

A Research Report into the Prevalence, Impacts, Context and Service Needs relating to Sexual Exploitation in Australia.

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## 1. Introduction

This document has been created to provide an overview of the issues pertaining to sexual exploitation in Australia, which will inform the development of HerSpace's Strategic Plan and the HerSpace program. Its primary aim is to determine the prevalence of sexual exploitation in Australia and more specifically, in Melbourne, and contextualise HerSpace's services and approach to the issue. Within this document, the term "sexual exploitation" refers to situations in which power is exercised over women and girls for social, economic, or political gain. It encompasses a range of practices that can occur in commercial, quasi-commercial and non-commercial contexts, including, but not limited to, sex-trafficking, brothel-based sex work, escort work, street-based sex work, commercial exploitation of minors and forced and child marriage. A comprehensive and broad analysis of the sex trade has been included as the conditions, experiences and issues confronting women and girls who have experienced sexual exploitation are relevant in both the legal and illegal sex trade. This extends beyond common perceptions of what constitutes the sex trade to include practices such as forced and child marriage, which may involve a monetary exchange for a 'wife' or be driven by economic hardship.

Sexual exploitation is a deeply gendered practice. Though it does affect some men and boys, women and girls make up the majority of those providing services, and men are almost exclusively the buyers (Ekberg 2004; SMoIGE 2009). For example, Martyn (1998) found that 68.7% of the 3704 children affected by sexual exploitation were girls and the Australian Study of Health and Relationships (Rissel et al. 2003) found that almost one in six Australian men have ever paid for sex. Thus this document will focus on the extent to which it affects women and girls, and HerSpace's services will be aimed at supporting this group.

This document is divided into three main sections. The first section provides a detailed overview of the Australian sex trade including demographics; push and pull factors; experiences within the sex trade and of services; Johns, mugs, traffickers and pimps; and Victorian and Federal legislation. The second section outlines the Australian organisations that provide support and services to women and girls in the sex trade. The third section details a number of funding opportunities available to HerSpace to engage in Australia-based work. The conclusion summarises the main findings and provides recommendations for HerSpace moving forward.



## 2. Language and terms

There is much debate surrounding the discourse and terms used in discussions pertaining to the sexual exploitation of women and girls that has served to create an 'either/or' dichotomy. On one hand, it is argued that to use the language of prostitution and exploitation is to overlook the diverse experiences of women within the sex industry – both legal and illegal – and discredit where agency and choice have been exercised (Weitzer 2009; Djuranovic 2009). Such a position is generally concerned with the stigma attached to those who engage in sex work and their potential over-policing (Fergus 2005). On the other hand, phrases such as 'sex work' are perceived to obscure the exploitation and violence that are rampant in the sex industry and that are seen to ultimately re-entrench patriarchal values in which women are situated as objects of male sexual desire (Jeffreys 1996; Ahmed 2011). From this standpoint, sex work is not seen as an autonomous choice but one shaped by gendered social inequalities.

While both groups have legitimate concerns, the polarising effect that the debate around language has had leaves no room for nuance. In addressing the experiences of sexual exploitation, this is vital in order to gain a more comprehensive picture of the complex and diverse contexts of the women and girls it affects. As Weitzer (2009) argues, there is sufficient variation across time, place, and sector to produce experiences of sex work that are varied and cannot be reduced to a simplistic dichotomy. Thus HerSpace adopts the position that involvement in the sex industry ranges from a position of free choice, agency, and autonomy, to one in which the freedom of choice is completely absent, and that situations of sexual exploitation are subject to various contextual factors. The language in this document will strive to reflect this position, using terminology such as 'women and girls who are affected by sexual exploitation', and 'women and girls who are involved in practices of sexual exploitation' to communicate neutrality and remain inclusive of both those who have exercised an element of choice in some aspects, and those who have been exploited in others or have been entirely forced or coerced into their situations.

Further reflecting our stance, HerSpace aims to provide services for and work with women and girls who define their own situations or experiences as exploitative so as not to perpetuate conceptions of victimhood that position them as passive victims of their situation, denying them agency. HerSpace believes that women and girls are capable of taking control and changing their situation, and it is ultimately this kind of empowerment that our programs will offer. According to Saphira and Oliver (2002), most assistance afforded to those involved in the formal and informal sex trades is motivated by concepts of rescue and reform, with programs being experienced as restrictive by those they aim to protect. In privileging the voices of women and girls who are affected by sexual exploitation, HerSpace adheres to the feminist principle that women and girls are the experts on their own lives and acknowledges their capacity as change-makers. Indeed it is only by listening to their voices that we will be able to fully understand and address their diverse needs, and work towards a world free of sexual exploitation.

### 3. Sexual exploitation in Australia

This section will provide an overview of the push and pull factors of sexual exploitation, as well as the experience of the women and girls affected and their encounters with support services. In doing so, it will present the available research and data in an attempt to quantify the number of women and girls affected by sexual exploitation in Melbourne and across Australia.

#### 3.1 Push and Pull Factors for Sexual Exploitation

Key factors that enable sexual exploitation
POVERTY
DEBT BONDAGE
DRUG ADDICTION
PHYSICAL, EMOTIONAL AND SEXUAL ABUSE OF WOMEN BY PARTNERS, BOYFRIENDS, FAMILY AND EMPLOYERS
LACK OF EDUCATION AND WORK EXPERIENCE
PARENTS INVOLVED IN THE SEX INDUSTRY
EXTENSIVE GAP IN THEIR CAREER HISTORY
OBLIGATION ROOTED IN GENDERED CULTURAL AND SOCIAL UNDERSTANDINGS OF THE ROLES OF WOMEN

There are various push and pull factors that enable sexual exploitation to occur. At one end of the scale, women may be subjected to illegal international and domestic trafficking, forced into the sex industry through threats of violence, kidnapping or be promised another job that turns out to be sex work (Flynn, Ashton and Mason 2014). They may also be forced into marriages as adults against their will or as children using coercive and deceptive means (Evenhuis and Burn 2014). At the other end, many women find themselves involved in sex work through marginalised circumstances such as financial hardship, or misunderstandings of the kind of work they will be expected to do (Flynn, Ashton and Mason 2014). There are also women, however, report high levels of satisfaction with the work and who enter and remain in the sex industry due to the relatively large amounts of money that can be made within a short period, as well as the flexibility that the profession affords (Weitzer 2005: 218; Maher, Pickering and Gerard 2012).

The push and pull factors are as follows:

- **Poverty** is a major factor for children being involved in commercial sexual activity, and strongly correlates to homelessness. Poverty is also a factor for foreign women who are trafficked due to low socio-economic circumstances of their home countries and the need to support their families. These women may know that they are entering the sex trade (though not necessarily the conditions) or may be tricked by recruiters, family or partner who promise work outside the sex industry (Larsen and Renshaw 2012: 3). In some instances of forced and child marriage, the marriage is performed as it is believed that women and girls are unable to, or should not, have financial independence and their family may no longer be able to support them (Evenhuis and Burn 2014). The marriage thus becomes a financial exchange in which the women or girl is given a roof over her head, or her family is given money.
- Women who are trafficked are often placed in **debt bondage**. Traffickers may demand repayment of 'loans' into the tens of thousands and are able to inflate the debt at their will, leaving the women to effectively work for free for lengthy periods (David 2008: 5).
- **Drug addiction** is both a major push and pull factor, particularly for street-based sex workers. Drugs are often used as an "emotional anaesthesia" (Hanley 2004: 19).
- Some women experience and are forced to remain in the sex trade or forced marriages through the **physical, emotional and sexual abuse of women by partners, boyfriends, family and employers**. Such abuse can have deep psychological impacts, such as a loss of self-worth, lack of awareness of exploitation, a poor understanding of what constitutes a healthy relationship, and a sense of isolation. These psychological impacts can further entrench the sexual exploitation of women and girls as they are often in cycles of despair, drug abuse and dependency. A history of abuse is also a major push factor, particularly for children who experience commercial sexual exploitation; family breakdown and/or sexual victimisation significantly increase the likelihood of sexual exploitation of women and girls (Grant, Grabosky and David 1999: 6).

- Some women lack employability due to a **lack of education and work experience**, as well as an **extensive gap in their career history**. For sex workers this is enhanced by the criminal records of those who within the illegal sex trade and the social stigma attached to sex work (Begum et al 2013: 86). For women and girls in forced and child marriage, it is exacerbated by the restricted freedoms often imposed on them by their 'husbands' and a belief that they should not have an independent income or education (Evenhuis and Burn 2014; Simmons and Burn 2013).
- Foreign women who are trafficked, as well women and girls in forced marriages may remain in a situation of sexual slavery or servitude due to a sense of **obligation rooted in gendered cultural and social understandings of the roles of women** and wives and/or a sense of responsibility to family and partners. This sense of obligation can help to explain why some women are actively aware that they are in situations of sexual servitude or in an exploitative relationship, and in part why they do not leave such conditions even when they have "relative freedom" (David 2008: 31-9).
- Children who have **parents involved in the sex industry** are more likely to become involved themselves as sex work is normalised and they may not have supportive networks outside of the industry, or they may be forced into commercial sexual exploitation by their parents due to financial hardship.

### 3.2 Experiences of women and girls affected by sexual exploitation

Sexually exploitative practices are not confined to particular settings or circumstances, yet they often maintain shared features. The health and safety of women and girls affected by sexual exploitation is a primary concern, with high levels of violence, physical and sexual assault, and emotional abuse all key themes in the extant literature. Bilardi et al. (2011) found in their survey of female sex workers in licensed Victorian brothels that almost half the women identified difficulty with men who consumed services to be the worst aspect of their jobs, fearing for their safety on multiple occasions. Similarly Evenhuis and Burn (2014) note that in the known cases of forced marriage in Australia, many of the symptoms resemble cases of domestic violence with physical, financial, sexual and emotional abuse often present. Unsafe sex practices are also commonly

cited, with perpetrators refusing to use or removing condoms during sex thereby increasing the risk of exposure to sexually transmitted diseases (STDs). This is particularly concerning as children who have been coerced into marriage or commercial sexual activity generally have less knowledge of STDs and the appropriate treatment methods and health resources available to assist them. Indeed Fitzgerald (1997) found that levels of sexual health awareness among underage youth involved in commercial sexual activity were appallingly low, with only 3% having a high and reliable knowledge of sexual health. Additionally, refusal to use or removal of condoms can lead to forced pregnancies or forced abortions. For young girls, this is particularly damaging as their bodies are not yet physically ready to bear children thus leading to a range of health complications and an increased risk of death during labour (Evenhuis and Burn 2014).

#### 3.2.1 Sex trafficking, sexual slavery and sexual servitude in Australia

The trafficking of women and girls for the purposes of sexual exploitation is one of the fastest growing crimes and trades globally (Fergus 2005). Though trafficking is often perceived as an issue confined to developing countries, its prevalence in Australia is being increasingly recognised. Indeed various state authorities and academics have identified that not only is Australia a destination country for transnational sex trafficking (IDC 2014; USDS 2015; Fergus 2005; Segrave 2004; Laishman 2007; Kotnik, Czymoniewicz-Klippel and Hoban 2007; Schloenhardt and Lynch 2012; Schloenhardt, Beirne and Corsbie 2009; Cwikel and Hoban 2005; Dorevich and Foster 2008; Burn and Simmons 2005), but that sex trafficking also occurs within and between the country's states and territories (USDS 2015; Oakes 2014). In recent years there have also been several court cases resulting in the successful prosecution of traffickers in Australia (Fergus 2005; IDC 2014). In 2013, the Australian Government passed the Crimes Legislation Amendment (Slavery, Slavery-Like Conditions and People Trafficking) Act 2013, which expanded the definitions of servitude, slavery, and forced labour to encompass and criminalise a broader range of the practices involved in sex trafficking, reflecting the growing recognition of sex trafficking and the need to directly address it as an issue that concerns Australia.

There remains, however, relatively little information available regarding the nature of sex trafficking. As Schloenhardt, Beirne and Crosbie (2009) state, anecdotal evidence, media reports and statistical estimates without a sufficient evidence base continue to constitute the primary source of information available on sex trafficking in Australia. Academics, non-government organisations (NGOs) and government bodies have all identified the covert nature of sex trafficking as resulting in insufficient data (Schloenhardt, Beirne and Crosbie 2009; Segrave 2004; Fergus 2005; Larsen and Renshaw 2012; IDC 2014; Wise and Schloenhardt 2014), and Segrave (2004) argues that the true extent and nature of the crime in Australia remains both difficult to ascertain and widely contested. According to Schloenhardt, Beirne and Crosbie (2009), the most comprehensive data on trafficking for the purposes of sexual exploitation are made available through the Annual Report of the Australian Federal Police (AFP), which provides a yearly update on the number of cases made known to them. In a recent parliamentary inquiry into the regulation of brothels, the AFP's manager of victim-based crime, Commander Glen McEwen, stated that in the 2014-2015 financial year there were 24 investigations involving sexual servitude and trafficking (Duff 2015). In the previous financial year, there were 70 referrals made to the AFP regarding human trafficking and slavery, with 60 accepted for further investigation. Of these, 43% related to trafficking for the purposes of sexual exploitation (IDC 2014). In the same period, the Support for Trafficked People Program (administered by DSS & Australian Red Cross) provided assistance to 21 new clients, 20 of whom were female, and 38% of whom had experienced exploitation in the sex industry (IDC 2014).

It is not possible, however, to draw conclusions using these statistics about the nature, prevalence and levels of trafficking in Australia for the purposes of sexual exploitation, as it does not take into account cases that go unreported (Wise and Schloenhardt 2014). Indeed it is argued that the numbers are likely much higher given the under-reported nature of both sexual crimes and incidences of human trafficking (CRC 2013). This is not surprising, as those who are trafficked are often distrustful towards authorities, fearful of deportation, fearful of their traffickers and threats of harm to themselves and their families, and unaware of the available services, and their legal rights and protections in Australia (Fergus 2005;

Schloenhardt and Lynch 2012; CRC 2013).

NGOs support claims that we are as of yet unaware of the exact numbers of women that are affected, but state they are likely much higher than those offered by the AFP. Project Respect (2004) estimates that there are up to 1000 women at any given time working in the sex industry as a result of human trafficking. These figures are based on a project analysis conducted over the course of a survey into the trafficking of women and their experiences. During the space of six weeks Project Respect were able to uncover and document the cases of 300 women, 274 of who had been trafficked for the purposes of sexual exploitation. Additionally, in 2012 a Law and Sexworker Health (LASH) sample survey into the working conditions in New South Wales (NSW) brothels found that of 201 respondents, 53.2% of the women were from Asian or other non-English speaking countries (13.5%), with nearly half of this group (46%) rating their English as poor or fair (Donovan et al. 2012). In many countries, the presence of foreign women in the sex industry who do not sufficiently speak the local language is recognised as a red flag for human trafficking.

Cases of sex trafficking tend to follow similar patterns and while some women are kidnapped for these purposes, most are deceived or coerced. The individual is referred to a contact in the destination city by a family member or scout and is generally from a lower socio-economic background with a desire to move to increase their economic opportunities (Fergus 2005; Larsen 2010; Dorevich and Foster 2008). This willingness to move is exploited by the trafficker, who then facilitates the trafficked person's movements to the arrival destination, and provides deceptive information regarding the work that will be required of them. It is not until the final destination that individual usually becomes aware that they have been deceived as to the kind of work they will be doing, the conditions and circumstances in which they will be working, and the size of their debt (Schloenhardt, Burn and Corsbie 2009; Cwikel and Hoban 2005; Fergus 2005; Larsen 2010; Schloenhardt and Lynch 2012). Upon their arrival, passports and phones are confiscated, women and girls are taken to premises to which they will be confined – generally the brothel in which they will be forced to work or at the private residence of brothel owners where they are then kept in slavery-like conditions.



These women are forced to work long shifts, often 16–20 hours for six to seven days a week in order to pay off the accrued debt, which can be inflated at any time at the will of the trafficker. They are unable to leave the premises, are often unable to refuse clients or any sex act, and rarely ever receive the earnings made from seeing the clients (Schloenhardt, Burn and Corsbie 2009). Instead, the money goes straight to the brothel owners. In the case of *R. v Mclvor and Tanuchit*, the court heard how the trafficked women were forced to work six days a week, with a shift on the seventh day being optional. However, more money was usually offered for working the Sunday shift and with large debts to pay off, the women did not feel as if they had any other choice.

Women who have been trafficked for the purposes of exploitation face a number of barriers in accessing support services. Traffickers often make threats against women and their families, psychologically and emotionally abusing them to keep them in a state of fear and discourage them from seeking assistance (Fergus 2005), and hold over them the threat of deportation to their home country where they may face retribution or isolation if it is known they were involved in the sex industry (Laishman 2007). The trust of these women has also been abused to such an extent that women and girls are generally fearful and distrustful of authorial figures. Such issues are compounded for women trafficked internationally to Australia by language barriers, and unfamiliarity with their legal rights or the services available to support and assist them (Segrave 2004; Laishman 2007). As a population that is primarily invisible and inaccessible, it is also difficult for the services that are available to identify and reach out towards these women and offer their assistance.

Furthermore, the Australian Government and AFP have few support or protection services available for trafficked women, leaving them with little incentive of identifying themselves to police. As it stands, the criminal justice system relies upon these women to identify traffickers and initiate investigations, ideally with charges and prosecution to follow. They are only granted rights or offered support if they agree to co-operate with the prosecution and investigation – a daunting task for a group of people who have had their trust significantly abused and betrayed by the perpetrators (Laishman 2007). Laishman (2007) argues that the shame of isolation, fear of retaliation and experiences of PTSD remain large disincentives

for women to pursue investigations. This was emphasised in a recent interview with a woman who had been trafficked and agreed to give evidence to police so she could access support services, a decision that still makes her fear for her life (Uibu 2015).

As illustrated by the research presented above, government bodies, authorities, academics and NGOs have all attempted to gain insight into the complexities of transnational sex trafficking as it relates to Australia, and have made informed estimates of the number of women affected. Yet sex trafficking is not limited to the transnational movement of foreign nationals into Australia. According to the latest *Trafficking in Persons* report released by the USDS (2015), domestic sex trafficking occurs involving a small numbers of Australian citizens, most commonly teenage girls. Corroborating such claims are media reports that Australian women are trafficked domestically within and between states for the purposes of sexual exploitation. This issue was highlighted with revelations that 30 to 40 children in out-of-home state care in areas such as Dandenong and Shepparton were being sexually exploited by organised gangs of men (Oakes 2014). These gangs facilitated meetings during which men would select girls from as young as 12, who would then be transported between towns and interstate to provide sexual services (Oakes 2014). Such reports highlight an urgent need for further research into this area to determine the extent to which it occurs, and to establish and identify those whom it affects so that appropriate services can be tailored to suit their needs. Further research in this area would also help to challenge prevailing tendencies that racialise sex trafficking and allow for victimhood narratives of foreign women and girls to perpetuate. Despite this, no efforts have been made to understand the prevalence or nature of domestic sex trafficking, or the number of women and girls that it affects.

### Case study

In June 2006, five Thai women were discovered in a secret room in the basement of a licensed brothel owned by Mr. Mclvor and Ms. Tanuchit. The couple facilitated the movement of these women through their contacts in Thailand who arranged visas, travel documentation and tickets. Upon their arrival in Australia, they were informed they each had a debt amounting to between \$35–\$45, 000 each that they would be required to work off in the brothel. Their

passports and phones were confiscated, and the women were locked in a room under the brothel or at the offenders' private home where the landline was encrypted with a pin to prevent them reaching out for help. They were not permitted to leave the premises unless in the care of the offenders or a trusted employee and were required to work 16 hours a day, for six days a week. Work on the seventh day was optional, and they were told they would receive a small cut of the earnings - though none ever saw this money. The five women were subject to extensive physical, emotional and psychological abuse. They were not allowed to decline clients or any sex acts, and were forced to work even when they were unwell or in physical pain. One of the women, Sophie, had a serious womb infection. She was taken to see a doctor who insisted she rest for one week: She was given one day off and was forced to work despite complaining of severe pain. Another woman was ridiculed incessantly for her age and appearance, and was forced to engage in unprotected sex as she 'had no other selling points'. She subsequently contracted STDs for which she was given incorrect information on their treatment. All five of the women reported extensive emotional and psychological abuse, with the couple repeatedly threatening them and their families with physical violence if they attempted to seek help or leave. They were also told that the police and Immigration Department would deport them immediately if they became aware of their presence, as they were all in breach of their visa conditions. The women were subsequently too scared to try and escape, as they believed that severe physical harm would befall them and their families if they tried to do so.

### **3.2.2 Street-based sex work**

Street sex workers have attracted increasing interest from academics and NGOs as a marginalised group at risk of poorer mental and physical health outcomes, inequitable access to housing, and problematic illicit drug use (Quadara 2008; Roxburgh et al 2005; Donovan et al. 2012). Many researchers have emphasised the distinct demographics of this group compared to those who engage in sex work through brothels or private escort work. According to Quadara (2008), street sex workers only make up about 10% of the sex industry, yet they are more likely to encounter violent clients (Farley and Barkan 1998; Harcourt et al 2001; Kurtz et al 2004; Hanley 2004); tend to have higher levels of drug-use and drug addiction (Donovan et al. 2012; Roxburgh et al

2008; Sharp 1994; Harcourt et al 2001); have poorer mental health outcomes, including high levels of post-traumatic stress disorder (PTSD) and suicidal ideations (Roxburgh et al 2006); and higher exposure to traumatic experiences (Roxburgh et al 2006). It has also been noted that street sex workers are more likely to experience chronic homelessness, and to have started sex work before turning 18 (Mitchell 2000; Hanley 2004; Harcourt et al 2001; Bruce and Mendes 2008). In addition to this, they are also less likely than sex workers who work in brothels or as escorts to report incidences of assault or violence as they fear retribution and police retaliation due to the illegal status of their activity. Street sex work is illegal in all states and territories of Australia, except for New South Wales where under the Summary Offences Act 1988 street solicitation is permitted as long as it occurs in non-residential areas, and not near or within view of churches, schools, dwellings and hospitals.

The available statistics for Australia regarding street sex work highlight both the violent experiences endured and the effects that these experiences have, yet they do little to illuminate the number of women and girls engaged in street sex work. Indeed as with many areas of the sex industry, acquiring reliable and accurate data is difficult due to the transient nature of this sector. This is compounded when trying to ascertain numbers of street workers due to the work's illegal status in most Australian states and territories and its ad-hoc nature. Street workers are not connected to licenced or known sexual services providers such as brothels or escort agencies, and instead engage in street sex work on an irregular basis. As a result, those that have attempted to estimate the number of street sex workers note that the temporary nature of the sector makes it difficult to determine the true number of women and girls involved in and affected by street sex work. A 2001 study, for example, determined through their study that 120 female and transgender street sex workers worked each night in Sydney, Newcastle and Wollongong; though stated that this number was not reliable to extrapolate an annual estimate from as many dip in and out of this work numerous times during any one-year period (Harcourt et al 2001). Interestingly, it has also been noted that the number of street-based workers is much lower in Sydney than Melbourne, despite it still being criminalised in Victoria (Morton et al. 1999).

The higher exposure of street sex workers to violent situations, however, is well documented. A 2001 Resourcing Health and Education in the Sex Industry (RhED) report stated they had received 101 reports from street sex workers with 48% relating to experiences of sexual assault: 18% of which involved the use of a weapon. Roxburgh et al (2006) also found that of the 72 street workers they interviewed, 85% of the women had experienced work-related violence, compared to 48% of brothel-based and escort workers, and only 35% of these had reported their experience to the police. The most common work-related incidents reported were physical assault (65%), rape with a weapon (40%) and rape without a weapon (33%). This research also revealed the extent of mental health issues and exposure to trauma that characterises street sex work. 66% of those interviewed reported that street sex work was very stressful, with 87% reporting depressive symptoms, 74% having suicidal ideations, 43% having attempted suicide, and 99% having experienced at least one traumatic event in their life. 43% at the time of interviewing met the DSM-IV criteria for a lifetime diagnosis of PTSD.

Though Roxburgh et al's study was conducted in NSW and the results cannot be extrapolated or used to reflect the situation in Victoria or Australia more broadly, they are a strong indicator of the experiences street workers are subject to and correlate with research projects on street sex workers in other regions, including the UK and Canada. It is also of interest to note that while many believe the decriminalisation of street sex work would help to address the cycle of abuse and violence that women and girls are exposed to in this sector, high levels of violence, mental illness, suicide attempts, trauma and stress continue to be reported by street workers in NSW. Considering street work remains illegal in Victoria, it is thus reasonable to expect that fewer reports are made regarding health and safety issues by street workers to authorities.

Research on street sex workers in other countries has also documented alarmingly high levels of murder, many of which remain unsolved or have been unreported. Kinnell (2006) conducted an extensive analysis on the murder and disappearances of 84 sex workers that lead to investigations between 1990 and 2004. Of these 84, 83 were female, and out of 72 whose working method was known, 82% were street sex workers, with 65% of this group last seen alive working. Additionally, of the 72 whose

working method was known, 61% were under the age of 25 at the time of death, and 8 were under 18 years old. This paints an alarming picture of the high risks that street workers are exposed to. While there are no comparable statistics available regarding the numbers of murders and disappearances of sex workers in Australia, fragmented media reporting and anecdotal research evidence gives insight into the problem and the blatant disregard for human life that characterises these cases.

### Case Study

Zoe was brought up by her grandmother and would only ever see her mother every couple of months. She has only met her father a few times in her life, the first time when she was 18 years old. When she was at school, Zoe developed a drinking problem and she started to spend time with an older group outside of school. Through these networks, she met other young people who engaged in ad-hoc sex work. One night when Zoe was 15, she tried sex work herself for the first time while she was drunk. She made \$400 on her first night, but didn't engage in commercial sexual activity again until she was 18 when she began working in a brothel in Perth due to her drug addiction. Upon returning to Melbourne, Zoe started a drug rehabilitation program but left before completing it. At the time she was working in a strip club, but Zoe's drug addiction became so expensive that she once again turned to sex-work to make more money. Zoe has been raped while working, and has known other girls and women that have been too. On one night, Zoe was working on the street with another young woman who was found murdered the next day. The men had raped her with a bottle and jumped on her, shattering pelvis, before leaving her to die in the street. Zoe has since managed to begin a methadone program with her boyfriend, and is no longer undertaking sex work. She also has completed an Associate Diploma in Social Science in Child Care from TAFE.

### 3.2.3 Brothel Based Work

Research concerning sex workers and sex work has a tendency to either focus specifically on street sex work, or to collapse different sectors together, resulting in a paucity of information on women and their experiences in other sectors such as brothel work. In part this reflects the concern with the more adverse outcomes street sex workers tend to experience, as well as their greater social visibility

and the illegal status of their work. Where research has engaged with brothel workers, however, it has generally been to examine reasons for their involvement in the sex industry (Maher, Pickering and Gerard 2012) and their experiences of and access to health and safety resources in their place of work (Pickering, Gerard and Maher 2009; Donovan et al 2012). Additionally, it is estimated that there are about 100 licensed brothels in Victoria, mostly located around the metropolitan region of Melbourne, and approximately 1700 exempt workers registered in Victoria (Pickering, Maher and Gerard 2009). The actual numbers of brothels and women who work from them are likely much higher, as the illegal industry flourishes with estimates of 300-400 unlicensed brothels operating in Victoria - three times the number of legal ones in the state (MacKenzie and Baker 2014; Pickering, Gerard and Maher 2009). This is similar to the number of illegal brothels estimated to operate in Western Australia and New South Wales.

Much of the research available on the sex industry in Australia argues that brothels provide a safer environment for sex workers, emphasising the disproportionate levels of violence that street sex workers are exposed to. Indeed women working in registered brothels have reported lower levels of attacks and assaults compared to those working as escorts or from the streets (Quadara 2008; Roxburgh et al 2006; Donovan et al. 2012; Prior, Hubbard and Birch 2013). As Quadara (2008) argues, this is partially due to the greater range of environmental controls that licensed brothels are subject to, which aim to decrease the likelihood of violence. Working from a perspective of risk and harm minimisation, such measures include the use of lights, security doors, surveillance systems, intercoms and panic buttons near beds. The presence of other sex workers, receptionists, and security members also ensures the women are less isolated and intervention in violent situations is easier (Quadara 2008). They are also more likely to file reports with the police and access the support services available to them than those in other sectors of the sex industry (Roxburgh et al 2006; Quadara 2008).

Yet violent encounters persist and many women continue to be deterred from reporting attacks. Perkins and Lovejoy (2007) found that 5-10% of brothel based workers have reported work-related violence, including robbery with violence, rape, bashing and stabbing. Bilardi et al (2011) indicate

that the lived reality of such experiences is likely much higher, with almost half of brothel-based workers citing difficulty with male clients as the worst aspect of their jobs. Indeed it is common for reporting levels to be much lower than the actuality of the experience, with poor police responses and social stigma dissuading sex workers from reporting incidences of violence and assault. In interviews, for example, brothel-based workers have spoken incidences where they went to the police for assistance and were told that sexual assault was 'part of the job' (Bridgett and Robinson 1999). Quadara (2008) also found that some brothel owners take little initiative to help affected women file police reports or press charges and are more concerned with the reputation of their business as opposed to the well-being of the women they employ. As Pyett and Warr (1999) argue, while sex workers in licensed brothels report greater access to safe working conditions and greater security, they still face coercion by employers and clients which compromises their safety and ability to regulate their work.

Additionally the failure of regulatory authorities to complete thorough evaluations of licensed brothels or ensure that brothels comply with their license agreements leave workers at risk of exploitation. In 2008, a 17 year old girl who had been working in a legal brothel died from a heroin overdose (Cox 2012). If the appropriate agencies had indeed conducted the evaluations as per their requirements, including checking that all those working in the brothel were of legal age, and that no drugs were kept on the premises, or had the necessary means to intervene and assist with underage workers, the life of this young girl could have been spared. The failure of councils and licensors to properly and routinely inspect brothels have enabled some legal establishments to be used as fronts to harbour trafficked women. To date, of the AFP investigations relating to human trafficking for the purposes of sexual exploitation that resulted in successful prosecutions, many of the trafficked women were working and hidden in legal brothels (MacKenzie and Beck 2011; David 2008). Even as recently as December 2014 a Chinese woman was found hidden in a wall-cavity during a police raid in a licensed brothel in Seaford, Melbourne that was being monitored for trafficking (MacKenzie and Baker 2014).

Most of the extant literature on brothels, however, fails to distinguish between licensed and unlicensed brothels, or focuses exclusively on the former. This

is problematic as there are an estimated 300–400 unlicensed brothels in Victoria, four times the number of legal ones in the state (MacKenzie and Beck 2011), and working in the illegal sector raises distinct issues and concerns. Indeed where the experiences of sex workers in unlicensed brothels are documented, the higher risk and monetary reward that the illegal sector presents them with is emphasised. Pickering, Maher and Gerard (2009) found that those working in unlicensed brothels reported poorer working facilities and conditions due to the provision of unsafe sexual services and more lax vetting processes of clients. They also reported greater worker exploitation and having less control over their working conditions (Pickering, Maher and Gerard 2009). The illegal status of their work compounds these problems, as they come to fear authorities and are reluctant to reach out to them or the support services available (Pickering, Maher and Gerard 2009). Yet the perceived safety offered by the licensed environment is exchanged to work in these less secure establishments by some women for the greater financial rewards they are afforded (Pickering, Maher and Gerard 2009; Pyett and Warr 1999). According to Pickering, Maher and Gerard (2009) the higher income is largely due to the higher turnover of clients in the illegal sector as a result of some of the add-on services, such as sex without a condom. Ultimately this leaves women working in unlicensed brothels at a higher risk of contracting STDs or being exposed to violent clients, with fewer means of support or intervention, and more research addressing their specific experiences is needed to tailor appropriate services and provide these women with a voice.

### Case study

Qui began working in a legal brothel in suburban Melbourne three years ago. She has family in Australia and in China. She sends remittances to China to support her parents, daughter, two grandchildren and other relatives. She says her family responsibilities led her to work in the sex industry:

*“If you ask me from the depth of my heart, I don’t think there is anything good about working here. But, I can’t speak English and I have a family to support and I have responsibilities.”*

Qui plans on working in the sex industry for as long as it takes for her to save enough money to invest. She would like to open a grocery store. She works

five days per week, sometimes doing a double shift, starting at 10am and finishing at 8pm at the earliest. The main challenges of working in the industry, according to Qui, are the social stigma and the occasions when clients look down upon sex workers. This is exacerbated when clients are intoxicated. Qui says when the customers are good the work can make you happy. She says RhED offers a good support service and she is able to access some pamphlet material in Chinese at medical centres. Qui says if there were alternative employment that did not require English and provided the same amount of money to enable her to support her family adequately, she would do it.

### 3.2.4 Escort work

While brothels were the cornerstone of the sex industry up until about the 1990s, the introduction of the mobile phone saw an increasing number of women take up escort work (Scott and Minichiello 2012). Mobile phones afforded sex workers the possibility of taking and contacting clients themselves, the flexibility to work in locations outside of the communities in which they lived and at times of their choosing, and the ability to travel across or between cities for work (Scott and Minichiello 2012). Despite this, relatively little attention has been paid to the distinct nature of escort work, and it tends to be collapsed into the broad category of ‘indoor’ work rather than examined in its own right (Prior, Hubbard and Birch 2013). This may, in part, be a consequence of many escort workers undertaking brothel-based work simultaneously or prior to entry in the escort industry, making the two inter-related and dependant sectors (Pickering, Maher and Gerard 2009). Yet failing to recognise the distinct characteristics of the two and discuss them as such leaves a blind spot and poor knowledge on how the differential outcomes that can occur. Treleavan (1995), for example, has noted that the escort industry has a very high rate of sexual assault and rape, and even murder. Thus to conflate brothel work with escort work is to deny the diverse experiences of these two groups and their respective circumstantial characteristics, outcomes and needs.

Indeed though categorised as ‘indoor’ work, escort work maintains some of the risk features commonly discussed in relation to street sex work, such as isolation. Like street sex work, escort work generally takes place in an uncontrolled environment where

they are isolated, and they must attend a booking at a location of the client's choosing such as their home or a hotel (Quadara 2008). While sex workers generally choose to undertake escort work as a result of a sense of security in the industry, as well as the greater autonomy and independence it provides (Pickering, Maher and Gerard 2009), these factors simultaneously enable the client greater control of the situation as the service is provided on their terms. Due to the off-site locations of escort work, it is also common for vetting processes to be more lax and for violent clients less likely to be detected (Pickering, Maher and Gerard 2009). Some organisations, for example, have reported instances where an escort worker turned up to a booking only to discover several men, not just the one who made the booking, exemplify the potential of such situations to escalate and turn violent in a short matter of time (Quadara 2008). To counter the relative isolation of these sessions, many escorts take a driver or call the agency once the booking is complete.

Beyond discussing these general features of escort work, however, information regarding this sector is sparse and lacking in depth. Noticeably there have been no reliable estimates of the number of women working in the sector or the number of escort agencies available. Additionally there is a paucity of data on the experiences of these women.

### Case study

In 2011, Suresh Nair was found guilty of the manslaughter of two escort sex-workers, Ms Zaupa and Ms McIntyre, who operated out of a Sydney-based brothel. Prior to their deaths, the Sex Workers Outreach Project issued a red-alert email-warning regarding Nair as part of their Ugly Mugs initiative that informs sex workers and brothels, escort agencies and other establishments in the industry of clients that are known to be dangerous. In it, an incident was detailed in which Nair had nearly killed a sex worker after promising an extra thousand dollars for her services if she snorted cocaine. He then forced her to insert a drip to administer her the drug, causing her to overdose and collapse. Despite this email being sent to all the brothels and escort agencies in NSW, the region in which the incident had occurred, the Sydney-based brothel and escort agency Liaisons continued not only to facilitate Nair's visits with the women who worked there, but also supplied him with large amounts of cocaine. Nair

often requested cocaine use as an add-on service to his sessions and women working at Liaisons recounted that he would often kick girls out if they refused to partake in drug taking with him.

Indeed on the night of Ms McIntyre's death, two other sex workers recall being thrown out of the hotel room after refusing to take cocaine. Ms McIntyre was forced to snort line after line of cocaine, eventually leading her to overdose. When she fell unconscious, Nair neglected to administer any sort of assistance that may have saved her, leaving her to die in his hotel room. These events mirror those that led to the death of Ms Zaupa, whose body was left on his bed after she died for almost two days while he hired a new hotel room and requested the services of more escort workers. These deaths demonstrate the disregard for and devaluation of the lives of sex workers and are a direct result of their sexual exploitation by both the agencies that they worked for and the client, Nair. The agencies hired out Ms McIntyre and Ms Zaupa, despite knowing Nair was a dangerous client, for their own financial gain, and Nair used his position as a client to coerce these women and the earlier one he had caused to collapse to take drugs and blatantly disregarded their safety and wellbeing for the purposes of his own sexual gratification.

### 3.2.5 Commercial Sexual Exploitation

Research indicates that a significant proportion of sex work, particularly street sex work, begins during childhood. In a study of 65 women involved in sex work in inner city Melbourne, Mitchell (2000) found that 1/3 had begun their involvement as adolescents. These results were similar to Roxburgh et al's (2006) Sydney-based study, which found that 31% of the 72 female street sex workers they interviewed had started before the age 18, the youngest starting age reported as 12 years old. As such, it is imperative to understand the experiences of young people and the circumstances, which lead to their involvement in commercial sexual activities and increases their risk of exploitation. Indeed while the experience of commercial sexual exploitation (CSE) is not limited to any particular social group, most of the available literature uses the term in connection to youth and children. This reflects both the need to understand the diverse experiences of this group, as well as their absence in the literature on other areas of sexual exploitation.

Studies conducted thus far with a specific focus on CSE demonstrate the extensive reach of the issue across Australia. Australia's National Enquiry into the Commercial Sexual Exploitation of Children and Young People in Australia reported that 258 youth and community agencies had documented 3129 cases of underage CSE and found at least 3704 children across Australia had been involved in commercial sexual activity in that year: most were aged 13-17 (Martyn 1998). Of this, 1702 were residing in Victoria (Martyn 1998). Drawing on a variety of sources, Grant, David and Grabosky (1999) further established that in any given 24 hour period, 400-450 children were engaged in commercial or quasi-commercial sexual activity. Locally, the numbers remain disconcertingly high with the Bridging the Gap report suggesting that there are up to 600 young people experience CSE throughout Melbourne (Fitzgerald 1997). These figures illuminate the extent of underage CSE, though it should be noted that as this activity occurs on an intermittent, ad hoc and opportunistic basis and remains largely undocumented and unreported, the figures are likely much higher.

A gender lens is rarely applied to studies of CSE, with the literature generally referring to 'young people', 'youth', 'adolescents', and 'children' as homogenous groups. Yet engagement in commercial sexual activity is noticeably gendered. According to Martyn (1998), girls and young women constituted 68% of 3704 children engaged in commercial sexual activity. Drawing on qualitative data, some also argue that young men engage in commercial sexual activity more often as a means of experimenting and exploring sexuality compared to young women, who are more likely to use it as a primary means of income and to become involved on a long-term basis (Wilson and Arnold 1986; Tschirren, Hammet and Saunders 1996; Fitzgerald 1997). Interviews with underage and young people who have been involved in commercial sexual activity have further revealed that young women and girls are often at greater risk from other, often older, street sex workers (Hanley 2004). While young men report finding safety in numbers, young women often experience verbal and physical abuse from older female street sex workers, who perceive them as a threat as clients frequently desire younger and less experienced women. Fitzgerald (1997) also found that engaging in commercial sexual activity is a far more isolating experience for young women than it is for young

men. Thus while much literature refers to young people and children, in this section the terms young women and girls will be used as a reflection of the disproportionate extent to which they are affected and to explicitly signal the gendered nature of CSE.

CSE is the result of complex and intersecting factors that produce high-risk circumstances for young women and girls. Those who experience it tend to have common socio-historic backgrounds including the absence of family support and strong social networks, physical, emotional and sexual abuse, drug and alcohol use, unemployment, low educational attainment, lack of income and homelessness and out-of-home state care (Grant, David and Grabosky 2001; Hanley 2004; Bruce and Mendes 2008; Hanscamp 2014). Both homelessness and out-of-home state care in particular have been identified as significant interrelated and risk factors of CSE: In their study Forst and Blomquist (1991) found that by the second week of living on the streets, 75% of young people had become involved in some aspect of exploitative activities including prostitution and pornography, while Hanley (2004) and Mitchell (2000) established that 16 out of 30 sex workers and 22 out of 65 female sex workers respectively had begun their involvement while in out-of-home care as children or adolescents. Not only do these experiences have the potential to adversely affect one's self-esteem and an understanding of relationships and emotional intimacy and love (Bruce and Mendes 2008), they also work to produce a context in which, with few perceivable alternatives, sexual activity becomes seen as a means of survival. Engaging in quasi-commercial activities, sex becomes a transaction in which access to food, shelter, money, drugs, alcohol, other favours and emotional needs, such as affection, is gained. Ultimately, a reliance on these activities develops leading young women and girls to be sexually exploited as a result of their need to survive.

The majority of these transactions take place outside of organised structures and the regulated sex industry, with young women and girls being solicited in the streets, or in other public places such as parks and railway stations. Compounded by their age and relative inexperience with such transactions, such an environment leaves them at a higher risk of exploitation and violent situations. Violent experiences generally go unreported, and victims remain hesitant to contact authorities or access services as a result of previous experiences

with authorial abuse and breaches of trust. While older sex workers have developed risk management skills through their experiences on the street, young women remain more vulnerable and are often sought out for this very reason (Hanley 2004). They are also less able to negotiate transactional outcomes effectively, as well as safe sex practices (Fitzgerald 1997), with Harrison and Dempsey (1998) finding in their study of 80 homeless youth between 15 and 20 years of age that 80% had never or only sometimes used a condom during vaginal sex. The earlier life experiences of young women and girls, compounded by their experiences of CSE subsequently result in a vicious cycle of exploitation, violence, homelessness, drug and alcohol addiction, with poorer physical and mental health outcomes.

### Case study

Shelly has been in and out of state care since she was 6 months old. Her family has a history of domestic violence and sexual abuse. Her father would repeatedly beat her mother, and her cousin sexually abused her from the time she was 10 until she was 14. Her parents didn't help her deal with the sexual abuse, although Shelly feels that for her mother this was largely a result of the abuse that she herself was suffering. The sexual abuse stopped after Shelly left home at the age of 14 after going to school one day and refusing to go home. After that she was placed permanently in state care.

When she was 15, Shelly and one of her friends started hanging out with some older boys around St Kilda. One of them began her boyfriend and introduced her to heroin. Soon after, he introduced to her to sex work so that she could earn money for drugs. Any money that she made was given straight to her boyfriend, who in exchange supplied her with drugs, food, and shelter. Shelly reports that while before this she had used drugs, her involvement in CSA is what led to her drug addiction. They were together for eight years until she managed to leave him. After that, Shelly found herself in a violent relationship from which she escaped after spending some time in a women's refuge.

At 25 years old, Shelly had entered a methadone program and stopped CSA. Her two children were in state care, and she was attempting to achieve permanent accommodation so that she can have her children back with her.

### 3.2.6 Forced and child marriage

Forced and child marriages in Australia remain grossly under-researched and data on the issue is scarce. There have been several known cases of child marriages in recent years, however, causing the issue to receive increasing academic, media and government attention (Kohn 2012; Oakes 2014; Partridge 2014; Simmons and Burn 2013; Jelenic and Keeley 2013; Evenhuis and Burn 2014; Lyneham 2013; Australian Government 2010). Forced and child marriages occur along a continuum of coercive practices, ranging from explicit threats to pressure to fulfil expected gendered roles that may, in some cases, deprive women of the opportunity to freely and fully consent (Simmons and Burn 2013). Ascertaining and identifying cases of forced marriage can thus be difficult and it may appear as if the individual in doing so of their full free will, and identifying cases of child marriage can be difficult due to the familial nature of the arrangements. In this section, child marriage will be most frequently referred to as this is the predominate focus of the literature available.

According to Jelenic and Keeley (2013), forced child marriage is not only a growing issue, but one in which service providers may only have one opportunity to assist potential victims. This requires a holistic understanding of the issue, including knowledge on how best to identify and respond to potential cases of forced child marriage, and how to ensure the victim's well-being following intervention. Attempts to document cases of forced and child marriage, and to build a reliable database have been relatively recent as until a few years ago, their occurrence in Australia was not recognised. In 2013, Jelenic and Keeley published Australia's first extensive research paper examining reported incidences of forced child marriage. They found in their survey of service providers that 250 cases of forced or suspected forced marriage had been reported within a 12-month period (Jelenic and Keeley 2013; Olding 2015). Community organisations have suggested that the actual number of incidences are higher than those reported, with the Immigrant Women's Health Service (IMWHS) claiming a known 60 cases within the Sydney, NSW region alone (Olding 2015).

Additionally, between March 2013 and June 2014, the AFP undertook 13 investigations relating to incidences of forced marriage: three related to a marriage that had already taken place, and



ten relating to potential cases and suspicious circumstances (IDC 2014). At least nine of these involved Australian citizens under the age of 18 (IDC 2014) and generally the marriages were allegedly organised by a relative and were to take place overseas. The Australian Government (2010), like many community organisations, have observed that it is likely to be more prevalent than the number of cases reported to the police indicate. This is primarily due to the familial nature, the possibility that victims may not have identified their marriage as forced, or they may have not sought help for fear of reprisal from family members or their partner, or social isolation. This was based on the evaluation of 48 submissions made for a Discussion Paper on the matter. Jelenic and Keeley (2013) also found that while children did not want to be married, they were also uncomfortable with implicating their family as perpetrators and wanted to maintain the family structure.

With most research on forced and child marriages available relying on fragmented and anecdotal evidence, it is difficult to gain a comprehensive picture of its causes and implications, as well as the extent to which it occurs. The primary pattern that has been observed in Australia, however, is that children are taken overseas to be wed where there are often weaker laws regarding the practice. It occurs as the result of complex structural, cultural and gender inequalities and, in cases of child marriage, these inequalities are exacerbated by vulnerability due to age (Evenhuis and Burn 2014). It is underpinned by rigid gendered cultural beliefs about the position of girls and women in society, and their subsequent responsibilities (Evenhuis and Burn 2014). Such beliefs are tied to the expected gender roles that arise from biological functions, maintaining that once a girl hits puberty it is her responsibility and duty to marry, produce children and care for the household (Simmons and Burn 2013). It is also premised on the assumption that women and girls need to be looked after, are unable to gain or should not have financial independence, and should not attain an education.

Many of the consequences of forced and child marriage resemble the characteristics of domestic violence. Domestic violence, physical and sexual abuse are present in almost all cases of forced marriage, as is emotional and psychological abuse. It forces girls to assume responsibilities for which they are ill equipped, have little knowledge, and are

emotionally, physically and psychologically under-prepared. Many are made to leave school early, limiting their ability to develop mentally and gain work outside of the home, or to escape the poverty cycle (Evenhuis and Burn 2014). They experience social isolation as they are restricted to the home and their 'husband' controls when, where, and if they are able to see friends or family. They are also more likely to experience pregnancy and birthing problems as they bear children at a younger age before their bodies are physically ready (Evenhuis and Burn 2014; Jelenic Keeley 2013). These experiences result in poor mental and physical health outcomes with young women and girls who are forced to marry experiencing high levels of anxiety and depression and suicide ideation.

### Case study

In 2013, Ms Elia made an application to the Federal Court of Australia for a parent intervention order on behalf of her six-year-old daughter, believing the child's father, Mr Essey, to present a danger to her well-being. During the proceedings the court heard evidence that at the age of 14, Ms Elia had been forced to marry Mr Essey, who was 21 years old. Her mother had persuaded her saying that he was less strict than her father and she would be able to 'have fun and live life'. The court heard, however, that after being married Ms Elia was subject to extensive emotional, physical, psychological, sexual, and financial abuse. She was regularly beaten by her husband and he made threats against her person and had no financial autonomy. Though she attempted to continue her education, he burnt her homework and forced her to leave school at a young age threatening 'if you don't drop out...I'll move so far away you won't ever see people'. Following her removal from school, Ms Elia would be routinely locked in the house and was not allowed to leave the premises without his accompaniment.

When Ms Elia attempted to seek help from her parents, her father said, 'So what if he raped you? So what if he bashed you?'. She had also attempted to reach out to a teacher, who failed to notify the appropriate authorities. Eventually Ms Elia managed to separate from Mr Essey, though he continued his psychological and emotional abuse through stalking and derogatory taunts. Her mother also encouraged her to reunite with him after their saying, 'We are all living like that. It's normal. You have to accept it'. They did end up reuniting after the birth of their

daughter, and the violence and abuse escalated. Mr Essey punched, stamped on and kicked Ms Elia, and would refer to her as a 'slut'. Ms Elia would routinely come between Mr Essey and their daughter as he tried to assault the child, and she reported that the girl would always be covered in bruises when returning from stays with the father. Mr Essey also threatened that he would marry off their daughter once she reached the age of 14, as 'every guy should have that benefit'.

### **3.3 Prevalence Of Sexual Exploitation In Australia**

Quantifying the precise number of women and girls affected by sexual exploitation in Australia, and more specifically in Victoria, is difficult given the movement of those involved, the covert nature of the sex industry and illegal activity, and familial aspects of practices such as forced marriage. Based on our review of all literature, reports and media available, it is estimated there are 69,219 women and girls affected by sexual exploitation each year in Australia, within the legal and illegal sectors of the sex trade. Living in their family homes, state care, boarding houses, brothels, or experiencing homelessness, they have no choice but to exchange their bodies for safety and survival. Women and girls of all ages, across all nationalities, and from Australia and abroad are affected.

In Victoria there are around 100 licensed brothels and 1,700 registered brothel workers. For every licensed brothel there are four unlicensed premises operating, equalling an estimated 400 illegal brothels and 6,800 illegal brothel-based workers (MacKenzie and Beck 2011; Pickering, Gerard and Maher 2009). The total of legal and illegal brothel based workers in Victoria is therefore 8,500. Victoria Police estimates the numbers to be similar for each state in Australia bringing the total number of brothel-based workers nationally to 59,500 (MacKenzie and Beck 2011). Street sex workers are more likely to experience exploitation and constitute about 10% of the sex industry, and as there are only figures recorded for the brothel-based part of the industry, we can estimate there are at-least 5950 street sex workers in Australia, and likely many more (Quadara 2008).

Up to 1000 girls and women are believed to be have been trafficked annually from overseas into Australia and though there is no reliable data, media reports have revealed that domestic trafficking also occurs (Project Respect 2004, Oakes, 2014). There are also

a significant and concerning number of children exposed to situations of sexual exploitation: one the reported incidents of domestic trafficking involved a 12 year old girls, and research has determined that there are up to 3704 children who experience commercial sexual exploitation in any given year, and 2,519 of these are underage girls (Hanley, 2004, Oakes 2014, Rissel et al. 2003). In 2014, it was also established that service providers had had 250 cases of forced or prospective forced and child marriages marriage – the actual number likely remains much higher (Jelenic and Keeley 2013; Olding 2015).

Bringing together all of the above estimated figures, we found a total of 69,219 women and girls experience sexual exploitation each year in Australia based on the brothel, trafficking, street-based, under-aged and forced marriage components of the sex trade. It is therefore stressed that this figure does not represent the full extent of sexual exploitation as it excludes several aspects of the sex-trade. There is no documentation to be found on escort agencies, exotic massage parlours, strip-clubs and pornography, and it is accordingly recommended such research be conducted urgently in the near future to gain an accurate understanding of the true extent of sexual exploitation in Victoria and Australia.

### **3.3 Psychological, emotional and mental health impacts of Sexual Exploitation**

The aforementioned high levels of violence, physical and sexual assault and emotional abuse have severe impacts on girls and women's psychological, emotional and mental health. It is highlighted that these experiences and impacts are not confined to the illegal sector, but are also the reported experiences of women in licensed brothels (Bilardi et. al 2011). Women have reported experiences of violence, rape, bashing and stabbing working in legal brothels, and police response oftentimes compound these traumatic experiences, telling sex workers rape was 'just part of their job' (Bilardi et. al 2011). Escort workers work in a largely uncontrolled environment, wherein the client has more control, can end up in situations of multiple clients turning up at once, escalating into gang rape (Quadara 2008). In situations of sexual trafficking, women are forced to work long shifts, often 16-20 hours for six to seven days a week in order to pay off the accrued debt. Enduring such work hours is emotionally and mentally costly alone, which is then combined with exposure

to violence, abuse and rape ((Schloenhardt, Burn and Corsbie 2009). The high rates of the murder of girls and women in sex work, perpetrated by mugs, compounds these experiences by forcing women to live in constant fear for their lives.

To highlight the nature of such abuse and exposure to unsafe and threatening situations, the below summarises the reported experiences among Australian sex workers, as referenced throughout this document:

- Physical violence; 85% of street-based workers and 48% of brothel-based and escort workers have reported work-related violence
- Rape and sexual assault; 48% of street-based workers have reported rape or sexual assault
- Emotional and psychological abuse, including threats against the woman and her family members
- Robbery and non-payment
- Forced removal of or refusal to wear condom
- Social isolation
- Exposure to drugs and development of addictions, including coerced and forced substance abuse
- Forced or unwanted pregnancies
- Forced or unwanted abortions
- Removal from or inability to complete education
- Depression, anxiety, and stress; 43% of street sex workers met the DSM-IV criteria for a lifetime diagnosis of PTSD
- Suicidal ideation; women and girls who experience forced marriage have reported high levels of suicidal ideations

The combined impacts of all violence, assault, rape and life-threatening situations facing victim-survivors of sexual exploitation have significant and long-term detrimental impacts on mental health emotionally, cognitively and interpersonally (Roxburgh et al 2006). The duration of exposure to such trauma is also essential to understanding the psychological impacts. As discussed earlier, it was found in Melbourne one-third of women involved in both legal and illegal sex work had begun work as adolescents, starting as young as 12 years old (Mitchell 2000). For women working in the sex industry, exposure to trauma has more often been for over one to two decades.

It is no wonder therefore that among street sex workers 87% report depressive symptoms, 74% have

suicidal ideation with 43% having attempted suicide. Among this group 99% have also experienced at least one traumatic event in their life, consequently enduring ongoing post-traumatic stress symptoms, with 43% meeting the DSM-IV criteria for a lifetime diagnosis of PTSD (Roxburgh et al 2006).

In terms of the lived experiences of such mental health impacts collated globally, symptoms of PTSD and other psychosocial issues suffered by women, include depression, anxiety, nightmares, self-harming behaviours, dissociation, learned helplessness, internalized blame, helplessness, decreased self-esteem, feelings of fear, horror, anger, guilt and shame, alongside numerous psychological, emotional and social issues (Buonaugurio, 2014; Cecchet & Thoburn, 2014; Hernandez, 2014; Hom & Woods, 2013; Hossain, Zimmerman, Abas, Light, & Watts, 2010; Min, Lee, Kim, & Sim, 2011; Sloss, 2003; Valera, Sawyer, & Schiraldi, 2000; Warshaw, 2010). These symptoms compound existing structural barriers to exit and increase the risk of re-entry and re-trafficking post exit.

Based on the evidence of high levels of psychological issues symptomatic of trauma consequent of sexual exploitation, scholars and practitioners alike have made strong recommendations that therapeutic interventions be incorporated into exit recovery programs to address these impacts (Abas et al., 2013; Arnstein, 2014; Hossain et al., 2010; Johnson, 2012; Leidholdt, 2013; Sloss, 2003).

Though the psychological, emotional and mental health needs of girls and women affected by sexual exploitation are extensive, based on our Audit of Australian organisation's as captured in the appendix of this document, there are no specialised mental health or counseling services available in either the Victorian or national service sectors. Among non-mental-health specific services that are available, women report support service are restrictive and punitive (Saphira and Oliver, 2002), and caseworkers are often judgmental, not empathic or available when they are most needed (Hanley, 2004).

Given the extremely high rates of mental health issues and their impacts on women's capacity to exit situations of sexual exploitation that requires sufficient mental and emotional capacity to navigate new financial, employment, educational and support network pathways, it is clear services to address this need are essential.

### 3.4 Beneficiaries of sexual exploitation

This section will provide an overview of those who benefit from the sexual exploitation of women and girls. In particular it will focus upon their demographics, their often close relations with women/girls prior to their entry into the sex industry and the methods pimps/traffickers employ. This section will also provide an outline of male consumers of sexual services, outlining their demographics, motivations and types.

#### 3.4.1 Trafficking offenders

There is a substantial shortage of literature regarding the demographics and characteristics of trafficking offenders in the Australian context. As Surtees (2008: 44) observes: '...there is an image of the typical trafficker - a middle-aged man, unknown to the victim, who deceives her and traffics her into prostitution'. However, the literature available suggests that the profile of trafficking offenders in Australia is far more complex and diverse than popular stereotypes would suggest.

Generally, Australian traffickers appear to be older, ranging in age from mid-30s to early-60s, with most over 40 years of age (Simmons et al 2013: 9). The majority of offenders in Australia are nationals of the same country as the women they traffic, and often share similar socio-economic, cultural, linguistic, migration and employment histories (Simmons et al 2013). To date, two thirds of the convicted offenders in Australian cases of sex trafficking and sex slavery have been migrants, and this commonality appears to have assisted the offenders in identifying and controlling their victims (Simmons et al 2013: 10). Most of the documented sex trafficking and sex slavery schemes in Australia have involved brothels, with the remaining incidents occurring in private settings (Simmons et al 2013: 9). Some of these sites were non-compliant with regulatory laws, and all but one of the offenders had worked in the sex trade for many years (Simmons et al 2013).

Typically, crime is an activity dominated by males and men are disproportionately represented as offenders; with estimates suggesting that males contribute to 90% of prison populations worldwide (UNODC 2009). Globally, a large proportion of human trafficking offenders are male, comprising two thirds of those involved (UNODC 2012). However, in a surprising trend, women play a prominent and

significant role in sex trafficking when compared with the overall conviction rate of female offenders for other types of crime (Simmons et al. 2012). A statistical breakdown of the sex of human trafficking offenders within the Australian context is not available.

The transformation of victims into offenders is an emerging theme in the international literature (Surtees 2008; UNODC 2009). Most female offenders have subordinated, rather than leadership roles (Simmons et al 2013: 4). Furthermore, the line between being an offender and being a victim was often blurred, with some female offenders participating in sex trafficking and slavery activities under duress or because they feared recriminations (Simmons et al 2013).

Others 'were in relationships with controlling male partners and co-offenders and / or in subordinate roles with clear histories of prior victimisation' (Simmons et al 2013: 9). Australia also supported the international conclusion that there is a positive correlation between the trafficking of girls and rates of conviction for female traffickers, perhaps as a result of their power to leverage younger targets. The significant role of women in the trafficking process begs the question about how to respond to victims who later become perpetrators and 'raises complex issues around the detection and prosecution of trafficking crimes' (Simmons et al 2013: 3).

Australian offenders often do not match stereotypes about highly organised criminals. Similar to international literature, the Australian schemes vary from offenders who operate in isolation, to organised crime rings with offshore facilitators for visas and travel arrangements (Simmons et al 2013). A report published by the Anti-People Trafficking Interdepartmental Committee (IDC 2009: 26) found that groups identified as having trafficked people into Australia had been relatively small, with many using family or business contacts to 'facilitate recruitment, movement and visa fraud'.

All of the Australian schemes involved varying levels of sustained planning and coordinated activity over time, and most involved multiple victims (Simmons et al 2013,). It was commonly reported in the available literature that all of the Australian offenders convicted were motivated by profit. Australian offenders have 'typically exploited their victims through subtle methods of control rather than

through the overt use of force or explicit threats of violence'; however, there was physical violence in some cases (Simmons et al 2013: 10). It also appears that in addition to the sex trafficking and sex slavery offences, other crimes such as immigration fraud were also involved in these schemes (Simmons et al 2013).

### **3.4.2 Male consumers in the commercial sex trade in Australia**

Although the commercial sex trade has been the subject of much public and political debate, there is remarkably little research on the clients of women in the commercial sex trade (Vanwesenbeeck 2001). The Australian Study of Health and Relationships (Rissel et al. 2003) found that almost one in six Australian men have ever paid for sex, with 1.9% of men doing so in the last year. Of men who had ever paid for sex, 97% had paid for sex with a woman and 3% for sex with a man (Rissel et al. 2003). It is estimated that each week in Victoria, more than 60,000 men spend \$7 million on visiting women in the commercial sex trade (Sullivan and Jeffreys 2001: 4). In a study by Pitts et al (2004) 72% of the men sampled visited women in a brothel at least once per month.

In a study by Xantidis & McCabe (2000) the researchers found that male consumers of women in the commercial sex trade ranged between 15 and 73 years, with the average age of clients at their first visit being 23 years old. Other research suggests that clients are often older, with men aged over 30 years significantly more likely to have ever paid for sex (Rissel et al. 2003). Men who consume services from women in the commercial sex trade are most likely to do so at the following locations: brothels (64.6%), escort services (32.6%), massage parlours (26.8%), private premises with a single sex worker (25.5%), private houses where more than one sex worker worked (11.5%) and street sex work (5.9%) (Pitts et al 2004: 3). Notably, one in 10 men who have paid for sex have only done so overseas (Rissel et al. 2003).

An analysis of male clients found three main reasons for consuming services from women in the commercial sex trade: ease, engagement and arousal (Pitts et al 2004). The most common response was that sex was less complicated (Pitts et al 2004: 4). Other reasons provided by male clients included a high sex drive, wanting to satisfy their sexual needs, a preference for a variety of sex partners, a belief that

paying for sex was 'less trouble' than with a partner, or that it would be 'entertaining' (Pitts et al 2004: 4). In one study, over half of the male consumers of services from women in the commercial sex trade reported not wanting emotional involvement with a partner as a reason for visiting (Campbell and O'Neill 2013: 224). Circumstances that triggered a visit to a woman in the commercial sex trade included the client feeling aroused, feeling good about themselves, experiencing feelings of boredom or loneliness, or the client had been drinking (Xantidis & McCabe 2000: 9).

Vanwesenbeeck et al (1995) identified three main groups of clients who consume services from women in the commercial sex trade: the 'business type', 'romantic-friendship type' and the 'misogynist type'. The business type clients typically approached the interaction in a businesslike manner where there is a transaction for a service (Xantidis and McCabe 2000: 4). The romantic-friendship type was motivated by a need to form relationships, with such males perhaps being lonely or older (Xantidis and McCabe 2000: 4). The misogynist type typically enjoyed power over women, was sometimes violent and the least likely to use condoms (Xantidis and McCabe 2000: 4). Men who consumed services from women in the commercial sex trade displayed lower 'socio-sexual effectiveness', displaying a greater level of discomfort in social situations and situations involving interactions with women (Xantidis and McCabe 2000: 4). Male clients also rated higher in their tendencies to seek unpredictable, novel and risky situations compared with the non-client sample group (Xantidis and McCabe 2000: 4).

A number of studies documented in the literature found that there were few significant differences between the demographic variables of men who consumed services from women in the commercial sex trade compared with men who don't, resulting in the lack of a clearly identifiable subgroup. There appeared to be no significant difference between men who consume and men who don't regarding marital status, length of time in longest relationship, presence of a regular partner, region of residence, age, education, occupation type, level of income, if they had children or whether they were from a non-English speaking background (Rissel et al. 2003). Men who consumed services from women in the commercial sex trade were also no less likely to be involved in a current sexual relationship than non-clients (Xantidis and McCabe 2000).

An analysis of the behaviour of men who consumed services from women in the commercial sex trade found that they were more likely to smoke, consume excessive levels of alcohol, inject illicit drugs and display elevated levels of psychosocial distress (Rissel et al. 2003). These men were also more likely to have ever been diagnosed with a sexually transmitted infection or been tested for HIV, to have had more sexual partners, to have first had vaginal intercourse before 16, and to have had heterosexual anal intercourse (Rissel et al. 2003).

Research shows that women in the commercial sex trade in Australia demonstrate exceptionally low levels of HIV and STIs, at rates that are well below the rates of the general population. Donovan et al (2012) found that 'condom use for vaginal and anal sex exceeds 99%' in the NSW sex trade. There are, however, many examples of anecdotal evidence that suggests male consumers often negotiate sexual services without a condom, usually for an additional fee (Perkins 1991). Condom use during vaginal sex is highest in parlours, brothels and with escorts, and lowest for street sex work; with 'clients accessing illegal services reporting higher infections than those accessing legal services' (Seib et al 2009: 3).

It is argued that the professional pimp has gone nowadays and they are no longer really a feature of the Australian sex trade (Banach 2000). The pimp has been replaced by the 'sitter' as a protector against male violence. These are usually 'lovers of the women or hired off-duty club bouncers, and they pass the time sitting in nearby coffee shops or lounging on cars where they can keep an eye on their girlfriends or charges' (Perkins 1991). Those living off the earnings of the commercial sex trade are frequently family members and partners. However, the extent which this is the norm particularly within the illicit sex trade is debatable. Older women still act as pimps for women/girls entering into the sex trade, linking these girls/women to customers and taking a cut.

### **3.4.3 Perpetrators of forced and child marriage**

Perhaps the group with least available information or research conducted on them are those who facilitate and perpetrate forced and child marriages. Partially this reflects the very recent awareness in Australia of forced and child marriages. What we do know, however, is that those that facilitate forced and child marriages are generally the parents or

relatives of the individual being exploited (Simmons and Burn 2013). Generally, they are driven by gender essentialist beliefs - the belief that one's social role is determined by their biological makeup. Such ideology maintains that once a girl reaches puberty, her purpose is to bear children and fulfil the duties of marriage.

Financial concerns also drive the actions of those facilitating forced marriages. This is fuelled by the belief girls and women cannot, or should not, obtain independent income. As such, marriages may be arranged to 'alleviate' the financial burden of having a daughter in exchange for a payment from the 'husband'. Even if the parents do not wish to see their daughter married, they may be unable to provide for their child themselves and feel that the prospect of a husband would offer their daughter the financial security that they cannot.

While these general conclusions can be drawn from the literature available, more specific demographics of the men to whom the girls and women are forced into marriage remain undocumented. Evidence given by a former child-bride, however, gives insight into the mindsight of those men who willingly participate in marriage with an unwilling, unconsenting girl or woman. The witness stated that her husband would routinely threaten her and her daughter, talking of his plans to force their daughter to marry once she reached puberty as 'every man should have this benefit'. This is illustrative of the power and control, sexual dominance and male entitlement that fuel forced marriages, with women being perceived as having no bodily autonomy or alternative purpose other than to submit to and care for their husbands.

### **3.5 Victorian legislation regarding sex work**

The Victorian approach to sex work, as far as governments have been concerned, is to consider the practice as a distasteful inevitability (Carson and Edwards 2011). As such the response has been a limited legalisation of the industry, governed through a combination of Acts. This is in contrast to the approach of some Nordic countries, where the practise is criminalised for every party except for the person soliciting sex. Sex work has been legislated in Victoria since the early 90s. In 1994 the then Attorney-General for Victoria, Jan Wade, called for programming to discourage people who would potentially engage in the sex trade as opposed to potential purchasers (Carson and Edwards 2011).

The following constitute illegal commercial sexual activity in Victoria (Carson and Edwards 2011):

1. Street Sex work provided to or by a person who is under 18;
2. Sex work performed in unlicensed brothels;
3. Sex work provided through unlicensed escort agencies;
4. Sex work which is provided by sole or private operators who are not registered with the Business Licensing Authority; and
5. When a person is forced into or to remain in sex work.

Some argue that legalised sex work increases incidences of sex trafficking. One comparative study of 150 countries found that, on average, countries with a legalised prostitution industry experienced larger reported sex trafficking inflows. However, as with all data around this particular issue, the information requires further scrutiny as it is based on inherently uncertain figures (Cho, Dreher and Neumayer 2013).

### Other Jurisdictions

Other States have a variety of positions in relation to prostitution (all still considering forced/child prostitution as illegal).

- New South Wales: Decriminalised (only jurisdiction where street sex work is legal).
- Australian Capital Territory: Decriminalised but sex workers, brothels and escort agencies required to register.
- Queensland: Legal and regulated.
- Northern Territory: Private sex work and escort agencies are legal while brothels are illegal.
- Western Australia: Prostitution is legal but brothels are illegal.
- South Australia: Prostitution is illegal.
- Tasmania: Private sex work is legal but brothels are illegal (Scarlett Alliance 2013).

### 3.6 Federal legislation regarding sex trafficking and sexual servitude

Australia is a signatory to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the UN Conventions against Transnational Organised Crime. However, the document refers to the “exploitation of the prostitution of others” and “sexual exploitation”, leaving the two terms relatively undefined. The result

of this is that each signatory state is free to interpret the terms to suit their own needs for ratification. In this context, the Australian interpretation is that the convention obliges that legislation targets the exploitation of sex workers, as opposed to considering prostitution as exploitation in and of itself (Carson and Edwards 2011: 70).

In 2010 the Australian Parliament commissioned an Inquiry into People Trafficking for Sex Work. The report suggested that more could be done to prevent trafficking at all levels of government and by multiple agencies, both domestic and international. Improvements were recommended around policy, law, outreach, information provision, training, victim support and research (Carson and Edwards 2011: 71).

From a legal perspective, the recommendation of the report was that either intentionally or recklessly obtaining sexual services from women who had been trafficked would be criminalised and that there would also be sanctions against brothel owners who intentionally, knowingly or recklessly allowed women who were trafficked for them be introduced (Carson and Edwards 2011: 72). Despite these recommendations, there has been no further reforms to the law in Victoria.

The following outline provisions in various federal laws regarding sex trafficking, sexual slavery and sexual servitude.

### Criminal Code Act 1995

The Criminal Code Act does not explicitly regulate prostitution or sex work. It does however criminalize sexual servitude, slavery, forced marriage, child prostitution and sex trafficking. This is evident in the following sections, such as crimes against humanity and war crimes. Where the perpetrator’s conduct is conducted as part of a widespread attack against a civilian population, enslavement (s268.10), sexual slavery (s268.15) and enforced prostitution (s268.16) are offences. Enforced prostitution is a serious war crime whether committed in an international (s268.61) or a non-international armed conflict (s268.84).

The Act also regulates deceptive recruiting (s270.7), human trafficking (s271.2 and s271.5), child sex trafficking (s271.4, s271.7, div 272), servitude (s260.5), slavery (s260.3), forced marriage (s270.7A), forced labour (s270.5) and debt bondage (s271.8 and s271.9).

The Crime Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking)

Act 2013 broadened servitude, slavery, forced labour Code offences. Deceptive recruitment

includes deception as to the fact or nature of sexual services provided. Trafficking includes: the victim being deceived about the extent or nature of sexual services, working conditions or owed debt, despite a known arrangement. Assisting a perpetrator by harbouring a trafficked victim is also an offence (s271.7F).

### **Crimes Act 1914**

This was amended in 2013 to provide special rules and protections for vulnerable persons. Vulnerable persons were defined in s15Y to include child and adult complainants who are victims of slavery and slavery-like conditions (div 270), human trafficking and debt bondage (div 271). Special facilities are provided for vulnerable persons to give evidence e.g. close-circuit TV, arrangements for restricted physical and visual contact with defendant (div 4). Publishing material identifying a trafficked person is an offence (s15YR) and trafficked victims are able to make victim impact statements, to which special evidence rules apply (s16AB(7)).

### **Protocol and Extradition Regulations**

Australia is a party to Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. There are treaties of extradition between Australia and Finland, Hong Kong, Cambodia, Indonesia, Israel, United States and Sweden to grant extradition for offences relating to trafficking and exploitation of persons for prostitution. Cambodia specifically refers to child prostitution, while Indonesia and the United States specifically refer to women and young persons.

### **The Marriage Act 1961**

On top of forced and child marriage being outlawed through the Criminal Code Act, the Marriage Act also includes provisions whereby the marriage is considered void if a party did not give consent fully or freely, or if one party was not of a marriageable age. It is illegal for two people under the age of eighteen, or any person under the age of sixteen to marry. A marriage may be permitted where one party is between the ages of sixteen and eighteen,

the relevant consent and parental permission has been given, and a judge or magistrate has issued an Australian court order to allow the marriage. These, however, are very difficult to obtain.

In cases where children are taken overseas to be forcibly married, the court has the power to issue a court order to prevent the child from being issued a passport, force the surrender of the accompanying adult's passport, and to prevent the removal of the child from Australia and put them on the airport watch list.

### **Migration Act 1958 (Cth)**

It is an offence to knowingly or recklessly allow an unlawful non-citizen, or lawful non-citizen, in breach of their visa, to be exploited for work (245AD) or to refer them to another person to be exploited (245AEB).

### **Miscellaneous**

The Federal Interdepartmental Committee on Human Trafficking and Slavery provides oversight to Australia's response and tables annual reports in Parliament.





## 4. Australian organisations

We identified 36 Australian organisations that are working in the area of sexual exploitation. Twenty-four organisations are working specifically with the sex trade in Australia, while an additional 11 organisations are working internationally. One organisation (Project Futures) is working with women who are trafficked into Australia and women who have been trafficked into other countries also. Australian organisations working in Australia: The twenty-four organisations that work in Australia are generally based in Melbourne or Sydney. Twenty of the twenty-four organisations included women who have been trafficked (internationally and domestically, although the focus is principally on the former) or in sex slavery within both the legal and illegal sex trade as their beneficiaries. Only four organisations worked specifically with women in the commercial sex trade. Six organisations had a Christian ethos and were supported by churches. No anti-slavery or anti-trafficking organisations specifically highlighted that they were developed and led by survivors of trafficking. Few organisations specifically identified themselves as feminist, community development oriented in approach and working from a rights-based perspective.

Australian organisations working internationally: The 11 Australian organisations that work internationally generally work in Asia, usually Cambodia, Thailand and India. Most organisations were involved in rehabilitation and alternative pathways, and some were also engaged in rescue programs. Most organisations work through local partners.

Appendix 1 provides an overview of the 36 organisations in Australia.

### 4.1 Programming approaches to sexual exploitation in Australia

Australia does not have a documented approach to addressing the issue of sexual exploitation, nor a co-ordinated service response. Therefore we will draw on the internationally established response to working with victim-survivors of sexual exploitation, being the “3 P’s”. Best practice models for responding to sex workers wanting to exit the industry are still being developed, however in future can also be referred to as a framework. Ideally, it would be best for an Australian specific framework of response to be developed in future, in order that all service and legislative responses can be co-ordinated and consistent.

The “3 Ps” – prevention, protection and prosecution – are well established in the international literature as the main approaches to working with people affected by sexual exploitation. More recently, some bodies have advocated for a fourth ‘P’, ‘partnership’, as an approach to sex slavery and trafficking programming. Other identified programming approaches include: harm minimisation, advocacy and agents of change, research, training and education, and men’s programs.

The United Nations now recognises 5Ps, 3 Rs, and 3 Cs in their framework to address trafficking in persons:

- 5 Ps: Protection; Prevention; Prosecution; Punishment; Partnership
- 3 Rs: Redress; recovery; Reintegration
- 3 Cs: Capacity; Coordination; Cooperation

These and others have been considered in the table below.

Australian programming approaches to sexual exploitation	
<b>PROGRAMMING APPROACH</b>	Prevention
<b>DESCRIPTION OF PROGRAMMING APPROACH</b>	Raising awareness of trafficking and sex slavery Supporting girls, families, and communities to prevent girls from entering sex slavery
<b>CURRENT SITUATION IN AUSTRALIA</b>	Only Project Respect and St Kilda Gatehouse are specifically working on prevention programs in Victoria. These programs are targeted specifically at girls who are considering entering the sex trade, and most likely involve very low numbers of women and young women.

## Australian programming approaches to sexual exploitation

### PROGRAMMING APPROACH

Protection (encompassing rescue, welfare services, rehabilitation and pathways)

### DESCRIPTION OF PROGRAMMING APPROACH

- Rescuing girls and women from sexual servitude situations;
- Providing safe houses / shelter homes for women and girls who have been removed from sex slavery contexts;
- Providing basic essential services such as food, shelter, clothing, mental and physical health services, income support, immigration support, and other basic social services;
- Supporting women and girl survivors of sexual servitude to engage in physical, emotional, psychological, sexual, spiritual, social, family, community rehabilitation through holistic, long-term therapy programs;
- Supporting women and girl survivors to access education and employment training;

### CURRENT SITUATION IN AUSTRALIA

- No organisations are conducting rescues. The AFP may be involved in this process.
- It does not appear that there is a safe house / shelter home for women and girls in Melbourne.
- Essential services, including referrals to relevant organisations, are provided to women through several organisations.
- Toward psychological and emotional rehabilitation, the only organisation in Victoria and Australia offering counselling and mental health support specific to girls and women affected by sexual exploitation is HerSpace, who begun piloting programs in 2015. Prior this there have been no such counselling programs to-date supporting women to heal and recover from trauma and abuse.
- Alternative livelihoods opportunities are supported through access to education and vocational training in only a few organisations.

### PROGRAMMING APPROACH

Prosecution

### DESCRIPTION OF PROGRAMMING APPROACH

- Supporting women and girl survivors to testify their experiences to prosecute pimps, traffickers and other people who have enforced sexual servitude;
- Defending women and girl survivors from unjust prosecution;

### CURRENT SITUATION IN AUSTRALIA

- It does not appear that there are many organisations that provide legal support, although through the AFP and Red Cross Migration Unit, women survivors may be supported to pursue their case.
- No organisations were identified that provide legal support for women who are wrongfully charged for criminal activities due to being in sexual servitude, although Scarlett Alliance support sex workers who are charged.

## Australian programming approaches to sexual exploitation

### PROGRAMMING APPROACH

Prosecution

### DESCRIPTION OF PROGRAMMING APPROACH

- Supporting women and girl survivors to testify their experiences to prosecute pimps, traffickers and other people who have enforced sexual servitude;
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- No organisations were identified that provide legal support for women who are wrongfully charged for criminal activities due to being in sexual servitude, although Scarlett Alliance support sex workers who are charged.

### PROGRAMMING APPROACH

Partnership

### DESCRIPTION OF PROGRAMMING APPROACH

- Collaboration between law enforcement agencies and non-government organisations to implement the above-mentioned goals of prevention protection and prosecution.
- Other partnerships between institutions to raise awareness, holistically address the issues, and ensure greater effectiveness.

### CURRENT SITUATION IN AUSTRALIA

- It does not appear that there are many organisations that provide legal support, although through the AFP and Red Cross Migration Unit, women survivors may be supported to pursue their case.
- No organisations were identified that provide legal support for women who are wrongfully charged for criminal activities due to being in sexual servitude, although Scarlett Alliance support sex workers who are charged.

### PROGRAMMING APPROACH

Harm minimisation

### DESCRIPTION OF PROGRAMMING APPROACH

- Supporting women involved in sex work to access health and wellbeing services to minimise the risk of sexually transmitted disease and pregnancy and enhance their safety.

### CURRENT SITUATION IN AUSTRALIA

- This approach is generally provided by sex worker organisations such as RhED and Scarlett Alliance.

## Australian programming approaches to sexual exploitation

### PROGRAMMING APPROACH

Advocacy and agents of Change

### DESCRIPTION OF PROGRAMMING APPROACH

- Supporting women and girls survivors of sexual servitude to develop a movement and advocate for systemic change.
- Raising awareness of sexual servitude to generate interest, funds, and community action movements.
- Advocacy and campaigning using various methods such as social media, story-telling, local and international lobbying (such as Commission on the Status of Women),
- Supporting networking between organisations to advocate for policy change;

### CURRENT SITUATION IN AUSTRALIA

- Policy advocacy is very common across the organisations in Australia. However, it does not appear that survivors of sexual servitude are actively involved in advocating for policy change.
- There are various social change and community-based movements across Australia, particularly within the church systems. Again, it is not evident that survivors of sexual servitude are actively involved in, and lead, these movements.
- Few organisations appear to be involved in high-level international advocacy, apart from CATWA.
- It does not seem that the Australian organisations are well-coordinated for collaborative policy advocacy.
- There are no public action campaigns for behaviour and policy change in Australia

### PROGRAMMING APPROACH

Research

### DESCRIPTION OF PROGRAMMING APPROACH

- Documenting the stories, experiences, statistics and trends of sexual servitude to raise awareness and inform policy development and appropriate programming;
- Monitor and evaluate the effectiveness of current programs and approaches

### CURRENT SITUATION IN AUSTRALIA

- Although various organisations are involved in research, no evidence was provided of NGO-University partnerships to ensure rigorous research practice.
- It seems that limited research is published in academic journals.
- It is unclear whether NGO research is utilised by government.

## Australian programming approaches to sexual exploitation

### PROGRAMMING APPROACH

Training and education

### DESCRIPTION OF PROGRAMMING APPROACH

- Providing training and education to institutions involved in the sexual servitude sector to enhance their work and ensure greater support for women and girls at risk, currently experiencing, or survivors of sexual servitude.

### CURRENT SITUATION IN AUSTRALIA

- No evidence was available of well-developed education and training programs that target other organisations and government services. Training appears to be ad hoc or opportunistic.

### PROGRAMMING APPROACH

Men's programs

### DESCRIPTION OF PROGRAMMING APPROACH

- Supporting men to understand sexual servitude;
- Supporting men to change their attitudes and behaviour regarding sexual servitude.

### CURRENT SITUATION IN AUSTRALIA

- RhED has an "Ugly Mugs" program to identify abusive clients and pimps.
- No organisations are involved in working with men to change attitudes and behaviours that lead to the purchase of sex or the trafficking of women.

The theoretical perspectives used to implement these approaches vary, and include, but are not limited to, welfare models (providing basic needs such as food and shelter), various therapeutic theories, holistic whole-of-family approaches (including intergenerational approaches), community development (whole of community), radical feminist approaches, liberal feminist approaches, and so on.

Appendix 1 provides a snapshot of the current programming approaches used by Australian organisations working with women and girls in sexual servitude in Australia, and programming approaches used by Australian organisations working internationally. Please note that this information is based on the available website information, and is most likely insufficient. HerSpace will need to engage further with various organisations to better understand their programming approaches and opportunity for collaboration.

## 5. Funding Opportunities

Several avenues for funding have been located both in Australia, and internationally. These were found by researching organisations which focus on a range of themes pertinent to HerSpace, including but not limited to:

- Women and girls in Victoria/Australia (Victorian Women's Benevolent Trust)
- Women and girls internationally (Global Fund for Women, Mama Cash)
- Human Rights (Samuel Rubin Foundation, Wallace Global Fund)
- Education and Law (Invergowrie Foundation grants, Sidney Myer Fund, Victorian Law Foundation)
- Research (Harry Frank Guggenheim Foundation)

The majority of potential funding opportunities can be located from private funds, but there are also opportunities in the public and corporation sectors. The grants disclosed range from \$1,000 (Matana Foundation) to \$500,000 (Global Fund for Women). Most of these grants can be accessed throughout the year on an ongoing basis, with the exception of the Victorian Women's Benevolent Trust (24/03/2014), the Honda Foundation (17/6/14, 14/10/14), the James N Kirby Foundation (28/02/2014) and the Victorian Law Foundation (18/03/14). There are also organisations which have annual deadlines (1st August each year for the research grant at the Harry Frank Guggenheim Foundation), or organisations which have deadlines four times a year (Global Fund for Women, Samuel Rubin Foundation). Other organisations such as Perpetual facilitate partnerships between trusts and recipients (open in November). The table below details which organisations could be approached for grants, the amount of funding provided and the focus of the organisation.



## 5.1 Grants focusing on Women and Girls

It is important to note that private funding bodies are willing to negotiate specific funding tailored to the organisation's needs. Also more research needs to be conducted into other methods of fundraising other than grant applications such as fundraisers, social media and crowd-funded campaigns such as those run by Pozible and Kickstarter.

### Victorian Women's Benevolent Trust

- Victoria / public funds \$2000 - \$10 000
- Advances conditions for women and girls in Victoria

### Invergowrie Foundation grants

- Victoria / public funds undisclosed - \$15 000
- The Invergowrie Foundation's mission is to advance the education of girls and women

### Mama Cash

- International / public funds
- Funds and supports women and girls' human rights. A letter of interest is required (not funding request) and funding is partnership based.

### Global Fund for Women

- International / public funds Small grants: up to \$50 000
- Medium grants: \$50 - \$500 000
- Advances women's human rights by funding women-led organisations worldwide.

### The Nike Foundation

- International / corporation
- Nike Foundation works to get girls on the international agenda and to drive resources towards them.

### Business Kering Foundation

- International / corporation
- Up to \$70 000
- Support various issues linked to the topics of violence against women and women's empowerment. Forms partnerships.

## 5.2 Grants focusing on disadvantaged youth/ people in general

### Matan Foundation

- Australia / private funds \$1000 - \$10 000
- Focuses on pressing issues of youth disadvantage

### Peter Brock Foundation

- Australia / private funds
- Focus on welfare and social issues. Very broad.

### The R E Ross Trust Grants

- Victoria / private funds \$10 000 - \$30 000
- Focuses on disadvantaged, vulnerable, marginalised / including at risk 0-18.

### Sidney Myer Fund

- Australia / private funds up to \$10 000
- Focuses on education, plus alleviating negative effects of poverty and disadvantage.

### James N Kirby Foundation

- Australia / private \$3000 - \$10 000
- Charity and welfare. Emphasis on (but not limited to) technical projects.

### Perpetual Trustees Grants

- Australia / public funds \$10 000 - \$100 000
- Supports wide range of charitable purposes and projects.

### Ian Potter Foundation

- Australia / private funds up to \$50 000
- Community wellbeing program delivers programs on disadvantage, poverty community well-being.

### The Ford Foundation

- International / corporation up to \$50 000
- Reducing poverty and injustice.

### The Honda Foundation

- Australia / corporation
- Disadvantaged, disabled or long term illness.

### Australian Communities Foundation Funding

- Australia / public funds
- Supports charitable organisations and projects.

### 5.3 Grants focusing on Human Rights

Samuel Robin Foundation

- International / private funds \$5000 - \$10 000
- Social, economic, political, civil and cultural rights.

Wallace Global Fund

- International / private funds
- Focus on environmental issues, but includes women's human rights

### 5.4 Grants focusing on Education/Law

Victorian Law Foundation - Small/general grants

Victoria / private funds - up to \$5000

Supports education programs, in relation to the law for Victorians.

Invergowrie Foundation grants

- Victoria / private funds up to \$15 000
- Funds educational opportunities for girls and women in Vitoria.

Harry Frank Guggenheim Foundation

- International \$15 000 - \$30 000
- Research grant: root causes of violence and aggression

It is important to note that private funding bodies are willing to negotiate specific funding tailored to the organisation's needs. Also more research needs to be conducted into other methods of fundraising other than grant applications such as fundraisers, social media and crowd-funded campaigns such as those run by Pozible and Kickstarter.





## 6. Summary and Conclusion

This report has provided an overview of the context of sexual exploitation in Australia and presented the available research on its prevalence and the number of women and girls it affects. This conclusion highlights the key findings of the report. Sex work, excluding street-based sex work, is legalised in Victoria; however, sexual slavery, sexual servitude, forced marriage, child prostitution and child marriage are illegal under Australian and Victorian law. Experiences of sexual exploitation are subject to a range of contextual factors including social and occupational environments, power relations, and individual experiences. Despite the highly varied circumstances, there are common factors that increase the risk and likelihood of sexual exploitation. These include: illegal trafficking from overseas and within Australia; debt bondage; coercion through threats and violence; kidnapping; entry to Australia on false documentation; poverty; drug and alcohol dependency; misunderstandings of expectations of sex work; lack of employability in the non-sex trade; and a sense of obligation.

Quantifying the precise number of women and girls affected by sexual exploitation in Australia, and more specifically in Melbourne, is difficult given the movement of those involved, the covert nature of the sex industry and illegal activity, and familial aspects of practices such as forced marriage. Based on our review of all literature, reports and media available, it is estimated there are 69,219 women and girls affected by sexual exploitation each year in Australia, within the legal and illegal sectors of the sex trade. This figure is based on the brothel, trafficking, street-based, under-aged and forced marriage components of the sex trade.

Up to 1000 of these are believed to have been trafficked from overseas into Australia and though there is no reliable data, media reports have revealed that domestic trafficking also occurs. There are also a significant and concerning number of children exposed to situations of sexual exploitation: one the reported incidents of domestic trafficking involved a 12 year old girls, and research has determined that there are up to 3704 children who experience commercial sexual exploitation in any given year. In 2014, it was also established that service providers had had 250 cases of forced marriage – the actual number likely remains much higher. There is no documentation to be found on escort agencies,

exotic massage parlours, strip-clubs and pornography, and it is accordingly recommended such research be conducted urgently in the near future to gain an accurate understanding of the true extent of sexual exploitation in Victoria and Australia.

Though a more definite figure of the women and girls affected by sexual exploitation remains elusive, there is a more thorough understanding of the experiences they endure. These include: sexual violence, including rape; being forced to have sex without a condom; risk of STIs and HIV; physical, psychological and emotional abuse; robbery and non-payment; drug and alcohol misuse; forced pregnancies or abortions; and networks and friendships within the sex industries that may be both supportive and harmful. They are often unaware of social support services available to them, and those who do access them have reported frequent difficulties. Services are generally experienced as sparse, uncoordinated, culturally insensitive and inaccessible, particularly for foreign women. Children experiencing sexual exploitation may also fear contacting authorities as they do not want to disrupt familial structures or be sent back into the state-care system.

There is little information available regarding those who are involved in situations of sexual exploitation. Research has shown, however, that one in six Australian men has ever paid for sex. **Each week in Australia, more than 60,000 men spend \$7 million visiting female commercial sex workers.** The average age for their first visit is 23 years old. Brothels are the most common locations for visiting sex workers, with reasons for purchasing sex include ease, engagement and arousal, as well as being less complicated than a relationship. The literature identifies three types of clients: “business type”, “romantic-friendship type” and “misogynist type”.

To address the issue of sexual exploitation, there are currently, 36 Australian organisations work in the sector. Twenty-four organisations work with the sex trade in Australia, while an additional 11 organisations are working internationally. Amongst the 24 organisations working in Australia, twenty organisations include women who have been trafficked or in sex slavery within their beneficiaries, while **only four organisations worked specifically with sex workers.** No anti-slavery or anti-trafficking organisations specifically highlighted that they were developed and led by survivors of trafficking. Few organisations specifically identified themselves

as feminist and working from a rights-based perspective. There are no organizations offering counselling and mental health support, other than HerSpace who has recently started piloting group and individual mental health support in Melbourne.

These findings illustrate an urgent need for further research into this area to determine the extent to which sexual exploitation occurs, and to establish and identify those whom it affects so that appropriate services can be tailored to suit their needs. Statistics available on the women and girls affected by sexual exploitation remain scarce and fragmented, making it difficult to ascertain a comprehensive picture of the problem and the associated experiences of those it affects. It would also be of great benefit to develop a more thorough body of knowledge regarding those who drive and benefit from situations of sexual exploitation, such as traffickers, the men who participate in forced marriages, and the men who force their partners into the sex work.

Furthermore, it demonstrates that service provision is currently fractured and sporadic. Women and girls affected by sexual exploitation are likely to slip through the cracks without a holistic approach that includes strong partnerships and inter-organisational collaboration and information sharing. It highlights a need for more comprehensive services that are culturally sensitive and accessible, and that have strong outreach as well as intake programs so that vulnerable and invisible populations have a better chance of receiving the support that they need. There is also an urgent need for practitioners with specialist knowledge and skills in this area, so that the women and girls requiring services do not feel further stigmatised or isolated.

The HerSpace program seeks to do this by providing women and girls affected by sexual exploitation with integrated, holistic, and specialised therapeutic care. By building strong partnerships with organisations working with vulnerable women, HerSpace will be able to establish referral pathways to ensure that women and girls are able to access the specialised care that they need. These partnerships will also allow for information-sharing between organisations to help stop women and girls falling through the cracks.

The programs provided by HerSpace will specifically work to address the emotional, physical and

psychological trauma of women and girls affected by sexual exploitation by decreasing social isolation, working towards empowerment, and developing confidence, self-esteem, and other skill-sets. These programs are informed by evidence-based research, and strive to place women and girls at their centre.

HerSpace actively seeks the feedback of its beneficiaries regarding the available services, allowing us to identify what is working and what can be changed. Such an approach not only recognises that these women and girls are the expert on their lives, but also empowers them by giving them a voice on their situation that helps to shape the direction and future of HerSpace. HerSpace in turn is able to learn and further develop our expertise in this area, which can then be shared with other organisations.

Recommendations for HerSpace moving forward:

1. Work towards increasing the evidence base and research around the issues of sexual exploitation in Australia;
2. Be clear about our definition of “sexual exploitation” and publicly speak for these issues;
3. Always emphasise that women and girls are at the centre of our work.
4. Continue to use expertise and scope in the strategic development of the HerSpace therapeutic programs that will address the emotional, psychological and physical trauma of women and girls affected by sexual exploitation, as well as providing them with supportive networks to reduce isolation and build a sense of community.
5. Provide education and training to already existing service providers who work with connect to women to increase knowledge of and ability to identify sexual exploitation, enabling an effective response with a non-judgemental and feminist approach.
6. Work through partnership and in networks;
7. Share expertise and knowledge with partner organisations.

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