

## Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024

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## **Inquiry into Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024**

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The issue of full decriminalisation of certain activities has been a topic of great debate in recent years. Many argue that it will lead to a more tolerant and compassionate society, while opponents argue that it will result in an increase in criminal activity and a breakdown of moral values. However, when examining the evidence, it becomes clear that the full decriminalisation of certain activities has been a failure.

New Zealand has been a prime example of this with violence at an all time high, and children as young as 9 still being sold on the streets of Auckland with no accountability or repercussions.

One area where full decriminalisation has failed is in the case of drugs. Advocates argue that the decriminalisation of drugs will lead to a decrease in drug-related crime and an increase in the availability of treatment options for addicts. However, in practice, the opposite has often been true. Countries that have fully decriminalised drugs, have seen an increase in drug-related crime as well as an increase in drug use. Additionally, the availability of treatment options has not significantly improved. In fact, in some cases, it has worsened as resources are diverted away from treatment towards law enforcement efforts.

Another area where full decriminalisation has failed is in the case of prostitution. Pro Lobbyists argue that the full decriminalisation of prostitution will lead to safer working conditions for sex workers and a decrease in human trafficking. However, studies have shown that this has not been the case. In countries where prostitution is fully decriminalised, such as New Zealand and the Netherlands, there has been an increase in the illegal sex trade and an increase in the sexual exploitation of vulnerable women and girls. Furthermore, the notion that full decriminalisation will lead to safer working conditions has not been supported by evidence. In fact, studies have shown that violence against sex workers has not decreased in countries where prostitution is fully decriminalised. New Zealand evidence shows that violence is still rampant in the sex trade. Studies have also shown that Full Decriminalisation increases harm against our most vulnerable while also increasing demand. This in turn increases human trafficking which the Australia Commonwealth has implemented resources to reduce. It is confusing to me that the Commonwealth of Australia is putting measures in place to reduce demand and trafficking yet state Governments like Queensland are trying to implement laws to increase demand and trafficking. By increasing demand the Queensland Government becomes as much a pimp as the pimps themselves as they profit from the taxes of the brothels and the women inside them.

If this law was to pass in your state. Are you ready to accept the consequences of your decisions when human trafficking increases especially with Queensland hosting the Olympic games in 2032. It is well documented that any major international event, like the Olympics attract thousands of visitors from all over the world including spectators, athletes, and media. This influx is seen as an opportunity for traffickers to exploit vulnerable women and girls as

they meet the growing demand of these events particularly in sex trafficking. Can you take the risk that you will be known as the leaders who participated in this growth of exploitation and trafficking, while actively participating in the profits of the traffickers and pimps?

The full decriminalisation of prostitution has failed to address the underlying issues that contribute to exploitation. For example, in the case of drugs, addiction is often rooted in issues such as poverty, mental health, and social inequality. Simply decriminalising drugs without addressing these underlying issues does not provide a long-term solution. The same can be said for prostitution, where the exploitation of vulnerable individuals is often a result of poverty, desperation, homelessness, addictions, and lack of opportunities.

This has been shown in a New study that examines the support needs and barriers of victim-survivors of sexual exploitation in Australia by the institute of Criminology in 2023, It is important that we make clear the definition of Sexual Exploitation -

Sexual exploitation involves a person profiting from the use of another person's body in a sexual manner in order to benefit (financially or otherwise). In general, the perpetrator of sexual exploitation takes advantage of their victim's vulnerable or dependent state, including addictions to drugs or alcohol.

It is also important to also note that there is a strong link between trafficking, and prostitution. In the AIC study it is recorded that most trafficking happens in massage parlours, brothels and small owner operated businesses.

The majority of women in prostitution are there because of limited to no choice, through trafficking, coercion, lack of resources and education, family violence, sexual violence, childhood sexual abuse, it is a small minority that would be there by real choice and even then would have some trauma in their childhood making them vulnerable to the world of prostitution.

I am a survivor of the sex trade from New Zealand. I am going to take you on a small part of my own personal journey for context through a stark reality that many choose to turn a blind eye to. It's a reality where the most vulnerable among us are forced into a life they never choose. Many think that women who enter the sex trade do so willingly, but the truth is far from it. Most enter with limited to no choice at all. I write to you with my own story of pain, injustice, of a system that failed to protect its most innocent, and vulnerable. I grew up in a church where childhood sexual abuse was rampant, when we the victims sought help we were met with disbelief, with scorn, blame, shame We were labelled troublemakers, promiscuous. By silencing us, by not holding these men accountable they church paved the way for a future filled with exploitation and violence. As a young woman alone, homeless and in debt, the offer of money, shelter and a sense of belonging seemed like a lifeline. Desperate for love, acceptance, I found myself in a place that offered me the only kindness I had ever known. The only affection I had ever received in my life was tainted with abuse and violence. The idea of being paid to endure such horrors seemed almost comforting compared to the alternative. But let me be clear - This is NOT empowerment! This is NOT a choice. This is survival in its rawest forms, in a world where options are scarce and hope is a distant dream. The majority of women who find themselves in the sex trade do so out of desperation, coercion, trauma. They do so because they believe this is their worth. As long as Governments turn a blind eye, as long as they refuse to acknowledge the suffering that is

happening right under their very noses, nothing will change. IT will only get worse. You have a duty, a moral obligation to stand up for those who cannot stand up for themselves. We must show women they deserve more, that they are worthy of love and respect. You cannot on one hand say violence against women is not ok, but then on the other side say Violence is ok if you pay.

New Zealand Full decriminalisation has been in play for 21 years, they promised it would be safer, but in those 21 years women in the sextrade have been murdered, children are being trafficked with police powerless to act, brothels have popped up at universities such as in Tauranga NZ where students are being recruited. Family Violence rates are rapidly increasing with Domestic Violence in New Zealand being one of the worst countries in the developed world.

In 2022 media outlet published articles about numerous women in emergency housing motels who were being threatened into prostitution and drug dealing by gangs with a mother raped while her children were there in the motel room with her as an intimidation technique she was punished because she wouldn't work as a prostitute or sell drugs for a gang. Girls being trafficked and exploited by gangs, family members, and others. These are all very well documented in New Zealand media.

If Queensland wants to protect vulnerable populations, you should only decriminalise prostituted people, making sure they have support services and exit strategies should they choose to exit. But the men, the pimps, the people who profit off the women and children's bodies being sold, the criminal organisations – these people need to be held accountable for buying and selling bodies for instant sexual gratification. This is not ok. This is the ugly truth of Prostitution. Men paying for the privilege to rape women without consequence because they have paid for that right and who walk free. Women and children trapped in the sex trade because no one hears their cries.

Ask yourself who will gain if your full decriminalisation bill passes? To be honest, some of my best paying "clients" were politicians and well respected businessmen. When parliamentarians hear my story, they still sit firmly in their belief that full decriminalisation will work even with all the evidence to suggest otherwise. Well I just have to ask the question: How does full decriminalisation benefit them?

Decriminalising changed the law on prostitution, not prostitution itself and not the men. If Queensland decriminalises sex buying and brothels, children will learn that it is acceptable to buy another human being for sex. They will learn, as I did as a child, that exploitation, rape, abuse, and violence is normal and accepted. Is this a message we really want to send our future generations?

In conclusion, the full decriminalisation of prostitution has been a failure. It has not led to a decrease in criminal activity, trafficking, exploitation, demand and violence or an improvement in the well-being of those involved in the trade. Instead, it has often led to an increase in crimes, domestic violence, family violence, child sex trafficking and human

trafficking. It is clear that an approach, which focuses on addressing the underlying issues while providing support and treatment options for our most disadvantaged such as the Nordic Model is necessary.

Regards  
Ally-Marie Diamond  
Wahine Toa Rising



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