

Journal article, 8 August 2021

“Some people are considered more disposable than others” - The Effect of the COVID-19 Pandemic on Prostituted Women in Victoria. By F. Bartho

Summary:

The COVID-19 pandemic has disproportionately affected marginalised communities, including ‘sex workers’ who have experienced “hardship, a total loss of income and increased discrimination and harassment” (United Nations, 2020). In March 2020 the government-mandated lockdown and social-distancing laws in Victoria ordered the temporary closure of Melbourne brothels. Sadly, what could have been an opportunity for many women to transition out of the prostitution industry was largely unattainable due to lack of government support. The huge number of migrant prostituted women, not eligible for government stimulus packages and unable to find alternative work due to language barriers, visa issues and temporary closures of businesses, were forced to participate in less visible, more dangerous forms of sex work, such as ‘outcalls’ on private premises.

Our interviews with ‘sex workers’ revealed numerous women were violently sexually assaulted, forced to participate in sex without a condom and robbed during this time, but were too afraid to report these incidences to police for fear of punishment for breaking lockdown sanctions. Even following brothels reopening, each interviewed woman reports taking more risks, offering more services for free and tolerating coercion and abuse, due to financial worries and higher pressure from managers and brothel owners who are keen to recover lost income. Sadly, research consistently indicates that negative income shocks push ‘sex workers’ to take higher risks for less reward (Gong *et al.*, 2019). One brothel owner interviewed discussed plans to recruit new younger girls to bring in more business following his brothel’s closure.

Our research indicates adoption of the ‘The Nordic Model’ is needed in Australia to prevent further violence, abuse and coercion against these and new women. Under The Nordic Model the act of buying sex or profiting from sexually exploiting others (i.e. owning a brothel) would be illegal; putting the onus on the buyers and pimps rather than on prostituted women. The Nordic Model has proved highly effective in reducing human trafficking, prostitution markets and consequently, violence against women in countries that have implemented it. It is therefore crucial we ask why Australia, as a progressive First-World country, is still adhering to the archaic 1994 Sex Work Act, which perpetuates violence towards women (Sullivan, 2007). It’s remarkable, as one ‘sex worker’ pointed out, that we are still using “a system that is made by men for men” (Arnot, 2002, p65).

[Full article including interviews follows]



In Victoria, the Department of Health and Human Services (2018) have developed a 'Free From Violence' action plan to combat cycles of violence against women by challenging gender inequality, rigid gender roles and discrimination. Yet this plan is incongruous with current prostitution laws, which perpetuate female violence against women. A highly gendered phenomenon, the prostitution industry primarily involves the sexual sale of women to men. Moreover, 98% of individuals sold via human trafficking groups are women and girls (Ekman, 2013), with hundreds of women and children trafficked into commercial sexual exploitation in Australia every year (Australian Human Rights Commission, 2005).

The prostitution of women has been semi-legalised in Australia as of 1994 and alarmingly, there is a distinct lack of government support for transitioning out of the industry; a common grievance amongst 'sex workers' trapped in the industry and a view that has only been intensified by the lack of financial support provided during lockdown. Furthermore, research indicates the economic effects of COVID-19 have - and will continue - to contribute to increases in all types of gender-based violence, including commercial sexual exploitation (Buschmann *et al.*, 2020).

The COVID-19 pandemic has disproportionately affected marginalised communities, including 'sex workers' who have experienced "hardship, a total loss of income and increased discrimination and harassment" (United Nations, 2020). It is difficult to estimate the true economic impact of the pandemic on the prostitution industry and on 'sex workers' themselves (Peršak, 2014); particularly in Australia, where cash in hand is commonplace and a significant proportion do not declare their income due to stigma and the permanent attachment of their legal name to 'sex work'. However, in 2014 the United Nations estimated that there were roughly 20,500 prostituted women in Australia. Of course in reality the number is much higher, with an estimated 400 unlicensed brothels operating in Victoria alone (MacKenzie & Baker, 2014).

Unsurprisingly, past economic crises have pushed more individuals to 'sex work', which - like other informal sectors - has acted as a safety net for those who find themselves without employment or income (Loayza & Rigolini, 2011). Nevertheless, in March 2020 the government-mandated lockdown and social-distancing laws in Victoria ordered the temporary closure of Melbourne brothels and ban of in-person sex work. Sadly, what could have been an opportunity for many to transition out of the industry was largely unattainable. Though advised by the 1994 Sex Work Act (formerly the *Prostitution Control Act*), state and federal governments have done little to develop sustainable exit programs for women, with current programs severely underfunded. Moreover, 'sex workers' in brothels are sole traders for taxation purposes (Consumer Affairs Victoria, 2009) so are not afforded the same rights as employees (Fair Work, 2021). Formerly prostituted woman and our Pink Cross founder, Geneviève Gilbert, adds that although 'sex workers' are encouraged by Fair Work guidelines to set aside income for annual leave, sick leave and superannuation, the reality is most are in debt and so do not have the means to do so; and others, as migrants, do not understand Fair Work laws and suggested ways to operate as sole traders. Thus, following brothel-closure, 'sex workers' faced substantial hardship as they found themselves with unprecedented loss of income (United Nations, 2020). The huge number of migrants in prostitution, not eligible for government stimulus packages and unable to find employment in alternative work due to language barriers and visa issues, struggled to pay for healthcare, rent, bills and necessities for their families (McLeod, 2020). What's more, many Australian



'workers' were hesitant to declare how they came by prior earnings due to privacy concerns and criminalisation and so did not qualify for JobKeeper. Pushed out of brothels, thousands were forced to look to other avenues for income, from working in the overly saturated online sex market to participating in less visible, illegal and more dangerous forms of sex work (Azam *et al.*, 2021, Jozaghi & Bird, 2020), such as meeting clients on the street or at their homes or resorting to illegal brothels, where abuse is rife. This echoed 'sex industry' outcomes in the Netherlands (Azam, 2021), the UK (Brouwers & Herrmann, 2020), Belgium (Azam, 2021), the US (Bromfield *et al.*, 2021) Latin America, where there were numerous reports of husbands forcing their wives into 'sex work' to provide income (Lima, 2020); and numerous other countries during the pandemic (United Nations, 2020).

One 'sex worker', Emma* tells me several of the women she used to work with were robbed, forced to participate in sex without a condom or experienced violent sexual assault whilst working privately, but were too scared to report incidents to the police for fear of prosecution and fines for breaching COVID-sanctions. The pandemic has thus created an even higher threshold for prostituted women to feel able to report sexual abuse and violence (Bromfield *et al.*, 2021) as 'sex workers' faced increased punitive measures, arrests and fines during the pandemic; with more than 20 human rights violations at the hands of Queensland police reported to Respect Inc (2020) during the first three months of COVID-sanctions alone. Yet little has been initiated by state governments during the pandemic to help these women access financial and social support. In essence, 'sex workers' have been forgotten (United Nations, 2020). As Farley (2020) notes: in society "some people are considered more disposable than others".

As the industry re-opened in Melbourne earlier this year, brothel owners have reported a decrease in business. "We're still struggling, the number of weekly clients is really down", Michael*, a local brothel-owner says. Perhaps this is due to increased public concern with COVID-transmission or, regulated with QR-code check-ins, clients are no longer shielded by the anonymity they once had when visiting brothels. Emma thinks it's a financial issue: "Guys don't have the money anymore. A lot of local business owners used to come in, but they've all faced financial difficulty due to the coronavirus; they don't have spare money to spend anymore". Michael, however, attributes the loss of clients to the lack of 'sex workers' themselves who have returned to brothels; "Obviously with travel restrictions, including inter-state travel restrictions, we've lost a number of clients: tourists and international businessmen. But really, it's because of the lack of girls. Where the girls go, the clients follow; and when there are so few working here anymore, word gets around. Newcomers want that variety to choose from and the clients that have been coming for years only want to see the girl or girls they used to spend time with. I've had to turn clients away on multiple occasions because the few girls that I have are in bookings, then they don't come back."

Interestingly around 2/3 of the women who used to work in Michael's brothel have not returned post-lockdown and he says other Melbourne brothel owners are facing the same problem. "I have to change my opening hours all the time, because there are just no girls to work." Ostensibly this is positive news, with the hope that formerly prostituted women have been able to leave the industry for good. In reality, the lack of government support has prevented a great number of women from doing so, instead having to resort to the more dangerous, less visible forms of prostitution, as



discussed. Alissa*, a former 'sex worker' tells me she worries for her friends who have switched to private work. The law stipulates these private meetings have to take place as 'outcalls' at the client's home or hotel.

"I worry about the kinds of situations they're putting themselves in, heading off to random houses in the suburbs really late at night. I know an 18-year-old girl doing it, she definitely wouldn't be able to defend herself if the booking turned ugly."

The increased risk when it comes to safety with outcall or street prostitution is well documented, given the infeasibility of risk reduction strategies (Kimani *et al*, 2020). As subsectors street prostitution and prostitution on private premises have very high rates of sexual assault, rape, violence and even murder (Treleavan, 1995), presumably even more so in those Australian states where it is illegal to attend a booking with a companion (ACT, QLD, VIC; CATWA, 2017). There have been numerous reports of female 'sex workers' attending private bookings alone only to discover multiple men waiting to rape them for instance (Quadara, 2008). Undoubtedly without any penalisation on the sex buyer, this kind of sexual violence will continue in Victoria.

Alissa left the industry due to lock-down and says she was lucky as she was eligible for the Jobseeker stimulus package and had savings:

"I never considered quitting the industry before but when lock-down happened I had to and the longer I didn't do it, the less I wanted to go back. I've been putting myself through an online TAFE course and won't ever do it again; the idea fills me with too much dread. I don't want to ever go through what I did for money again. It's just really sad as a lot of the girls felt like they had no other choice but to go back, even though they hated it. One of my friends was violently raped and then had to go in for work the next week because she needed the money."

It's no wonder mental health issues are rife amongst 'sex workers' and those who have left the industry. In widely cited research, 68% of 'sex workers' from nine countries met the diagnostic criteria for Post-Traumatic Stress Disorder with many more experiencing Depression (Farley, 2003) and a staggering 43% of street-based 'sex workers' in a Sydney-based study reported having attempted suicide (Roxburgh *et al.*, 2006). Shockingly 1 in 3 of those interviewed had started as adolescents. This mirrored a study of Melbourne-based prostituted women in both legal and illegal brothels, with both studies indicating the involvement of girls as young as 12 (Mitchell, 2000). Victoria's Occupational Health and Safety agenda for the prostitution industry does not provide substantial plans to address the substantial psychological harm caused to prostituted women (Sullivan, 2007), thus former 'sex workers' rely on Not-For-Profits like Pink Cross for access to ongoing mental health support.

Hannah*, another 'sex worker', had to return to work at a Melbourne-based brothel after facing financial difficulty, however she too has noticed the lack of clients:

"I've lost a lot of my Regulars [sic: returning customers]. Maybe they don't realise I'm back here, doing this still, or maybe they had to find private service providers during lockdown and don't need to come back, I don't know. It's



been hard having to start over, some of those regs [sic] I saw every couple of weeks for 3-4 years.”

When I ask her if she has considered finding work in an alternative industry, she scoffs: “Who would employ someone who hasn’t had a normal job in the last 11 years? It’s my only option to provide for my daughter now.”

Sarah*, whose rent and bills were in arrears following lockdown has also returned. She tells me she too had no other option, despite having only worked in the industry for a couple of years. She is also worried by the lack of clients: “I feel pressure to include more [sex acts] for free in the standard service, just so I can make my rent”. Hannah agrees: “I’m intro-ing [sic: privately introducing oneself to clients who enter the premises] to types of people I wouldn’t usually have offered my services to, because I need the money and not many guys are coming in. You can tell a lot of the girls are struggling financially as they are trying harder to book the ‘bad’ clients and offering more for free”. Sadly, research consistently indicates that negative income shocks push ‘sex workers’ to take higher risks for less reward (Gong *et al.*, 2019). When asked what constitutes a ‘bad’ client, she casually answers: “The ones who do things to you they don’t have permission to do” and when I point out that what she has described is rape, she answers “well yes, but who’s going to listen to a sex worker.” She is not alone, many prostituted women believe they cannot surpass their marginalised statuses, cultivating feelings of unworthiness and internalising abuse and violence (Bromfield *et al.*, 2021). Research consistently indicates that it’s not just assault that goes unreported in the prostitution industry, but unfair working conditions as well (Banach, 1999). Twenty women were interviewed as part of research into the impact of the 1994 Sex Work Act on ‘sex workers’, with the study indicating a resounding fear of - or reluctance to - report unfair or coercive management (Arnot, 2002). Sarah says she is feeling more pressure from above to bring in income than ever before:

“I don’t feel like I can have a break or skip intro-ing a new client anymore. I guess the brothels just want to look like they have lots of girls and variety still when they don’t. It’s shit [sic] because you think you’re being helped and protected by working in a place like this, but you have to remember you’re just a means of making them money. It’s messed up, sometimes the managers treat me more like a sex doll than the clients do.”

Undoubtedly women in licensed brothels face coercion and psychological trauma not only from clients but from managers and brothel owners too (Pyett & Warr, 1999) and one would not be blamed for wondering if this will only worsen, given the precarious economy and lack of business Victorian brothel owners are facing following lockdown. Pink Cross and other Not-for-profits have continuously advocated for this kind of ‘legal pimping’, specifically, financial gain via sexually exploiting others, to be criminalised in Victoria, however at present laws have not been reformed.

Donna* a manager at Michael’s brothel has never in her 20 years of working there experienced this few clients. Like all industries, she explains there are high demand and low demand periods and of course the prostitution industry is particularly unpredictable; yet she was expecting business to be booming following lockdown. She agrees with Michael, that it’s due to the lack of ‘sex workers’ returning and says she feels pressure to make sure each client meets as many girls as possible to keep



their business. Worryingly she tells me the few young Asian girls who work there have experienced an increase in racism and physical aggression from clients. “Still,” Donna says, “it’s far better than what they would experience working at one of those illegal places.” It seems a depressingly low and inhumane bar to set, particularly when we consider the tragic murders of the six Asian women in Atlantic massage parlours last month. Unfortunately, the pandemic has escalated stigma, discrimination and racism for ‘sex workers’ worldwide (Lam *et al.*, 2020; UNAIDS, 2020). For an industry that is already dangerous, with law enforcement, court reports, human rights advocates and medical reports consistently pointing to rapes, bashings, brutalisation and murders within the industry (Nordic Model Now, 2020), this is incredibly worrying.

Donna and Michael are both expecting the industry to return to how it was prior to COVID within the coming months. What little research there is has indicated its unpredictability. However, if past economic crises are anything to go by, financial instability, job insecurity and insufficient government support will likely facilitate an increase in prostitution (Formson & Hilhorst, 2016; Loayza & Rigolini, 2011). Interestingly increases in transactional sex have followed prior health crises, such as the Ebola outbreak in Africa (Formson & Hilhorst, 2020); and it is likely we can expect a similar trend following the Victorian COVID-19 lockdown (Jacobson *et al.*, 2020). For business to return to ‘normal’, Michael tells me, he needs to recruit more women by word of mouth. Heartbreakingly, but unsurprisingly, he tells me the younger girls bring in the most revenue. Thus, as a collaborator with Amnesty International (2020) has advised:

“We need to work out ways to ensure that people who never want to do sex work don’t end up doing it, by focussing on structural inequalities and providing viable income alternatives. But we also need to keep the people who do as safe as possible and protect them from exploitation.”

Such structural inequalities include both those faced by women and by migrants. Our research also highlights the need for governments to provide better prostitution ‘exit strategy’ support for those in the industry who wish to transition out, including sustainable financial support, housing, English language and visa help and social and welfare services, including Medicare-rebated treatment for mental health and trauma. The difficulty in leaving, compounded by the state-government response to ‘sex workers’ during the pandemic outbreak is paramount. Hence, for an already vulnerable population who report a lack of access to basic healthcare, higher rates of mental illness and addiction, increased homelessness, poverty and incarceration, high rates of sexual assault and high structural violence and abuse (Platt *et al.*, 2020), more government support is crucial.

Pink Cross thus advocates the 2021 Australian Equality Model of Prostitution Bill (the Nordic model), to manage, at the source, demand for the sexual exploitation of individuals via prostitution. Rather than punishing those who resort to - or are coerced into - prostitution, the Nordic Model puts the onus on the individuals who buy sex or those who profit from the commercial exploration of others (the actions of pimps including brothel owners); criminalising these actions instead. The Bill also mandates the supportive government-endorsed exit programs needed, as well as public education programs discouraging the purchase of sex. It recognises the gendered-nature of the problem, where most individuals in the prostitution industry



are female and most buyers are male and notes the incompatibility of the current legislation, which perpetuates gendered-violence, with women's equality in Australia. Indeed, gender inequality and women's rights (as well as human trafficking) have often formed the rationale for countries to consider adopting the Nordic Model (Kingston & Thomas, 2018). Nonetheless, at present there has been no serious discussion regarding its implementation here in Australia. The Model has been lauded in its efficacy in reducing the markets for prostitution in Sweden, with street prostitution halving in the 10 years following its introduction (Mujaj & Netscher, 2015) and The Committee on Women's Rights and Gender Equality of the European Union noting that in 2013 Sweden's prostituted population was 1/10 of neighbouring Denmark's, where buying sex is legal; despite Sweden having double the total population. Most notably, a significant decrease in both violence against women and human trafficking have been observed there (Nordic Model Information Network, 2016).

Furthermore, the European Parliament has endorsed the Nordic Model as best practice for sexual exploitation prevention. Norway, France, Ireland, Northern Ireland, Canada and Iceland have followed suit in implementing the Model (with variations in Finland and South Korea) and it is under consideration in Italy, Israel, the UK and Luxembourg (Coalition Against Trafficking in Women Australia, [CATWA], 2017). It is therefore crucial we ask why Australia, as a progressive First-World country, is still adhering to the archaic 1994 Sex Work Act, which perpetuates violence towards women (Sullivan, 2007). It's remarkable, as one 'sex worker' pointed out, that we are still using "a system that is made by men for men" (Arnot, 2002, p65). Pink Cross thus calls for its revocation and for the introduction of the Australian Equality Model of Prostitution Bill 2021 (The Nordic Model). Without this, gender inequality, oppression and violence against women will continue to prevail here in Australia.

One month following interview, Michael reports his number of clients is increasing steadily and many new young women are 'working' at his brothel, including women new to the industry. [Click here to read Pink Cross's full report on the current prostitution laws in Australia and recommendations for an Equality/Nordic Model-style of prostitution legislation.](#)*

*names changed for privacy purposes

[The Pink Cross Foundation Australia Inc.](#) is an Australian registered charity. We offer an 8 weeks SMART program for women in the Adult Entertainment Industry who would like to transition out of it and reach their individual goals. You can meet in person or by phone for regular, non-judgmental appointments with a trained Mental Health Support Worker, if you need help leaving the industry or with decreasing your hours. You will be offered referrals, if needed, for counseling, legal, education, employment and housing needs. Contact us via our Facebook page or by email at info [a] [pinkcross.org.au](mailto:info@pinkcross.org.au)



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Suggested format to cite this article:

Bartho, F. (2021). Some people are considered more disposable than others: The Effect of the COVID-19 Pandemic on Prostituted Women in Victoria. Pink Cross Trauma Recovery Research Centre. Retrieved on XYZ date from <http://www.pinkcross.org.au/research>.

