU 2010:49: “The Ban Against The Purchase of Sexual Services. An evaluation 1999-2008 Swedish Institute & Ministry of Justice. Also see The Swedish Law That Prohibits the Purchase of Sexual Services Best Practices for Prevention of Prostitution and Trafficking in Human Beings Gunilla Eckberg Ministry of Industry, Employment, and Communications VIOLENCE AGAINST WOMEN, Vol. 10 No. 10, October 2004 1187-1218 DOI: 10.1177/1077801204268647 2004. Also see “Targeting the Sex Buyer The Swedish Example: Stopping Prostitution And Trafficking Where it All Begins. Kajsa Claude 2010 The Swedish Institute.

²⁷ Ibid Note: the increase in neighboring countries did not equal the reduction in Sweden and therefore could not be the result of it.

²⁸ Ibid

²⁹ Ibid

Pro Centre report, “Many people, including Pro Centre, predicted a decline in overall prostitution after it was made illegal to buy sex. We were right. Some people, but not Pro Centre, predicted that women would flow from the streets to the indoor market. That did not turn out to be the case.”³⁰ From 2008-2009 prostitution overall (indoor and outdoor) was reduced by 50% and the number of women on the streets in Oslo was also halved. The number of women in indoor prostitution in Oslo fell by 16 percent, and in the whole of Norway indoor prostitution was reduced by 19% in 2009.³¹ Based on the evidence of positive results of sex purchase laws in the Nordic countries of Sweden, Norway and Iceland, many other countries are looking into adopting similar measures to combat human trafficking and the prostitution industry.³²

Exodus Cry recommends that not only should prostitution be recognized as a form of gender inequality, and the demand for prostituted people be addressed in NSW legislation through the adoption of sex purchase laws, but the buying and selling of people for sex as a whole should be recognized as a phenomenon that is inherently harmful, and dehumanizing, to those involved. Field research that took place in nine countries (5 of the nine were countries where prostitution is legal and regulated) surveyed 854 prostituted women and the study concluded that 60-75% of women in prostitution were raped, 70-95% were physically assaulted, and 68% met the criteria for post traumatic stress disorder, in the same range as treatment-seeking combat veterans

³⁰2009 Report “New Conditions, New Opportunities?” Pro Sentret Oslo Kommune

³¹ Ibid

³²Iceland made the purchase of sexual services illegal in 2009. See *Lög um breytingu á almennum hegningarloögum*, nr. 19/1940, með s. i. þ. ari breytingum [Icelandic Law No. 54 of 2009] (2009) (Ice.). As of January 1, 2009, citizens of Norway were prohibited from paying for sex domestically or abroad. See Law Amending the Penal Code and Criminal Procedure Act of 1902, No. 104 (2008) (Nor.), available at <http://www.lovdatta.no/cgi-wift/ldles?doc=/all/nl-20081212-104.html>. South Korea’s laws of March 22, 2004, are Act on the Prevention of Prostitution and Protection of Victims Thereof, Statutes of South Korea, Act No. 7212; and Act on the Punishment of Procuring Prostitution and Associated Acts, Statutes of South Korea, Act No. 7196 (criminalizing at article 21(1) “[a]nyone who sells sex or buys sex” while exempting “victims of prostitution” from punishment, at article 6(1)). SCOTTISH PARLIAMENT, JUSTICE COMMITTEE, OFFICIAL REPORT OF 20 APRIL 2010 (Scot.), at cols. 2919, 2937, available at <http://www.scottish.parliament.uk/s3/committees/justice/or-10/ju10-1302.htm>. Ireland may consider the Swedish model, see, e.g., Call to Follow Sweden on Vice Law Reform, INDEPENDENT.IE, Feb. 7, 2011, available at <http://www.independent.ie/national-news/call-to-follow-sweden-on-vice-law-reform-2528518.html>, as may France, France May Make Buying Sex Illegal, RADIO FRANCE INTERNATIONALE (Mar. 31, 2011), <http://www.english.rfi.fr/france/20110331-france-may-make-buying-sex-illegal>. (“There is no such thing as prostitution which is freely chosen and consenting,” [Social Affairs Minister Roselyne] Bachelot declared. “The sale of sexual acts means that women’s bodies are made available, for men, independently of the wishes of those women.”). New York State moved towards the Swedish model in 2007 by legislating penalties for buyers higher than for prostituted people, by creating the class B felony for “sex trafficking,” and by excluding victims from accomplice liability for trafficking. See N.Y. PENAL LAW §§ 230.34, 230.36 (2010). But the sold remained criminals. See id. § 230.00 (deeming “Prostitution” a class B misdemeanor).

and victims of state-organized torture.³³ Eighty-nine percent of the 854 prostituted women told the researchers that they urgently wanted to escape prostitution.³⁴ A study published in the American Journal of Epidemiology found the mortality rate of women in prostitution to be 200 times higher than the general population.³⁵ Additionally, a mortality survey of 1600 women in U.S. prostitution noted that “no population of women studied previously had the percentage of deaths due to murder even approximating those observed in our cohort.” In this survey, murder accounted for 50% of the deaths of women in prostitution.³⁶

Furthermore, research has shown that women who have worked in prostitution exhibit the same incidents of traumatic brain injury (TBI) as a result of being beaten, hit, kicked in the head, strangled or having one’s head slammed into objects which have been documented in torture survivors and battered women.³⁷ An article in the Michigan Journal of Gender and Law states that “It is not possible to protect the health of someone whose “job” means that they will get raped on average once a week.³⁸ The sexual service provided in prostitution is most often violent, degrading and abusive, including sex between a buyer and several women; slashing the woman with razor blades; tying women to bedposts and lashing them until they bleed; biting women’s breasts; burning the women with cigarettes; cutting her arms, legs and genital areas; and urinating and defecating on women.³⁹

In legal and illegal brothels in Australia, and in particular NSW, the reality of prostitution is consistent with research that has been done over the past two decades. In a report called the “Working girls: prostitutes, their life, and social control” the Australian Institute of Criminology described the widespread phenomenon of legal and illegal “bondage brothels” also known as “discipline centers” or “bondage parlours.” The report observed,

³³Farley, Melissa et al. 2003. "Prostitution and Trafficking in Nine Countries: An Update on Violence and Posttraumatic Stress Disorder." *Journal of Trauma Practice*, Vol. 2, No. 3/4: 33-74; and Farley, Melissa. ed. 2003. *Prostitution, Trafficking, and Traumatic Stress*. Haworth Press, New York.15 Ramsay, R. et. al. 1993. "Psychiatric morbidity in survivors of organized state violence including torture." *British Journal of Psychiatry*. 162:55-59.

³⁴ Ibid

³⁵J. Potterat, D. Brewer, S. Muth, R. Rothenberg, D. Woodhouse, J. Muth, H. Stite, and S. Brody, "Mortality in a Long-term Open Cohort of Prostitute Women," *American Journal of Epidemiology* 159:778–785, (2004). Longitudinal study of prostitution in Colorado Springs – sample size: 1,969 people in prostitution from 1967-1999.

³⁶ Ibid

³⁷Jacobs, U., & Iacopino, V. (2001). Torture and its consequences: A challenge to clinical neuropsychology. *Professional Psychology: Research and Practice*, 32, 458-464.

³⁸Hunter, S. K. (1993). Prostitution is cruelty and abuse to women and children. *Michigan Journal of Gender and Law*, 1, 1-14.

³⁹ Australian Institute of Criminology “Working Lives of Prostitutes”

“To enter a bondage parlour is like passing into another world; The lighting is dim, reminding one of gaslight, and the hallway walls are festooned with chains, whips and graphic images of torture and pain. The dungeon is the centre piece of this world; a large room painted black and red, with racks, torture wheels, ceiling harnesses, a complete set of whips and canes of every imaginable type on display, and leather suits for confining movement, like the ancient straight jackets of medieval torture chambers. But the dungeon is not the only room in the house for client fantasies. There is also a medical room, equipped with an operating table, charts and pictures of male and female anatomy on the walls, and every conceivable cutting, slicing, pulling, grasping surgical instrument available. Water sports with enemas and urinal pans are usually conducted in this room too. Then there are schoolrooms, kindergartens and baby rooms where infant costumes are worn, the variation from house to house is endless.”

One woman responding to a survey by the Prostitutes' Collective of Victoria on the impact of legalization explained how with “far more competition, the clients are extremely demanding [and] the control over what the women will and won't do is often taken out of their hands.”⁴⁰ Studies have shown that male buyers in Victoria will not use condoms, with one in five men having admitted to unsafe sex.⁴¹ Men are also becoming increasingly demanding in the services they want. For example, in Melbourne, the high demand for oral sex has been replaced by the demand for anal sex.⁴² The Melbourne-based legal advocacy group for women in prison also drew attention to the fact that, ‘despite claims that brothels provide safer working environments, many women report to us that they prefer to risk violence at the hands of clients than be subjected to violence by both clients and brothel staff and security’⁴³ Women consistently indicate in research that prostitution establishments did little to protect them, regardless of whether the establishments were legal or illegal. Brothel prostitution is legal in Germany, one of the countries surveyed in the nine-country study referenced previously. In an indictment against legal prostitution, 59% of German respondents said that they did not think that legal prostitution made them any safer from rape and physical assault which is a daily reality for many in the sex industry.

⁴⁰Keogh, M. (1992). The Effects of the Prostitution Regulation Act on Victorian Sex Workers. Melbourne, Prostitutes Collective of Victoria. P. 7

⁴¹Louie R. et al. (1998). Project Client Call. Melbourne, Macfarlane Burnett Centre for Medical Research.

⁴²Arnett-Bradshaw, A. (1999). Sex Work and the Law. Presented by Project Manager the Prostitutes Collective of Victoria. The Department of Criminology, 4th Year Honours Seminar (14 May). The University of Melbourne, Victoria. From Sullivan, Mary “What Happens When Prostitution Becomes Work” An Update on Legalisation of Prostitution in Australia CATW 2005

⁴³ Sullivan, Mary “What Happens When Prostitution Becomes Work” An Update on Legalisation of Prostitution in Australia CATW 2005

There is overwhelming evidence that prostitution is inherently harmful and dehumanizing, and that it fuels sex trafficking. Based on the evidence presented, Exodus Cry recommends the following:

1. The commission should call on the Department of Immigration and Citizenship to re-examine the working-holiday visa in light of its use in the trafficking of women into Australia.
2. The commission should recognize that the legal model of prostitution in NSW is a cause of the expansion of the sex industry in NSW.
3. The commission should recognize that the expansion of the sex industry in NSW is creating a large demand for prostituted women.
4. The commission should recognize that the large demand for prostituted women is a cause of the trafficking of women into the NSW sex industry.
5. The commission should recognize the link between human trafficking and prostitution and recommend practical action to reduce the demand for prostituted women by criminalizing the purchase of sex in NSW.
6. The commission should recognize that prostitution is a manifestation of gender inequality, and a form of violence against women.
7. The commission should, at the very least, recommend that action be taken to combat sex trafficking in NSW by dramatically reducing the number of both legal and illegal brothels in NSW, and should recommend the overall reduction of the sex industry as a viable way to help reduce instances of sex trafficking in the state.