

Select Committee on Human Trafficking in New South Wales

Australian Institute of Criminology Response to Questions on Notice

Migrant sex workers in Australia

The findings presented in the Australian Institute of Criminology's report *Migrant sex workers in Australia* were drawn from a survey of 592 migrant and non-migrant sex workers in six capital cities—Sydney, Melbourne, Brisbane, Perth, Adelaide and Canberra—and four regional centres—Newcastle, Townsville, Toowoomba and Kalgoorlie. Migrant sex workers comprised 69 percent (n=411) of the respondent sample. Ninety eight percent (n=582) of survey responses were collected face-to-face, with two percent (n=10) collected using an online survey.

Question on Notice 1: Location of sex work

Respondents to the *Migrant sex workers in Australia* study were asked about the types of workplaces they were currently working in using a multiple-choice list of work locations developed by Scarlet Alliance. They were not asked about the types of sex work provided in these settings.

Workplaces included:

- brothels—fixed-site, managed business with multiple workers providing full service (sex);
- a BDSM house—fixed-site, managed business with multiple workers providing bondage, discipline and/or sadomasochistic services;
- a massage parlour—fixed-site, managed business with multiple workers providing erotic and/or sensual and/or nude massage;
- an escort agency—managed business with multiple workers providing sexual services at a location arranged by the client;
- a street-based worker—person who solicits clients in a public space for sexual services; or
- private work (escort and/or in-call)—person who works independently of any third party or business, in a private setting determined by either themselves or their client.

Around half of migrant (56%) and three-quarters of non-migrant (77%) sex worker respondents indicated they worked in a brothel (see Table 1). One-quarter of migrant sex workers worked in a massage parlour, compared with 10 percent of non-migrant sex workers.

Respondents who selected at least one of the following options—brothel (full service), BDSM house, massage parlour or escort (agency)—were categorised as a non-private worker and engaged by an employer. Those who did not select at least one of the listed options were categorised as self-employed or private workers.

The majority of migrant (79%) and non-migrant (86%) survey respondents worked non-privately i.e. they worked to an employer. A slightly higher proportion of migrant compared with non-migrant sex workers worked privately (21% *cf* 14%) but the difference was not significant.

Table 1: Workplace type by migrant status (%)

	Migrant	Non-migrant
Worker status		
Private	21	14
Non-private	79	86
Total (n)	402	148
Workplace type^a		
Brothel (full service)	56	77
BDSM House	1	2
Massage parlour	24	10
Escort (agency)	3	6
Street-based	1	5
Private (escort)	9	14
Private (in-call)	18	14

a: Respondents were able to select more than one option and hence percentages will total greater than 100

Source: Adapted from Table 12, Renshaw et al. 2015

Question on Notice 2: Enforceability of contracts

A contract within sex work generally:

refers to verbal and/or written agreements that may or may not conform to Australian Contract Law...generally within sex worker understandings of a contract, this refers to a promise or set of promises between two or more parties. These may or may not be legally binding often due to the transnational nature of the contract and the laws around sex work in the state and territory the sex worker is working in (Scarlet Alliance 2011: np)

Almost three-quarters of non-migrant respondents who worked in a non-private setting had never been on a contract (74%) compared with 59 percent of migrant respondents. The remainder on contracts indicated that their current working conditions were better than or accurately reflected the contract terms (see Table 2).

The enforceability of contracts was not examined in the study. However, respondents were asked about their working conditions, which are summarised below.

Table 2: Working conditions and contract terms by migrant status (%)

	Migrant (n=280)	Non-migrant (n=125)
Better conditions than specified on contract	23	12
Accurately reflects contract terms	16	14
Worse conditions than specified	2	1
Never been on a contract	59	74

Source: Adapted from Figure 17, Renshaw et al. 2015

Workload

Over two-thirds of migrant (67%; n=270) and non-migrant (69%; n=102) respondents worked up to 10 hours a day. Just under one-third of migrant respondents worked 10 hours or more per day (31%; n=125), compared with 29 percent of non-migrant respondents (n=43). A small number of migrant and non-migrant workers (n=19) stated that they worked extreme hours, which was defined as 'working more than 10 hours a day, more than five days a week and saw 50 or more clients a week; or on-call 24 hours, worked more than five days a week and did not select a private workplace' (Renshaw et al. 2015: 44).

Payment conditions

The majority of migrant (90%; n=282) and non-migrant (96%; n=119) respondents who worked in a non-private workplace indicated that they were paid regularly. Only two percent of migrants and one percent of non-migrants indicated that they received less than half or none of their wages (see Table 3). Most migrant and non-migrant respondents received half of their wages (57% and 48% respectively). Three-quarters of migrant respondents and 64 percent of non-migrant respondents stated they were satisfied with their wages.

Table 3: Proportion of wage received by non-private workers by migrant status (%)

	Migrant ^a	Non-migrant ^b
All of it	29	36
Between all and half of it	12	14
Half	57	48
Between half and none	2	1

Source: Adapted from Figure 16, Renshaw et al. 2015

Additional charges

Sex workers can be charged by their employer for items or services used in the workplace. The majority (88%) of non-private sex workers who answered the question on additional costs incurred

some form of charge. Of these, half commonly incurred one workplace charge (51%; n=166) and just under one-third (30%; n=96) received more than two workplace charges. Migrant respondents were more likely to be charged for food and clothes and non-migrants workers a shift fee (see Table 4).

Table 4: Workplace charges for non-private workers by migrant status (%)

	Migrant	Non-migrant
Rent/board	28	24
Shift fee	19	46
Cleaning fee	10	7
Work clothing	23	7
Food	47	21
Condoms	54	53
Transport	27	22
Other	9	13

Source: Adapted from Table 14, Renshaw et al. 2015

References

- Scarlet Alliance 2011. Consultancy report: Scarlet Alliance migration research project. Unpublished
- Renshaw L, Kim J, Fawkes J & Jeffreys E 2015. Migrant sex workers in Australia. *Research and public policy series* no. 131. Canberra: Australian Institute of Criminology