

# 10 Reasons to Decriminalise Street Based Sex Work.

## 1. Prohibition does not work.

Although sex work is tolerated in brothels, it is a crime to sell sex on the streets. The recent economic recession has seen the number of poor and unemployed entering prostitution escalate rapidly. When we consider that street sex workers are often homeless, unskilled, impoverished and have substance abuse issues, and that prostitution is merely symptomatic of that lifestyle, it is understandable that they will continue to reoffend until the reasons **why** they are on the street are addressed. Prohibition **has not**, and **cannot**, deal with these issues, nor has it **stopped** street prostitution.

## 2. Decriminalisation Allows Sympathetic Planning Initiatives.

By designating specific areas for street based workers to operate from, it will be easier to protect, inform and assist them in their efforts to leave the industry. A 'safe house' could be established in this area, while the safety and security of all people in the community would be ensured. A designated area would enable police to utilise nuisance and offensive behavior laws to control kerb-crawlers.

## 3. Decriminalisation Will Aid In Preventing Violence.

According to statistics collected by the Prostitutes Collective of Victoria, an average of two rapes a week are suffered by street workers in the St Kilda area: at least one assault a night is reported to outreach workers. Street based sex workers are also constantly robbed of any money they may have on them. While street work remains a criminal act, women will not report acts of violence to the police, and dangerous and predatory males will continue to jeopardise the safety of all women in the inner city area.

## 4. Decriminalisation Will Stop A Costly Legal Merry-Go-Round.

Currently, street based sex workers are arrested and fined regularly. Given that they are the poorest workers within the sex industry, and that they have no other means of income, they are then compelled to spend more time on the streets to pay these fines, only to face another arrest. Unable to pay these fines, increasing numbers of women are being sent to prison. Upon release, and unsupported, they must return to the streets. The cycle is never-ending. The taxpayer is burdened by enormous legal, policing and prison costs. Decriminalisation saves everybody time and money.

## 5. Decriminalisation Will Increase The Effectiveness Of HIV Education.

The current legislation undermines the invaluable work of programs funded by the Department of Health, in particular the HIV/ AIDS/STI prevention education projects to workers in the sex industry, their managers and their clients.

The final report of the Legal Working Party of the Inter-Governmental Committee on AIDS (IGCA/Dept of Health and Community Services) **recommends the repeal of all laws criminalising sex industry work on the street**, and that reforms be enacted "allowing free flow of information and education on public health preventative measures by removing fear of prosecution and harassment". Western Australian legislation works against these objectives, and we must ensure that any proposed legislation satisfies them.

## **6. Decriminalisation Will Enable The Community To Focus On Drug Addiction Amongst Street Based Workers.**

Drug dependency affects an estimated 60-80% of street workers, compared to only 17% of the entire sex worker community. The illegality of street based work exacerbates this problem by reducing the worker's opportunity to deal with drug addiction and its initial causes.

Decriminalisation would allow drug rehabilitation specialists and counsellors greater access to street workers. Steps could be taken to establish a 24 hour drug detoxification unit in the inner city, offering immediate assistance to those workers wishing to deal with their substance use.

## **7. Decriminalisation Will Aid In Uncovering And Addressing Homelessness And Poverty.**

A considerable number of street based workers are homeless and living in poverty. Multiple disadvantages such as poverty, substance abuse and the stigma attached to sex work only decrease the worker's chances of finding permanent accommodation. By eliminating the criminality of street work, housing agencies and community workers will be able to access and assist street based workers more easily, and address issues contributing to their need to work on the streets.

## **8. Decriminalisation Will Alleviate The Stigma Associated With Street Based Sex Work.**

Because street workers engage in an illegal activity by soliciting for sex in the streets, they attract a criminal record, which stigmatises and ostracises them from the rest of the community indefinitely. Opportunities to leave the sex industry by gaining employment are jeopardised by a criminal record. Without the handicap of a criminal record, street workers would be more able to engage in exit and retraining programs in order to obtain skills, and enter the workforce.

## **9. Decriminalisation Will Keep Families Together And Decrease State Government Child Protection Costs.**

A large number of street workers are mothers, (some figures suggest around 45%), the majority of these being single mothers. Because they are engaging in illegal activities by working on the streets, they are likely to have their children removed from their care by child protection workers. Even though, like many women, they are attempting to earn extra money for their families. Many have already lost children. Children in care cost the State Government thousands of dollars per year, per child.

## **10. Decriminalisation Will Dramatically Decrease The Number Of Street Based Workers Within Five Years.**

A substantial decrease in the number of street sex workers will occur if the criminal nature of the activity is abolished. Decriminalisation will allow specialist agencies and outreach services greater access to street workers. Services and strategies such as drug detoxification and counselling centres, exit and retraining programs and housing assistance will be more effective, and provide opportunities and a better lifestyle to those who currently have so little.

Courtesy of SWOP, New South Wales (slightly reworded to suit Western Australia)