



Learning from Kiwi prostitutes Andrea Mrozek

Thursday, November 13, 2008

Success is a slippery term. Particularly, it seems, with regards to laws governing prostitution.

Does success mean getting government job training? Or does it mean getting out of the business altogether?

Judging by the New Zealand decriminalization experience, success means more training. And some Canadian activists have gone there to learn, possibly with the intent of importing such measures here.

New Zealand passed the Prostitution Reform Act in 2003 by a 60 to 59 vote -- with one abstention. The act aims to improve safety, protect them from exploitation and ban prostitution for those under 18.

Earlier this year the government released a report, mostly inconclusive, about the reform's success. This despite a 100-page Department of Labour report for sex workers outlining "the roles and responsibilities of sex workers and clients," which is concerned about issues like the effects of second-hand smoke in the workplace.

Regulations governing smoking and the proper use of condoms require diligent monitoring. However, the 2008 reports shows the "Brothel Operator Certification System" still needs "the addition of a criterion that a certificate holder must be willing to facilitate inspections."

Or, for the new system to work, government needs better access to (and control over) approved brothels.

The report isn't clear on whether the numbers of prostitutes have risen or fallen in recent years, emphasizing the "difficulty of accurately assessing the number of people involved in the sex industry, even in the current decriminalized environment."

But that didn't prevent them from concluding the number of prostitutes remains the same.

Prostitution under age 18 remains illegal. But no one, says Summer Gill, policy analyst at New Zealand-based research group The Maxim Institute, can enforce restrictions on age, as kids don't carry ID. Neither do they magically cease to be exploited upon turning 18.

"The law makes it extremely difficult for these purchasers [of under age sex] to be prosecuted," she says.
Maxim would prefer criminalizing the purchaser.

The lengthy report reads as a very cautious statement of "success." The government can't accurately gauge whether prostitutes are less victimized than before decriminalization because monitoring of newly state-sanctioned brothels is poor.

So now government committees can write about prostitution -- including overblown pretensions to help sex workers, but it's not clear that the lot of prostitutes on the ground has actually changed since 2003.

Rebranding prostitution as "sex work," complete with on-the-job safety tips, doesn't change the job itself. If success is defined as improving the rights and conditions of prostitutes, then New Zealand's decriminalization experience is far from encouraging.