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The 'Swedish model': the prohibition on the purchase of sex

In Sweden, the purchase but not the sale of sexual services has been criminalised. Prostitution is seen as inherently exploitative and a form of male violence against women. The law deliberately targets the demand for prostitution (the clients) whilst framing sex workers as 'prostituted women' who are exploited and disempowered victims of male abusers. The Swedish model denies that sex work could ever be genuinely voluntary so that no woman could ever freely choose to sell sex. It is based on the oppression paradigm associated with radical feminist ideology. The theory of the model is that if there is no demand for prostitution there will be no supply and prostitution will cease to exist. Prostitution is seen as a barrier to gender equality, and harmful not only to individuals but to society at large.

The Swedish model is much vaunted, including by its proponents in Australia. The Prostitution Licensing Authority (PLA) has published an extensive critique of the model by the Principal Policy Officer, Office of the PLA. The paper concludes that the rhetoric of the success of the prohibition on the purchase of sexual services is not matched by the available evidence. There has been no decline in the size of the sex industry in Sweden but the industry has been driven underground, compromising the health, safety and welfare of sex workers. One of the worst impacts of the law has been to intensify the marginalisation of sex workers and their sense of alienation. No matter how much they might deny it, they are told that they are

disempowered victims of male violence who could not possibly have freely chosen to sell sex. They are infantilised by being told they are incapable of making rational and informed choices. Their own views and experiences are immediately discounted (unless they happen to coincide with the oppression paradigm). They are deprived of their autonomy and agency as individuals. Moreover, the Swedish model seeks to deny thousands of years of history which demonstrates the impossibility of stamping out the sex industry.

The paper can be downloaded from the PLA website: <http://www.pla.qld.gov.au/reportsPublications/>.

Registration of sex workers

Unlike some other jurisdictions, there is no requirement for the registration of sex workers in Queensland. Neither sex workers in licensed brothels nor sole operator sex workers need to be registered with the PLA, the Queensland Police Service, or any other government agency.

The PLA is resolutely opposed to any proposal for the registration of sex workers in this state. It has made this abundantly clear to the Crime and Misconduct Commission in the context of the current review of the *Prostitution Act 1999*. The PLA submission may be accessed from the CMC website: www.cmc.qld.gov.au.

The PLA considers there is no compelling rationale for the registration of sex workers. Occupational licensing/registration is justified on the basis of protecting the public from the risk of harm but this is not relevant to sex workers. From what risk of harm will the registration of sex workers protect the public? No particular qualifications or skills are required by sex

workers which would justify their registration. Sex workers value their privacy. The stigma and discrimination associated with selling sex is so extreme that many workers keep it a secret from family and close friends. The last thing they want is to have to register all of their personal details with a government agency. This underlines the fact that registration will be ineffective (and costly to administer) in that most sex workers will simply not register. They will be driven underground and their health and safety and general well-being will be compromised.

The PLA understands how highly sex workers value their privacy and anonymity and has sought to accommodate this at licensed brothels. One of the ways sex workers separate their working lives from their personal lives is by the use of pseudonyms. There is no requirement that sex workers in licensed brothels must reveal their real name to brothel licensees, approved managers or to the PLA. To ensure that sex workers at licensed brothels are at least 18 years of age, licensees or managers are required to sight relevant documentary evidence and to make a record of certain details. This does not include the real name of the sex worker. Moreover, there is no requirement for licensees to make or retain a copy of the proof of age document.

Are you a sex worker? The PLA is eager to hear your views on registration. Would you support registration? What impact would registration have on you (good and bad)? If sex workers were required to register in Queensland, would you comply? If you were required to register, would it stop you from working in the licensed brothel sector? What would you think if advertising needed to be accompanied by a registration number? How would this work? Would sex workers

make up registration numbers or share them? Would it be effective in stopping illegal prostitution operators from advertising or would they find a way around it? The PLA would really appreciate your views as a sex worker. Please let us know by emailing us at pladmin@iprimus.com.au.

Responding to enquiries from clients

Section 93(1) of the Prostitution Act states that: "A person must not publish an advertisement for prostitution that describes the services offered". This is reflected by the prohibition on describing services in the *Guidelines for prostitution advertising*.

From time to time, the PLA receives queries from sex workers who are under a misapprehension that the prohibition on describing services extends to responding to enquiries from clients or potential clients. The prohibition applies only to advertising. Advertisements by their nature are unsolicited, whereas a response to a query about services is clearly solicited, and does not constitute advertising.

In responding to an enquiry from a client, a sex worker can describe the services that they offer as well as those that they do not offer. This is important because a prospective client is likely to want a specific service and may be disappointed if they find out that it is not available during the booking. It would be nonsensical to prevent sex workers from talking to clients about the range of services that they provide.

Indicators of sex trafficking

There are a range of possible indicators of sex trafficking. People who have been trafficked may:

- not be in possession of their passports or other identity documents, as those documents are being held by someone else
- have a false identity or documents

- not know their home or work address
- not know where exactly they are
- not be familiar with the local language
- have little or no money
- have little or no possessions
- have their money held and/or controlled by somebody else
- have a large debt that they are unable to pay off
- have their wages withheld for the purpose of paying off a debt
- have had their travel to Australia paid for by others
- have been recruited through false promises as to the nature or conditions of the work
- have had unprotected or violent sex with clients
- be or feel unable to refuse to do certain things with clients (e.g. unprotected sex)
- have their movements restricted or monitored by someone
- be escorted by someone on trips away from their work/home
- work excessively long or unusual hours
- have very few days off
- show signs of having been abused sexually or physically
- have post-traumatic stress or psychological disorders
- be frightened of or intimidated by someone
- have restricted contact with their family and friends
- have received threats in respect of themselves or their families
- have received threats of deportation or police action

- be in poor health and/or lack proper health care.

If you suspect someone might be a victim of sex trafficking you can get help by calling the Australian Federal Police hotline on 1800 813 784.

Changes of information

Sections 20 and 45 of the Prostitution Act require licensees and approved managers to provide the PLA with written particulars of a change in information previously given for their application, within 10 days of becoming aware of the change.

It is particularly important that they inform the Authority of any changes in address. The PLA regularly sends communications to licensees and managers, including reminder letters, and a current address is essential. Managers should also inform the Authority if they are no longer working at a brothel.

2011 PLA meeting dates

The PLA Board generally meets on the first Monday of each month. Meeting dates for the remainder of 2011 are: 9 May, 6 June, 11 July, 1 August, 5 September, 3 October, 7 November, 5 December. *Whilst current at the time of printing, these dates are tentative and subject to change without notice.*

Vacancies for Approved Manager positions

Asian Star on Meadow: Night shift managers required for Asian brothel. Must be honest and friendly. Can be part-time or full-time. Shifts from 6pm to 2 or 3 am. In Coopers Plains area. Great conditions. Ring Carly on 0422023351.

Please note that approved manager advertisements may be submitted at any time for inclusion in the next edition of the newsletter. They should be emailed to pladmin@iprimus.com.au.