

To: Royal Commission into Family Violence

From: Project Respect

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Executive Summary

Family violence has particular and profound impacts on women who are (or have been) in the sex industry in Victoria. Family violence is perpetrated against women in the sex industry in the full range of ways it is perpetrated against women in the broader community, and evidence suggests women in the sex industry may experience family violence at higher rates than other women in the sex industry. In addition, men also perpetrate family violence against women who in the sex industry in seven specific and additional ways. These forms of violence frequently go unrecognised by police, specialist family violence services, and other parts of the family violence system, leaving women at heightened risk.

Women in the sex industry have a particular experience of family violence due to the following factors. They:

- are frequently subjected to a range of gender-based violence, including during their work in the sex industry, that compounds the family violence they experience, and they are disproportionately likely to have experienced violence as children.
- experience additional barriers to seeking help when they are subjected to family violence because of entrenched, persistent stigma and discrimination.
- experience high levels of family violence and other violence against women, but may be less likely to label these experiences as violence because they have been exposed to and have normalised violence in their childhood, in previous relationships and in the sex industry.
- experience family violence that relates to and is a part of other crimes, such as trafficking in women for marriage and for prostitution.
- also enter the sex industry as a consequence of family violence, including when they leave relationships with violent men, to gain access to an income.

Moreover, failing to address family and other male violence against women in the sex industry makes other women vulnerable to men's violence.

Policy and programs based on a broad understanding of men's violence against women and children in all its forms, across all sites, will be more effective in addressing the root causes of violence against women and in showing men that violence is unacceptable, whether in the family home, on the streets, in the workplace or elsewhere.

Specialist services are an intrinsic part of the Victorian family violence service provision. Project Respect is the leading agency addressing violence against women in the sex industry, including family violence. However, Project Respect is unable to meet the demand for support around family violence from women in the sex industry. With secure and adequate funding, Project Respect could provide expanded direct support to women in the sex industry experiencing family violence, community education for women in the sex industry around family and other male violence, secondary consultations to generalist services, and training and advocacy.

Recommendations to the Royal Commission:

1. Recognise women in the sex industry as a high-risk group and specific cohort.
2. Investigate family violence against women who are in the sex industry and the systemic failures that expose this group of women and their children to ongoing violence, in relation to child protection, corrections, courts, family violence specialist services, health services, legal services, police and immigration.
3. Recommend that the state, federal and local governments recognise women in the sex industry as a high-risk group and as a specific cohort, and recommend that local, state and federal government policy and programs identify and resource strategies to eliminate family and other male violence against women who are in the sex industry, including in prevention, early intervention and crisis responses.
4. Recommend that the Coroners Court conduct research into the mortality rates and causes of death of women who are in the sex industry.
5. Recommend that the state government conduct an audit of Victorian sex work laws, regulations, policies and programs to identify opportunities for reducing and preventing family and other violence against women, recognising the gendered nature of the sex industry and the link between gendered inequality and violence. Also recommend that the state government amend the Sex Work Act to make it an offence to willfully, knowingly or recklessly have sex with a trafficked person, or with other persons in the sex industry without their consent.
6. Recommend that the Commonwealth Government increase social security payments, including for supporting parents, to ensure women can live above the poverty line and thereby reducing the pressure to undertake prostitution to meet basic needs.
7. Recommend that family violence system services undertake training on working with women who are in the sex industry experiencing.
8. Recommend that local, state and federal governments provide affordable, accessible and safe housing.
9. Recommend that men's behaviour change programs address violence against women in the sex industry in their programs with family violence perpetrators.
10. Recommend that the Australian National Research Organisation for Women's Safety (ANROWS) investigate what measures, statistics and data about violence against women who are in the sex industry and their children should be included in the Victorian Family Violence Index, and how such measures, statistics and data can be collected while protecting the privacy and safety of women in the sex industry.
11. Recommend that local, state and federal governments adopt a policy framework that addresses the continuum of violence, aiming to eliminate men's violence against women in all its forms and settings. Local, state and federal governments should embed family violence policy and programs within this broad framework, rather than as a standalone policy.
12. Recommend that the state government recognise and fund Project Respect as a specialist agency addressing violence against women who are in the sex industry, including family violence, as a part of the Victorian family violence system.

CONTEXT FOR THIS SUBMISSION

1. Project Respect

Project Respect is a non-profit, feminist, community-based organisation that aims to empower and support women in the sex industry, including women trafficked to Australia.

For women in the sex industry, Project Respect is a safe place that offers complete support and a non-judgemental community. Unlike other support services, Project Respect is guided by the needs of women, placing no limits on the length or type of support offered.

In 2011-2012, we conducted outreach to 68 licensed brothels making a total of 200 visits, met 714 women and provided 1,359 hours of one-on-one counselling and support. In 2012-2013, we conducted outreach to 61 brothels making a total of 201 visits, met 496 women and provided 1,939 hours of one-on-one counselling and support. In addition, we provided weekly community lunches and two weekends away for women in their children.

Project Respect is currently funded through project grants from the Federal Attorney General's Department, local government, and philanthropic groups. We have no core funding, and currently have no state government funding.

2. Source material

This submission draws on information from several sources: from academic and other literature, from the experience of Project Respect staff, from Project Respect data and research, and, importantly, from the expert views of women in the sex industry who have experienced family violence. The expertise of women in the sex industry was sourced through three interviews conducted specifically for this submission (included as expert respondents in this submission) and information from research conducted by Kate Connett on stigma and Christie Heart on occupational health and safety in the Victorian sex industry. This is supplemented by examples from Project Respect's work with women.¹

3. Concepts in and scope of this submission

Like family violence, the sex industry is deeply gendered. Internationally and in Victoria, while some women buy sexual services and some men sell sexual services, sexual services are, overwhelmingly, bought by men and sold by women (and at times children). Reflecting this, and the fact that Project Respect works with women in the sex industry, this submission will focus on the experiences of women who in the sex industry in relation to family violence.

When referring to women in the sex industry, we reference their experiences both within and outside the sex industry.

The sex industry includes a range of 'sexual services', including pornography, stripping, table-top dancing, and escort, street and brothel prostitution. This submission will focus on escort, street and brothel prostitution. However, there is

¹ Women's stories are de-identified.

significant overlap between this area and other parts of the sex industry, and the experiences of women subjected to family violence in all parts of the sex industry are under-researched and should be further investigated. In addition, both Project Respect and family violence specialist services report an increase in the use of and links between sexualised images of women, pornography and family violence (such as men who use violence threatening or choosing to expose sexualised images of their partners or ex-partners to third parties).

Project Respect recognises that not all women in the sex industry experience discrimination, violence or exploitation in the sex industry or outside it. However, based on our work with women, the testimony of women in the sex industry, and local and international research, we recognise that discrimination, violence and exploitation of women in the sex industry is significant, widespread and harmful. This submission reflects the pervasive and particular nature of discrimination, violence and exploitation experienced by women in the sex industry, and speaks to this reality.

We celebrate women's resilience, the choices they make in difficult circumstances, and the diversity of women's experiences. By addressing structural and systemic issues, even where doing so raises difficult and challenging issues, we aim to lessen the barriers to all women fully accessing their rights to safety, security and freedom.

The sex industry is an area of disagreement amongst feminists. The language used to describe the sex industry reflects this disagreement. A range of language is used in this submission; however, on the whole, the language reflects our view that the sex industry is harmful to many women in it, and is based upon and reinforces gendered inequality.

This submission does not talk in detail about the experience of the children of women in the sex industry. However, as we know, when other groups of women in the community face barriers to safety, their children suffer. Further research into the impact of family violence on the children of women in the sex industry is needed.

4. The sex industry in Victoria

There are currently approximately 89 licensed brothels in Victoria, and over 600 operator-owned sex businesses. There is no reliable, up-to-date estimate of how many women are involved in the sex industry in Victoria. Further research is needed to establish the scope and impact of the Victorian sex industry.

WOMEN IN THE SEX INDUSTRY AND FAMILY VIOLENCE

Project Respect considers that family violence has particular and profound impacts on women in the sex industry in Victoria. Men's family violence against women who are in the sex industry has unique characteristics. Systemic failures to recognise and respond to these unique characteristics intensify the harm of family violence to women who are in the sex industry. This submission describes the range of ways that family violence has particular and profound impacts on women in the sex industry.

1. Forms of family violence specific to women in the sex industry

Women in the sex industry tell us that men perpetrate family violence against them in seven specific and common ways, by:

- forcing their partner into the sex industry;
- not allowing their partner to leave the sex industry;
- taking their partner's earnings from the sex industry;
- disclosing or threatening to disclose that their partner or ex-partner has been in the sex industry to others, including to their children, other family members, friends, children's teachers or school, employers, the police, Child Protection, the Children's Court, the Magistrates Court, the Family Court and the Australian Taxation Office, with a view to discrediting and humiliating the woman;
- verbally/emotionally abusing their partner or ex-partner in terms of their involvement in the sex industry (eg calling them a whore or a slut);
- making accusations of infidelity or being sexually jealous; and
- coercing their partner into having unwanted sex or types of sex by accusing her of wanting to have sex with other men but not him.

Based on interviews by women in the sex industry, Project Respect's experience, and local and international research, these forms of family violence against women in the sex industry are common (Benoit et al, 2013; Panchanadeswaran, 2008; Ratinthorn et al, 2009; Warr and Pyett, 1999; Sanders, 2004).

Based on interviews with women in the sex industry and Project Respect's experience, these forms of family violence are often not recognised as family violence, including by specialist family violence services and police. This undermines a woman's ability to escape the violence and be confident the perpetrator will be held to account. (The impact of stigma and discrimination in this regard will be explored later in this submission.)

In addition to these seven specific forms, family violence is perpetrated against women who are in the sex industry in the full range of ways it is perpetrated against women in the broader community. International research indicates that women in the sex industry may experience rates of family violence higher than the general female community (El-Bassell et al, 2001; Argento et al, 2014; Hong et al, 2013; Ulibarri et al, 2010).

A recent global systematic review (Deering et al, 2014:44) indicates that lifetime prevalence rates of intimate partner violence among sex workers range from 4 to 73 percent.² El-Bassel et al (2001) found that 73 per cent of women in the sex industry in their New York City study had been subjected to physical or sexual intimate partner violence during their lifetime; 22 percent had experienced such violence in the previous year. Canadian research with 387 women in the sex industry found one fifth of the women experienced moderate or severe physical and/or sexual intimate partner violence in the previous six months (Argento et al, 2014). In a study of 1022 women in the sex industry in South West China, Hong et al (2013) found 58 per cent of respondents in stable relationships had experienced violence from their partners.³

Recommendations

1. Recognise women in the sex industry as a high-risk group and as a specific cohort.
2. Investigate family violence against women who are in the sex industry and the systemic failures that expose this group of women and their children to ongoing violence, in relation to child protection, corrections, courts, family violence services, health services, legal services, police and immigration
3. Recommend that the state, federal and local governments recognise women in the sex industry as a high-risk group and as a specific cohort, and recommend that local, state and federal government policy and programs identify and resource strategies to eliminate family and other male violence against women who are in the sex industry, including in prevention, early intervention and crisis responses.

Women's experiences of specific forms of family violence against women who are in the sex industry

“When I wanted to claim child support for my daughter, I received an email from my ex in bold letters that if I would think of doing anything like that, it would not turn out to be a good thing for me. As my daughter doesn't know certain things, I feared that this will get out of control and I will have to face tough times because of that. Hence, I withdrew from claiming child support.”

Expert respondent A

“[After telling him I was in the sex industry] he turned around and became abusive saying ‘you have no morals’. [He then] rang up a few days later drunk asking me if I wanted to catch up”.

² Deering et al (2014) undertook an analysis of studies that included details on workplace violence as well as those that considered intimate and other non-paying partners. They focused on studies that measured physical or sexual violence, and they only used peer-reviewed articles where correlates of violence in bivariate or multivariable analysis were examined.

³ The appended ‘Women in the Sex Industry and Family Violence’ literature review explores prevalence rates of family violence against women in the sex industry in more detail. Unless otherwise noted, all academic research noted in this submission is further discussed and referenced in the appended ‘Women in the Sex Industry and Family Violence’ literature review. Our thanks to Project Respect volunteer Miranda Webster who prepared this document to inform this submission (appendix 1).

'Jane', as told to Kate Connett, in 'Talking about Stigma: Women's Experiences of Stigma Related to Their Involvement in the Sex Industry' (2013)

"When he found out that I was working, things got difficult then because he actually stopped working. There was this expectation that I was to make his wages plus my wages to keep the house running and that's when he became really abusive. Before that everything was fine."

'Nancy', as told to Kate Connett, in 'Talking about Stigma'

Dee is from an African country. I met her when she was in a brothel and she was several months pregnant. Her partner was an Australian man who psychologically and physically abused her. He had quit his job and forced her to go into the sex industry to make money. Because of her immigration status, she was not eligible for social security. Being pregnant, she could no longer be in the sex industry and relied on him financially. He worked on and off throughout her pregnancy and constantly punished her physically because she was not contributing any money to the household. She had a child and continued to live with him. Within a few weeks of her giving birth he sent her back to the sex industry. She became addicted to ice and eventually lost custody of her child due to neglect. He got custody.

Prepared by Shirley Woods, Strategic Advisor and former Outreach Coordinator

Kay had been battered violently by her husband and father of her children for many years. He did not work and lived off her earnings from prostitution. One night I received a phone call from another woman who worked in the same brothel. She told me that Kay had turned up to work black and blue and with a split lip. Kay was too afraid to go home but was worried about her children.

Project Respect was having a weekend away for women that weekend and asked her friend if she would take her in for that one night and bring her on the weekend away. She agreed. She was cared for over the weekend and made to feel safe. I assured her that we would go to court first thing Monday morning and start the process of getting her children back.

On Sunday, with nowhere to go, she phoned the (then) Women's Domestic Violence Crisis Line. The worker was asking her a lot of questions and proceeded to ask what they had fought about. Kay told her that they fought about her being in the sex industry, but didn't understand because he often made her go to work when they needed money. The worker said "well, that's not a very nice thing to do, why did you do that?" Kay became very upset and handed me the phone. I advocated for her, and she was referred to a refuge.

We went to court the next day to seek an order to get her children back. The order was granted mainly due to a recording that Kay had on her phone of her husband screaming at her and telling her that he was going to bury her alive. The order stated that the children should not be with their father.

I phoned her local police station and asked them to serve the Intervention Order and get the children. They informed me that they would serve the order next time they were out that way and said that they were not a babysitting service. I agreed

to take Kay to the police station and wait. We waited three hours. Kay was terrified that her partner would kill the children, as he had told her if he couldn't have the children, she wouldn't either. The police eventually came back to the police station with the children.

A police woman approached me. She told me that Kay's husband had told her that he had just found out that Kay was in the sex industry and got angry. She said to me "Well, I certainly hope now that she has her children back, that she won't be doing that anymore."

I helped Kay get a house, get her children into school, and a part-time job. Some months later her husband found her, and moved her interstate to isolate her from her new friends and other supports. I have not heard from her since.

Prepared by Shirley Woods, Strategic Advisor and former Outreach Coordinator

2. Context of prior and ongoing violence against women in the sex industry

For some women in the sex industry, family violence perpetrated by their partner or ex-partner is their first experience of gendered violence. For many women, it is part of an ongoing experience of violence, from intimate partners, sex industry clients and other men. For some, violence began when they were children.

For example, in 2011-2012, 50 per cent of the 714 women Project Respect spoke with said they had experienced sexual assault at some point in their lives (including as children) and 55 per cent said they had experienced or were experiencing family violence.

Given this context, for many women, family violence is experienced not as an isolated experience, but as part of ongoing and pervasive gender-based violence that creates significant fear, which may permeate their home, workplace and other sites, and which causes disease, disability and death. The pervasive, repeated and serious nature of family violence, and reinforcing and compounding forms of other male violence against women in the sex industry, suggests that women in the sex industry are particularly vulnerable to gender-based violence.

Local and international research indicates that many women in the sex industry have experienced a wide range of men's violence, starting when they were children (Argento et al, 2014; Hong et al, 2013; Ulibarri et al, 2010; Ratinthorn et al, 2009). In a study of 387 women in Vancouver, Canada, Argento et al (2014) found that 66.7 per cent of respondents reported physical and/or sexual abuse before the age of eighteen, and that this was higher among those who had experienced recent family violence (84.13 per cent vs 61.8 per cent). Ulibarri et al (2010), found respondents in a Mexican study of 300 women in the sex industry who reported experiencing intimate partner violence were significantly more likely to report having suffered emotional, physical or sexual abuse as a child than those who did not report intimate partner violence (67.6 per cent vs 45.6 per cent). Arguably, experience of violence as a child impacts upon women's experience of family violence.

Additionally, women in the sex industry experience a wide range of violence from sex industry 'clients'. Research by Vanwesenbeeck (1994) from the Netherlands, where there is a large legal sex industry, found that 70 per cent of women in

brothels had experienced verbal threats, 60 per cent physical assault and 40 per cent sexual violence.⁴ Research by Farley (2003, cited in Powell and Nagy) of 854 people across nine countries, covering both illegal and legal prostitution, found that 71 per cent had been subjected to physical assaults and 62 per cent to sexual assault. Additionally, research finds that women report ‘being concerned with robberies, non-negotiated sex acts, attempts to or actual removal of the condom, offensive language and harassment (rudeness or disruptive behaviour) or being financially ripped off (Sanders and Campbell, 2006; 2007).’ According to Powell and Nagy (2014), ‘the experiences of harassment and abuse of women in indoor prostitution appear to be almost a routine part of the job in the Australian context, and significantly more common experience than physical assault and rape. Indeed, “sex worker advocacy groups” in Australia and Victoria produce resources and provide support to workers encouraging them not to accept harassment, abuse or indeed sexual assault as “part of the job” (see for example RhED, 2002)’. For a minority of women, this violence includes sexual slavery (also known as trafficking for the purposes of prostitution), a profound and dangerous form of gender-based violence in the sex industry, with serious impacts on women. These forms of violence are exacerbated by brothel management practices that are exploitative or violent.

Some women in the sex industry are subjected to racialised violence. For example, Asian women are often assumed to be more passive and more willing to accept violent behaviour or have sex without a condom. These negative stereotypes mean they are at times subjected to more violence and discrimination. One of the reasons for trafficking in women for prostitution is to feed the demand for women from particular countries, who are seen to have particular, racialised attributes. Violence is particularly acute for trafficked women.

Prostitution has been described as an ‘extremely dangerous profession’ (Rekart, 2005). As with other forms and sites of violence, violence experienced by women in the sex industry has a serious health impact. Cwikel et al (2003) found 33 per cent of respondents had current health problems, ranging from stomach aches to sterility, back pain and fractures. According to Powell and Nagy (2014), ‘the data illustrates that many women in indoor prostitution may be turning to drugs, alcohol and cigarettes in order to be able to keep performing their jobs.’ US research published in *The American Journal of Epidemiology* (Potterat et al, 2004) on the overall and cause-specific mortality of 1,969 women in the sex industry in Colorado from 1967 to 1999 found that of 117 definite or probable deaths, the average age of death was 34. The leading cause of death was homicide (19 per cent), followed by drug ingestion (18 per cent), accidents (12 per cent) and alcohol-related causes (9 per cent). Based on this research, they found the ‘workplace homicide rate for prostitutes’ is ‘51 times that of the next most dangerous occupation for women, working in a liquor store’.

Women are often acutely aware of the dangers of being in the sex industry. According to Powell and Nagy, ‘While actual violence may be comparatively lower inside brothels [than in street prostitution], researchers have pointed out that women in brothels feel that every interaction is inherently dangerous (Brents and Hausbeck, 2007; Murphy and Venkatesh, 2006, O’Doherty, 2011)’. Two of the three

⁴ The information in this section of the submission comes from ‘The Harms of Indoor Prostitution for Women: A Research Review’ (2014), prepared for Project Respect by Dr Anastasia Powell and Dr Vicky Nagy (appendix 2).

expert respondents who were interviewed for this submission spoke of having sex with men who were later convicted of serious crimes that they had committed immediately prior to or after attending the brothel, including rape and murder.

Recommendations

4. Recommend that the Coroners Court conduct research into the mortality rates and causes of death of women who are in the sex industry.
5. Recommend that the state government conduct an audit of Victorian sex work laws, regulations, policies and programs to identify opportunities for reducing and preventing family and other violence against women, recognising the gendered nature of the sex industry and the link between gendered inequality and violence. Also recommend that the state government amend the Sex Work Act to make it an offence to willfully, knowingly or recklessly have sex with a trafficked person, or with other persons in the sex industry without their consent.

Women's experiences of pervasive and compounding violence

“It’s just what you put up with’, says one brothel worker. ‘If you don’t like it, you leave. And if you see anything you shouldn’t, you keep your mouth shut.’”

From ‘Recommendations for Changes to the Prostitution Control Act 1994 and Other Sex Industry Related Matters’, written by Christie Heart for Project Respect (2007).

“There was this guy who would turn up and just lie down like a dead fish and then I would do my thing to him and he would just leave. Then a friend and I saw in the newspaper that this guy turned out to be a serial killer. And then I said, ‘I saw him three weeks ago’, and she said ‘Yes, I’ve seen him too, he was a regular here’.”

Expert respondent C

“One woman who started work at a legally registered massage parlour was taken into a private room by the licensee and told to give him a blow job (oral sex without a condom) in order to keep her job. She did as he asked because she needed the work, and was too intimidated to say no. She later learned this was a common occurrence.”

From ‘Recommendations for Changes to the Prostitution Control Act 1994 and Other Sex Industry Related Matters’, written by Christie Heart for Project Respect (2007).

Bussaba is a woman in her early 30s. She was referred to Project Respect by a friend after the birth of her youngest child, and we have worked with her for approximately four years.

Bussaba came to Australia from Asia on a prospective marriage visa. Once she was in Australia, her husband perpetrated sexual, physical, financial and verbal abuse against her; she was forced to work in her husband’s business, do all the household work and serve her husband. Her eldest child, from a previous marriage, joined her in Australia, however once her husband became violent, she sent her child home.

After two occasions when the physical violence was particularly severe, she contacted the police, who referred her to In Touch. In Touch helped her with immigration issues and refuge accommodation.

After she left the refuge, she had no ongoing accommodation. Bussaba believed she was ineligible for Centrelink and had no source of income, limited work experience and limited English. She began working in a brothel.

She experienced a range of violence in the brothel from clients and brothel management. The brothel managers introduced her to illicit drugs. She believed this was so she would work longer shifts. She developed a drug addiction. She became homeless at this time, and began living at the brothel, which meant that she worked longer hours than she had previously.

She later met a new partner, and they had a child together, and Project Respect met Bussaba shortly after. After being homeless (including living in a caravan park), Project Respect helped Bussaba, her partner and child access private rental, and assisted Bussaba to successfully apply for a Centrelink benefit.

Bussaba's new partner is verbally violent. Bussaba provided the stable financial support in the family, as aside from occasionally selling illicit drugs, her partner does not have paid work. Her partner tells Bussaba that if she left him, Child Protection would remove her child as she has worked in the sex industry and taken illicit drugs.

Project Respect continues to provide support to Bussaba, including material aid, housing advice and referrals, legal referrals, and emotional support, advocacy, community connectedness and peer support activities. We have supported Bussaba to achieve her aim of buying a car, linked her in with English classes and attended a range of appointments with her. Bussaba has attended Project Respect community lunches and weekends away, and values the peer support and community connectedness. We visit her regularly, although her partner tries to stop these visits.

Prepared by Lena Sivasailam-Pilcher, Community Development/Outreach Worker, Project Respect

Project Respect met Naamala during outreach to a licensed brothel (as part of a project funded by the state government - the funding has since ceased). She grew up in Asia. She was orphaned as a child, and later married and had a child. Her husband was violent, and subsequently took her child and left the relationship. Naamala worked in a factory, where she met people who told her they could find her work in Australia where the wages would be better. She paid tens of thousands in dollars to traffickers who said they would organise a visa, travel, accommodation and a job as a waitress in a nightclub.

She came to Australia, was taken by the traffickers from the airport to an apartment and raped. She was forced to do prostitution against her will to pay her debt. She was held in sex slavery for some time, and was prostituted in a range of brothels. During that time, she twice became pregnant, and a woman working in one of the brothels helped her get an abortion. She experienced ongoing violence from customers, but was scared that if she complained she would get into trouble.

After about a year, the traffickers organised an expensive apartment in her name, and released her from their control. She had an expensive lease in her name, and so continued in the sex industry. She befriended a woman from her country who she later moved in with. Around this time, she met Project Respect during Outreach (part of a state-government funded project - funding has since ceased for this project). She asked for help with her visa as it was due to expire the following day.

When she explained her situation, Project Respect suspected that she had been trafficked, and later confirmed that this was so. We helped her submit a visa application, the migration agent paid for her application fee, we referred her to a specialist slavery legal service, and she gained a visa. We referred her to the Australian Federal Police Human Trafficking Unit, and she was placed on the Human Trafficking Program for an assessment period of 45 days. However, as the police decided they would not pursue a criminal case against the traffickers, she was not able to stay on the program beyond this period. She was left without housing or financial support other than working in the sex industry (which she said she hated).

Project Respect referred her to and accompanied her to health services and linked her in with education, including English classes. We provided her with information about her rights in the sex industry. Naamala joined community lunches and weekends away.

Naamala's housemate had a boyfriend who had been in prison. Upon leaving prison, he came to live with the two women. He had previously organised for his girlfriend to work in the sex industry, and began arranging brothels for Naamala to work in, in Melbourne and interstate. He was verbally violent, made threats against the two women, did not contribute financially to household costs, regularly asked for money, and ran up a debt on Naamala's credit card without her knowledge. She reported to Project Respect that she experienced ongoing violence from customers, and was being stalked.

She eventually left Victoria to escape, and has stayed in contact with Project Respect. Project Respect has linked her in with mental health and other services interstate, helped her access educational opportunities, and provides moral support through phone calls. She is happy to be rebuilding her life.

Prepared by Lena Sivasailam-Pilcher, Community Development/Outreach Worker, Project Respect

3. Context of compounding disadvantage

The sex industry is a catchment area for women who experience violence, exploitation and disadvantage. Women's experience of violence while they are in the sex industry, including family violence, is frequently compounded by discrimination and disadvantage and the complex impacts these create.

For example, in 2011-2012, 77 per cent of the 714 women Project Respect spoke with were experiencing housing stress (with 23 per cent of the women being homeless) and 36 per cent said they gambled excessively. Additionally, from our work with women, we know a large number of women have mental health issues and issues with drug and alcohol. We observe a disproportionate number of women

in the sex industry were wards of the state as children and/or are former prisoners. Many women are single mothers, which means that they often experience financial stress.

In an Australian survey, Perkins and Lovejoy (1996) found 60 per cent of surveyed women in the sex industry reported feeling stressed, 28 per cent reported chronic fatigue, 33 per cent reported emotional anxieties, 36 per cent reported depression, 20 per cent reported feelings of isolation, and 31 per cent reported loss of sexual pleasure.⁵ As a consequence, according to Powell and Nagy (2014), women in the sex industry in Australia were ‘less likely to be satisfied or completely satisfied with their homes, their employment conditions, their financial situations, how safe they felt, how connected they felt with their communities, their health, the neighbourhoods which they inhabited or how satisfied they were with life overall (Bilardi et al, 2010)’.

In addition to these forms of disadvantage, significant numbers of women in the sex industry experience poverty, both as a push factor leading them into the sex industry and while they are in the sex industry. This is in contrast to the community view that women in the sex industry make a great deal of ‘easy’ money. According to Powell and Nagy, ‘In comparison to Australian working women generally, women in brothels were more likely to be unable to pay their utilities in the past 12 months (25% vs 13%), pay their mortgage or rent on time (36% vs 7%), went without meals (11% vs 3%), asked friends or family for financial help (37% vs 15%) and sought out welfare benefits (15% vs 2%) (Bilardi, 2010).’

Many of these factors are likely to exacerbate the impact of family violence, and create barriers to women escaping violence and seeking support to access safety.

Many women in the sex industry are newly arrived in Australia. For these women, their visa status can create difficulties, including when seeking refuge accommodation or when trying to leave a man who uses violence against them. For some women, visa restrictions mean they cannot get a job in other industries, but find brothels will employ them without a working visa. Other women are not eligible for social security, or do not know they are eligible.

Recommendations

6. Recommend that the Commonwealth Government increase social security payments, including for supporting parents, to ensure women can live above the poverty line and thereby reducing the pressure to undertake prostitution to meet basic needs.

Women’s experiences of compounding disadvantage and discrimination

“When you are in the industry you do get hurt so many times. You are sore and bruised and you can’t really look for anything for a few weeks. I would save up enough money and stop and look around for something that I can live on. By the time you are well again, you go back because you’ve run out of money.”

Expert respondent C

⁵ Powell, A. and Nagy V. (2014). *The Harms of Indoor Prostitution on Women: A Research Review*. Background paper prepared for *Project Respect*, Melbourne.

Lucy is in her early thirties. She was homeless and sleeping in a brothel when she met a Project Respect outreach worker and we began working with her. (This was part of a project funded by the state government. This funding has since ceased.)

Lucy is separated from her ex-partner, with whom she has one small child. Her ex-partner perpetrated verbal, physical and sexual assault against her, including gang raping her with his friends.

Lucy has professional qualifications, and has worked in her full-time industry as well as in the sex industry, to support her family. She had left the sex industry prior, but returned to it when she left her partner, and subsequently lost her other job. Lucy says she developed a drug addiction when she returned to the sex industry, and has experienced a range of mental illness including severe anxiety, panic attacks, depression and bulimia. She lost custody of her son, and has been trying unrelentingly to get him back.

Lucy started a new relationship, and was subjected to violence from her new partner. Project Respect supported her to report the violence to the police and secure an intervention order against the perpetrator.

Project Respect helped Lucy secure short-term emergency housing, and apply for public housing. She secured public housing with space for her son to join her, should she regain custody. Project Respect helped her with a removalist and referrals to organisations that provided furniture and whitegoods. We have supported Lucy to access financial support through Centrelink, and provided a range of material aid (food, clothes, furniture). Lucy has subsequently left the sex industry. We have helped her link in with a range of mental health, drug and legal services, material aid, and, at her request, accompanied her to appointments, as well as providing her with ongoing emotional support.

Prepared by Lena Sivasailam-Pilcher, Community Development/Outreach Worker, Project Respect

4. Stigma and discrimination based on being in the sex industry

Many women in the sex industry experiencing family violence (and other violence, exploitation or disadvantage) face particular barriers to accessing help. They experience and fear being treated differently and more harshly, including by services intended to help women experiencing family violence. This includes family violence services, lawyers, courts, Child Protection, police and health practitioners. At times discrimination is significant, and the consequences are dangerous. However, even where women do not experience discrimination, fear stops many women from accessing help. This in turn means that family violence against women is underreported.

One of the positive changes brought about by decriminalisation of prostitution in many parts of Australia has been the challenge to the stigmatisation of women in the sex industry. However, stigma has not been eradicated. A study (Groves et al, 2008) of 97 women in the sex industry in licensed brothels found that 47 per cent were worried about community attitudes to prostitution. Focus groups conducted with a small group of women in the sex industry by Begum et al (2013) found that the women 'agreed that despite the legalisation of sex work, there had not been an improvement in society's perception of their work'. Respondents felt that they were forced to live a 'double life' and were forced to lie to family and friends

about their job (Begum et al, 2013). Sanders (2004) found that 52 of 55 women in the sex industry surveyed kept their work secret from some or all people in their private lives. Stigma is globally linked to difficulty accessing health services (Lazarus et al, 2012; Basnyat, 2012).

Many women in the sex industry feel that they must lie about or hide important details of their life from family and friends. This makes them more vulnerable. Women tell Project Respect that they have withdrawn from relationships, leading to social isolation. While this may result in women being more vulnerable to family violence (as perpetrators may identify them as easier targets), it also means that women in the sex industry experiencing family violence may have fewer social supports to access.

Recommendation

7. Recommend that services in the family violence system undertake training on working with women who are in the sex industry.

Women's experiences of stigmatisation, discrimination and isolation

“[It’s] traumatising to have to lie to people. You want to connect with people like everybody else. You want to make friends, you want to be just a normal person. A little question like ‘So what have you been doing?’ or ‘Where have you been working?’ And all those absolutely average, normal questions become traumatizing and if you want to protect yourself you have to lie and then the isolation comes in because you’re protecting your lies so you can’t let anybody know you. And that is such a horrible thing. It’s very uncomfortable to have to be hiding who you are”.

Laura, as told to Kate Connett, in ‘Talking about Stigma’.

“When I was in the industry I started to suffer depression. It was the constant lying for me. Lying to family, lying to my partner. I started to struggle with that. I would just close up [because] I didn’t know how to come out. I didn’t know how to say [that] I had a rough client or I was raped last night”.

Nancy, as told to Kate Connett, in ‘Talking about Stigma’.

[In response to the question, did you seek help when you experienced family violence?]

“No, I have never [did]. Because I always feared being judged. I didn’t really know whom I could talk to or explain my problems to. It was hard for me.”

Expert respondent B

A notification was made by an unknown person to Child Protection in relation to ‘Sally’, a Project Respect client. Sally has several children, and is pregnant. Project Respect believed that Sally was an engaged and protective mother, and that her children were well cared for. Sally was linked in with a range of services, and actively sought and engaged with appropriate services.

Project Respect rang and spoke with Child Protection at Sally’s request, as Sally was scared that her children would be removed by Child Protection over the weekend. The Child Protection worker stated that the children could be removed because Sally was engaged in prostitution. The Project Respect staff member

explained that prostitution was legal in Victoria. The Child Protection worker then said that Sally's pregnancy was evidence that she was behaving irresponsibly, implying that she had been having unprotected sex as a sex worker, and that this could be grounds for her children being removed. Project Respect explained (with Sally's consent) that her pregnancy was a result of having been raped by a client, not as a result of agreeing to unprotected sex. The Child Protection worker then said that if Sally did not have counselling about the rape, the children could be removed because Sally's trauma could impact on the children – implying that Sally was not acting responsibly in relation to the assault she had experienced. The Project Respect worker suggested that Sally had agency in deciding if she wanted counselling at that point, and that counselling would be most useful if it was chosen rather than imposed. The Child Protection worker asserted again that Sally must have counselling, that she could and should be compelled to do so, and that not to have counselling would impact on her children adversely. (Sally was in fact receiving counselling at that time.)

The Child Protection worker had not met Sally, and no assessment had been made of the children's situation at this point.

Prepared by Kathleen Maltzahn, Founding Director, Project Respect

5. Barriers to recognising violence

Many women in the sex industry have prior experiences of men's violence, as children and as adults. For some women, this violence means they are deeply aware of the negative impact of violence, and work hard to avoid being subjected to violence. However, vigilance is not always enough to protect them.

For other women, the pervasiveness of violence may impact on women's identification of violence. This in turn impacts on (and is impacted upon by) violence experienced in relationships. There are many reasons women may not identify violence. For some, it may be so common that it is unremarkable. Some women tell Project Respect there was no point acknowledging their experience as violence when they saw no way out of it.

This may mean that women in the sex industry experiencing family (and other violence) are less likely to access services, and so are at greater risk of being subjected to ongoing and escalating violence. Further research is needed to explore this issue in the Australian context.

Women's experiences of the barriers to recognising violence

"I have seen my parents live in abusive situations. From my experiences of violence, somebody physically hurting me was never acceptable to me. Maybe it was because of the things I had seen in my childhood that I decided that I will not let anyone harm me physically. However, I was seeing this guy who gambled away everything we had. When I discovered this, it was too late. He had gambled all my money and I was left with nothing. We had this thing that he was in charge of managing finances. And I was shocked to know that all my money was gone one day."

Expert respondent A

[In response to the question, do women see violence as ‘part of the job’?]

“Yes, most definitely. They wouldn’t even recognize it as a violent situation and would hardly ever talk about it. They are forced to do something they are not comfortable doing in certain cases. They are left bruised and sore many times. They don’t talk about it though; they might just end up saying that a particular client was rough.”

Expert respondent C

[In response to the question, what are the similarities and differences between the way the women look at violence within the sex industry and outside the industry?]

“It is a part of your job ... I didn’t even realise after several years. I was having trouble breathing before I went into a booking. I thought, ‘Aww... I am suffering from asthma or something’. I would go up the stairs for a booking and I couldn’t breathe and then I would get into the booking and I would switch into the acting mode. And all of a sudden I could breathe – I realized that it was the fear about what I would have to walk into.

Expert respondent C

6. Family violence as a pathway to the sex industry

Project Respect has worked with many women who entered the sex industry for the first time when they left a relationship with a violent man. There is clear evidence that family violence impacts negatively on most women’s financial situation. Additionally, welfare benefits leave women below the poverty line, and can take time to access, particularly if women are not aware that they can access family violence crisis payments from Centrelink. For women with children, finding employment that allows them to work school-friendly hours can be difficult. Many women lack qualifications for other roles, or find their confidence and self-esteem is so eroded that they do not believe they can do other roles. In this context, the sex industry can be a woman’s best option – it does not require qualifications or prior experience, it does not require references, it provides an immediate income and it allows women to work child-friendly hours. In the context of an abusive relationship, it can be an important escape pathway for women, by providing an income.

However, for women who have already experienced family violence, this can expose them to further violence and trauma. Additionally, in the absence of adequate exit programs for women in the sex industry (Powell and Nagy, 2014), women entering the sex industry to escape family violence can find themselves trapped. Murphy and Vankatesh (2006, cited in Powell and Nagy, 2014) find that ‘the longer women are involved in brothel prostitution (legal or illegal) the more their opportunity to exit diminishes because “the organisation of indoor sex work affects the ability of women to formulate social relationships that help them to exit the trade”.’

One recent development of concern is the increased number of women in the sex industry who stay in brothels because they are homeless. The impact of the housing crisis on women leaving men who use violence is well documented. This can have a particular impact on women in the sex industry, who commonly lack

pay slips to prove they can afford rent and who face discrimination if they disclose that they work in the sex industry. As a result of the housing crisis, many women sleep in the brothel in which they work. While living at the brothel provides an immediate solution to the problem of homelessness, it frequently leads to other problems for women. Brothels commonly expect the woman to work until the brothel closes (which can be 6am), women are woken to service clients if there are not enough women available, and women can be reluctant to refuse clients or sexual acts because they fear being evicted. Project Respect estimates that up to half the brothels we conduct outreach to have women living in them.

Recommendation

8. Recommend that local, state and federal governments provide affordable, accessible and safe housing.

Women's experiences of the family violence leading to work in the sex industry

Amy is in her late twenties who came to Australia on an intended spouse visa. As soon as she arrived in Australia he began verbally, psychologically and sexually abusing her.

After several months left him and moved in with another woman from her country. Amy had no money and was desperate. Her housemate was in the sex industry and introduced Amy to it.

Amy began dating a brothel client and fell pregnant to him. He also psychologically and verbally abused her and she left him too. She lived in a brothel until she was heavily pregnant. This is when I met her. I helped her get accommodation and assisted her with gathering the necessary items for the impending birth of her child. By this time she was dating another man who had been a client. He also verbally and psychologically abused her. We discussed the fact that the way he was treating her was a form of abuse. She understood but believed his angry outbursts were her fault. She became pregnant. One day I visited and she broke down and told me that he had beaten her, nearly to death. She had black and purple bruises the size of saucers on her buttocks where he had kicked her. She said that most of the hits were to the head. She was holding his child when he first hit her and hit the baby while hitting her. She managed to get the baby back in the cot before he continued. In the week following the incident Amy tried to hang herself but fortunately was not successful. She is now receiving counselling.

Amy's child who was a toddler at the time witnessed everything. Her child is now kindergarten age and still doesn't talk.

Through the process of reporting to police and an intervention order being sought, her partner was picked up and deported not long after, as it was established that he was here unlawfully. He continues to phone her from overseas.

Prepared by Project Respect Strategic Advisor and former Outreach Coordinator, Shirley Woods

7. Violence against women in the sex industry as an enabler of violence against other women

The previous sections have focused on addressing safety for women in the sex industry. This section will explore why addressing violence against women in the sex industry is necessary to ensure the safety of all women.

As research and the experiences above show, there are inadequate sanctions against men who are violent to women who are in the sex industry. However, attitudes that enable violence against one group are unlikely to be confined to just that group. Violence tolerated against one group of women undermines the safety of all women. Tom Meagher has made the link between murderer and rapist Adrian Bailey raping several women doing street prostitution with impunity, and Bailey's subsequent murder of Jill Meagher. Meagher writes that when Bailey was asked why he raped the women, he stated 'I paid for her, I can do what I want with her' (Herald Sun, 2015).

While there is limited research on men who purchase sexual services (Powell and Nagy, 2014, Hoigard and Finstad, 1992), recent research explores links between men's attitudes to violence and purchase to sexual services.

US research with 2135 respondents in a shelter for victims of family violence found that violent men who used pornography or strip clubs were more likely to use marital rape, other sexual violence and stalking, and more likely to use controlling behaviour, compared to violent men who were not known to access the sex industry (Simmons et al, 2008).

A United Nations multi-country study (Fulu et al, 2013) of over 10,000 men and over 3,000 women in the Asia Pacific found an association between men's violence against women and having sex with a sex worker. The report states that 'having sex with a sex worker or transactional sex was generally found to be associated with depression, alcohol and drug abuse, gang involvement, gender-inequitable attitudes and having experienced homophobia or sexual violence', and that 'Practices stemming from gender inequality and dominant ideals of manhood were associated with partner violence perpetration, such as gender inequitable attitudes, controlling behaviours, having multiple sexual partners and having had sex with a sex worker'. The study found that men 'who had ever had sex with a sex worker or transactional sex were three times more likely to have perpetrated non-partner rape', and that 'Researchers have argued that these behaviours do not express mere sex seeking so much as they stem from ideas about masculinity that emphasise heterosexual performance and domination over women.'

This research that the sex industry may be both a site for reinforcing gender inequitable attitudes as well as showing men that they will not be held accountable for violence when it is against women in the sex industry. This undermines wider efforts to encourage gender equitable attitudes in men and to show them that they will be held accountable for violence against women.

Recommendation

9. Recommend that men's behaviour change programs address violence against women in the sex industry in their programs with perpetrators of family violence.

OTHER ISSUES

There is limited up-to-date research of family and other violence against women who are in the sex industry, and limited data about the interaction of women in the sex industry with the family violence service sector. This reflects both the specific issues affecting women in the sex industry, and the wider problem with data about family violence in Victoria. Accurate data about the experience of women in the sex industry and research about the systemic barriers to women's safety are crucial in eliminating violence. However, there are particular sensitivities when collecting information about women in the sex industry, given the stigma and discrimination women experience.

Recommendation

10. Recommend that the Australian National Research Organisation for Women's Safety (ANROWS) investigate what measures, statistics and data about violence against women who are in the sex industry should be included in the Victorian Family Violence Index, and how such measures, statistics and data can be collected while protecting the privacy and safety of women in the sex industry. ANROWS should also consult with Project Respect, women in the sex industry, and other relevant organisations to identify the barriers to collecting data about violence against women who are in the sex industry.

USEFUL CONCEPTS

Continuum of violence

Family violence can be understood as part of a continuum of violence against women. Kelly (1987, 1988) argues that violence against women exists as a continuum of behaviours in which all forms of gender-based violence, abuse and harassment are linked. Kelly states that all types of violation are connected by 'the basic common character ... that men use a variety of forms of abuse, coercion and force in order to control women' (Kelly, 1987). The 'range of abuse, coercion and force that women experience' and the pervasive nature of violence that impacts many (or perhaps most) women must be acknowledged (Kelly, 1987, Fileborn, 2013). Kelly (2015) highlights how 'everyday intimate intrusions' that women suffer, such as sexual harassment and street harassment, tell women that they do not have the same right to be in public spaces as men. Different forms of violence 'shade into' one another and limit the participation of women in society. Different forms of violence come from the same root causes: gender inequality and the belief that men are superior to women. Family violence does not happen in isolation from other forms of men's violence against women, and will not be adequately addressed unless other forms and sites of men's violence against women are tackled.

Work to stop family violence cannot succeed without strong messages that men's violence against non-family members (such as colleagues, employees or strangers in the streets) and in non-family settings (such as the workplace, public places and the sex industry) is illegitimate and illegal. While men continue to believe that some women, in some settings, are 'fair game', gender equality will be undermined, as the enabling attitudes that allow men's violence against women will not be consistently challenged.

Policy and programs on men's violence against women in Victoria and Australia focus on family violence, with some limited focus on sexual assault outside relationships. This reflects the pervasive nature of family violence. However, other forms of violence, such as workplace harassment and street harassment, are arguably just as prevalent. Other forms of violence, such as trafficking, are arguably just as serious and damaging. Given this, a policy framework that addresses the full range of men's violence against women and children, across a broad range of sites and settings, will be most effective in eradicating family violence and the gendered inequality that fuels family violence.

The United Nations has adopted an expansive definition of violence against women which recognises the continuum of gender-based violence. The 1993 UN *Declaration on the Elimination of Violence against Women* defines, under article 1, violence against women as 'any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'. Article 2 states that violence against women should be understood to encompass but not be limited to the following:

- physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution; and
- physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.

Recommendation

11. Recommend that local, state and federal governments adopt a policy framework that addresses the continuum of violence, aiming to eliminate men's violence against women in all its forms and settings. Local, state and federal governments should embed family violence policy and programs within this broad framework, rather than as a standalone policy.

Specialist services

The intersectional nature of violence and its disproportionate impact upon certain groups due to marginalisation and oppression must be recognised (Sokoloff and Dupont, 2005). Research demonstrates the need for specialist services for particular sections of the community (Donnelly et al, 2004; Hunter, 2006; Hovane, 2007; FVPLS Victoria, 2010; InTouch, 2010).

The role of specialist family violence services is recognised within the Victorian family violence system. In addition, specialist services for particular groups are recognised as a key part of the service system. This includes organisations such as Women with Disabilities Victoria, InTouch and the Aboriginal Family Violence Legal and Prevention Service. Groups such as these improve the service system by providing direct support to women from high risk groups and specific cohorts, providing secondary consultations to other organisations, conducting training to

improve the capacity of mainstream organisations to respond to the specific groups, providing policy input and conducting advocacy.

As outlined above, women in the sex industry face forms of family violence specific to them, are disproportionately likely to experience prior and ongoing violence, are disproportionately likely to face additional disadvantage, encounter additional barriers to seeking help due to stigma and discrimination, may face barriers to recognising violence and may enter the sex industry because of family violence. These factors are poorly understood by the family violence service sector.

Project Respect has seventeen years' experience working with women in the sex industry, with a particular focus on violence and exploitation. Project Respect provides outreach to brothels, one-on-one counselling and support, access to essential services and a caring, non-judgemental community. This includes support, counselling, material aid, advocacy and referrals, in relation to family violence, trafficking, other violence, mental and physical health, legal issues including immigration, housing, drugs and alcohol, financial issues, child protection and parenting and employment and education.

Project Respect is funded primarily by the federal government, local government, philanthropic organisations and individual donors. Project Respect has no core funding, and currently has no state government funding. If better resourced, Project Respect could expand support to women in the sex industry who experience family violence and help build the capacity building to the family violence service sector to improve access for women.

Recommendation

12. Recommend that the state government recognise and fund Project Respect as a specialist agency addressing violence against women who are in the sex industry, including family violence, as a part of the Victorian family violence system.

Appendix 1

Acknowledgements

This submission is possible due to the work of Project Respect clients, volunteers, staff and Committee of Management. Particular thanks to the expert respondents who participated in interviews, volunteers Lisa Ashton and Priya Prabhu who oversaw the submission development including conducting interviews, Allana Smith, Manda Malekin, Miranda Webster and Hoe-Me Nguyen who conducted literature reviews, and to the other members of our volunteer team including Shasta Stevic.

In addition, this submission draws heavily on the work of Kate Connett, in 'Talking about Stigma: Women's Experiences of Stigma Related to Their Involvement in the Sex Industry', Dr Anastasia Powell and Dr Vicky Nagy, in 'The Harms of Indoor Prostitution for Women: A Research Review' and Miranda Webster in her literature review 'Women in the Sex Industry and Family Violence'.

Appendix 2

'Family Violence and Sex Work' literature review, by Miranda Webster (2015).

Appendix 3

Dr Anastasia Powell and Dr Vicky Nagy, in 'The Harms of Indoor Prostitution for Women: A Research Review' (2013).