

New report shows compelling reasons to decriminalise sex work

October 20 2017, by Linda Selvey, Basil Donovan, Jonathan Hallett, Kahlia Mccausland And Roanna Lobo



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We recently [studied](#) the health and safety of sex workers in Western Australia. While such a [study was conducted in 2007](#), we were interested to see if the sex industry had changed in the past decade, and to learn more about the intersection of the law and health and safety for sex workers in WA. While the study was undertaken in WA, it would have implications nationwide.

Sex work regulation

Since the 19th century, all Australian jurisdictions have criminalised most sex-work-related activities. But in the later part of the 20th century, these laws became [increasingly diverse](#).

More recently, the [Australian Capital Territory](#) and [New South Wales](#) largely decriminalised sex work. [International authorities](#) have commended the NSW decriminalisation model as best practice, and it was influential in New Zealand [law reform](#).

In WA, the [Prostitution Act](#) and the [Criminal Code](#) govern sex work law and prohibit most prostitution-related activities. However, the act of prostitution in itself is not an offence.

How the sex-work industry is changing

Our study was conducted in 2016 and involved male, female and transgender [sex workers](#) in a range of settings, including private work, massage shops, street-based and brothels.

We involved peer researchers, who were essential for the success of the project, and sought advice from sex worker organisations. We interviewed key advisers, including local government, police, brothel owners/managers and sex workers.

We also scanned newspaper and online advertisements, visited [sexual services](#) premises, undertook a survey of 354 sex workers, and carried out in-depth interviews with sex workers.

We observed significant changes in the WA [sex industry](#) over the past ten years. These include an increase in private sex work and relative decrease in brothel-based and exclusively street-based sex work. Use of the [internet and social media](#) to promote sexual services is increasing.

These changes reflect similar changes in the sex industry elsewhere in Australia and internationally. The growth in private sex work has implications for the provision of outreach services to sex workers, with an increasing need to reach sex workers outside brothels.

Contrary to popular belief, sex workers were more likely than not to report that their work enhanced their wellbeing. Sex workers reported feeling increased self-confidence as a result of their work, and many enjoyed the non-sexual interaction they had with clients. The financial benefits were also important, as was work flexibility.

Stigma and discrimination remained major impediments to sex [worker](#) wellbeing. This had impacts on their interpersonal relationships, as well as access to health services and the police.

We found high rates of tobacco smoking and [excessive alcohol consumption](#) in our study population, with excessive alcohol consumption higher in men than women. These rates are higher than those reported in the [general population](#). It is clear that efforts to reduce smoking in the general population have not been successful in this group.

We found that client requests for [unprotected sex](#), particularly [oral sex](#), were common. While a majority of survey respondents reported that clients used condoms 100% of the time for vaginal (67%) and anal

(59%) sex, only one-third reported condom use 100% of the time for oral sex.

The reduction in condom use for oral sex among sex workers has been described previously, and was associated with [pharyngeal gonorrhoea in Sydney](#).

A number of study participants described a downturn in the sex industry in WA that may reflect a downturn in the state economy. The downturn in demand for sexual services may have resulted in an increase in some sex workers' risk-taking, such as accepting clients who they're uncertain about or, possibly, agreeing to unprotected sex.

Any legislation that seeks to reduce demand, such as the so-called Nordic Model, could backfire and have such an impact.

Sex work should be decriminalised in Western Australia

Our study demonstrated several ways that the criminalisation of sex work in WA has negative impacts on the health, safety and wellbeing of sex workers. These include: criminalisation being used as an excuse for abuse by clients; sex workers being reluctant to go to police as victims of crime; and the hidden nature of sex work in the context of private houses and massage parlours impeding access to services and health promotion.

Decriminalisation allows a highly visible focus on workplace health and safety in brothels and massage parlours, and is an important step towards reducing stigma and discrimination experienced by sex workers.

There is good [evidence](#) that decriminalising sex work does not result in an increase in the number of clients, and the normalisation of this work

is important in improving sex workers' health and wellbeing.

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