

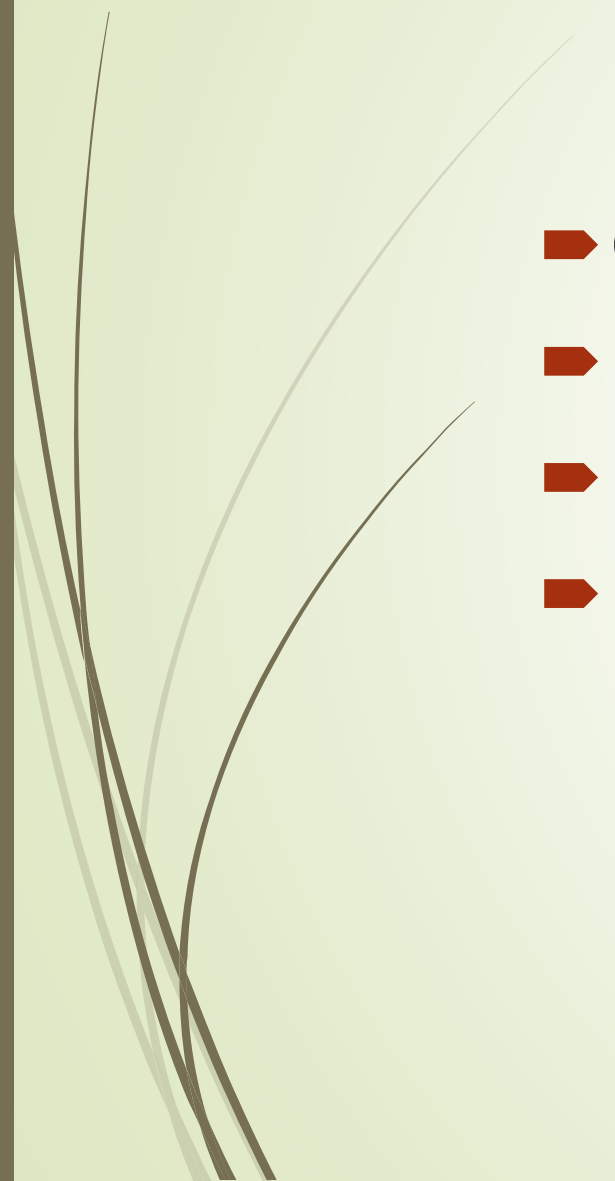


Sex work and sexual health: ***“The law has changed so much”***

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Impact of regulation of sex work

- Criminalisation
 - Legalisation
 - Nordic Model
 - Decriminalisation
- 



Research

- Evaluation of the PRA
 - Survey of 772 sex workers
 - In-depth interviews with 58 sex workers

Information for Clients

Clients must take all reasonable steps to use a condom or other safer sex barrier for vaginal, anal, oral or another activity which could transmit sexually transmissible infections (STIs).

If you do not practise safer sex you could be prosecuted and fined up to \$2,000. If you think you may have an STI contact a doctor, nurse, sexual health service or family planning clinic.



HEALTH AND SAFETY INFORMATION FOR CLIENTS

The Prostitution Reform Act 2003 states that sex workers and their clients must adopt safer sex practices (by using a condom or other appropriate barrier) to reduce the risk of getting or passing on sexually transmissible infections (STIs).

Clients and sex workers must not state or imply that a medical examination means they are not infected or likely to be infected with an STI. You may be prosecuted and fined up to \$2,000 in a court of law if you do not comply with the Act.

Further Information

If you would like more information and/or health services please contact:

- Your General Practitioner
- Sexual Health Services under 'S' in the white pages of your local phone book or details on www.sexfiles.co.nz
- Family Planning Association on 0800 FPA LINE or www.fpanz.org.nz
- Public Health Unit of your local District Health Board
- Health Education Resources on www.healthed.govt.nz

To find out more about the Prostitution Reform Act 2003 contact:

- Ministry of Health www.moh.govt.nz
- New Zealand Prostitutes Collective in the white pages of your local phone book.



Negotiation of safe sex

It's always been my own sort of morals. Like I have morals out there. I won't do sex without protection, I won't put myself in jeopardy or, you know, like that. And it's the law now, which is really good and I say that to them and they can't – yeah, they might get offended and be like, "Oh well I don't want you," sort of thing and go somewhere else. But at least I know I'm safe, and I know, you know, I've given them a reasonable explanation and that it's the truth.

Sally, Street, Female, Christchurch

You cannot do a job without using protection. The law has changed so much. (Joyce, Street and Private, Female)

Table 6.7 Unprotected sex in last 12 months by sector[†]

	Total % (s.e.)	Street Workers % (s.e.)	Managed Indoor % (s.e.)	Private Indoor % (s.e.)
Always use a condom for vaginal, anal and oral sex (N=704)	78.0 (1.9)	71.3 (3.8)	80.5 (2.3)	75.9 (4.1)
Unprotected vaginal sex in last 12 months (N=747)	5.5 (0.9)	12.9 (3.0)	4.1 (1.1)	5.1 (1.9)
Unprotected anal sex in last 12 months (N=744)	2.0 (0.5)	5.0 (1.9)	0.6 (0.4)	3.4 (1.3)
Unprotected blow jobs in last 12 months (N=745)	10.8 (1.3)	21.9 (3.5)	5.3 (1.2)	16.0 (3.1)
Unprotected going down in last 12 months (N=739)	13.3 (1.5)	17.2 (3.6)	9.9 (1.6)	17.8 (3.4)
Strategies used with clients who want to have sex without a condom:				
Tell them it's the law (N=723)	63.1 (2.1)	31.1 (3.8)	72.5 (2.5)	58.8 (4.5)
Tell them owner/manager says they have to (N=689)	29.6 (2.0)	13.2 (3.2)	39.4 (2.8)	18.6 (3.7)
Threaten to call someone (N=690)	17.7 (1.7)	11.5 (2.7)	23.1 (2.4)	10.7 (2.9)
Tell them explicitly beforehand (N=698)	33.6 (2.1)	37.4 (4.2)	30.2 (2.6)	38.0 (4.5)
Just do oral (N=687)	5.7 (1.0)	14.2 (3.0)	3.1 (1.0)	6.8 (2.2)
Just do a hand job (N=693)	41.5 (2.3)	36.6 (4.2)	41.6 (2.8)	43.2 (4.7)
Refuse to do job (N=713)	59.8 (2.2)	65.3 (4.0)	56.6 (2.9)	62.8 (4.5)
Charge more (N=682)	5.3 (1.0)	15.8 (3.4)	2.5 (0.9)	6.3 (2.1)



Sexual health check-ups

- <4% of sex workers do not have sexual health check-ups
- 41% go to their GP
- 25% to a sexual health centre
- 15.5% to NZPC:
 - Auckland 11.7%
 - Christchurch 13.9%
 - Wellington 36%



NZPC services

I tend to do my STD and blood tests at the NZPC just 'cos I like catching up with the people and coming in to see, you know, the nurse and saying 'hi'. You know, because it's just a comfortable environment to be in. The people don't judge you and that sort of thing. Ever since I've been sexually active, I've always made sure I've had regular tests, STD and blood tests. Obviously since I started working I make sure I get it every 3 months. (Sheila, Managed, Female)

I mean if it wasn't for them, you know, I couldn't really basically - well I wouldn't actually go out and buy the condoms. It's not something I do, you know, go out and purchase condoms just, you know, even though it's for my safety. Yet it's comfortable to go to the NZPC or the condom ladies to basically give them to you, because it's normal and it's just like much better and you feel comfortable taking condoms off them. And it's not in a store where they'll have to, you know, say, you know, "Can I have a price check on such and such condoms," you know. (Terri, Street, Transgender)

Ability to choose clients

- ▶ Study prior to decriminalisation: 47% of brothel-based sex workers had refused a client in last 12 months
- ▶ Study post-decriminalisation: 68% of brothel-based sex workers had refused a client in last 12 months
- ▶ I had one instance when we went into the room and I said, "Look, I'm sorry but you can't go down on me." And he said, "Okay, I want to cancel the booking." So I said, "Okay, that's fine." Took him out; that was not an issue at the desk. You know, if I didn't want to do something, I didn't have to do it, because what I'm expected to give is a hand-job, a blow-job with a condom, and sex with a condom, vaginal sex. If I don't want to do anything else, that's fine, you know, and I'm not at all expected in any shape or form whatsoever to put myself and my health at risk. And it's just made it a lot easier,
- ▶ Sheila, Managed, Female, Auckland


Clause 17 Refusal to provide commercial sexual services

➤ Sex workers welcome sentence

- "We are really pleased with the courts recognising that 'no' means 'no' and that a sex worker has the same rights as anybody else. The sentencing has reflected this." (Anna Reed, NZPC)
- "Prostitutes were entitled to the same protection as anybody else". (Judge MacDonald)

➤ Sex workers 'deserve protection'

- "Just because you agree at the outset to a service, doesn't mean that when it goes wrong that just because there is payment involved that nullifies any criminal charge....They can complain and police will take them seriously. It's society's obligation to look after them." (Police officer Sweeney)



Clause 16: Inducing or compelling persons to provide commercial sexual services or earnings from prostitution

➤ **Sex extortion ex-policeman jailed**

- Crown prosecutor said: "The complainant's evidence was that she had sex even when he did not pay her because she was scared of the consequences if she did not do so".
- Justice French referred to the vulnerability of the victim. "She had no-one she could turn to."



Human rights tribunal

- **Sex worker stands up to 'overbearing' boss**
- "Sex workers are as much entitled to protection from sexual harassment as those working in other occupations. The fact that a person is a sex worker is not a licence for sexual harassment - especially by the manager or employer at the brothel."

