

## **Paying for Servitude: Trafficking in Women for Prostitution**

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### **Women's Electoral Lobby Pamela Denoon Lecture 2004**

Friends of Pamela Denoon, friends of feminism, women and men of Canberra:

It is a great honour and a great pleasure to be standing before you tonight. An honour, because this lecture remembers and celebrates the work and life of a feminist, Pamela Denoon, and by extension, celebrates and strengthens the work and life of her friends and other feminists who by remembering Pamela Denoon say that what we do matters, that women can change the course of history, that there is a continuing line of women who stick in their heels and say 'stop, things have got to get better'.

One of the groups of women in Australian society who have most to say 'stop, things have got to change' about, and who are often least acknowledged, are indigenous women, and so I would like to start this lecture, as is customary, by acknowledging that we are on indigenous land, specifically the land of the Ngunnawal people. I'd like to acknowledge the elders of the Ngunnawal people, and tonight, as we remember women's roles, I'd like to pay tribute to the hard work of indigenous women for justice.

In the hurly burly of political activism there is often not enough time to acknowledge what women do in all sorts of places to make life better – this lecture provides that space, and so it is indeed an honour to be here.

It is also, as I began by saying, a pleasure to be here, a pleasure because this time last year it would have been absolutely unimaginable that I would have been asked to do this lecture.

A year ago, in February 2003, the Minister for Justice, Senator Chris Ellison, told the Senate Legal and Constitutional Committee that 'slavery chains', 'where people are traded in, as goods and chattels might be' did not exist in Australia.<sup>1</sup>

A year ago, when we went to state government, federal government, state police, federal police, immigration, almost every part and level of government in Australia, with the exception, I must add, of our local government in the City of Yarra in Victoria, we were told, with unfailing and consistent politeness, to go away, that the issue didn't exist, and if it did it didn't matter or was someone else's responsibility.

A year ago, when people asked me what I did for a living, I would mumble something about working for a women's organisation, and hope they wouldn't press me more, as trafficking made most people think of heroin importation rather than sexual slavery.

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<sup>1</sup> Senator Chris Ellison, Minister for Justice and Customs. Senate Legal and Constitutional Committee. House of Representatives. 11 February 2003. Hansard.p.155.

A year ago, it was hard to imagine that trafficking would be addressed any time in the next five years. At Project Respect, we knew we were in for the long haul and, if we were lucky, small victories and slight changes.

It seems a long time ago, but it is only a year. Fittingly enough, this month, women's month, marks the time that trafficking in women for prostitution finally made it back onto the national agenda in Australia. Senator Ellison has become an important advocate for addressing trafficking, he and his colleagues have announced a \$20 million package to address trafficking, the Australian Federal Police are just completing their second multi-week specialist training on the issue, government departments around the country are looking at trafficking, and when I say I work on trafficking people no longer think I am a drug runner.

So it is, as I started by saying, a great pleasure to be here, because it says very clearly that sexual slavery is no longer an issue that can be ignored.

I'd like to talk today both about how trafficking works in Australia, and how it came to national prominence, because there are important lessons, I believe, both in what trafficking says about our community and what this means for women, and in how we work for change.

A year ago today, I was in the process of preparing for a coronial inquiry into the death of a Thai woman who had been picked up in a Sydney brothel. The NSW Coroners Court in Westmead was investigating the death of Puongtong Simaplee, who had died in the Villawood Immigration Detention Centre on Sept 27, 2001. In the days after Ms Simaplee died, word started to filter out that she had been picked up in a brothel. We were immediately concerned. Trafficked women at that time were routinely picked up by the Department of Immigration and deported, and we were deeply concerned that women who had already been exposed to vicious crimes and sustained violence should not be then treated as criminals and imprisoned. The death of a young woman from the sex industry in immigration detention raised warning bells.

The warning bells sounded even more loudly when we confirmed that the brothel she was found in was, at the time of her death, owned by a Sydney man who *The Age* had alleged had brought hundreds of women into the country for prostitution. Sex industry rumour suggested that the allegations were not just given weight by journalists.

But hearing the warning bells didn't mean we knew what to do. I had sat in on the coronial inquiry of another woman who had died Villawood, not to my knowledge trafficked, and simply planned to do the same at Ms Simaplee's inquiry. We planned to be observers, there to learn as much as we could, but it was an uncomfortable role. The case I had sat in on a few months earlier had been the extremely complicated death of a traumatised young woman – many facts were unclear, records were contradictory, and the actions of Australasian Correctional Management deeply problematic. Despite this, the coroner had taken little more than the morning to hear her case. We were concerned that the same thing would happen with this inquiry, but we had no idea that we could do anything about this.

Then we were approached by Charandev Singh, then the Human Rights Advocate at Brimbank Community Legal Centre, a prisons activist with a profound understanding of the coronial process, particularly in relation to deaths in custody, and he suggested that Project Respect could apply for legal standing on the basis of our expertise on trafficking.

It was the obvious thing to do. What else would a small community organisation from Melbourne with no money, no lawyers, no hope of getting money and too much to do already do but embark upon a process that would take it to Sydney to take on the Department of Immigration, Australasian Correctional Management and, as we were later to discover, more often than not, the coronial process and the Coroner himself. We were in.

The case was scheduled for March 12, and much to our surprise, the Coroner gave us legal standing. I was not expecting it. But our sense that the Coroner was not entirely open to our participation was soon confirmed. As the inquiry began, he set the parameters. 'This is not an enquiry into the sex industry', he told the court. 'This is not an enquiry into immigration detention.' When we asked questions related to the sex industry or trafficking, we were told we were out of line. Having been given legal standing solely on the basis of our expertise on trafficking, we were told we could not ask questions on trafficking.

So we didn't. At least, not immediately. Having read through the brief again and again, it was devastatingly clear that Puongtong Simaplee had died without reason. According to one medical expert, her life could have been saved with 'simple measures', one of them being placing her on a drip. So our process within the court was to ask questions about the medical and human response to this young woman who was picked up weighing 37 kilos and died less than 72 hours later weighing 31; who gave the people who came in contact with her precise information about what she needed to withdraw from the heroin in her system but was ignored and given what I believe were life threatening and inappropriate drugs; who was left in a room with a bucket of faeces and urine because the guards thought cleaning it up might motivate her; who, to quote ex Federal Policeman Chris Payne, 'died like a dog in Villawood', the most unnecessary of deaths.

The coroner made it clear that the court was not the place for further conversations about what role trafficking had played in getting this woman in to Australia and ultimately immigration detention. As he succinctly put it: 'This [the Coroners Court] is not a human rights court.'

So we took our questions outside. It's a well-worn approach of course, but in this case, the double strategy of using the legal process as much as we could, and then working with the media to raise questions when they didn't fit within the court, was crucial. Crucial, but not without risk. We all know the difficulties journalists face in telling stories without 'victims' (I used the word advisedly) to hang their story around, and on top of that, the potential to cover this issue in terms of Asian prostitutes penetrating our national borders was obvious. Fortunately, this didn't happen. What did happen was Elisabeth Wynhausen and then Natalie O'Brien from *The Australian* took this story and made it their own. The coronial inquiry was just the beginning. They started covering the issue, and it seemed every time the Department of

Immigration or the Australian Federal Police or the government more generally might have hoped that it had gone off the boil, they would have another article. I suspect there are more than a few people out there who didn't enjoy opening the Saturday paper in 2003.

I'd like to say something briefly about the role of women journalists in this issue. At this point in feminist history, I suspect we are more likely to lament that women in important positions – in politics, the bureaucracy, whatever – don't make the difference we had anticipated they might. Interestingly, in my experience, women journalists consistently covered the issue of trafficking differently. Like anything, there are some notable exceptions to this rule, and it is important to say that Mark Forbes from *The Age* was the journalist who consistently, powerfully and sensitively covered this story in the mid to late 90s when no one else was touching it. But Mark and a couple of others aside, there was a clear, gendered pattern of difference in reporting on trafficking.

For one, women seemed to see the story in trafficking. Initially, male journalists seemed to think it had been already told, already dealt with. Elisabeth Wynhausen and Natalie O'Brien put that misconception to rest. Their first article came out on March 13 I think – a year later they are still going.

Women also tended to take the violence in trafficking more seriously, and, in relation to this, to ask more questions about the sex industry and the men who use trafficked women. They seem less likely to assume that prostitution is a god given right for men, and trafficking a necessary if unsavoury offshoot of this. Part way through last year when we were doing lots of media and I was pretty much doing interviews by rote, I remember being absolutely stopped in my tracks in an interview with Virginia Trioli, from 744 in Melbourne. She asked the very obvious question about what the role of male customers was in trafficking. In all the months of questions, no one else had thought to ask about this vital group of people, the people who put the demand in the trafficking supply and demand equation.

Women also seemed much more creative about getting around trafficked women's clear and understandable reluctance to talk about trafficking. They seemed more determined to tell the story, and found ways to do it even when they couldn't get pictures (for the television journalists), couldn't use women telling their own stories (for radio), or couldn't use women's stories because the women were scared of repercussions (for print journalists). *The Australian* journalists, *Lateline's* Margot O'Neil, Justine Kelly from Triple J all demonstrate this, and importantly, because of this, women seemed to trust them and their trust was honoured. When women told their stories and then said they didn't want them used, or didn't want certain details in, women journalists seemed to understand, and a number put aside fabulous stories because they couldn't be told without violating the trust or safety of the woman involved. I must say that this went against all the stories I've been told of unethical journalists, and it won my unwavering respect.

Interestingly, in contrast, men doing articles about the sex industry tended to go the people who own the sex industry, frequently men, and those articles tend to run the industry line that, in the increasing number of jurisdictions where prostitution is legal, it is illegal prostitution that is the problem and that legal brothels are above board and

unproblematic. The articles dive off into accounts of ‘illegals’ – both women and brothels – in the industry, and the problems they cause. This despite the fact that to date, to my knowledge, ALL the sex slavery cases that have been taken on by the police involve legal brothels. Male journalists seemed less able or willing to move beyond the industry owners’ own propaganda, even, and I must say I’ve tried, when the clear factual errors both in the specific stories and in the approach are pointed out.

To return however to the impact of the stories. Within days of *The Australian* articles, things started happening. A high level interdepartmental committee was set up by the federal government, after a period of each trying to blame each other the Australian Federal Police and the Department of Immigration seemed to start looking at their own processes, and in October, the Federal Government announced a \$20 million package to address trafficking. In contrast, the Federal Government’s major initiative on domestic violence – Partnerships Against Domestic Violence – had in its first phase a budget of \$50 million.

It was, I have to say, astounding. I’d like to pretend that we anticipated what would happen. We didn’t. It was beyond our wildest dreams. There are a number of issues with this package – and I will return to these later – but every time I feel frustrated or annoyed at where we are going on trafficking, I have to remind myself that a year ago people were still telling us it didn’t exist and to give up and go away.

And even in retrospect, I have to say, I’m not sure why it happened. I have no doubt of course that trafficking is a profound and disturbing form of violence against women that absolutely should be comprehensively addressed. There is no question about that. But we all know that the worthiness of a cause is no guarantee that anyone, let alone government, will take it up.

I think there are a number of reasons why the issue of trafficking first resonated with journalist, then through them with the wider community, and ultimately, was picked up by government. Some are obvious, like the fact that lots of people worked very hard, the role the opposition and the Democrats played, the tireless work of bureaucrats, the commitment of some politicians, and I won’t go into them. But I do want to mention a couple of less obvious elements.

Firstly, I think that the issue was initially linked in people’s minds to child prostitution, child trafficking. Puongtong Simaplee had said that she was trafficked as a 12 year old, and that statement, combined with her tininess when she died, and the awfulness of her death, genuinely appalled people. For the record, it seems that she was not in fact trafficked into Australia as a child. As much as we can tell, it seems she came here in her very early twenties, possibly through Malaysia, that she was previously trafficked to Malaysia, and was almost undoubtedly trafficked into prostitution in Thailand as a 12 or 13 year old. I have little doubt that she was trafficked here when she did come as an adult – young Thai women who have never been to Australia before and come to do prostitution don’t have many other routes for getting in. Her body certainly testified to a very very hard life.

But returning to the issue of child trafficking, this raises a number of questions, and one is how much we accept violence against women that would be unacceptable against children. If Puongtong Simaplee’s case hadn’t become known, when would

trafficking in this country have been addressed, and why? Or if we had known about ti but she hadn't said she had been prostituted as a child, and she was just another drug addled prostitute, and an illegal Asian one to boot, and who had ended up in detention? What would needed to have happened for us to be able to humanise and so care about Asian prostitutes being trafficked into this country?

Another issue that I think is interesting in explaining why trafficking took off, so to speak, is the role of women from the Liberal party. I have to say that although I must have spoken with and to thousands of people about trafficking, I don't think I have ever knowingly spoken to any woman – bar politicians – who overtly identified herself as a member of the Liberal Party. Certainly, then, our organisation didn't do a good job making links with those women. Clearly though, the media touched them, and although I couldn't prove it, from what I understand, women members of the Liberal Party made it very clear to their party that trafficking was unacceptable and something had to be done. Like the role of women journalists, this was an important reminder for me that, however constrained and limited we might be by the structures we work in, at times women's perspectives and voices can make a big difference.

Thirdly, one of the reasons I think why the issue went somewhere was that, perhaps because it had been such a neglected issue, we had a tight network of people working on it, and, despite many differences, we were able to talk with one voice on the issues that mattered. We didn't always agree with each other, but we isolated what we could agree on and worked within this framework. Because of this, I think anti-trafficking activists were able to present clear options for responding to trafficking, and we were also able to negotiate across different perspectives. I noticed in descriptions of Pamela Denoon that I have been reading that one of the qualities consistently commented upon was her ability to get people talking across real disagreements, and I have learned that this is an important criteria for getting things to move.

But perhaps I am getting ahead of myself. I've been talking til now about how approaches to trafficking changed. I'd like to talk now about what trafficking is. What was it that the coronial inquiry and then the media was uncovering? What do we know about trafficking in Australia?

The starting point for talking about trafficking is often numbers. The number of women trafficked for prostitution to Australia is difficult to estimate for four main reasons. First, obviously, trafficking is illegal and therefore may occur undetected. Secondly, victims of trafficking may be unwilling to speak about being trafficked either because they fear retribution from traffickers, are traumatised by the experience, or, and this was common in the past, they had bad experiences of DIMIA or the AFP and so didn't think anything good would come from talking. Thirdly, there has until recently been a lack of cooperation with agencies that may know of trafficked women, and who could calculate the number of trafficked women in Australia. I must add that even now there is still a lot more coordination needed. Local government enforcement officers, for example, often know a lot about how the sex industry works and when trafficking is happening, but they are often left out of trafficking discussions. Finally, until recently, there was no clear mandate for any one government organisation to actually go out counting. Hopefully, with the federal government package, and state inquiries and initiatives, this situation is changing, and we can soon look to governments to provide realistic figures. The Australian Crime

Commission is currently doing a scoping exercise which I understand aims to answer the numbers question – I hope that as much as possible of their information will be made publicly available.

In the absence of firm figures around numbers, however, estimates about the scale of trafficking, in human and dollar terms, have and can be made, including estimates related to the Papertiger Operations in Sydney in the mid-1990s, the Glazner case in Melbourne in the late 1990, and those presented by the government when it introduced the 1999 Slavery and Sexual Servitude Act.

Adding to these, we have made estimates based on a range of other information, including statistics from the Refugee Review Tribunal, Department of Immigration removal statistics, sex industry estimates, observations in brothels etc. and other sources. Based on this information, Project Respect estimates that there are typically up to 1,000 women in Australia under contract at any one time. This refers to women still paying off a 'debt' and does not include women who have finished their 'debt' but remain in Australia. Clearly, this figure is affected by many factors – the numbers of trafficked women will fluctuate if there have been many Department of Immigration or police raids or operations, for example. At present, based on stories from the sex industry, the numbers may well be down, testimony in part to traffickers concern about AFP action, and to changes in the way applications to come to Australia are processed in Thailand.

Project Respect is just completing at the moment a person by person compilation of all the trafficking cases we could find in a very short period of less than a month. We rely on contacts with women who have run away, information from some sex industry contacts, and women we meet in detention, primarily Thai women. Even working from this very small base, over a very short period of time, we have compiled a concerning number of women. We will be releasing this information in more detail in the next couple of weeks.

Knowing numbers is not enough, however. In the words of Professor Liz Kelly, a highly respected researcher in this area, 'having a sense of the scale of trafficking tells us only part of the picture. Equally as important [she writes] is understanding trafficking methods; where women are trafficked from, [and] their experiences of procurement, migration and treatment after arrival' in the destination country. At Project Respect, we believe it is important to understand not just the numbers of trafficked women, but also the intensity of criminality and violence experienced by women, and the tactics that traffickers use to do this. This is necessary both in measuring the harm done by trafficking and in ensuring that government responses do not inadvertently facilitate or replicate the tactics used by traffickers.

So what do we know aside from numbers?

At present, it appears that most women trafficked to Australia are from South East Asia and China, however there are also indications that women are at times trafficked from Europe and Latin America.

The majority of women trafficked to Australia in recent times appear to be Thai women. As with so many aspects of trafficking, it is important to qualify this, and in

two ways. The first is to say that talking about trafficked women's nationality is frequently problematic. We know, for example, that women from Burma are often trafficked internationally on Thai passports, and that Thai women in turn are at times trafficked from Malaysia on Malaysian passports. Trafficked women detained by Australian government authorities are unlikely to say that they are Thai if their passport says they are Malaysian, or visa versa – to do so simply gives the authorities ammunition to use against them, and exposes them to charges of passport or visa fraud. It is however an important point in establishing firstly where women are to be repatriated to, leaving aside for a minute the question of whether they should be repatriated, and secondly, what risks there are if they are sent to the country on their passport.

The second thing that needs to be qualified in saying that most women who come to Australia are Thai is that this is not set in concrete. Traffickers are responsive, opportunistic, and quick. If one group of woman becomes too obvious or too much trouble, they can change to another. For example, as I said earlier, there seem to be fewer Thai women being trafficked to Australia from Thailand at the moment. This might be a good news story if this meant simply that the traffickers had been scared off. Unfortunately this is not the whole story. Rather, some traffickers have switched countries. South Korean women are now being brought in in bigger numbers. This is an important point in determining our responses – and responsiveness – to trafficking. For example, as part of the federal Government's trafficking package, DIMIA has placed trafficking-specific personnel in Thailand. What happens when the problem shifts – will we have the flexibility to move with it, or will we have set up expensive operations that are too fixed to move that become white elephants?

If we look in more detail at this biggest group, trafficked Thai women, we know that this includes both those who are totally deceived about the fact that they will do prostitution in Australia (the minority) and those who know they will do prostitution but are deceived about the conditions of that prostitution (the majority). The second group includes both women who have done prostitution previously in Thailand and/or abroad, and women who have never done prostitution before.

The trafficking journey has a number of stages. The first is recruitment, the second transportation. There is not time here to describe in detail the processes traffickers may go through to identify women, convince them to travel overseas, organise passports or visas, and transport them into and within Australia. Typically, however, women who do not expect to do prostitution in Australia will be told they will be working in employment outside the sex industry, for example, a restaurant, in the travel industry etc. Women who do know they are doing prostitution will generally be deceived about the conditions of that prostitution and their freedom once in Australia. For example, women may be given the impression that they will be working in a karaoke bar, will be able to pick and chose who they have sex with and will only have a small number of prostitution clients.

Both groups of women are likely to be told that they will have a debt to the traffickers, but will be deceived about the size of the debt and/or how quickly they will be able to pay it off.

Traffickers in destination countries access women in a range of ways. Some traffickers operate organised chains that cover the entire trafficking process – they recruit women in source countries and prostitute them in their own brothels (or through escort arrangements) in Australia. Other traffickers engage in only one part of the trafficking. For example, they may recruit women and bring them to Australia, and then sell them to another trafficker. This sale may be based on a ‘pre-order’, or involve traffickers coming to look at women once they are in Australia and picking the one/s they wish to buy. Some traffickers have many women in a range of locations across states and territories and at times countries, others may be so-called ‘mum and dad’ traffickers who buy a half share in a woman.

The next stage is the breaking-in stage. Women who were deceived about the fact that they will be doing prostitution are frequently subject to significant and systematic violence upon arrival in Australia. This will often involve multiple rapes and threats of harm to the individual women and their families.

This violence serves two functions, one more obvious than the other. Firstly, obviously, pre-prostitution violence aims to break women’s will and impress upon them their powerlessness in the face of the traffickers’ demands. It aims to stop them from running away or seeking help in other ways, such as by telling customers their situation. Secondly, this rape teaches women how to do prostitution sex, and impresses on them that they must ‘satisfy’ their ‘customer’ and cannot refuse types of customers or sex (including sex without condoms).

Women who know they are coming for prostitution (but not the terms and conditions of the prostitution) may also be subjected to pre-prostitution violence. This is particularly so for women who have not previously done prostitution and are shocked to learn that they will be in a brothel and not, for example, a karaoke bar, that they will be confined to the brothel or their living quarters and that they cannot refuse specific customers, specific sexual acts or sex without a condom.

Traffickers routinely respond to women’s initial complaints, including their requests to return home, with sexual, physical and psychological violence. Threats can include something as subtle – I use the term advisedly – as threatening to send a woman’s child a pornographic picture of her. As with women deceived about doing prostitution, this violence aims to teach women that they have no other option, cannot access help and cannot escape. One of the great skills of traffickers as I see it is their ability to move beyond simply brute force. In this way, women can be effectively imprisoned with well-applied and strategic physical violence, that may appear minimal to outsiders, cemented by devastating psychological violence. Traffickers engage – albeit criminally and brutally – with women’s psychology. They learn what women value, and work to their strengths and weaknesses. In this, I suspect we can learn something from them. I am sure if government agencies spent more time trying to understand how trafficked women see things, rather than seeing them as problems that don’t understand how we work, we would have more success in challenging trafficking.

During their initial period in Australia, trafficked women are frequently stopped from leaving their residence (often the traffickers’ own home, or a residence guarded by the traffickers or the traffickers’ associates), or are chaperoned if they are permitted to

leave. People in the community often imagine that so-called sex slaves are literally chained to their beds or something. I have never heard of such a case in Australia, and I'll talk a little later about the issues involved in physical imprisonment. However, it is true to say that this period of breaking in is the stage that most fits with people's pre-conceived ideas about sexual slavery. Women are often literally locked in, are guarded and confined to small spaces, and are, of course, subjected to mind and body numbing violence.

The next stage is the exploitation of women through prostitution, and it is at this point that traffickers in Australia start to make a return on their investment in the woman. Trafficked women generally pay off a 'debt' that is calculated in terms of dollars, 'jobs' or months. A typical debt for a Thai woman is between \$35,000 and \$50,000. Project Respect has been told of women with debts of up to \$80,000 but this is less common. 'Job' requirements are typically between 500 and 1,000. Some traffickers may also require women to stay on after the debt is paid off, for example for an additional twelve months.

Women are prostituted both in brothels and through escort arrangements. It is commonly assumed that, in states where prostitution is legal, trafficked women are found predominantly in illegal brothels. In Victoria at least, this is not the case – trafficked women have been located in a number of legal brothels. This is an issue that prostitution regulatory regimes have yet, in my opinion, to seriously address.

Women are prostituted for many hours a day, frequently seven days a week. Women report being woken and taken back to the brothel if customers arrive after they have left. Some women may be given a 'free' day during a quiet period, and will be allowed to keep a portion of this money. Women typically try to send as much of this money home to parents or children, but also use the money to pay for food and other expenses in Australia as these are often not provided by the trafficker.

To many people's surprise, many women pay off their debt very quickly, often between two and six months, for two reasons. Firstly, traffickers make women do prostitution for long hours and will not allow them to refuse customers, as they wish to maximise their profit as quickly as possible. Secondly, once women have been made to accept that they must pay off their 'debt' and cannot escape, many women try to pay off the money as quickly as possible so they can escape the trafficking situation. They see no way out of their situation other than accepting the traffickers' conditions. Many hope that once they have paid off the debt they will be able to make money to send home – their initial objective in coming to Australia.

Violence continues during this period, and this is an important method of control. As we know from domestic violence and other forms of torture and control, seemingly arbitrary violence can be paralysing, and traffickers use both the violence of customers and their own strategic violence to control women. Women report being sent back to violent customers if they leave the room and being made to have sex without a condom if the customer asks for this. Women are hunted down and beaten and locked up if they run away. Women are also subjected to arbitrary and unpredictable violence from traffickers, simply because the trafficker is angry, tired, loses at gambling – this serves to increase women's sense of the traffickers power.

This violence, like at other times, can be extreme, leading to significant physical injuries such as brain damage.

Overt physical and sexual violence is a very obvious method of control. Traffickers also use other tactics: they take women's passports, they withhold information about where they are and how to move around, they control their money, they threaten to tell immigration where the women are, they say they have paid off immigration, they say the police are corrupt and won't help women, they withhold food and medicine, they threaten to hurt the women's families, to show them pornographic photos or film, to tell their kids or parents they are prostitutes. They show women photos of what happens to women who run away. They encourage drug dependencies and gambling, in short, they make them feel there is no way out.

They also, however, use more subtle techniques, and one of these is kindness, that old strategy from perpetrators of domestic violence. In between the violence, they are at times kind and considerate, and when the violence decreases, women begin to hope that it was all just a terrible nightmare that will now go away. Lower level violence may continue, but in contrast to what has gone before, this may feel bearable. This is coupled with giving women a greater sense of being able to move around.

As the contract period proceeds, women will be given more and more freedom. By the end of the contract, many women will have no physical constraints on them at all. There are a number of reasons for this. Firstly, women have learnt that they will be punished if they run away, and are scared that the traffickers will hunt them down even if they return home. Secondly, women hope to pay off their 'debt' and then be able to make some money for themselves and their families. Thirdly, women have learnt that there is little support for women who run away, and are told that they will be deported if they contact Australian authorities. Finally, women at the end of their contracts are less 'valuable' to traffickers, as profit has been extracted from them and they are no longer 'new faces'.

The contract situation commonly ends in one of three ways: women are detected by the Department of Immigration, women's 'contracts' end and they are allowed to leave the traffickers' control, or (less commonly) they run away. At times, traffickers themselves contact Immigration and 'dob' the woman in, particularly if a woman is close to finishing her 'contract', or, far less commonly, if she is particularly problematic.

Other women complete their contract and leave Australia in their own time. Many women attempt to do further prostitution in order to make some money. For women this may be the most tangible way to regain a sense of control over their lives, and make up for the loss of many months of freedom and happiness. Other women simply wish to leave Australia as soon as possible.

Some women are able to run away. At times this is achieved by establishing a relationship with an Australian citizen who will either provide refuge to the woman or attempt to pay off the contract. Sometimes, trafficked women marry Australian citizens. A woman who escapes the traffickers is unlikely to understand her migration rights and other legal rights. At times, a woman's migration status is made worse by traffickers who have applied for protection visas for women and then cancelled the

application when the woman ran away. This means that the woman cannot make another on-shore application for a visa (for example a spouse visa) and so is vulnerable to removal.

I should perhaps add that we now have a fourth way out. Under the new federal government trafficking approach, women picked up by DIMIA may be referred on to the Australian Federal Police, and the AFP and other agencies may themselves locate women through anti-trafficking operations.

This brings me to the federal government package on trafficking, and I would like, as always to commend the federal government for introducing the package, and all the people who worked so hard to make this happen.

As we stand at the moment, the Australian Federal Police are pursuing a number of sexual slavery cases with a number ready to go to prosecution relatively soon, DIMIA is no longer routinely detaining and deporting trafficked women, and the Office of the Status of Women is currently selecting organisations who will act as 'case managers', providing support for trafficked women. My understanding is that the case managers will be expected to be identified and in place by April.

So where to from here, and is the struggle to get trafficking addressed over?

There are a number of clear areas I think that we need to keep working on, and a number of issues related to the federal trafficking package that we need to question.

One issue is our detention policies, and how we relate to women picked up in brothels. At present, if DIMIA or the police believe that a woman may be trafficked, and they can ascertain her identity, she is quickly released from immigration detention, or not placed there in the first place. I have to say that if it does nothing else, I would welcome the package for the number of women it has kept out of or got out of detention. There were few things worse in the past than visiting women who had come from sexual slavery where they were imprisoned, treated like dirt, and told they had ridiculously large debts accrued for nothing, and were found by our government through immigration, and then imprisoned in the Villawood or Maribyrnong detention centres, treated like dirt, and told they owed \$200 a day to the Commonwealth for every day they stayed in detention. The parallels were too awful.

But this very welcome change doesn't fix all of our problem. We still have women who are picked up by immigration who are too scared to say what has happened to them, and too unsure of what is happening to say their real name. Those women are remaining in immigration detention. One concern is that, in our eagerness now to make sure that trafficked women are not detained, we subject women to so much questioning from immigration, then the police, then support agencies, the immigration and the police again, that women feel entirely overwhelmed, tire of telling their story, and simply want to get out and go home. We need to make sure that we streamline our process, that each agency works with each other in talking to women, and that we don't expect them to go over and over what happened to them, because we then risk that they will clam up just at the point that they get to the person who really can get them out of detention. I am concerned that while we are waiting for support services to be put in place, and it could take a while for these services to learn how to work,

women are missing out. Government, and specifically I suspect the Office for the Status of Women, needs to look at this.

Another issue that I think we need to look at is the issue of how we combat trafficking. At present, the government's framework is that we will combat trafficking by prosecuting traffickers, and, as trafficked women are by definition foreigners, and so are not automatically entitled support in this country, real support will be contingent on women participating in prosecutions. Women who chose not to help the police will be entitled to up to a month of support, but lets be honest – in the face of the gross violence women have left, and the overwhelming problems they will return to in their home countries, how much can a month of English classes and a bit of counselling do? At best, we will be able to plug them into support services in their own country and hope this will be useful.

This approach stands in stark contrast to support services for other victims of violence, particularly for Australian survivors of sexual assault and domestic violence. What would we say if women could only get on-going support after a rape or if they were being systematically abused by their husband if they agreed to cooperate with the police and possibility testify against their perpetrator. We wouldn't accept it. We know that women consistently pay an extraordinarily high price for being involved in court cases, and while we know that women are entitled to their day in court, we also know that this cannot be forced on women, particularly not in exchange for help to recover.

With trafficking, however, this is the framework we have. I think we need to look at it. Realistically, I suspect that we are unlikely to get unconditional support for women, although I note that in Italy – a leader in trafficking – women get a whole range of support and are able to stay longer term without being compelled to testify. We can learn from that. However, one area that we can do something is with visas. At the moment, the federal government has said that if women testify, the government will consider giving them longer term visas, based on a security assessment in their country of origin. It sounds fine. But it is not in practice. What it means is that women contemplating testifying, or who have indeed agreed to testify, live in constant fear that they will be sent home straight after the trial. That they will give up perhaps two years of their life, risk their safety, face ridicule and questioning in court, and then be sent straight back to the place they were vulnerable to trafficking from in the first place. We can fix this by making visas for women who have testified almost automatic, with women being sent home the exception rather than the rule. This would do a tremendous amount of give peace of mind to women taking the extraordinarily brave step of taking the stand against their perpetrators. And we are not talking a large number of women – it most it seems likely to be scores of women a year rather than hundreds. Surely we can find a place in this country for a handful of the most resilient and brave women.

The last issue that I think we need to look at is the issue of demand for trafficking. Addressing demand is a basic element of the UN Protocol on Trafficking, and while it is easy to forget amidst the more immediate responses to trafficking, it is key. Demand creates supply. We need to address demand.

This will be less immediately rewarding work than other areas, and more difficult to design, but it deserves our attention and our creativity. It also raises some interesting possibilities. I believe that there a number of men in the community who have come to know trafficked women, often having met them through brothel visits, at times have married or started relationships with them, who can talk eloquently about what they have learned through getting to know their partner. They have seen first hand the impact of trafficking. While this is a sensitive area, these men could play an important role in educating other men about the damage they are doing to women.

Brian Iselin, an ex-AFP agent, and now international expert of trafficking, poses a challenge in relation to demand that takes this issue further. He says, and I quote, 'I will continue to fight for the recognition that to tackle trafficking for sexual servitude without tackling demand for paid sexual services is a losing battle. All the expensive measures in the world will add up to nought unless there is attitude change on the part of men to buying and selling women.' It will be important to see where this issue of demand is picked up in the federal government approach to trafficking, and it raises a challenge for state and local governments that regulate the sex industry. More importantly, though, it is something that the rest of us can address. What it requires, though, is real consideration of prostitution.

One of the reasons I think it has taken a long time for trafficking to be addressed in Australia is our reticence to talk about prostitution, and the limited number of agencies who actually deal with the sex industry. One explanation is that this has been an area of considerable conflict among feminists. Clearly, conflict is not new to feminists or feminism, but I suppose it is different to conflict over abortion or other issues because fewer women are perhaps involved in prostitution than in other issues. Perhaps not. The sex industry is one that many women, at some point in their lives are involved in. The fact that we don't know how many says a lot about our lack of engagement with these women. Perhaps our reticence to get involved comes out of the very good feminist ethic of not talking for other people, of basing our understandings on lived experience. But it's a vicious circle. The less women outside the sex industry engage with the issue of prostitution and with women in the industry themselves, the less we all know, and the more we cut women in the sex industry off from debates, discussions, policies. And this is certainly what has happened with prostitution and, to a lesser extent, trafficking. They are rarely included in work by women's organisations, and when they are we refuse to take positions past a liberal perspective that we mustn't condemn anyone. We talk about prostitution in terms of women's rights to choose – something I absolutely agree with – but in the process we don't look at the real group who is choosing – that is, men who buy prostitution sex.

This is a relatively new development. As recently as 1986 when the Victorian Brothels Control Act came in, women in the sex industry in Melbourne and their supporters were talking about prostitution within a firm feminist framework, calling both for greater safety and control for women while in prostitution and for paths out of prostitution for women when they wanted them; calling for legal responses that respected women while at the same time saying prostitution shouldn't be institutionalised; saying that prostitution was the result of constrained choices for women and born of inequality and violence.

I think we've lost a lot of that, and we should go back to it. We need both to work specifically with women in the sex industry, and to include prostitution in our broader discussions on sites and forms of violence. We need to make sure that women in the industry are heard, that they get the support they are looking for, and that they are not stuck in the sex industry once they've had enough because we've bought the line that women chose to enter prostitution and so they can choose to leave. We need to make sure that we don't make a distinction between 'deserving' trafficked women who should be supported and other prostitutes who should have known what was coming when they got involved in prostitution.

Importantly, we've got to go back to asking who prostitution works for – and it's not the women who do it. Prostitution is set up for men. That's what trafficking tells us so clearly. When there are enough women who agree to do prostitution the industry will use them, but if there aren't, or if they are 'unreliable' – that favourite word of brothel owners about women in the sex industry (and a euphemism for being unwilling to put up with bad conditions and disrespect) the industry brings women. If women are unwilling to do the type of sex customers want, or don't meet the customers' fantasies about the sort of woman they want, no one says, oh well, bugger that, we can't offer those services. The industry brings women in, with absolutely disregard for their choices, desires, hopes. We need to stop talking about prostitution as if women's choices make it happen and start asking about men's choices. Without this work trafficking will continue unabated.

I'm clear that this is a controversial position, and certainly much of my work has been about trying to find common ground in an area where there is often a lot of division. But surely there are some clear principles that we agree on that we can apply to prostitution and trafficking. Much of our work in other areas such as sexual assault and domestic violence is based on the idea that women have the right to say no to sex. Few of us question this. This idea suggests that men will at times have to 'do without' sex. What does it mean, then, that the sex industry makes sure that there are always women 'at home' available to fulfil men's sexual 'needs'? While feminists have worked hard to challenge the inaccessibility of 'private' spheres in terms of domestic violence, 'public' places such as brothels now look very much like private arenas used to. Where else can a man walk in and expect a woman to be there waiting for him, ready to have sex? What is no longer acceptable in marriage is maintained in prostitution. While the myth is that women in brothels can leave when they want to, the reality is different. Even forgetting the broader forces that make it hard for women to leave prostitution, many brothels prohibit women from leaving during their shift. In many ways, the brothel has become the archetypal private patriarchal space. Rather than a single wife kept indoors to satisfy her husband's 'needs', we have a class of interchangeable women in the same role. If that idea sounds far fetched, it's interesting to note that in the Philippines, for example, the term for brothel is *casa*, house.

We need to make these connections, because trafficking is not a phenomenon that somehow floats in the air, unconnected to prostitution. We also need to make these connections because trafficking, like prostitution, is not inevitable. What the last fabulous, unpredictable, unexpected 12 months has shown is that things can shift, things can get better, women and their allies can make things change. And this, as I understand it, is the impetus for the Pamela Denoon lecture – remembering the actions and efforts of someone who didn't accept that women's lives should be constrained

by their sex or their ethnicity, who wanted women to talk together across differences to find ways through, who could imagine what it might look like for women to enjoy equality. Trafficking is just one of the areas where women are carrying on the work of people like Pamela Denoon. Thank you for the opportunity of talking about this tonight.