

1. What is the extent to which Canada has adopted the Nordic Model?

Canada has adopted the principles of the Nordic Model through its C-36 legislation. The Canadian government has acknowledged prostitution as a site of extreme violence against women, and the legislation focuses on public education campaigns to end demand for prostitution, it also includes better training of police officers to deal with victims of violence in prostitution and stricter penalties for pimps and 'johns' (clients) as well as funding for exit programs for prostituted persons.

Some of the groups we have consulted with in Canada, including the Native Women's Association of Canada (NWAC) the Asian Women's Coalition Ending Prostitution (AWCEP) and Vancouver Rape Relief, while they have supported the C-36 legislation, have been critical of some specific elements of it. In particular, that the new laws still allow for the criminalisation of both buying *and selling* sex in particular locations (such as schools and children's playgrounds). In so far as this may still be used to criminalise prostituted persons, it has not entirely followed the Nordic Model.

For further information see:

Teresa Edwards* (2015) 'For the Sake of Equality: Moving towards the Nordic Model of prostitution law in Canada.' In M. Kiraly and M. Tyler (eds) *Freedom Fallacy: The limits of liberal feminism* (Connor Court: Ballarat): pp. 175-189.

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2. Evidence from the 2015 Trafficking in Persons (TIP) report and further studies pertaining to the evidence of trafficking in women to the sex industry in Australia.

The *Trafficking in Persons Report* is issued each year by the United States State Department. The 2015 report confirms the existence of trafficking into the Australian sex industry, but does not give a sense of scale:

Some women from Asia and—to a lesser extent—Eastern Europe and Africa migrate to Australia to work legally or illegally in a number of sectors, including the sex trade. Subsequent to their arrival, some of these women are coerced into prostitution. Some foreign women—and sometimes girls—are held in captivity, subjected to physical and sexual violence and intimidation, manipulated through illegal drugs, and obliged to pay off unexpected or inflated debts to traffickers (p. 77).

Exact data on the number of trafficked persons is notoriously difficult to obtain and known instances of trafficking, or the number of referrals to the 'Support for Trafficked People Program' are understood to be underestimates of the extent of

the problem. Estimates from NGOs working in the area have ranged from between 300-1000 people trafficked into the Australian sex industry each year.

Investigative journalists have often been at the forefront of detailing instances of abuse in the Australian sex industry. Given the limits of access and of ethical research in the academy, there are very few peer-reviewed reports on the extent and nature of trafficking in Australia. However, the lead author of a research team who conducted a 5-year study on the needs of trafficked persons in Australia, estimated from their data in 2012, that approximately 2000 women are trafficked to Australia for sexual exploitation every year. As we note in our submission governments could do more to facilitate and fund research into this important area.

For further information see:

Catherine Flynn et al. (2014) Trafficking in Women for Sexual Exploitation: Building Australian knowledge. *International Social Work*, v57(1): 27-38.

Janet Hepworth et al. (2011) Health and community services for trafficked women: an exploratory study of policy and practice. *Journal of Social Issues*, v46(4): 391-410.

Janet Phillips (2008) People Trafficking: An update on Australia's response. Research Paper No. 5. Australian Parliamentary Library. Available from: <https://www.aph.gov.au/binaries/library/pubs/rp/2008-09/09rp05.pdf>

SBS News (2012) 'Trafficked Women Forced Into Brothels'. 3rd October. Available from: <http://www.sbs.com.au/news/article/2012/10/03/trafficked-women-forced-brothels>

3. Further information on exit programs.

Exit programs acknowledge that there are a range of factors that often make it difficult for prostituted persons to leave the sex industry even when they actively wish to do so. Comprehensive, government-funded exit programs are an integral part of the Nordic Model approach to prostitution policy. Exit programs involve assistance in terms of housing and accommodation, re-training, education and employment, access to free health services – in particular, sexual health, counselling and trauma recovery services – and, where appropriate, drug and alcohol recovery services.

CATWA strongly advocates for well-funded exit programs across Australia.

It is often difficult for governments with legalised / regulated or fully decriminalised systems of prostitution to provide exit programs as they require a recognition of specific harms associated with prostitution and that the sex industry is not comparable to other industries in terms of occupational health and safety, physical and psychological risks.

For further information see:

Lynda Baker et al. (2010) Exiting Prostitution: An integrated model. *Violence Against Women*, v16(5): 579-600.

Pat Mayhew and Elaine Mossman (2007) *Exiting Prostitution: Models of best practice*. (Crime and Justice Research Centre, University of Wellington: Wellington, NZ).

4. Further information on the Farley (2004) study (845 people currently or recently in prostitution).

This study, conducted by psychologist Melissa Farley and colleagues, is still the most comprehensive study available on the experiences of prostituted persons.

The nine countries in which people were surveyed were: Canada, Columbia, Germany, Mexico, South Africa, Thailand, Turkey, the United States and Zambia.

While Farley and her colleagues had no way of objectively determining the mental health status of those they surveyed prior to their entry into prostitution, they do find a correlation between the levels of lifetime violence experienced and the severity of PTSD symptoms.

Given that between 60 and 75 per cent (depending on the country) of the sample reported being raped while in prostitution and 70 to 90 per cent reported being physically assaulted while in prostitution, the researchers do believe there is, at least, a causative element. However, they also note that between 60 and 95 per cent (depending on the country) reported being sexually assaulted as children.

This research confirms existing literature that shows marginalised and traumatised women are over-represented but that prostitution itself is also a serious site of violence against women.

For further information see:

Maddy Coy (2012) *Prostitution, Harm and Gender Inequality: Theory, research and policy*. (Ashgate: Farnham, UK).

Melissa Farley ed. (2003) *Prostitution Trafficking and Traumatic Stress*. (Harworth Press, New York.)

Melissa Farley et al. (2004) Prostitution and Trafficking in Nine Countries An Update on Violence and Posttraumatic Stress Disorder. *Journal of Trauma Practice*, v2(3-4): 33-74.