

LEGALISING PROSTITUTION IS NOT THE ANSWER: THE EXAMPLE OF VICTORIA, AUSTRALIA

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Introduction

In the last decade legalisation has been promoted as the solution to the problems that accompany prostitution in many countries such as the Netherlands and Roumania. Governments in South East Asia are encouraged, in an important International Labor Organisation report, to officially recognise the “sex sector” and the contribution it makes to gross national income, a recognition that would entail legal acceptance of the industry (Lim, Lin Lean. 1998. *The Sex Sector*. Geneva: International Labour Office). In the state of Victoria in Australia, brothel prostitution was legalised in the 1980s and has subsequently been legalised in New South Wales, Australian Capital Territory (ACT), and Queensland. Tasmania and South Australia are about to follow suit. The experience of Victoria provides a good object lesson as to why legalisation is not the answer.

Since the late nineteenth century women have campaigned to end men’s abuse of women in prostitution. It was such feminist efforts that led to the 1949 United Nations *Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*. That Convention calls for States’

Legalisation in Victoria has perpetuated the culture of violence and exploitation that is inherent in prostitution. The new liberalised climate has facilitated the expansion and diversification of the industry.

parties to make brothels and pimping illegal. In the 1940s and 50s many countries, such as France, complied. Australia did not sign the 1949 Convention on prostitution and trafficking. This history was ignored by those who worked for the legalisation of prostitution in Victoria in the 1970s. It was said that legalisation would solve problems such as criminal involvement in the industry, unregulated expansion, and the violence done to street-prostituted women. In fact legalisation solved none of the problems and has led to many more.

Trafficked women and children are kept in conditions of slavery, and trafficking has increased to supply the new brothels. Child prostitution has grown markedly in this state compared with other states in Australia. Men who would once have been classified as procurers and pimps are now seen as a newly respectable class of sex “businessmen.” The state lives off the earnings of prostitution through increased taxation, licensing fees and the promotion of prostitution tourism.

The Change in the Law

There are two main political parties in Australia, the Labor Party and the Coalition, formed from the Liberals (a conservative party) and the Nationals (a country party). In

the late 1970s in Victoria, the Coalition government was split over the issue of legalisation. When a new Labor government was elected in 1982 there was overwhelming support for the idea. The new government considered that prostitution was principally an economic exchange. It introduced legislation in 1984 that legalised prostitution in brothels that obtained a valid planning permit. This approach recognised brothels as acceptable commercial enterprises that could be viewed as legitimate uses of land for town planning purposes. To the Labor government, prostitution was seen as a matter of private sexual behaviour between consenting adults that should not be criminalised “simply because money changed hands.” A new Coalition government in 1992 continued with the policy, and the new Labor government of 1999 is unlikely to change it. Legalisation is now embraced by both sides of the political spectrum.

Legalisation in Victoria was not intended to show total approval for the sex industry. The proclaimed object was what is commonly called “harm minimization.” The prohibition of prostitution was seen to be ineffective against a highly visible massage parlour trade (a euphemism for brothels), increasing street prostitution, criminal involvement and drug use. Legalisation, it was believed, would diminish the health risks, particularly the risk of sexually transmitted diseases, for either prostituted women or the “clients.” The appearance of the AIDS epidemic in the mid 1980s was a further stimulus to reform.

Legalisation, however, brought with it new problems. Ongoing adjustments to legislation became necessary as state policy makers attempted to deal with a myriad of unforeseen issues that are not addressed by treating prostitution as commercial sex—child prostitution, trafficking of women, the exploitation and abuse of prostituted women by big business. The harms resulting from the sex industry constantly change and develop and have to be constantly readdressed.

The existing model for Victoria’s prostitution law is based on the Prostitution Control Act 1994. Under the Act, licensed brothels and escort agencies operate legally, although subject to local planning controls determined under the Planning and Environment Act 1997. These controls ensure that sex establishments are not located close to schools and churches and other areas frequented by children, ensure their exclusion from residential areas, and limit the size of brothels to six rooms. The sex industry is constantly pushing to remove this restriction so that giant brothels can be created. Brothels may advertise the women who are sold on their premises to potential customers, but they are not permitted to advertise for workers, a restriction that the sex businessmen want to change.

As the industry expands, so does the variety of ways in which women are offered to men for sexual abuse, such as tabletop dancing, and further adjustments are required. No legislators are able to foresee the diverse forms of sexual exploitation from which sex “businessmen” discover that they can make money.

The Act also established a Prostitution Control Board composed of lawyers, police and industry figures in order to ensure “a rigorous licensing procedure for prostitution services and for the disciplining of licensees.” There is a requirement that prostituted

women are registered and must undergo regular health checks for sexually transmitted diseases and HIV/AIDS. Most significantly, street prostitution remains a criminal offence.

By 1997 the Attorney General, Jan Wade, and her supporters were promoting the state's prostitution industry as "a highly regulated, profitable, professional and incredibly well-patronised industry ...that pays taxes." She saw the legislation as a model for other states.

Expansion and Normalisation of the Industry

Though it was hoped that legalisation would control expansion of the industry, in fact it has had the opposite effect. Legalisation leads to massive expansion. It would be surprising if it did not, since this is the very reason that business interests are pushing so hard for legalisation. An investigative report by Victoria's *Age* newspaper in 1999, found an increase in the number of legal brothels from 40 a decade ago to 94 today, along with 84 escort agencies. Ironically, the real growth area is in the illegal sector. The over 100 unlicensed brothels outnumbered the "legitimate" sex businesses in 1999 and had trebled in 12 months" (*The Age*, 1 March, 1999).

Since the legalisation process began there has been an explosion of forms of sexual exploitation in the industry. Tabletop dancing, bondage and discipline centres, peep shows, phone sex and pornography -- all are developing

Each week 60,000 Victorian men spend \$7 million on prostitution, with the legalised industry turning over more than \$360 million a year and drawing on some 4500 prostituted women and girls (*The Age*, 28 Feb, 1999). When one considers that Victoria's population is around 3.5 million people, these figures attest to how mainstream buying the right to sexually abuse a woman has become in the state.

profitably as part of a multi-million dollar industry of sexual exploitation. Tabletop dancing, where women working as dancers perform nude or semi-nude on tables or podiums whilst men stare into their shaved genitals from a few inches away, has come under close scrutiny because of phenomenal growth since its inception in 1992. The 1997 *Dixon Report*, a government advisory committee evaluation of the legalised industry, included tabletop dancing among its main terms of reference (Prostitution Control Act 1994, Advisory Committee Final Report 1997, known as the *Dixon Report*). The performances include close contact with or touching of men, double acts with other women or men (showers, oil wrestling) and personal or lap dances where the dancer sits on a man's lap "gyrating, twisting and generally stimulating his groin area, or rubbing her breasts in the patron's face." Penetration of women with objects that included mobile telephones being inserted into the dancer's vagina or anus was common. The owner of one of Melbourne's most famous tabletop venues, *Goldfingers*, was found guilty, on 10 February 2000 of assaulting and

injuring one of the women from whose sexual exploitation he made his living (*The Age*, 11 Feb, 2000, p.5).

The annual staging of a trade show for the sex industry (SEXPO) illustrates just how acceptable prostitution is in Victoria currently. SEXPO markets prostitution both locally and internationally (via the internet) through the promotion of brothels, escort agencies, tabletop dancing, pornography and other forms of sexually explicit “entertainment” and “adult products.” Once inside the R-rated exhibition space, crowds attending SEXPO are surrounded by video pornography and huge screens relaying the stripping that takes place on the main stage. For example, a woman in a tiny policewoman’s uniform strips, sticks her plastic gun down her G-string and then offers it to male onlookers to suck. The stripping was transmitted via the internet around the world, selling Melbourne internationally as the new sex capital of Australia. On stage, women pretended to orgasm, while in booths men bought personal lap dances by naked women, having paid between \$A10 to \$A35, the price depending on whether a woman retains her G-string or not. The women are sold for little more than the produce advertised at the frozen yogurt stand next door. This public event is held at the state-owned Melbourne Exhibition and Convention Centre (MECC). *The Age* newspaper devoted the front page of its business section to SEXPO in 1998 alongside a profile of Australia’s sex industry, said to have an estimated annual turnover of \$A1.2 billion.

So normalised has brothel prostitution become that the sex industry markets itself as promoting the “rights” of people with disabilities by specifically catering to disabled men and disability charities. One brothel, “The Pink Palace,” has gained favourable media attention on radio and in newspapers for putting in even more facilities that cater to this group of men than the other 15 legal brothels. “The Pink Palace” has spaces for wheelchairs, specially adapted showers and lower beds. The prostituted women are specially trained. Some prostituted women, says an article on the brothel, don’t know “how to lift someone properly, or to handle someone with a catheter. The carer [caretaker or attendant] of one man with cerebral palsy suggested the sex worker tie up his hands to avoid being accidentally scratched by him. She didn’t and was scratched all over” (*The Age*, 14 March, 2001). Disabled men are seen as a good market opportunity by the legalised sex industry, and carers are expected to help these men engage in the prostitution abuse of women in brothels, or at least deliver them and wait in the lounge. It is the “rights” of *men* that are being catered to here. Disabled women are not mentioned.

Victorian governments (Coalition from 1992-1999, but now Labor once again) profit from the commodification of Victorian women. 991,000 Australian dollars was raised from prostitution licences between 1995 and 1998 (*The Age*, 28 Feb 1999). Already at the time of the passage of the Prostitution Control Act, 1994, there was evidence that prostitution was an accepted sideline of the tourism and casino boom. The Labor Opposition, referring to an *Age* article entitled “Brothels cash in on casino trade,” brought to the Parliament’s attention the fact that the Government-sponsored casino -- seen as the financial basis of Agenda 21, a government initiative to revitalise the state’s economy -- had authorised the redeeming of casino chips and wheel of fortune bonuses at local brothels. One Labor opposition member, Jan McClean, spoke against the hypocrisy surrounding Victoria’s prostitution trade, saying that “Our scummy casino chips are accepted as legal currency in local brothels [and] That apparently is quite acceptable.” With the *Top of the Town* brothel claiming a 30 percent boost to its daytime trade,

McClellan drew the obvious conclusion that “clearly despite condemnation by the Premier Mr. Kennett, this was ultimately part of Liberal party policy to promote brothels, especially in the daytime, for the workers.” It was the future implication of this trend that McClellan found deeply disturbing. “The commodification of women would only intensify” she argued, “as Australia is part of a new wave of world tourism that is made up of package tours with all services supplied including prostitution.” But the official position of the new Labor government is to continue the policy of legalisation.

“Sex Work” Empowering for Prostituted Women?

For feminists, one of the most persuasive arguments underpinning legalisation, was that once prostitution ceased to be a criminal offence, prostituted women would be able to choose their own working conditions, their “clients,” and, if working for an employer, would have industry health and safety standards in place. The experience of Victoria dispels the claim that legalisation empowers women. Large operators dominate the industry. Former pimps with criminal convictions are forbidden by the prostitution legislation from owning legal brothels, but they control them under front organisations (*The Age*, 1 March, 1999).

This takeover by sex “businessmen” was aggravated by the failure of Victoria’s specialist prostitution licensing board, the Prostitution Control Board (PCB), effectively to monitor licensing. Although it was supposedly illegal, multi-ownership exists with incidences of one proprietor owning as many as six brothels. Licensing procedures will prove even more inadequate in the future as 1999 saw the PCB replaced by a general Business Licensing Authority with no specialist knowledge. This is perhaps indicative of just how far governments in Victoria have moved along the path to seeing the sale and commodification of women as just like any other business.

The legalisation of brothel prostitution effectively means that women are forced to work in situations where third parties make profits from offering them for sale. It is almost impossible for the exploited women to set up in business for themselves. Legal parlours tend to be expensive, capital intensive buildings, allowing for the monopolisation of the industry by more wealthy owners. When the 1994 Prostitution Act was passed, brothels were changing hands for over \$A1,000,000.

Some concession was made in the Prostitution Control (Amendment) Act 1997 to allow for a cottage type industry where one or two women could work in private parlours. These remain illegal in residential areas and only a handful have been allowed. The only option for prostituted women to make themselves available to male prostitution abusers on a small-scale basis, legally, is in industrial backblocks or docklands. This leaves already vulnerable women open to violence, fear and isolation. Prostituted women also face exorbitant costs as they are required to disclose their business to landlords, who, in turn, charge grossly inflated rents. Women’s ability to have any control over their working environment is, therefore, still extremely restricted. Self-employment would not solve the problems of prostitution, however, because women would still be available to men for sexual abuse, albeit without sex capitalists taking so much of the money. But the

lack of opportunity for self-employment makes it clear that legalisation was not meant to be in women's interests.

Women are thus forced to experience exploitation on the streets, illegally, or from sex “businessmen” in brothels. For women in legal brothels, managers and owners demand up to 50% to 60% of takings. This is in the face of strong competition among prostituted women for “clients” as increasing numbers of women enter prostitution, and as men have an excess of sexual services on offer for them to buy. Legalisation, then, makes it harder for women to earn a living through prostitution.

Legalisation has not improved the conditions in which prostituted women are sexually exploited according to Jocelyn Snow of the Prostitutes Collective of Victoria (*The Age*, 28 Feb, 1999). Her study of the impact of legalisation on the conditions of exploitation faced by prostituted women found “The worst thing was the clients. The arrogance, the smelliness, the violence, the demands. One in five clients still request unsafe sex.”

The major area where prostitution law does deal with the conditions of women in legal brothels is in regulations accompanying the 1994 prostitution legislation. This requires prostituted women to register and have regular health checkups for sexually transmitted diseases and HIV/AIDS. The 1988 Report on the First National AIDS Conference concluded that such a requirement only created barriers to health care for prostituted women, as they do not wish to identify themselves as “sex workers” and will not access health services. Moreover, registration bars women from the illegal sector of the trade from seeking health care.

Such regulation places the blame upon the prostituted women for the spread of sexually transmitted diseases and, as feminist forefathers pointed out in campaigns against the Contagious Diseases Acts in the nineteenth century, it leaves the male right to sexually exploit women unchallenged. This hypocritical double standard was the focus of these earlier feminist campaigns. The Acts had allowed compulsory examination of women suspected of prostitution in garrison towns and ports in the UK and Australia. Feminists argued that they were an abuse of women’s civil liberties, and they were repealed. Today in Victoria, the state chooses to ignore this historical example.

The Violence of Prostitution

Legalisation promised greater safety to prostituted women. Legalised brothels were supposed to provide women with protection from the rapes, beatings and murders that are the hazards of street prostitution. Street prostituted women still suffer extreme violence on the streets of Victoria. But brothel prostitution is not a solution because, as spokeswomen from the survivors’ movement such as Evelina Giobbe, Director of the Commercial Sexual Exploitation Resource Institute and the former Director of WHISPER, argue, prostitution is violence in and of itself. It is commercial sexual violence. In the everyday practices of the sex industry, women must engage in acts that are sexually and physically degrading and are forced to disassociate emotionally by using drugs or alcohol to survive. The acts that men buy the right to perform on prostituted

women include all the forms of sexual violence that feminists are seeking to eliminate from women's beds, homes, workplaces, streets.

Sexual harassment at work cannot be separated from prostitution. As sexual harassment creates a hostile work environment for women, so prostitution is a hostile "work" environment. Men can buy in brothels precisely what women seek to remove from their workplaces. A woman student in Victoria, for instance, (perhaps one of those seeking to pay her way through an increasingly expensive and privatised education system), is protected by sexual harassment policies on university premises. Male teachers may not grab or insult her. When she crosses the road to the legal brothel, the same men may treat her as they wish. She has little redress. The harassment is what she is paid for.

The practices that men pay to carry out on women in prostitution are those that would be illegal if carried out without such a monetary exchange. Women seek to remove sexual harassment from their workplaces, and the streets they walk in, to stop the practice of obscene phone calls, which bring male abusers into their homes, and to end rape. Women in relationships with men seek to end unwanted sexual intercourse, the practice in which women's bodies are used with no respect for the women's pleasure or humanity, and replace this with egalitarian sexual relations which take place only when truly desired. It is precisely all these forms of sexual violence and abuse, which arise from women's historical oppression, that men can buy the right to carry out on women in prostitution. Prostituted women, who hate to have unwanted penises and hands on or in their bodies just as any other women would, have to endure these abuses to earn a living, buy drugs or a bed for a night.

In Victoria, at a time when other women are seeking to desexualise their workplaces assisted by trades unions, women employed in the sex industry are expected to endure behaviour not tolerated in other work environments. Spokespersons for the Prostitutes Collective of Victoria (PCV) have explained that men are becoming more demanding in the type of services they want. The demand for oral sex, for instance, has been replaced by the demand for anal sex, frequently demonstrated by men simply sticking their fingers into women's anuses during their "bookings." Other normal practices "include women being lined up and looked over like any other commodity," and sex without condoms. These views are supported by a 1998 study conducted by the Macfarlane Burnett Centre for Medical Research done in conjunction with the Prostitutes' Collective Victoria. Forty percent of men in the study did not use condoms when exploiting prostituted women.

Prostituted women who need money are forced to engage in whatever the customer requires. The Victorian Health Centre for Transmitted Diseases substantiated that women who are economically vulnerable often have little choice to refuse services which they find unacceptable or, from a health aspect, likely to cause diseases such as hepatitis, chlamydia and genital herpes, let alone AIDS. One young woman student wrote in an issue of *Working Girl/Working Boy* of the pain experienced by having men put their penis

in her vagina. "I would need to artificially lubricate my vagina because it was dry and painful," she says. "Some men would get aggressive, especially if they were drunk. Somehow I threatened their maleness." At tabletop dancing venues, a private shower performance entails a dancer having her naked body lathered by a group of men who have consumed alcohol. Pauline Burgess, a Women's Policy Officer evaluating the working conditions of tabletop dancers, reported that the experience was so disturbing that women were moving into the area of peep shows to prevent personal contact with the men who abused them.

Once prostitution is legitimised as an acceptable commercial practice, few ethical barriers exist to prevent newly brutal forms of exploitation. The sex industry was quick to recognise that, along with a woman's vagina and anus, all of her reproductive capacities are sellable products. The magazine of the Prostitutes' Collective of Victoria, in a 1999 piece entitled "The Working Mother to Be," highlighted the benefits that could accrue to women from working whilst pregnant. As the writer states "pregnant women may find themselves with a whole new group of clients who find pregnancy a turn on." In addition, if offered the service, "a surprising number of men find drinking breast milk either arousing or soothing."

The standard act of prostitution, coitus, is experienced as so violating by prostituted women in the legal brothels that they have to dissociate emotionally and engage in complex diversionary tactics to restrict the degree of harm they suffer. One woman explained to CATW Australia the way she survived. Like other women she cut off emotionally long before she got to work, getting the children out of the way, stopping incoming phone calls, and making the transition to the dissociated person who would be able to endure the men's demands. She had a prostitution name and personality separate from her "real" self. "Clients" would lie on a table for a massage. As she massaged their backs they would try to grab her breasts and she would move further away, all the time trying to distract them by her verbal wit so that they did not demand to penetrate her too soon. Usually she could restrict the most violating act to the last 5 minutes of a 30 minute booking. Trafficked women and those with less verbal agility would have to endure the most violating activities for longer. The effects of such dissociation on women are damaging to their emotions and sexuality.

Those who defend prostitution and call for legalisation often say that it is consensual and women "choose" this "work." What does this "consent" consist of? Many women engage in two forms of work to make enough money to survive. One third of prostituted women working in brothels in Victoria earned less than 500 Australian dollars, with only one in five earning more than \$1,000 per week (*The Age*, 28 Feb, 1999). Thus a woman who waits tables in the daytime, protected perhaps by a sexual harassment policy, against men grabbing her breasts, will be considered to have "consented" at 5 p.m. to much more violating acts in the licensed brothel. In fact the "consent" is likely to take the form simply of dissociation.

The tens of thousands of men who use women in the sex industry in the State of Victoria are expected to understand that women in prostitution are suitable objects for their

unwanted remarks, hands and penises, whilst their female workmates in factories and offices are not. Of course, many will fail to understand this distinction. If it is acceptable to insult, grab, abuse and harass a woman in one place just because a man has paid for it, why should it shock a woman in another place to have the same treatment? Also, what you can buy you can also steal.

Street Prostitution

Legalisation was supposed to get prostituted women off the streets. Street prostitution remained illegal. It was thought that women would choose to work in brothels. In fact street prostitution still exists because it is related to wider social problems. Women who are homeless, seriously drug addicted, under age, or who want to avoid being exploited by sex “businessmen” continue to work on the street and suffer severe violence there. The government’s Advisory Committee on prostitution determined that women are the vast majority of street prostitutes, though there are also boys and transsexuals. Women remain in the industry for between 10–15 years, “entrenched in a life cycle of prostitution, drugs and prison.” A Victorian study called *Off Our Backs* in 1996 confirmed that 80 percent of street prostituted women are heavy drug users, with a \$A100–500 a day drug problem. Forty–six percent are mothers with children in protective care.

Street prostituted women, because of the illicit nature of their work, are doubly vulnerable to rape, battery and murder from the men who use them and from male passers by. Statistics produced by the Prostitutes’ Collective of Victoria prior to the passing of the 1994 Act reveal that reported rapes of prostituted women averaged 2 per week, with one assault per night and 2 murders over the last year. Street prostituted women are harassed by police and gutter crawlers. However, when prostituted women are criminalised they cannot demand police protection or claim legal recourse for robbery or coercion, for they thereby expose themselves as implicated in a criminalised trade.

Street prostitution was very much in the news in early 2001. Residents in the main prostitution area, St Kilda, demanded action from the state government because the prostituted women are being abused in the porches and gardens of the St. Kilda residents. A residents’ spokeswoman stated that there is now “an open-air, uncontrolled, unmanaged, all-day brothel” (*The Age*, 24 Feb, 2001). A study by the Sacred Heart Mission, which surveyed 65 women in the area with whom it had contact in one month, found 35 were prostituted (Gay Mitchell, *From Exclusion to Connectedness*, Sacred Heart Mission, Melbourne, 2001). Of these, all had been sexually abused as children. They were all either living in an abusive relationship or had suffered domestic violence. All were homeless or in unstable housing. None had ever worked other than in prostitution. All had left school early. All had been removed from home as children or had other contact with child welfare agencies. Of 15 whose mental state was known, 13 had been diagnosed as mentally ill. Twenty-two were current or former heroin users. The problems of street prostitution cannot be resolved by the legalising or deregulating of brothels. It seems that the more profitable and normalised the sex industry is, as in

Victoria, the more out of control sexual exploitation of the most vulnerable women and children on the street is likely to be.

The Rise of a Black Market

Legalisation was intended to eliminate organised crime from the sex industry. In fact the reverse has happened. Legalisation has brought with it an explosion in the trafficking of women into prostitution by organized crime. Convicted criminals, fronted by supposedly more reputable people, remain in the business. Fred Lelah who ran *Sasha's International*, one of Melbourne's inner suburban legal brothels, appeared before the Melbourne Magistrate's court in February 2000 for introducing girls 10-15 into his business. Lelah has already served a two year term for the same offence.

Recently it has been revealed that Victorian sex "businessmen" are involved in the lucrative international sex trade run by crime syndicates which is worth \$A30 million in Australia. An Australian Institute of Criminology study estimated that Australian brothels earned \$1 million a week from this illegal trade. Some examples of the trade came to light in 1999. One Melbourne sex trafficker brought 40 Thai women into Victoria as "contract workers," depriving them of their passports and earnings until their contracts were worked off. This is called debt bondage. The women had to have sex with 500 men before receiving any money and were imprisoned by him (*The Age*, 9 May 1999). This man has since received an 18 month suspended sentence and a fine, to the outrage of those who want the traffic of women into sex slavery taken seriously. In another case 25 Asian women were found in similar circumstances in one of Melbourne's legal brothels. These incidences are likely to be but the tip of the iceberg, and *The Age* newspaper states that a number of legal brothels are known to contain such "contract workers."

Of all the states and territories, the highest number of reported incidences of children involved in prostitution came from Victoria. There was also clear evidence of organised commercial exploitation of children.

The commercial sexual exploitation of young people in Metropolitan Melbourne is also rife. ECPAT (End Child Prostitution and Trafficking) conducted research in 1998 for the Australian National Inquiry on Child Prostitution by asking youth and community agencies in Melbourne how many young people that had used their services had been used in prostitution. The figure was 1 in 7. In a study conducted by the Victorian Department of human services, young people involved in commercial sexual activities reported having "significant" contact with child sexual abuse ("paedophile") rings. These young people disclosed that as a consequence of their involvement with

"paedophile" rings, they experienced rape and were forced into pornography

Feminist campaigners who worked through the League of Nations against the traffic in women between the World Wars I and II argued that licensed brothels acted as warehouses for trafficked women (Jeffreys, Sheila, 1997. *The Idea of Prostitution*. Melbourne: Spinifex). Currently these brothels create a demand for constant new recruits, and fuel the illegal trafficking industry. The U.S. State Department's Human Rights

Report for 1999 criticises Australia for lax laws on prostitution, including legalisation, which make it difficult to act against trafficking. It is not possible to tackle the trafficking in women with any seriousness until brothels are abolished.

Effect of Legalised Prostitution on the Status of Women

Women have described to the Melbourne Coalition Against Trafficking in Women (CATW) how their marriages of 20 years and more have been destroyed by their husbands' abuse of women in prostitution. One woman sought help from a priest after years of seeing the family finances ruined by her husband's behaviour. But she had to end the marriage. Legalisation allows men to feel more justified and confident in their prostitution behaviour. Meanwhile women's desire to have egalitarian relationships with men in which they are respected becomes more and more impossible to fulfill. As the industry grows, more and more women are finding that they have the choice to accept the way their male partners treat other women, to avoid recognising what their partners are doing, or to leave.

Prostitution is an industry that arises from women's low social status and the relegation of women to the role of sex objects. Legalising prostitution maintains that low status and makes it much harder for women to assert that they should be treated with dignity and respect.

As the sex industry expands it has a greater destructive effect on women's relationships with men. A Melbourne brothel owner explains the client base of her business thus: "Those men who used the prostitutes were well educated professional men, who visit during the day and then go home to their families. Most of [the] clients," she concluded, "have secure marriages and have no intention of leaving their wives."

Whilst women in this state strive to improve their status, the sex industry provides a constantly expanding obstacle. Women have sought to gain equality in employment opportunities in corporations, for instance. This is seriously undermined by corporate use of facilities, such as tabletop clubs, for meetings and entertaining corporate clients. These clubs market themselves as places where companies can hire rooms with whiteboards to write on for product launches and meetings. Club owners supply naked women on the table at teabreaks and at lunchtime. Women executives are not likely to attend such meetings. The tabletop venues operate and often describe themselves as "gentlemen's clubs." Whereas once women sought to challenge the power and privilege men gained from men-only facilities, and gained right of entry to many, the new men's facilities created through the sex industry create a whole new culture of men-only bonding. In the new "gentlemen's clubs," men bond through the collective abuse of women. Advertisements for these clubs, offering women to men as objects for sexual use, span major roads in Melbourne educating new generations of men and boys to treat women as subordinates.

A generation of men in Victoria have now learned that it is acceptable to treat women as objects for their sexual use.

Victoria as a Model for Legalisation

Considering that legalisation of prostitution in Victoria has created so many problems, it is alarming that it is being held up as a model of the way to go. In New South Wales (NSW), brothels were decriminalised in 1995. Control of illegal prostitution was taken out of the hands of the police, to end endemic police corruption, and placed in the hands of local councils and planning regulations. The councils have neither money nor personnel to put private investigators into brothels who can seek to prosecute those operating illegally. Brothel owners are now calling for Victorian style controls because the industry is expanding so fast and with so little regulation that there is much less profit available. Brothel numbers had tripled by mid 1999 to 400-500 in Sydney. The vast majority had no licenses but operated and advertised anyway. Pillars of society, such as a one-time investment adviser to the media baron Kerry Packer, were allowing their premises to be used for brothels in the hope of gaining some of the profits to be made. According to a report on the out-of-control industry by the *Sydney Morning Herald*, hundreds of brothels specialising in Asian women are being set up, creating a huge industry out of the traffic in women (*Sydney Morning Herald*, 30 August, 1999, 31 August 1999).

Conclusion

Opposition to men's prostitution abuse, and challenging the social acceptance of the prostitution industry, is aided in many countries by the existence of a prostitution survivors' movement that speaks out about what prostitution really means for women. It was the speaking out of survivors that empowered the feminist challenges to other forms of violence: domestic violence, rape, child sexual abuse. In a country like Australia, and a state like Victoria, where prostitution abuse has been so normalised, it is particularly hard for survivors to speak out against it. One resource run by and for prostitution survivors does exist -- Linda's House of Hope, in Perth, West Australia (see *Linda's House of Hope*, Compass, ABC TV, 29 April, 2001). As the prostitution survivors' movement develops, it will be easier to change the climate of acceptance that has allowed the industry to flourish in Victoria and elsewhere, and gain an effective solution to the problems of prostitution outlined here.

The reality is that prostitution cannot be made respectable. Legalisation does not make it so. Prostitution is an industry that arises from the historical subordination of women and the historical right of men to buy and exchange women simply as objects for sexual use. It thrives on poverty, drug abuse, the trafficking in vulnerable women and children. Prostitution teaches men how to mistreat women and damages the lives of both the women who are used, the women whose partners, sons, brothers and workmates are the abusers, and the status of all women in the state. Legalisation causes the business of

sexual exploitation to flourish. As more and more women and children are drawn into the industry, and more and more men become abusers, the profits from the abuse become an indispensable part of the state's revenue. The sex "businessmen" network with judges and politicians, and float their brothels on the stock exchange. Once prostitution is legalised, ending it becomes much more difficult, as a lobby of "respectable" businessmen would have to be put out of business, and the government would have to tax the rich instead of living off women's bodies.

Ultimately the best way forward in Victoria would be to follow the example of Sweden where model legislation in 1998 penalises the men who "buy sexual services" and decriminalises the women. In combination with generous services to support prostituted women in getting out, this would be effective. Unfortunately it will take some time to create a social understanding of prostitution in Victoria that will make this possible. Countries that have not yet gone down the path of legalisation are in a position to develop policies to end the harms of prostitution. Legalisation compounds the harms of prostitution rather than relieving them. It is not the answer.