

## Sex trade laws: prostitutes must lead the debate

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Prostitutes should be leading the debate on sex laws.



*Decriminalisation would allow sex workers easier access to healthcare.*

Decriminalisation would allow sex workers easier access to healthcare. *Photo: Simone De Peak*

Let's just get this straight. Tracy Connelly did not die because she was a sex worker. Tracy Connelly died because an individual made a choice to extinguish her agency, her self-determination, her life. Anyone who says otherwise is obscuring the responsibility of the perpetrator

and blaming Connelly for her own murder.

When we come to the discussion of sex work and the law it is easy to talk in absolutes. "We must rescue women from prostitution." "We need to speak for those who have no voice." "We want to protect the powerless."

The problem is, I've never met a sex worker who could not speak with perception about their life and work, and who did not experience at least some degree of personal power.

The Swedish legal framework (advocated for in this paper last weekend) criminalises the buyer, treating sex workers as those in need of rescue and has some basic flaws built into it.

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First of all, it fails to recognise that there are multiple experiences of the sex trade. Yes, some sex workers are treated very poorly in this industry. Some need to get out urgently, and may require assistance to do this. But many have different stories to tell.

There are sex workers who say they flourish in their jobs and actively consent to do this work despite other employment choices. They prefer the money and the flexibility of hours.

They give pleasure and are skilled in the art of sensuality. Sex workers report that they have

developed highly attuned interpersonal relational skills and come to a different experience of their bodies - one of strength and appreciation. Neutral and positive accounts are just as valid as those that describe violence and victimisation.

The Swedish model, which has recently been approved by the lower house in France and has yet to clear their Senate, works to silence any alternatives to the narrative trope of pitiful victim in need of rescue.

Second, the Swedish model is making some big claims about ending prostitution (if there's no demand, there's no supply), but the research does not back this up. It is unclear whether sex work continues, or if violence has been minimised, because much sex work in that country has now gone underground and is neither seen nor analysed. It seems that human beings are gifted at negotiating sex for pay away from prying political eyes.

Another issue is that of sex workers being further stigmatised by these laws - the irony of which is that they were intended by feminists to balance the playing field and give women structural justice. Research on public attitudes and perceptions in Sweden suggests that sex workers are still viewed with contempt. The pitiful victim is not pitied, she is again despised.

A better solution, which has been suggested by sex work activists, may be the decriminalisation of adult consensual sex work, and here's three reasons why.

First, decriminalisation facilitates the likelihood of sex workers reporting assault and workplace safety issues. If your occupation is a criminal act, why would you come forward to report violence? Decriminalisation helps to bring the practice of sex work out into the open, rather than drive it away or under the radar. Surely it is a good thing for sex workers to know that they have accessible lines of communication to begin dealing with abuse?

Second, decriminalisation has proved its worth in NSW and New Zealand, where it is legislated, as barriers for sex workers accessing healthcare have been reduced. As such, peer-led health interventions under the model of decriminalisation have now been recognised by UNAIDS and the World Health Organisation as best practice in the Asia-Pacific region.

Finally, as a society, the messages we give sex workers (and all marginalised groups) are meaningful. Historically, sex workers have been told: "You're a deviant." And now, the dispatch is changing: "You're a victim." Both are identity markers based on sexual shame, narrow gender roles and denial of consent. Decriminalisation says instead: "If you prefer to be a sex worker, we acknowledge you and your experience. You're part of our community. If you need support to exit, that is available, too." An altogether different tone of message.

We need to have these debates, about sex, gender, commerce, racism and poverty, too. But it is not a discussion that should lead to the silencing of vast numbers of sex workers, as other people, well removed from the industry, speak on their behalf. Sex workers must be at the forefront of any changes to the law in this country.

While radical feminists and family values activists also have a stake here, as do police, policymakers, clients and concerned citizens, sex workers - speaking with self-determination and insight - can guide our social policies towards best practice. This is the mark of respect for agency, and inclusive community engagement. At this time, sex workers across the globe are mobilising, calling for an end to stigma, violence, and demanding a better legal framework, based on decriminalisation. Can we hear their voices ringing loud and clear?

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