

DECRIMINALISATION
— OF —
*Sex*work
— IN —
NEW ZEALAND

IMPACT ON MĀORI



Written by

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What impact has the DECRIMINALISATION OF SEX WORK IN NEW ZEALAND HAD ON MĀORI



Māori are the indigenous people in Aotearoa/New Zealand. Before sex work was decriminalised in New Zealand in 2003, Māori sex workers were among those worst affected by policing, prosecution, violence and stigma.

During that time, Māori sex workers made up more than half of all soliciting convictions, more than three times the rate for European New Zealanders.

A conviction for a prostitution-related charge had far-reaching effects, including upon future employment prospects and custody of children.

Possessing safe sex materials could also be used as evidence to prosecute a brothel or sex worker.

The Prostitution Reform Act (PRA) radically improved the environment for Māori sex workers in New Zealand.

Decriminalisation of sex work removed the lifelong impediment of a conviction, made it easier to access helping agencies, and enhanced the sharing of important information to keep safe while working in the industry.

2008 research, post-decriminalisation, found Māori made up one third of the 772 sex workers surveyed across all sectors of the sex industry. While most Māori sex workers were working indoors, either for themselves or in managed brothels, two thirds of the people involved in street based sex work identified as Māori.

Police acknowledge they have often focused on street based sex workers as the most visible part of the industry.

Before decriminalisation, when Māori sex workers faced violence or exploitation they often felt powerless to seek police help given the illegality of prostitution.

Decriminalisation meant sex workers no longer had to register with the police and enabled some Māori street based sex workers to move indoors into a safer environment.

The Prostitution Reform Act (PRA) created an environment

where Māori sex workers can work more safely in circumstances they can determine, including working with brothel operators who provide management and security services, or working with other sex workers as equals in a shared space.

Māori sex workers are able to contract minders, drivers, and family members to watch out for their safety. In addition they can support their adult children and pay their landlords without fear that those adult children or landlords will, in turn, be prosecuted for living on their earnings or avails.

Sex workers have a means of legal redress and are able to seek official assistance from labour inspectors and medical officers if conditions are exploitative, or if such things such as safer sex are undermined.

Māori sex workers are now able to report violence directly to the police.

For example, there have been high profile court cases which have held gang members to account for their violence towards Māori sex workers, and police have also engaged with Māori street based sex workers in efforts to stop abuse and other forms of intimidation.

Instead of being targeted by the police, Māori sex workers are now able to seek support from the police in handling those clients who may be difficult clients or other situations that may be unsafe.

Examples of this assistance include police negotiating directly with Māori sex workers about when patrol cars should visit street venues, so as to not scare the workers' potential clients away, and make sex work more difficult for them.

Māori sex workers can negotiate more effectively with clients knowing they are not likely to be undercover police seeking to entrap them or their clients.

Sex workers can take time to assess the suitability of their clients. Because it is not illegal to purchase sex services, sex workers are not forced to accommodate unsafe conditions in order to protect their clients or themselves from being arrested.

While a decriminalised environment has not removed the threat of violence, which is a society-wide issue, it means that Māori sex workers feel more able to report intimidation or violence against them, and are more confident that the police will assist them.

Māori sex workers recognise the gains of a decriminalised environment. Few workers report coercion, with just 4% of all the 772 sex workers in a 2008 study stating they were made to work (8% of street based sex workers, 3% of managed brothel workers, and 4% of private indoor workers).

Pania's story

I'm an indigenous, Māori sex worker in New Zealand. I've worked for six years in brothels, and for myself with other friends, who are also sex workers, from a shared apartment. It's much easier to have these choices of places to work.

I like that I can choose where I can work and don't have to hide away somewhere dodgy to avoid the cops. I'm not on any database held by the cops about sex work.

Decriminalisation means I can choose to turn down clients I don't want to see, for any reason, and my boss can't pressure me. I don't have to worry a client may be an undercover cop, so I can be up-front about what our expectations are, such as using condoms.

My clients know they have to behave or they can get into trouble because I will call the cops and they will come and help me. I also really like that my clients aren't scared of being raided, so things are more relaxed, and easier to manage.

I've had clients who have come from countries where it's illegal to be a client, and they have been on edge, scared, and difficult to manage.

I like that I can talk with other sex workers, and share information and stories with them.



Helpful evidence based information and research

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Funded by a grant from Open Society Foundation

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