

Understanding the experiences of migrant Asian sex workers in New Zealand: An exploratory study

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Abstract

In 2003, New Zealand became the first country in the world to decriminalise sex work when the Prostitution Reform Act (PRA) was enacted. However, it is not widely known that New Zealand's model of decriminalization is limited by Section 19 of the PRA, which prohibits sex work by migrants who hold temporary visas, who may be deported for providing commercial sexual services. Section 19 aims to prevent trafficking, yet no cases of this crime have ever been officially identified in New Zealand's sex industry, while an absence of rights and protections renders migrant sex workers particularly vulnerable to violence and exploitation. To address a gap in research on this topic, this thesis compares the dominant discourse around trafficking into sex work with the lived realities of migrant Asian sex workers in Auckland, who make up a significant proportion of all migrant sex workers in New Zealand. The thesis begins with a chapter on New Zealand's anti-trafficking policy and practice in regards to migrant sex workers, before moving on to a chapter that reviews the history of - and literature about - this population. The next chapter focuses on the methods used to recruit a diverse sample of 20 migrant Asian sex workers who participated in semi-structured interviews. The following chapter documents the themes that were reported by participants, including their varied motivations for migration and sex work; their shifting working conditions within the managed, private, and street-based sectors of Auckland's sex industry; and their nuanced perceptions of this labour. Overall, the complex realities of research participants neither fully support nor fully contradict the dominant discourse around trafficking, but they highlight a need to repeal Section 19 of the PRA so that migrant sex workers are less vulnerable to violence and exploitation.

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Introduction

In 2003, New Zealand became the first country in the world to decriminalise sex work. This was achieved through the Prostitution Reform Act (PRA), which repealed laws that criminalised consensual sex work by adult citizens and residents (Abel 2014; Abel et al. 2010). Core aims of the PRA are minimising harm in sex work and safeguarding the human rights of sex workers (Abel 2017; Armstrong 2017b; Showden 2017). The PRA came about through years of campaigning by the New Zealand Prostitutes' Collective (NZPC), a sex worker organisation that led the law reform process (Healy, Bennachie and Reed 2010). NZPC did not intend for migrants to be denied rights under the PRA (Healy, Bennachie and Wi-Hongi, 9 November 2017). However, in the months leading up to the enactment of the law, the then Minister of Immigration introduced a clause that banned sex work being a grounds for lawful immigration (Dalziel in Hansard, 14 May 2003). As a result, Section 19 of the PRA prohibits migrants who hold temporary visas from providing commercial sexual services, and if they do so, they can be deported (Section 19, PRA). This means that sex work is illegal for migrants on a student visa, visitor visa, work visa, working holiday visa, and any other temporary entry class visa (Healy, Wi-Hongi and Hati 2017, 50).

As a result, the PRA is an ambivalent piece of legislation (Harrington 2010, 130). The act affords rights to citizen and resident sex workers to challenge exploitation and violence, while excluding migrant sex workers from those rights, even when they can lawfully undertake other forms of labour (Armstrong 2017b, 75). This inequality is too often minimized by a nationalistic narrative that frames the PRA as a legacy of a “socially liberal country” with a “human rights ethos” (Barnett, et al. 2010, 59). This narrative relies on an invisibility of migrant sex workers, who are made illegal by the PRA. Indeed, if decriminalisation was facilitated by a “cultural preoccupation with fairness” (Abel 2017, 140), this egalitarianism did not extend to migrant sex workers, who are predominantly Asian women (Roguski 2013, 39). Note here that the exclusion of Asian people from rights is not new. As historians of the Asian diaspora in New Zealand have observed:

“New Zealanders have prided themselves on being among the most enlightened political and social reformers. Historically, they upheld the rights of women, and ensured welfare for workers. Unfortunately, in the past, many of these enlightened

policies specifically excluded the Chinese and other Asians” (Ip and Murphy 2005, 130).

Given this history of racism against Asian people in New Zealand, it is not surprising that migrant sex workers are excluded from rights under the PRA.

Further, this discriminatory law is legitimized by discourse around “trafficking”. While this discourse has not dominated the politics of sex work in New Zealand (Abel 2017), concerns about trafficking were used to justify the prohibition of migrant sex work under Section 19 of the PRA (Armstrong 2018). In the years following the enactment of the PRA, the New Zealand government claimed that “People trafficking is an international crime which has not yet managed to gain a foothold in New Zealand” (DOL 2009, 5), while also increasing border control in the name of “securing our border from traffickers” (ibid, 9). More recently, in late 2015 the New Zealand government removed transnational movement from the definition of trafficking in Section 98D of the Crimes Act, which now conflates trafficking with forced labour (Showden 2015, 16). Discourse around trafficking increasingly focuses on forced labour and exploitation more broadly, yet there have been only two prosecutions for trafficking in New Zealand, one being successful and the other being unsuccessful, and both cases involving migrant workers in the horticulture industry (Glazebrook 2017, 18; Stringer 2016, 13). In contrast, no cases of trafficking have been identified in the sex industry, despite surveillance of migrant sex workers (Armstrong 2018, 105; PLRC 2008, 167).

Given a lack of qualitative research on migrant Asian sex work in New Zealand, this exploratory study addresses the following two questions:

- How does discourse around trafficking into sex work compare with lived experiences of migrant Asian sex workers in Auckland?
- How does race/ethnicity, gender, sexuality, age, class, location, and immigration status influence these lived experiences?

By way of background, Chapter One documents policy debates that shaped the PRA, law enforcement of Section 19, and possible reasons for a lack of certified victims of trafficking in New Zealand’s sex industry. Chapter Two provides an overview of migrant Asian sex work in New Zealand, focusing on historical trends, feminist debates, and contemporary research.

Chapter Three discusses the methodological approach to this research on migrant Asian sex work, including recruitment, ethics, and epistemology. Chapter Four presents the findings of semi-structured interviews with a diverse sample of migrant Asian sex workers in Auckland (n = 20), including motivations for migration and immigration trajectories; motivations for sex work and recruitment into the sex industry; and experiences of working conditions, law enforcement, violence and other interactions with clients, and stigma. The thesis concludes with a discussion of these findings in relation to the research questions, and calls for the repeal of Section 19 of the PRA in order to better protect the rights of migrant sex workers.¹

¹ In this thesis I refer to both “prostitution” and “sex work” to reflect the ideological orientation of political arguments about commercial sex.

Chapter One: Policy on migrant sex work and trafficking in New Zealand

In the following chapter I summarize political debates that shaped the PRA in regards to citizen and resident sex workers versus their migrant counterparts. I then document law enforcement of Section 19 of the PRA, namely profiling at the border, brothel raids, and deportations of migrant sex workers. Finally, I explore possible reasons for a lack of certified victims of trafficking in New Zealand's sex industry. This chapter is based on information obtained through parliamentary records, news media, Wikileaks, and the Official Information Act, as well as scholarly research.

Debates on the Prostitution Reform Act

Divergent discourses circulated around prostitution and trafficking during political debates on the PRA in the early years of the twenty-first century (Showden 2017). As public health scholar Gillian Abel (2017) has documented, a convergence of four philosophical positions produced sex workers in the eyes of the law: (1) neoliberalism; (2) "the sex worker voice"; (3) liberal feminism; and (4) harm minimisation. Ultimately, each of these philosophical positions merged into a central concern about fairness that enabled the decriminalisation of prostitution under the PRA. However, decriminalisation excluded migrant sex workers. In examining this exclusion, criminologist Lynzi Armstrong (2018, 85) has observed that discourse around trafficking articulated fears that decriminalisation would expand the sex industry, and this anxiety underpinned the prohibition of migrant sex work in Section 19 of the PRA. In the following section I examine these themes in debates around the Prostitution Reform Bill that eventually became the PRA.

Citizen and resident sex work

The first philosophical position that enabled decriminalisation of citizen and resident sex work is neoliberalism, which valorises "minimal state intervention, self-regulation and economic individualisation" (Abel 2017, 149). Reflecting this philosophy, the PRA "exemplifies advanced liberal technologies of agency" which assume that "free individuals will take care of their own wellbeing," argues sociologist Carol Harrington (Harrington 2012,

338). According to this argument, the PRA “follows liberal notions of individual choice and responsibility in a market economy, confining state intervention in commercial sex markets to questions of health, safety and human rights” (ibid, 343).

The second philosophical position is “the sex worker voice”, which calls for sex work to be understood as an issue of labour rights rather than violence against women (Abel 2017, 150-151). This perspective has been represented by NZPC, who led the drafting of the Prostitution Reform Bill (Barnett, et al. 2010). NZPC has also facilitated research that centres the knowledge of sex workers as experts in their own lives (Harrington 2012). The resulting political activism focuses on achieving labour rights for sex workers (Abel 2017, 151), as opposed to critiquing “commercial sex markets and their contribution to constructing gendered social hierarchy” (Harrington 2012, 343).

The third philosophical position is liberal feminism, which recognises “the right of women to choose to work in sex work” (Abel 2017, 151). Of 56 submissions made by feminists on the Prostitution Reform Bill, only 16 were opposed (Laurie 2010, 85), indicating the strength of “liberal feminist ideas of equal human rights and fair workplace practices for women sex workers” (ibid, 99). In the debate on the Prostitution Reform Bill, many supporters of decriminalisation criticized the sexual double standard of laws that punished women for selling sex but not men for buying it (Showden 2017, 11), while also framing the sex industry as catering to a pre-existing demand, rather than producing such a demand (Harrington 2012, 342-343). These liberal feminist arguments facilitated the passage of the Prostitution Reform Bill, with two-thirds of women in parliament voting for decriminalisation (Abel 2017, 151).

The fourth and most influential philosophical position is harm minimisation, “both in terms of reducing violence against prostitutes (or at least allowing them to have better relations with police in combatting violence) and in reducing public health concerns related to commercial sex, particularly HIV/AIDS” (Showden 2017, 10). While emphasizing a need to minimize these harms, members of parliament (MPs) who supported decriminalisation often made clear that they did not condone prostitution (Harrington 2012, 342), and this argument revealed an implicit fixation on morality (Showden 2017, 11). As a result of this

ambivalence (Harrington 2010, 130), “harm minimisation was more marketable than human rights” (Abel 2017, 145). Indeed, the principle of reducing harm was helpful in lobbying MPs (Barnett, et al. 2010, 64-65), and it won over many of those who were undecided on which way to vote (Abel 2017, 151).

Overall, a loose alliance between neoliberalism, “the sex worker voice”, liberal feminism and harm minimisation enabled the decriminalisation of prostitution under the PRA. According to Abel, the subjects produced by the law are agentic workers rather than victims of trafficking:

“The PRA has produced the sex worker in New Zealand – a worker engaged in an occupation with similar rights to individuals engaged in any other form of occupation. In the eyes of the law, sex workers are agentic beings, freely choosing to be a sex worker. It is acknowledged that there are risks to working in this occupation that relate to health and safety, exploitation and coercion and policy provides protections to minimise these risks. What this policy does not produce is the trafficked woman; a victim in need of protection” (Abel 2017, 149).

However, the agentic sex workers produced by the PRA are citizens and residents who enjoy labour rights under the law. In contrast, Section 19 of the PRA denies rights to migrant sex workers, who are constructed as either victims of trafficking or violators of immigration law.

Migrant sex workers

Notably, migrant sex workers were largely invisible in the debates on the Prostitution Reform Bill, except in relation to discourse around trafficking. And although trafficking was not a major focus of the debates, the issue was raised by opponents of the bill, especially during its second and third readings (Showden 2017, 8). Increasing discourse around trafficking in part reflected that the 2002 national election resulted in a more conservative balance of parliament, including the United Future Party, a small party who opposed decriminalisation (Barnett et al. 2010, 65-66; Abel 2014, 583). Additionally, discourse around trafficking gained some momentum because of the United Nation’s *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* (henceforth the Trafficking Protocol). Although the Trafficking Protocol distinguishes between prostitution and trafficking, opponents of decriminalisation frequently conflated

the two phenomena (Showden 2017, 8). These opponents argued that decriminalisation would lead to “more trafficking in women” (Brown in Hansard, 19 Feb 2003). In contrast, supporters of decriminalization argued that “there is a greater prospect of the use of coercion, fraud, and trafficking where prostitution remains illegal” (Goff in Hansard, 20 Feb 2003). These supporters recognized that prostitution and trafficking are not the same phenomena (Showden 2017, 9), and decriminalising prostitution minimizes the risk of trafficking (Abel 2017, 145).

Indeed, premonitions of “an explosion in the trafficking of women” (Turner in Hansard, 26 March 2003) were not based on evidence but rather fears that decriminalisation would increase numbers of sex workers, and migrant sex workers in particular (Armstrong 2018, 12; Harrington 2012, 342). Consider the following argument by MP Craig McNair of New Zealand First, a small and anti-immigration party:

“I believe the problems associated with the industry could also potentially increase, including child prostitution, trafficking in women, violence against prostitutes, and blatant advertising for both the services provided and the recruitment of prostitutes... As far as immigration is concerned, we have seen a lot of different people coming into this country who should not be coming in. The regime is loose enough as it is, and I believe that this bill will not help whatsoever. This bill allows for decriminalisation of prostitution, and in my view in whatever form it is passed we will see more prostitution” (McNair in Hansard, 26 March 2003).

Here we can see that migrant sex work was framed as an issue of either “trafficking in women” or “people coming into this country who should not be coming in,” yet both of these concerns revealed anxiety about the scale of immigration and commercial sex.

Despite a lack of evidence to suggest that decriminalisation would lead to trafficking or increasing numbers of migrant prostitutes, these concerns ultimately led to the exclusion of migrant sex workers from decriminalisation (Armstrong 2018, 85). Just a few months before the third and final reading of the Prostitution Reform Bill, United Future MP Gordon Copeland claimed that decriminalisation would not stop brothel owners from “importing women” on student visas “from at-risk countries like Thailand” (Copeland in Hansard, 19 March 2003). In response to concerns raised by Copeland and also by the Ministry of Justice

(Dalziel in Hansard, 14 May 2003), then Minister of Immigration Lianne Dalziel began working on amendments to the bill “to ensure that we exclude all immigration permits from the area of brothel-keeping and prostitution” (Dalziel in Hansard, 19 March 2003). On 14 May 2003, Dalziel introduced a Supplementary Order Paper that aimed:

“[T]o ensure that our obligation under the United Nations Convention Against Transnational Organised Crime and its protocols on the smuggling of migrants and trafficking of persons can be fully engaged in respect of prostitution and commercial sexual services. That is to ensure that in decriminalising the laws on prostitution, we do not unwittingly allow people to be brought into the country for the purposes of prostitution” (Dalziel in Hansard, 14 May 2003).

The rationale for this amendment was that prohibiting migrant sex work would prevent trafficking. However, this prohibition was also a way for Dalziel to counter the anti-immigration stance of Winston Peters, the leader of New Zealand First, in a political climate of public dissatisfaction with Asian migration (Ip and Murphy 2005, 68). Indeed, unprecedented numbers of international students were becoming “the Asian problem” of 2003 (ibid, 163).

In this context, few MPs took issue with Dalziel’s amendment. An important exception was Labour MP Diane Yates, who strongly opposed decriminalisation, and who correctly pointed out the “racism and protectionism” that motivated the prohibition of migrant sex work.² As she explained:

“Lianne Dalziel also has an amendment, which, I think, borders somewhat on racism and protectionism. It says it is OK for New Zealanders born here to work as prostitutes, but it is not OK for someone to come here on a work permit and work as a prostitute. That is a very strange amendment, and it is inconsistent if we are

² Diane Yates took a radical feminist view of prostitution, and she unsuccessfully attempted a “wrecking amendment” based on the “Swedish model” (Barnett, et al. 2010, 66). This model aims to “criminalize traffickers, pimps, and the purchase of sex because of the understanding that patriarchal dominance allows men to buy sexual services from women” (Showden and Majic 2014, xx). However, Yates’ proposed “Swedish amendment” was defeated 19 to 96 (Barnett, et al. 2010, 66). This resounding rejection highlights that radical feminism occupies a marginalised philosophical position in regards to understandings of prostitution in New Zealand. See Chapter Two for a brief discussion of radical feminist views of prostitution, trafficking, and the PRA.

thinking that prostitution is a valid job, which, I understand, it would become under this bill” (Yates in Hansard, 14 May 2003).

Overall, however, the exclusion of migrant sex workers from labour rights was uncontroversial, and Dalziel’s amendment was successful.

To sum up, growing opposition to decriminalisation was evidenced by an increasingly narrow gap in votes after each reading of the Prostitution Reform Bill: “87 votes to 21 in the 2000 reading; 64 votes to 56 in the 2002 reading and 60 votes to 59 with one abstention in the 2003 reading when the PRA was passed” (Abel 2014, 583). Given that “the third reading was very finely balanced,” NZPC could not publically oppose Dalziel’s amendment (Healy, Bennachie, and Wi-Hongi, 9 November 2017). The resulting Section 19 of the PRA is a consequence of intersecting political and social forces, including ratification of the Trafficking Protocol, opposition to decriminalisation, and fears of an “explosion” of prostitution. In this context, discourse around “trafficking” was an effective way of legitimising the prohibition of migrant sex work – thereby excluding a population of largely Asian women – in an era when open and undisguised racism is no longer politically acceptable in policy making.

Law enforcement of Section 19 of the PRA

As a result of Section 19, the PRA has a paradoxical effect on the racial and spatial dimensions of law enforcement in New Zealand’s sex industry. As the street-based sector is disproportionately comprised of Māori sex workers (Abel, Fitzgerald and Brunton 2007, 7), they were most likely to be convicted for soliciting prior to the PRA (Healy, Wi-Hongi and Hati 2017, 51). For this reason, Māori have arguably gained the most benefit from decriminalisation, which has enabled the development of more equal power dynamics between street-based sex workers and New Zealand Police (ibid, 55; Armstrong 2017a). However, by prohibiting migrant sex work, Section 19 of the PRA has empowered Immigration New Zealand to profile travellers at the border and to raid brothels in the indoor sector of the sex industry. These law enforcement activities have targeted migrant Asian sex workers, who are most likely to be deported, as I document in the following section.

Border profiling

Although geographically isolated, New Zealand has extended its borders offshore, not only to “prevent traffickers targeting New Zealand,” but also “to keep potential illegal migrants from embarking on their travel to New Zealand in the first place” (DOL 2009, 14). Following the enactment of the PRA, Immigration New Zealand launched Advance Passenger Processing (APP) (Dalziel in Hansard, 13 August 2003), which is a system that requires airlines to identify and offload illegal migrants prior to embarking for New Zealand (Keegan, 13 February 2009). In response to claims that decriminalising prostitution had unleashed “sex-slave activity,” then Minister of Immigration Lianne Dalziel asserted that APP had given Immigration New Zealand “some real teeth” in detecting trafficking into New Zealand’s sex industry (Dalziel in Hansard, 13 August 2003). Indeed, APP is used to target travellers from “countries that are considered to be a high-risk source of trafficked victims,” namely China, Hong Kong, Taiwan, Thailand and Malaysia (McCormick, 7 March 2008). Consequently, travellers from these Asian countries experience “special scrutiny” – i.e. racial profiling - when they enter New Zealand (ibid).

While framed as an anti-trafficking measure, this border profiling serves the purpose of denying entry to migrant sex workers, or at least migrants who are thought to fit this category. In two specific examples, the Risk Targeting Program identifies “individuals who fit a sex worker profile” (Keegan, 13 February 2009), while Operation Spotlight refuses entry to “visa-free travellers entering New Zealand who may have the intent of working illegally in the sex industry” (ibid; see also NZG 2010, 11). Migrants who are suspected of sex work are questioned at the border (Armstrong 2018, 23), and their baggage is checked for items that could be used for sex work (Tan, 5 June 2013).

This border profiling was a focus of New Zealand Customs in the weeks leading up to the Rugby World Cup in 2011, when migrant sex workers were expected to arrive in greater numbers (Tan, 17 May 2011). During eight weeks from 11 July 2011 onwards, New Zealand Customs “interacted with 148 passengers that met the operational profile for illegal sex workers” (NZG 2012, 3). However, “There was no evidence of people trafficking. Rather, the passengers that were interdicted were attempting to smuggle themselves into NZ to work

illegally” (ibid). Clearly, these temporary migrant sex workers were deemed to be self-smugglers rather than trafficking victims.

Further, since 2013, increasing numbers of “suspected sex workers” have been refused entry into New Zealand, as in Table 1.

Table 1: Number of people refused entry between 2013 and 2018

Year	Number of people refused entry
2013	44
2014	41
2015	99
2016	121
2017	120
2018 (to 1 April 2018)	25

SOURCE: MBIE, 29 May 2018.

These numbers may indicate increasing efforts by New Zealand Customs to use “screening processes to stop people entering the country, and to decline visas, if there are grounds to suggest their real intention for travelling to New Zealand was to work in the sex industry” (Walters, 6 June 2018).

Brothel raids

Although relatively infrequent, brothel raids are carried out by Immigration New Zealand officials (Armstrong 2018, 95). Significantly, some raids are a response to Trafficking in Persons (TiP) reports, which are released annually by the United States Department of State. These reports rank countries based on perceived efforts to address trafficking in the eyes of the United States, which promotes an abolitionist approach to prostitution (Chuang 2014). New Zealand has always achieved the highest ranking possible, but TiP reports have frequently claimed that the country is a destination for “sex trafficking” (e.g. USDOS 2018, 323). While the New Zealand government has criticised the validity of this claim, some brothel raids are motivated by TiP reports (Armstrong 2018, 85-86).

For instance, the TiP report of 2006 recommended that the New Zealand government “measure the extent to which foreign women and children under the age of 18 may fall victim to trafficking for sexual exploitation” (USDOS 2006). In response, New Zealand

undertook “targeted raids” of “brothels suspected of employing foreign sex workers” (McCormick, 10 April 2007). Between August 2006 and February 2007, brothel raids “identified 31 persons working illegally [as migrant sex workers] in nine premises. All were from Asia, and none were identified as trafficking victims” (Keegan, 2 March 2007). In short, the aforementioned TiP report led to raids that targeted migrant Asian sex workers.

TiP reports also catalysed the Plan of Action to Prevent People Trafficking, which the Department of Labour released in 2009 after at least three years of planning (DOL 2009). The long drafting of the plan was informed by “a national intelligence collection process designed to provide the New Zealand government with further information on trafficking in this country” (MOJ, 1 March 2007). Consistent with TiP reports at the time, intelligence collection focused on the sex industry, where an “increase in law enforcement activity [was] directed at foreign nationals and underage youth engaged in prostitution” (McCormick, 7 March 2008). Evidence of these law enforcement activities was documented in confidential correspondence about TiP reports that has been obtained and released by Wikileaks (ibid; Keegan, 13 February 2009). Based on this evidence, Table 2 shows numbers of “compliance visits” to premises of commercial sex (i.e. brothel raids) between June 2006 and December 2008; foreign nationals found to be working illegally in those premises; and foreign nationals who left New Zealand versus those who were able to remain in the country:

**Table 2: “Compliance visits” and subsequent deportations of migrant sex workers
between June 2006 and December 2008**

Source	Period of time	Number of “compliance visits” to commercial sex premises	Number of foreign nationals working illegally	Number of foreign nationals who left NZ	Number of foreign nationals who remained in NZ
Bill McCormick (US Ambassador). 7 March 2008. Response to US Department of State’s Questionnaire about Trafficking in Persons in NZ.	June 2006 - December 2007	76 compliance visits to brothels	92 foreign nationals	“Of those [92 foreign nationals], the government revoked 47 entry permits (the holders then departed NZ or were deported) and 33 persons without entry permits either departed NZ or were deported.”	“The 12 remaining holders of entry permits (some of them students) were allowed to remain in New Zealand on humanitarian grounds or given a second chance.”
David Keegan (Acting Ambassador to the US). 13 February 2009. Response to US Department of State’s Questionnaire about Trafficking in Persons in NZ.	January 1, 2008 - December 31, 2008	21 compliance visits to “brothels, homes and any premises associated with the sex industry”	9 foreign nationals	“Of those [9 foreign nationals], the government revoked one entry permit (the holder then departed NZ or was deported) and three persons without entry permits either departed NZ or were deported.”	“Three had temporary permits revoked but are still unlawfully in New Zealand. The two remaining holders of entry permits were allowed to remain in New Zealand on humanitarian grounds or given a second chance.”

Overall, between June 2006 and December 2008 there were 97 “compliance visits” to commercial sex premises, resulting in the detection of 101 foreign nationals found to be working illegally. Of these migrant sex workers, only 14 were allowed to remain in New Zealand on humanitarian grounds or given a “second chance,” while the rest were deported or left the country in some other way.

These migrant sex workers were not identified as victims of trafficking, as United States Ambassador Bill McCormick explained in the following account of brothel raids in major cities in late 2007:

In November 2007, the Department of Labour and police simultaneously raided nine massage parlours in Auckland, Wellington and Christchurch looking for foreign nationals and underage persons illegally engaged in prostitution. Seven of the establishments contained foreign nationals working unlawfully as prostitutes (from Hong Kong and China with visitor or student visas). No underage sex workers were discovered. Interviews of the violators failed to reveal evidence of trafficking, and those working illegally were immediately deported. Interviews also indicated that the principal motivation was financial - i.e., to assist their families or support their studies in NZ. They controlled their earnings, held their travel documents and resided independently from the business until their departure from New Zealand (McCormick, 7 March 2008).

According to McCormick’s account, the above “compliance visits” failed to uncover evidence of trafficking: rather, these brothel raids resulted in deportations of migrant Asian sex workers who were punished as “violators” of immigration law.

Another wave of brothel raids and subsequent deportations occurred around the time of the Rugby World Cup in 2011, when authorities and anti-trafficking advocates expected to see an increase in demand for prostitution (Anderson, 11 August 2010; Tan, 17 May 2011). Between August 2011 and December 2011, “Operation Twizel” aimed “to target foreign nationals working in the sex industry throughout NZ” (NZG 2012, 30). Across the country, 35 brothels were visited and 42 foreign nationals were found to be working in breach of their visas, and they were predominantly from China and Hong Kong (ibid). Of these 42 migrant

sex workers, 13 were deported or made liable for deportation (ibid). According to interviews with Immigration Compliance Officers, these women engaged in sex work “of their own volition” and they did not make “any allegations of mistreatment or exploitation” (ibid).

Since Operation Twizel, “business as usual” brothel visits and enforcement activities” have continued in the sex industry (NZG 2014). Between the Rugby World Cup and April 2012, Immigration Compliance Officers visited eight brothels in Auckland, resulting in the detection of 21 foreign nationals working in breach of their visas (Tan, 26 April 2012). Of these 21 migrant sex workers, the majority were served deportation liability notices, and the most common countries of origin were once again Hong Kong and China (ibid).

Taken together, the available evidence suggests that migrant sex workers from China and Hong Kong are the most frequently encountered group in brothel raids (McCormick, 7 March 2008; NZG 2012, 30; Tan, 26 April 2012). This is consistent with a survey of migrant sex workers in New Zealand that identified China and Hong Kong as the most common countries of origin among sampled participants (Roguski 2013, 39). However, law enforcement may target ethnic Chinese women because of their visibility as migrants. They are also visible because, regardless of immigration status, sex workers must openly advertise their services in order to attract clients (Healy, Wi-Hongi and Hati 2017, 57), and Immigration New Zealand officials may review this advertising in order to identify migrant sex workers (Armstrong 2018, 95).

Finally, while Immigration New Zealand states that its compliance teams visit brothels in part “to ensure that the owners/operators of the parlours are complying with their obligations under the Immigration Act,” the agency also reports that “There have not been any employers prosecuted for aiding and abetting illegal sex workers to breach the conditions of their permits” (MBIE, 29 May 2018). Rather, punishment is directed towards migrant sex workers who are deported for providing commercial sexual services in breach of their temporary visas.

Deportations

As criminologist Lynzi Armstrong has observed, the prohibition of temporary migrant sex work is “not aggressively policed, [but] the possibility of deportation is not an idle threat” (Armstrong, 6 June 2018). Indeed, information recently released by Immigration New Zealand (INZ) indicates that:

During the past three years, INZ has served deportation liability notices to 38 people on temporary visas who were found to be engaging in sex work. Of those 38, 27 have been deported or have left voluntarily, while the other 11 are awaiting an outcome on their case (Walters, 6 June 2018).

Table 3 indicates the nationality and type of deportation or departure for the 27 temporary migrant sex workers cited above.

Table 3: Deportations over three years to 6 June 2018

Nationality	Deported	Self-deported	Voluntary departure	Total
China		1	5	6
Hong Kong	1	2	4	7
India	1			1
Macau		2		2
Malaysia			1	1
Taiwan	2	2	5	9
Thailand	1			1
Total	5	7	15	27

SOURCE: Immigration New Zealand, as cited in Walters (6 June 2018).

Two observations are noteworthy here. First, the most common type of deportation or departure is what Immigration New Zealand euphemistically refers to as “voluntary departure.” Second, we can see that all of the 27 temporary migrant sex workers originate from Asia, with the most common countries of origin being Taiwan (n = 9), followed by Hong Kong (n = 7) and China (n = 6). That Asia is the sole region of origin among temporary migrant sex workers who have been deported in the past three years indicates racial disproportionality in law enforcement, given that the population of migrant sex workers in

New Zealand includes people from all regions of the world (Roguski 2013, 39).³ Indeed, some migrant Asian sex workers feel they are being targeted by deportations (Tan, 5 June 2018).

Deportation can be harmful in a number of ways. In order to be deported, a migrant sex worker must be served a Deportation Liability Notice stating that she was found to provide commercial sexual services in breach of the conditions of her visa (Roguski 2013, 31). As a result, involvement in prostitution may be permanently attached to the immigration record of the deported migrant sex worker, which may stigmatize her as well as restrict her ability to travel in the future (NZPC 2018, 10). Further, some migrant sex workers who were international students were deported shortly before completing their qualifications in New Zealand (Bennachie 2018; Walters, 6 June 2018). This curtailed education harms not only the deported migrant sex workers, but also their families who have supported their education at considerable cost (Healy, Bennachie, and Wi-Hongi, 9 November 2017).

Identifying victims of trafficking

The preceding section has shown that, as a result of Section 19 of the PRA, travellers are profiled, brothels are raided, and migrant sex workers are deported. While these law enforcement activities are often framed as anti-trafficking measures, no cases of trafficking into New Zealand's sex industry have been identified to date (Armstrong 2018, 105; PLRC 2008, 167). Why are there no officially certified victims of trafficking in the sex industry? Answering this question requires some analysis of how such victims are identified by police and immigration authorities. Note here that Immigration New Zealand is responsible for investigating and prosecuting trafficking (NZG 2016a, 90), while New Zealand Police is the agency that is responsible for certifying victims of this crime (DOL 2009, 16; USDOS 2017, 299).

The New Zealand Police Manual instructs police how to collect evidence of trafficking. Regarding this task, the manual states that a "cognitive interview" should be conducted "to

³ The survey of migrant sex workers in New Zealand (n = 124) found that 86% of the sample came from Asia, with the remaining 14% coming from other regions of the world, namely: Latin America, Europe, the Pacific, North America, and Africa (Roguski 2013, 39).

establish what the victim recalls in terms of what they heard, smelt, felt, and touched *throughout their captivity*. The victim may have been bound, gagged, blindfolded or drugged during their period of captivity” (emphasis added, NZP 2017, 20). This suggests that trafficking is constructed as slavery-like exploitation. A similar inference can be drawn from the website of Immigration New Zealand (INZ, accessed 10/01/2018), which lists the following indicators of “trafficking”:

- Has someone taken your passport and money?
- Are there locks on your doors or windows to stop you from leaving your workplace or where you live?
- Do you need to ask permission to eat, sleep or go to the toilet?
- Do you have no time off, e.g. to go shopping and meet other people?
- Does your employer pay you low wages or none at all?
- Does your employer force you to work to pay off debt?
- Has someone threatened you or your family with violence, jail or deportation if you don’t cooperate?

One problem with these indicators of “trafficking” is that recognition of exploitation is limited to slavery-like conditions of labour. In this way, trafficking can be distinguished from substandard working conditions that are ubiquitous among migrants who lack secure immigration status. Therefore, while trafficking has come to mean exploitation, not all exploitation is deemed to be trafficking; rather, the exploitation that counts must resemble slavery in the eyes of authorities.

Further, the process of being officially certified as a victim of trafficking is highly discretionary. Immigration New Zealand states that “investigators are trained and *use their own experience and observations* to identify potential victims and perpetrators” (emphasis added, MBIE, 29 August 2017). Likewise, New Zealand Police acknowledges that the threshold of victimhood is “subjective” (IWG, 27 January 2009). This discretionary power allows authorities to limit immigration assistance to potential victims of trafficking. The New Zealand Police Manual explicitly instructs police to “Make sure [that] the level of assistance is not excessive” (NZP 2017, 16) because “Potential exists for people (particularly migrants who are smuggled voluntarily) to fraudulently claim to be a victim of trafficking, in order to

access legal immigration status” (ibid, 22). For this reason, “Police certification is required to help reduce the risk of immigration fraud” (NZG 2016a, 90).

Similarly, Immigration New Zealand views migrant sex workers as perpetrators of immigration fraud. This view is made clear on the website for Immigration New Zealand, which provides the following warning about migrant sex work on its page about “immigration fraud”:

People who come to New Zealand on temporary visas aren’t allowed to work in commercial sexual services. Immigration New Zealand investigates sex workers who try to work illegally. We take action against anyone who hires or helps sex workers come to New Zealand. Sex workers working in New Zealand illegally can be deported and may not be able to return (INZ website, accessed 15/06/2018).

Directly underneath this information, the website states that “Anyone who suspects immigration fraud should call Crimestoppers on 0800 555 111.” Thus, migrant sex workers are seen as more akin to criminals than victims in the eyes of Immigration New Zealand.

Finally, no migrants have self-identified as victims of trafficking in New Zealand (MBIE, 29 May 2018; Woodhouse in Hansard, 19 November 2015). As one United States diplomat reported in regards to migrant Asian sex workers, “it is difficult for government officials and NGOs to prove such women are trafficking victims because the sex workers seek to avoid detection (in order to remain in New Zealand) or do not consider themselves victims” (Keegan, 13 February 2009).

Conclusion

In debates about regulating commercial sex, “decriminalisation”, “criminalisation,” “legalisation” may appear vastly divergent, yet migrant sex workers are typically driven underground regardless of the type of legal regime that governs their labour (Bernstein 2007, 145-146). Bringing temporary migrants to the centre of analysis reveals that New Zealand’s model of decriminalisation is not so different from other jurisdictions where policy makers have, on one hand, recognised the right of citizens to lawfully engage in sex work but, on the other hand, excluded non-citizens from that right (Showden and Majic 2014, xx-

xxiii). Thus, as Carisa Showden and fellow political scientist Samantha Majic have noted, an unintended consequence of the PRA is that “distinctions between legal and illegal sex work and sex workers are starker than ever” (ibid, xxiii).

As a result, the subjects produced by the PRA are contradictory. On one hand, citizen and resident sex workers are empowered - and responsabilized - as agentic individuals (neoliberalism) who are entitled to labour rights (“the sex worker voice”) and equal rights (liberal feminism) and capable of mitigating risks to their health and safety (harm minimisation). On the other hand, migrant sex workers are infantilized as victims of trafficking who are subjected to slavery-like exploitation. However, a lack of certified victims suggests that conforming to trafficking discourse is impossible or undesirable for migrant sex workers, despite their vulnerability to exploitation and violence in the absence of rights and protections under the law. Given their inability or unwillingness to embody ideal victims, migrant sex workers are punished as perpetrators of immigration fraud who smuggle themselves into New Zealand to work illegally, thereby violating the immigration system and the borders of the white nation.

Finally, law enforcement of the prohibition of migrant sex work calls into question the claim that the PRA represents “a more consistently liberal policy of minimal intervention with the sexual conduct of genderless free individuals in the marketplace,” as Harrington has argued (Harrington 2012, 343). In regards to migrant sex workers, the PRA has given Immigration New Zealand “more powers than it has ever had”, as then Minister of Immigration Lianne Dalziel boasted after the law came into force (Dalziel in Hansard, 13 August 2003). Prior to the PRA, she pointed out, Immigration New Zealand “would not have been able to cancel the permit[s] and remove” migrant sex workers; however, “We can do that now” (ibid). Thus, the state now has the power to “remove” migrant sex workers, and their deportation is a racialized and gendered form of punishment that disproportionately targets Asian women.

Chapter Two: Literature review on Asian migration, sex work and trafficking in New Zealand

“The police throughout the colony ought to keep a watch on the young girls who frequent Chinese shops ostensibly to buy fruits and groceries. A sudden raid on the inner recesses of Chinese dens occasionally would reveal some strange, if not disgusting, scenes” (Fair Play, 1 October 1894, page 2, as cited in Ip and Murphy 2005, 20).

“Chinese women in New Zealand, like their sisters in Australia, Canada and the USA, continue to be perceived as submissive, easy and eager to please, sexually available, and at the same time, as potentially threatening Others” (Yee 2016, 21-22).

Introduction

In the following chapter I provide an historical overview of Asian migration in regards to prostitution and trafficking in New Zealand. Moving on to contemporary times, I briefly summarize and evaluate feminist debates on migrant sex work and trafficking in New Zealand, with a focus on Section 19 of the PRA. Finally, I review empirical research on migrant sex work and trafficking in New Zealand, noting both strengths and limitations of this research.

Historical overview

Early Asian migration as male migration

Historically, Chinese (Ip 2002) and Indian (Leckie 2007) migration to New Zealand was dominated by men. In regards to the former group, “the male-female ratio of the ethnic Chinese population in New Zealand was extremely unbalanced because Chinese women were restricted by openly discriminatory legislation and selective manipulation of immigration policies until the introduction of new immigration policy in 1987” (Ip and Liu

2008, 32). Most notably, in 1925 women were excluded from a quota of 100 permanent entry permits per annum for Chinese immigrants (Ip 2002, 155). This exclusion reflected that Chinese women were viewed as sexually threatening because their ability to procreate would enable the Chinese population to increase (ibid, 154; Ip and Liu 2008, 35-36; Yee 2016, 17). At the time, “New Zealand aspired to be a “fairer Britain of the South Seas”, a racially pure white nation” (Ip and Murphy 2005, 18).

Due to a combination of discriminatory legislation and geographical remoteness (Ip and Murphy 2005, 43), New Zealand has no history of Chinese women migrating or being trafficked into the sex industry during the late nineteenth and early twentieth centuries (Shum 2003, 78; Ng 1993, 100). Reflecting the unbalanced gender ratio in the Chinese population at that time, Chinese men engaged in sexual and intimate relations mainly with working-class Pakeha and Māori women in New Zealand. Such relations ranged from “casual liaisons and prostitute-client through to long-term cohabitation and marriage” (Shum 2003, 78). These relations were often facilitated by the sex industry, where Chinese men were actively involved not only as clients of sex workers but also, in a few cases, as operators of brothels (Eldred-Grigg and Dazheng 2014).

Asian men as perpetrators of “white slavery”

Both Chinese and Indian men were demonized as sexual predators in a moral panic about “white slavery” during the first decade of the twentieth century, a time of widespread social change due to commercialisation, urbanisation, and modernisation in New Zealand (Dalley 2000). While there was no consensus on the definition of “white slavery”, discourse around the issue conformed to a narrative in which “women [and girls] were invariably innocent, passive victims, while men were callous, inhuman and sexually driven brutes” (ibid, 589). This highly gendered narrative was also distinctly racialized, as the victimized women and girls were either Pakeha or Māori, whereas the predatory men were either Chinese or Indian (Shum 2003, 78; Ip and Leckie 2011, 173). By way of illustration, consider a cartoon entitled “The Yellow Peril” (see Figure 1 below) which was published in 1907 during a wave of campaigns against “Asiatic” immigration (Eldred-Grigg and Dazheng 2014, 157; Ip 2003, 234). The cartoon depicts a Māori maiden, symbolizing New Zealand, being strangled by

“traffick[ing]” and other vices of an octopus, representing Chinese men. That Māori were cast in the role of victims in need of protection reveals that Pakeha assumed the status of benevolent saviours, but their apparent concern for the indigenous people of New Zealand was in fact motivated by racism against the Chinese (Ip 2003, 234-236).



THE YELLOW PERIL.

Figure 1: Goodall, Richard. “The Yellow Peril.” Published in *New Zealand Truth*, 16 February 1907. Reproduced by Te Papa Museum.

Continuing over the first couple of decades in the twentieth century, narratives of “white slavery” were most vividly set in two specific locations that epitomized the intersection of race, sex, and money: Haining Street (a ghetto in central Wellington) and Pukekohe (a market gardening area outside of Auckland). In Haining Street, Chinese men allegedly lured white girls and women into laundries where they were given opium and forced into

prostitution (Shum 2003, 78; Ip and Murphy 2005, 96), whereas in Pukekohe both Chinese and Indian men were accused of enticing Māori women into their employment at market gardens where they were economically and sexually exploited (Ip and Leckie 2011, 171; Brookes 2007). These narratives of “white slavery” conveyed anxiety about both sexual commerce and racial purity in an era of colonial nationalism. Further, the case of Pukekohe revealed how, in order to construct a unified national identity that included both natives and colonizers, Māori were incorporated in conceptions of whiteness that simultaneously excluded the Asian “other” (Brookes 2007, 514).

The Immigration Act 1987 and “new” Asians

Towards the end of the twentieth century, an unwritten white New Zealand policy was finally ended by the Immigration Act 1987 (Ip 1996, 126). In line with globalisation and neoliberalism, the Act introduced a new immigration policy based on individual merit irrespective of racial or national origin (Ip and Liu 2008, 41). By targeting educated, wealthy and professional immigrants, the 1987 policy change and subsequent adjustments have unintentionally recruited an unprecedented number of Asian immigrants (Ip and Murphy 2005, 14). As a result, the Asian population of New Zealand has diversified over recent decades (Ho 2015, 96), and the “new” Chinese and Indian immigrants have come not only from China and India, but also from their global diaspora (Ip and Leckie 2011, 179). Asian migration has also feminised (Badkar et al 2007), leading to more females than males among the Chinese population, although the Indian population still has more males than females (Ho 2015, 103). Feminisation of Asian migration is particularly evident among the Thai, Japanese and Filipino populations (ibid), which is partly a consequence of labour force selectivity (Friesen 2015, 41), but also attributable to intermarriages between women of these Asian ethnicities and New Zealand men of non-Asian ethnicities (Bedford and Ho 2008; Friesen 2008). Indeed, “marriage markets and labour markets have long been a driver of female migration” (Badkar et al 2007, 129).

The first “wave” of migrant Asian sex workers: Thai women

The gendered, racialized and economic nature of both marriage and labour markets intersected in the lives of Thai women who migrated into New Zealand for sex work and/or heterosexual relationships following the liberalisation of immigration policy (Menasveta

2002). In 1987 New Zealand and Thailand adopted a policy of reciprocal “visa-free entry” for visitors from each country, and this led to a flow of Thai women migrating into Auckland in particular, where some engaged in sex work (PLRC 2005; Jordan 2005; Coppedge 2006). By mid-1999, police claimed that 500 Thai sex workers were located in Auckland (as cited in PLRC 2005, 36). Some Thai women worked in the sex industry to pay off debt incurred through their migration, and they were vulnerable to exploitative working conditions in massage parlours or brothels, according to health workers, NZPC, and police (Coppedge 2006, 61; Jordan 2005, 48). This exploitation raised concerns about trafficking (MOJ 2002, 13). While police identified no cases of “trafficking”, they reported in 2001 that migrant Asian sex workers may work “extremely long hours in substandard conditions with little or no control over their terms of employment” (as cited in Coppedge 2006, 62). News media stoked fears that Thai women “held in virtual sex slavery are contributing to the spread of AIDS” (Wall, 30 June 2000), and in order to reduce numbers of these migrant sex workers, New Zealand rescinded “visa-free entry” for Thai nationals in 2001 (Jordan 2005, 49). This rescindment marked the decline of the population of migrant Thai sex workers in New Zealand (PLRC 2005, 50), and subsequently they have been less frequently depicted as victims of “sex slavery” in discourse around “trafficking”.

The second “wave” of migrant Asian sex workers: Chinese women

This discourse has reverted to its historical focus on Chinese immigrants, but the language of “white slavery” has been replaced by “trafficking”, and contemporary narratives of this crime tend to emphasize female victims more than male perpetrators. This discursive shift mirrors a gender ratio reversal in which females now outnumber males among the Chinese population of New Zealand, in part because of transnational family patterns, but also because of young Chinese women who migrate on their own initiatives (Ip and Liu 2008, 32-42; Ho 2015, 103). These demographic trends have contributed to an increase in Chinese sex workers and brothel operators, particularly in Auckland (Jordan 2005, 49; Roguski 2013, 39). Their growing presence in the local sex industry coincided with burgeoning private sex work in residential areas (Abel and Fitzgerald 2012, 7; Healy, Wi-Hongi and Hati 2017, 53), and the combination of these changes has led to a backlash against Asian women who engage in sex work and/or operate brothels in the more “respectable” suburbs of Auckland (Tan, 12 August 2018; Orsman, 8 December 2011; Chuang, 9 September 2013). This backlash has

been voiced not only by residents, but also by opponents of both the PRA and Asian immigration who claimed that suburban brothels were managed by “Chinese gangs”: a claim they circulated around the time of the PRA’s review (Fleming, 28 September 2006; Coddington, December 2006; Instone and Margerison, June 2007). While politicians and news media periodically assert that migrant Asian sex workers are “trafficked” by “the tongs and triads in China” (Satherley, 15 June 2018; Davison, 25 June 2013), limited evidence for this assertion indicates that anti-Chinese sentiment is expressed through narratives about organised criminality and sexual deviance of Chinese “pimps”.

International students as migrant Asian sex workers

The trope of Chinese “pimps” provides discursive foil for Asian international students who work in New Zealand’s sex industry. The latter are ambivalently constructed by news media as naïve, cheap, compliant, contagious and either financially desperate or highly consumerist young Asian women (Tan and Middleton, 12 May 2006; Easterbrook-Smith 2018). Following the enactment of the PRA, End Child Prostitution and Trafficking (ECPAT) claimed that some international students were selling sex – and their virginity - to support themselves (Saphira and Wang 2004, 4). Police, however, suspected that “people intending to work in the sex industry in New Zealand use student visas as a way of entering the country” (PLRC 2005, 36). While not denying this possibility, NZPC has observed that sex work fits into the study schedules of international students (Barnett, et al 2010, 71), who are frequently unaware that working in the sex industry breaches the conditions of a student visa (Reidy, 18 March 2018), and yet these students are unable to complete their qualifications if they are deported for engaging in sex work (Walters, 6 June 2018). Although China has consistently been the largest source of international students in New Zealand, there has been a significant increase in international students from India in recent years (Friesen 2015, 14-16), and news media has reported that some Indian women students resort to sex work because of debt and unemployment (Radio New Zealand Voices 2016; Gerritsen 2016).

Migrant Asian sex workers as “others”

Concern about vulnerable migrant Asian sex workers has emerged alongside resentment towards their allegedly cheap labour. At the time of writing, some citizen sex workers

campaigned against “being undercut and crowded out by foreign prostitutes”, as reported by news media (Radio New Zealand, 31 May 2018). These “foreign prostitutes” are implicitly constructed as Asian women who supposedly outnumber their “Kiwi” counterparts based on the number of “Asian” versus “non-Asian” sex workers who advertise on the main sex work website in New Zealand (One News, 31 May 2018). Yet the “non-Asian” sex workers may be migrants, while the “Asian” sex workers may be New Zealanders, and the binary between the two groups demonstrates how “Asian” is commonly conflated with “outsider” (Ip and Leckie 2011, 181). This “othering” is further evidenced by a website that urges citizen sex workers to report suspected migrant sex workers to Immigration New Zealand, thereby attempting to instigate vigilante action (Anonymous, 14 August 2017; see also Bateman and Hurley, 1 May 2018). A counter-campaign has emerged, however, in which citizen sex workers have shown solidarity with their migrant counterparts and concern for their lack of rights (Tan, 20 June 2018; Plays, 22 June 2018). Yet the voices of migrant sex workers have been absent in this debate. And by positioning these predominantly Asian women as either exploited or deviant immigrants, “Kiwi” women who work in the sex industry cast themselves as liberated sex workers or law-abiding citizens.

Feminist debates on migrant sex work and trafficking in New Zealand

Migrant Asian sex work currently takes place in a context of widening economic inequality (MSD 2016), growing Asian and ageing Pakeha populations (Friesen 2015), and diversifying forms of commercial sex that have accompanied cultural shifts in the construction of gender, sexuality, and commodification (Farvid 2017). These widespread changes have aroused considerable anxiety that underpins discourse around “trafficking” of migrant sex workers in contemporary New Zealand. This discourse is also embroiled in a global debate about policy approaches towards prostitution in which New Zealand represents the model of decriminalisation. Opponents of decriminalisation include radical feminists and the Coalition Against Trafficking in Women (CATW), while supporters of decriminalisation include pro-rights or liberal feminists, namely NZPC and the Global Alliance Against Traffic in Women (GAATW), respectively. In research and advocacy about migrant sex work in New Zealand, debate centres on the meaning, incidence, and prevention of trafficking.

Radical feminists

Radical feminists and CATW view trafficking as an issue of violence against women in prostitution, rather than a problem of labour rights for migrant sex workers (Farley 2009; Raymond 2018; Bindel 2017; Thorburn 2017, 2018; Gerlich, January 3, 2018; Instone and Margerison 2007). As Melisa Farley argues, “This view that prostitution is labour skirts recognition of the fact that the institution of prostitution promotes and cements sex and race inequality. Trafficking expands and markets women’s sexual exploitation and their subordination to men” (Farley 2009, 311). Thus, prostitution is understood as inherently violent, both symbolically and literally. Given that trafficking is an extension of this violence, “Theoretical distinctions between prostitution and trafficking simply do not exist in the real world” (ibid, 314). In short, radical feminists conflate trafficking with prostitution.⁴

As a result of this conflation, an apparent increase in the population of migrant sex workers is attributed to “trafficking” in research and advocacy by radical feminists. Consider the following statement by Julie Bindel: “There is evidence of an increase in migrant women being prostituted in New Zealand, but the government does not consider this an indicator of trafficking” (Bindel 2017, 116). Compounding this conflation is radical feminists’ use of dubious evidence. For example, Natalie Thorburn claims that “Thai girls” have been “trafficked into Aotearoa for sexual purposes” (Thorburn 2018, 6), but the source of this claim is “a number of telephone calls from health personnel reporting incidents of Thai girls... who had been subjected to sexual violence” (MOJ 2002, 13). Similarly, Renee Gerlich asserts that “Chinese women constitute the largest number of trafficked persons in New Zealand” (Gerlich, 3 January 2018), but in support of this assertion she cites an anecdotal report of “a hell of an operation the Chinese have got going on in New Zealand” (Stringer 2016, 33).

Despite a lack of rigorous evidence, radical feminists argue that the PRA has increased the likelihood of trafficking into prostitution in New Zealand (Farley 2009; Bindel 2017; Gerlich, January 3, 2018). This argument assumes that “Traffickers and pimps can easily operate with impunity when prostitution is legal” (Farley 2009, 313). Following this logic, radical feminists

⁴ In the work of Natalie Thorburn, this conflation is limited to underage prostitution.

support Section 19 of the PRA, which prohibits temporary migrants from lawfully working in New Zealand's sex industry. Janice Raymond, former co-director of CATW, opines that "If Section 19 is removed from the law, sex trafficking will become just as invisible as prostitution, by rebranding it as "migrant sex work" (Raymond 2018, 8). Further, Raymond alleges that "The NZPC's recent campaign [to repeal Section 19] effectively seeks to decriminalize trafficking" (ibid, 7).

Liberal feminists

In contrast, liberal feminists distinguish between trafficking and migrant sex work, which are framed as issues of migration and labour rights (NZPC 2018; Armstrong 2018, 2017b; Healy, Wi-Hongi and Hati 2017; Roguski 2013; Bennachie 2018, forthcoming). Allied researchers of NZPC emphasize the agency of migrant sex workers (Roguski 2013, 58), while interrogating "mundane forms of exploitation" experienced by these workers (Armstrong 2018, 87). These researchers argue that discourse around trafficking obscures the precarious legal status of migrant sex workers that renders them vulnerable to violence and exploitation.

While recognising this vulnerability, allied researchers of NZPC maintain that "despite intensive investigations by Immigration New Zealand, no cases of trafficking [into sex work] have been identified to date" (Armstrong 2018, 89). This is consistent with results of a survey of migrant sex workers in New Zealand (Roguski 2013, 56), as well as observations of NZPC staff in their frequent interactions with migrant sex workers around the country (Healy, Wi-Hongi and Hati 2017, 54). "By listening to what these sex workers themselves say about their lives, we therefore conclude they are not victims of trafficking," writes Dame Catherine Healy and other representatives of NZPC (ibid, 54). However, while no evidence of trafficking has emerged thus far, "NZPC has encountered several migrant sex workers who have been victims of sexual violence and exploitation who have not spoken out or reported the incidents to the police for fear of the police notifying Immigration New Zealand (INZ) of their breach of their visa conditions" (NZPC 2018, 10).

Given this lack of labour rights and access to justice, allied researchers of NZPC argue that Section 19 of the PRA "creates conditions that are conducive to trafficking, rather than protecting against it" (Armstrong 2018, 96). Further, Section 19 "discriminates against

migrant sex workers, who may be eligible to work in Aotearoa/New Zealand in any occupation other than sex work” (Healy, Wi-Hongi and Hati 2017, 57). While NZPC frames Section 19 as discrimination based on occupation, GAATW frames the law as “an anti-immigrant measure” that discriminates based on immigration status (Stacey and Gerasimov 2018, 30). These different interpretations of Section 19 reflect that NZPC emphasizes sex workers’ right to equality with other occupational groups in New Zealand, whereas GAATW stresses sex workers’ right to mobility and livelihood under global capitalism.

Evaluating feminist debates

While radical feminists usefully draw attention to “structural inequalities of sex, race, and class in trafficking for prostitution” (Farley 2009, 312), they leave no room for agency in this structural analysis, which conflates “trafficking” with “prostitution” under the rubric of violence against women. As a result of this conflation, radical feminists support Section 19 of the PRA in order to prevent prostitution and, by extension, trafficking of migrant women. In contrast, these phenomena are conceptually distinct from one another in the analyses of liberal feminists, who argue that violence against women can be minimized by improving the labour conditions of migrant sex workers, thereby reducing their vulnerability to exploitation and trafficking. While liberal feminists usefully critique discrimination against migrant sex workers under Section 19 of the PRA, this focus on legal inequality overlooks other structural inequalities that are more fully recognised by radical feminists.

Empirical research on migrant sex work in New Zealand

In New Zealand, liberal feminism has strongly shaped research on sex work, which has been led by NZPC and allied researchers who have adopted participatory approaches that aim to give a voice to sex workers in policy that affects them (Harrington 2012). Yet this voice has rarely included *migrant* sex workers, whose absence was particularly notable in research that evaluated the impacts of the PRA. In order to inform the Prostitution Law Review Committee, Gillian Abel and other researchers from Christchurch School of Medicine partnered with NZPC to conduct a major survey of sex workers in New Zealand (n = 772), which found that over 90% of participants felt they had increased rights under decriminalisation (Abel, Fitzgerald and Brunton 2007, 13). However, migrant sex workers

were excluded from this survey if their “English was not sufficient to understand the questions without the aid of an interpreter” (ibid, 7). Further, “Asian [sex] workers and some Asian [brothel] operators were also suspicious of the research and in most cases, even when their English was sufficiently good, refused to take part in the survey” (ibid, 55-56). Despite limited representation of migrant Asian sex workers in research that evaluated the PRA, the Prostitution Law Review Committee concluded that, on the whole, “the vast majority of people involved in the sex industry are better off under the PRA than they were previously” (PLRC 2008, 168). This conclusion reflected that migrant sex workers were largely invisible in research at the time.

Since the enactment of the PRA in 2003, only two empirical studies have focused on migrant sex workers (Armstrong 2018; Roguski 2013). Barriers to their participation in research include limited ability to speak English, short period of stay in New Zealand, and illegal status of those who hold temporary visas (Abel, Fitzgerald and Brunton 2010, 164; Armstrong 2017b, 72). Perhaps more importantly, NZPC’s research agenda in the years following the PRA focused on defending the rights of citizen sex workers, but increasing institutionalisation of decriminalisation over time has opened up space for NZPC and allied researchers to turn their attention to the needs of migrant sex workers. This shift has also been given impetus by discourse around trafficking into New Zealand’s sex industry.

In late 2011 NZPC commissioned the first study on migrant sex workers in New Zealand (Roguski 2013). Using a mixed method approach, Michael Roguski conducted 12 in-depth semi-structured interviews with key informants, a review of anonymised migrant sex workers’ sexual and reproductive health records, and a survey of migrant sex workers in Auckland, the central North Island and Wellington (ibid, iv). Survey participants were recruited through NZPC, and they were required to be migrant sex workers aged eighteen years and over, having lived in New Zealand for no more than six years, and having worked in the sex industry over the last five years (ibid, 25-26).

The second study of migrant sex workers was commissioned by GAATW as part of a multi-country project about community organising and responses to exploitation among sex workers (Armstrong 2018). Using a participatory approach, Lynzi Armstrong carried out nine

in-depth interviews with NZPC representatives, current sex workers, and an external key informant from a faith-based organisation (ibid, 73).

In the remaining chapter I extensively review the survey findings of Roguski (2013) because they are based on empirical data collected directly from a large sample of migrant sex workers in New Zealand. Where relevant, Roguski (2013) is compared with a major survey of non-migrant sex workers in New Zealand (Abel, Fitzgerald and Brunton 2007). I also draw on other scholarly research, as well as observations of NZPC, in order to supplement and contextualize the limited information on migrant sex work in New Zealand.

Demographics of migrant sex workers

The survey by Roguski (2013, 39) provides insight into the demographic characteristics of migrant sex workers in New Zealand. Survey participants (n = 124) were almost exclusively female (99%), with only one transgender person and no men. The sample included participants from Latin America, Europe, the Pacific, North America and Africa, but the majority were born in Asia (86%), with mainland China being the most common country of origin (n = 65), followed by Hong Kong (n = 17) and Thailand (n = 11). The preponderance of Chinese participants is consistent with NZPC's observation that migrant sex workers in New Zealand are mostly Chinese women (Tan, 11 April 2011). However, the underrepresentation of male and transgender participants reflects that sex workers of these genders tend to work in the private sector, where they are more difficult to recruit by researchers (Abel, Fitzgerald and Brunton 2007, 55).

Roguski (2013, 23-24) indicates that migrant sex workers are diverse in regards to their age range, education level, previous occupation, and family situation. Around half of the survey participants were aged between 25 and 39 years (51%), but a third were aged over 40 years (33%). The sample was fairly well-educated, with participants most commonly achieving a tertiary qualification (41%), and a minority having no more than primary school education (11%). Participants held a range of occupations prior to migrating, with only one in ten working as a sex worker in a country other than New Zealand (ibid, 41). While almost a quarter of participants were either divorced, separated or widowed (24%), and just over half

had one or more children (55%), the survey did not establish whether any of these women were single mothers.

Roguski (ibid, 24) reveals a variety of immigration statuses among migrant sex workers. The majority of survey participants held some type of temporary visa, namely a student visa (27%), visitor visa (19%), or work visa (13%), indicating that they worked unlawfully in sex work. However, over a third of participants were either a permanent resident (25%) or citizen (11%), indicating that they worked lawfully. Yet news media focus almost exclusively on the illegality of migrant sex workers (Easterbrook-Smith 2018, 124), thereby obscuring those who are legally entitled to work in New Zealand's sex industry. Conversely, news media frequently represent migrant sex workers as international students (ibid, 123- 150), yet participants who held a student visa comprised less than a third of the sample. It is also noteworthy that less than one fifth of participants held a visitor visa because "Anecdotally there are networks of sex workers from Asia, Eastern Europe and Latin America who enter New Zealand on visitor visas and work in the sex industry for the length of time granted under their visitor visa" (Stringer 2016, 33). Unfortunately, the survey did not establish whether participants migrated specifically for sex work.

Motivations, means, and cost of migration

Importantly, Roguski (2013, 42) demonstrates that a wide range of factors underpin the mobility of migrant sex workers.⁵ Unsurprisingly, economic factors were the most common motivations for leaving countries of origin, including a need or desire to support family; to get a higher paying job; and to address unemployment and/or debt problems (37%). However, leaving was also motivated by factors that were not purely economic, including study (26%); travel (20%); and moving with family (16%). Similarly, coming to New Zealand, rather than to some other destination, was motivated by varied factors. These included knowing someone here (35%); better employment here (28%); better education here (19%); being with family here (15%); being in a marriage here (10%); and easier to obtain a visa here (8%).

⁵ The survey instrument allowed participants to select more than one reason for leaving their countries of origin and, likewise, more than one reason for migrating to New Zealand.

Overall, the findings of Roguski (ibid, 43-44) indicate that tourism, education, marriage, and labour markets facilitate the movement of migrant sex workers. Among survey participants, ways of entering New Zealand included travelling as a tourist (44%); enrolling in an education course (27%); getting married (15%); and getting sponsored by an individual or workplace (11%). However, just two percent of participants reported that a boss had assisted in securing a visa. And although nine percent of participants used a broker for this purpose, participants most commonly arranged a visa themselves or with help of a family member, partner or friend. Most participants had travelled to New Zealand alone (62%), and just one arrived with a sex worker while none arrived with a boss. Further, the majority of participants (66%) reported that they had spent less than \$10,000 to travel, enter, and start working in New Zealand. Only a minority (14%) reported a cost greater than \$10,000, and of these participants, most were students (ibid, 44).

Motivations for migrant sex work

Roguski (2013, 48-49) found that migrant sex workers reported various motivations for sex work, but the most common (76%) was to pay for household expenses. Economic motivations were also reported by non-migrant sex workers in New Zealand (n = 772) who were surveyed in order to evaluate the impacts of the PRA (Abel, Fitzgerald and Brunton 2007). A comparison of these New Zealand sex workers with their migrant counterparts (Roguski 2013, 48-49) indicates that earning or saving money were rated highly by both groups. However, New Zealand sex workers appeared to be more likely to appreciate flexible hours, sociable colleagues and enjoyable sex, whereas migrant sex workers were more likely to report that sex work was a way of paying for education and earning a living in the absence of alternative sources of income (ibid). This comparison suggests that, *in relative terms*, New Zealanders are more attracted to social and sexual dimensions of sex work, while migrants are motivated less by intrinsic qualities of sex work than by a lack of viable economic options.

Significantly, none of the migrant sex workers reported being “made to work by someone” (Roguski 2013, 48), and this was the case for only 1.4% of New Zealand sex workers (Abel, Fitzgerald and Brunton 2007, 90). These findings suggest that coercion in sex work is very rare when the problem is individualized (i.e. “made to work by *someone*”). However, if

coercion is defined in structural terms (i.e. “made to work by *a lack of options*”) the problem can be understood as more prevalent. Consider that 39% of migrant sex workers reported staying in the sex industry because they had “no other income”, compared with 26% of New Zealand sex workers (Roguski 2013, 49). It is fair to assume that these sex workers did not necessarily “choose” to work in the sex industry, but nor were they “trafficked” into it.

Contrary to narratives of debt bondage in discourse around trafficking, Roguski found that only a small proportion of migrant sex workers (6%) reported that their income was spent on repaying debt that had been incurred through migrating to New Zealand or securing a current job (ibid, 52). Survey participants most commonly used the majority of their income to support themselves and their family in New Zealand (43%); followed by family outside of the country (28%); savings (28%); and education (19%) (ibid, 53). These expenditures may reflect the circumstances of mothers and international students in the sample; recall that 55% had children and 27% held a student visa.

Working conditions in migrant sex work

Roguski (2013, 50) found that survey participants most commonly worked in private houses (40%), followed by massage parlours (34%); brothels (10%); motels (6%); and escort (agencies) (2%), whereas very few worked on streets (2%). This finding reflects that migrant sex workers typically work indoors in New Zealand. Another salient finding is that over two thirds of participants (70%) reported having a boss (ibid, 45). Working under management may indicate that migrant sex workers are not able to rent houses, open bank accounts, and speak fluent English (personal communication with NZPC, 28/08/2018). These practical considerations – rather than trafficking – explain why migrant sex work is often facilitated by third parties.

In contrast to migrant sex workers, New Zealand sex workers are less likely to work under management by third parties. Based on the aforementioned survey of New Zealand sex workers (n = 772), researchers estimated that over half of this population worked in the managed sector (53%), while over a third worked in the private sector (32%), and roughly one tenth worked in the street-based sector (14%) (Abel, Fitzgerald and Brunton 2007, 60). However, these figures may be outdated. As NZPC has recently observed, “While it is still

true that the majority of sex workers work in managed situations with brothel operators, there has been a tremendous growth in the number of people opting out of the bigger brothels to work for themselves, or with other sex workers, from their home or from an apartment” (Healy, Wi-Hongi and Hati 2017, 53). However, the geographical distinction between the managed sector and the private sector is less pronounced in regards to migrant sex workers, who are frequently managed by third parties in private houses in Auckland, as documented by Roguski (2013, 45-50).

Key indicators of labour conditions include not only working hours and client numbers, but also the degree of control that migrant sex workers exercise over these aspects of their work. Roguski (2013, 46) found that survey participants most commonly worked five or six days a week (44%), but one in ten worked seven days a week. And while participants most commonly saw between 10 and 19 clients per week (43%), almost one quarter (23%) saw between 20 and 29 clients per week. Roguski suggested that long hours and high numbers of clients indicate migrant sex workers’ intention to earn as much money as possible before leaving New Zealand (ibid, 57). However, Armstrong (2018, 90) has pointed out that while migrant sex workers may earn a lot of money, they may also be expected to make themselves available for work at all times. There is greater potential for this “mundane” exploitation (ibid, 87) of migrant sex workers given their concentration in the managed sector of the sex industry.

In regards to this sector, Gillian Abel has observed “a remarkable shift in the balance of power between workers and brothel operators” following decriminalisation (Abel 2014, 585). However, some workers in managed brothels continue to report that “some managers coerce sex workers into accepting more clients than desired, and in working longer hours through the use of shift fees, fines, and bonds upon commencement of employment”, despite these practices being illegal under the PRA (Zangger 2015, 141). And while decriminalisation has strengthened the ability of managed workers to refuse clients (Abel, Fitzgerald and Brunton 2007, 117), the Prostitution Law Review Committee (2008, 45) noted that there still are “good” and “bad” managers in regards to allowing workers to exercise this right. Unfair managerial practices may contribute to occupational mobility from the

managed sector to the private sector, where workers “are less vulnerable to exploitation by others” (Abel and Fitzgerald 2012, 15; Healy, Wi-Hongi and Hati 2017, 53).

While Roguski (2013, 57) emphasized “a lack of exploitation and/or coercion” of migrant sex workers, he did note that five percent of surveyed participants reported that their workplace did not allow them to refuse clients, and just less than ten percent of participants mistakenly believed that it was legal for their workplace to fine them (ibid, 47). Further, four percent of participants reported not having easy access to their passports, although the survey did not identify the circumstances around this lack of access (ibid, 57). As a result, the findings were unclear as to whether the passports were forcibly confiscated or consensually stored by employers or other actors. However, NZPC and police have assisted migrant sex workers whose passports have been withheld by brothel operators who attempt to restrict the workers’ mobility (Armstrong 2018, 93-94; Bonnett, 17 May 2018). Thus, as Armstrong (2018, 90) has concluded, “While migrant sex workers are diverse in their experiences and circumstances, they can encounter working conditions that would be considered unacceptable to most local sex workers.”

Clients of migrant sex workers

Roguski (2013, 50) reported that migrant sex workers typically service clients of mixed ethnic backgrounds (56%), although a significant proportion of survey participants serviced exclusively Pakeha (26%) or Asian (17%) clients. Tellingly, the survey did not inquire about the gender of clients. Yet in a white settler society such as New Zealand, relations between clients and migrant sex workers are structured by both race and gender in particular ways. While scholars note the existence of male demand for Asian women in New Zealand (Jordan 2005, 47; McSherry and Cullen 2007, 208), the colonial dynamics that underpin this phenomena have not provoked much discussion in a society that naturalizes the demand side of sex work (Harrington 2012, 341). While avoiding polemical debates about male demand, NZPC has pointed out that decriminalisation allows clients to alert authorities to exploitation or perceived trafficking of migrant sex workers (Healy, Wi-Hongi and Hati 2017, 55). However, decriminalisation is also limited by Section 19 of the PRA, which enables abusive clients to take advantage of migrant sex workers and their aversion to reporting violence to police for fear of being deported (Armstrong 2018, 91). As a result, migrant sex

workers can be blackmailed and their services can be extorted by abusive clients (ibid). Some of these clients target migrant sex workers not only because of their precarious legal status, but also because of their racialized and gendered construction as docile Asian women (ibid). As one migrant Chinese sex worker explained to Armstrong:

“Because I’m Asian some clients they travel to Asian country before and they especially like Asian girls cos they think they can do what they wanna do. Cos normally we no like Kiwi girls that really know that we have these rights to say ‘no’” (ibid).

This sexual passivity is not inherent in Asian women; rather, it is produced by discriminatory law that disempowers migrant sex workers in their interactions with clients (ibid). None of this suggests that clients are a particular class of deviant men; however, more research is needed on the intersection of gender, race and violence in regards to clients and migrant sex workers who work without the protection of the PRA.

Sexual health of migrant sex workers

Finally, it is necessary to point out that migrant sex workers are not vectors of disease who “[offer] unprotected sex and put Kiwis at risk of sexually transmitted infections”, as reported in news media (Tan, 4 December 2015; see also Easterbrook-Smith 2018). Contrary to this stereotype, Roguski found that almost all surveyed migrant sex workers (98%) always used condoms while working (ibid, 47). Additionally, Roguski reviewed sexual and reproductive health records and found “no indication that migrant sex workers are at any greater risk of infection than non-migrants” (ibid, 58). Together, these two findings suggest that “migrant sex workers engage in high levels of safer sex behaviour” (ibid, 37). However, health professionals reported that, following the enactment of the PRA, reaching migrant sex workers became more difficult (Mossman 2010, 127). Indeed, emerging research shows that some migrant sex workers avoid seeking treatment or disclosing their occupation to doctors for fear of being deported, indicating that Section 19 of the PRA is a barrier to healthcare for this population (Bennachie 2018, forthcoming).

Conclusion

Rejecting discourse around trafficking, Roguski (2013, 56) concluded that “The survey’s results provide a strong indication that participating migrant sex workers have entered New Zealand of their own volition, and are generally happy in their work and workplaces”. Taking a more nuanced view, Armstrong (2018, 105) concluded that, compared with non-migrant sex workers, “Migrant sex workers are rendered more vulnerable to exploitation which creates conditions in which trafficking could conceivably occur”. Thus, analysis has shifted away from a binary understanding of exploitation/freedom in research that focused on debunking narratives around trafficking (Roguski 2013), and there is now recognition of a continuum of migrant labour conditions that involve “mundane” exploitation and potential trafficking (Armstrong 2018). And while liberal feminists provide useful critiques of discrimination against migrant sex workers under Section 19 of the PRA, this focus on legal inequality tends to overlook the intersection of “structural inequalities of sex, race, and class” that constrain the options available to migrant women, as radical feminists correctly point out (Farley 2009, 312). By conflating prostitution with trafficking, however, radical feminists overlook the agency of migrant sex workers, who are consigned to victim status. Therefore, qualitative research is needed to explore both the agency and the vulnerability of migrant sex workers in the context of structural axes of inequality, including not only legal status, but also race/ethnicity, gender, sexuality, age, class and location.

Chapter Three: Methodology

Given a lack of qualitative research on migrant Asian sex work in New Zealand, this exploratory study addresses the following two questions:

- How does discourse around trafficking into sex work compare with lived experiences of migrant Asian sex workers in Auckland?
- How does race/ethnicity, gender, sexuality, age, class, location, and immigration status influence these lived experiences?

To answer these questions, semi-structured interviews were conducted with 20 migrant Asian sex workers, most of whom were recruited through the Auckland branch of NZPC. Interviews lasted between roughly 40 and 120 minutes. In this chapter I discuss methodological issues around recruiting migrant Asian sex workers; ethical issues of consent, confidentiality, and harm; and epistemological issues of positionality and power dynamics in interactions between the researcher and participants, including those who are vulnerable. In order to conceptualise how these power dynamics shape research, I begin this chapter by discussing feminist theories of standpoint and intersectionality.

Feminist standpoint theory and intersectionality theory

Feminists have long disputed the notion that social science can ever be truly objective (Harding 1993), instead recognising the need to “situate knowledge” (Haraway 1988) that emerges from a researcher’s particular social location or “standpoint” (Mohanty 1995). Feminists of colour have used standpoint theory to examine how the lived experiences of marginalised groups are shaped by various axes of power, which include but are not limited to gender, race, and class (hooks 1990; 1999; Hill-Collins 1990; Crenshaw 1995). Standpoint theory underpins intersectionality theory, which explores how cross-cutting axes of power compound and interact with one another to create structural conditions for both domination and agency that are contingent on unique subject positions (Showden and Majic 2018). Taken together, standpoint theory and intersectionality theory highlight that researchers and their participants occupy diverse, shifting, and contradictory subject

positions – both separately and relationally - that influence the knowledge produced by research (Majic and Showden 2019, forthcoming).

Given the complexity of these subject positions, a binary between “insider” and “outsider” statuses is questionable (Agustín 2007, 140-141). This dichotomy assumes that sex workers are a cohesive social group in which all members share the same subject position, while overlooking that researchers adopt multiple positions in relation to sex workers (ibid).

Stéphanie Wahab, for example, performed multiple roles and was perceived in various ways while she was in the research field, including “social worker, voyeur, wanna-be-sex worker, advocate, friend, goodie-two-shoes” (Wahab 2003, 628-629). As a result, she “constantly felt like an insider and an outsider while working with sex workers” (ibid). Similarly, Lynzi Armstrong sometimes “felt like part of the scene” in the research field, while at other times she worried about being perceived as “a snotty, middle class, white “girl” who wished to benefit personally by “studying prostitution”” (Armstrong 2012, 7).

Rather than ignoring these power dynamics and their influence on the collection and interpretation of data, researchers can adopt a “politics-of-location approach” (Berger and Guidroz 2014, 3) that fosters “standpoint-informed reflexivity” (Majic and Showden 2019, forthcoming). This reflexivity refers to a “process of continual internal dialogue and critical self-evaluation of researcher’s positionality as well as active acknowledgement and explicit recognition that this position may affect the research process and outcome” (internal citations omitted, Berger 2015, 2).

Accessing a “hard to reach” population via NZPC

Migrant sex workers are a “hard to reach” population (Benoit et al. 2005) because of barriers related to limited English and illegal labour (Abel, Fitzgerald and Brunton 2010, 163-164). However, these barriers are not insurmountable, as NZPC has recruited a large sample of migrant sex workers in previous research (Roguski 2013). This successful recruitment reflects that NZPC is a peer-based organisation with “insider” status in the sex worker community (Armstrong 2018, 97-98). In addition to gaining the trust of sex workers, NZPC has earned the respect of liberal feminists and academic researchers in New Zealand who recognise the organisation’s expert knowledge of sex work (Radačić 2017; Harrington 2012).

In order to partner with NZPC, researchers need to demonstrate: “(1) that the research [they propose] must be capable of producing knowledge which would reduce stigma surrounding sex work, (2) that the researcher has an understanding of the realities of sex work, (3) that sex work is understood by the researcher as a legitimate form of work, and (4) that the researcher believes in the minimisation of health and safety risks for sex workers in their work” (Armstrong 2012, 4, citing Hubbard 1999). Although these principles must be compatible with the standpoint of researchers who collaborate with NZPC, not all such researchers have uncritically presented the views of the organisation (Harrington 2012, 340). Thus, relationships between the two parties are flexible enough to allow room for academic independence, as long as researchers support the rights of sex workers and listen to these people as experts in their own lives.

While radical feminists accuse NZPC of promoting prostitution and minimizing its harms (Raymond 2018; Bindel 2017), the reality is that “NZPC assists sex workers with a variety of things, such as helping them with claiming social benefits, getting personal documents, searching for jobs or accommodation, and assisting them with respect to the police, court, or Disputes Tribunal proceeding[s]” (Radačić 2017, 3). In order to facilitate access to justice, NZPC has supported “a sex worker who won a harassment case before the Human Rights Commission, a sex worker who reported a client for taking off the condom[,] and a sex worker who reported a police officer for inducing sexual connection... by the means of threat” (citations omitted, *ibid*, 4). Given this wide-ranging support for the sex worker community, I was grateful for the opportunity to collaborate with NZPC, although my research project is independent of the organisation.

To consult NZPC on my research proposal, in November 2016 I met with Catherine Healy, the national coordinator, and other staff at the head office of the organisation in Wellington. Fortunately, I did not have to work very hard to gain their trust because I am currently a board member of the New Zealand Aids Foundation (NZAF), which has a history of collaborating with NZPC on HIV prevention. Indeed, Catherine Healy and Tim Barnett, the sponsor of the Prostitution Reform Bill, were board members of NZAF at the same time (Barnett, et al. 2010, 62). My involvement with NZAF meant that the aforementioned principles, especially a belief in harm minimization, could be taken for granted by NZPC. On

behalf of the organisation, Catherine Healy provided a letter of support for my ethics application, which was crucial in eventually gaining approval from the University of Auckland Human Participants Ethics Committee (UAHPEC).

While preparing and negotiating ethics approval from UAHPEC, I also consulted the local branch of NZPC in Auckland, where the population of migrant Asian sex workers is concentrated, and where my data collection took place. Recruitment of participants, and support for those who may need assistance, would not be possible without NZPC in Auckland, and it was therefore crucial that I establish a good relationship with its staff. The regional manager was the initial gatekeeper with whom I had to build trust. This required me to pass a kind of ideological litmus test in which I had to declare my recognition of sex work as labour, as well as demonstrate my awareness of distinctions between trafficking and migrant sex work. I complied by reassuring the manager - and other staff - that my research would be based on evidence rather than myths about trafficking.

Over several months of recruitment at the Auckland branch of NZPC, I observed the wide range of activities undertaken by staff, including support for sex workers who experience exploitation and violence. I benefited from this support because, although I am not a sex worker, staff at NZPC provided me with assistance after my partner and I were assaulted during the writing of this thesis. I have attempted to “give back” to NZPC by cleaning its community centre, sharing my research with staff, and providing accommodation for an Australian couple who had travelled to New Zealand to collect the remains of a deceased woman who had been supported by NZPC.

Recruitment: a long, slow process

Predominantly through NZPC, I recruited and interviewed a total of 20 participants between July and December of 2017. However, this was not an easy task. Initially, I relied on a flier – written in both English and simplified Mandarin – which I placed at the entrance to the Auckland branch of NZPC. My naive expectation was that, upon seeing the flier, migrant Asian sex workers would “self-select” and contact me to set up an interview. I also had unrealistic expectations that staff at NZPC could devote time and energy to recruiting on my behalf. However, a few weeks of no recruitment made clear that I would need to personally

approach potential participants at NZPC. This mostly occurred on Thursdays, when NZPC operates a sexual health clinic for sex workers. On these days I “hung out” at NZPC and attempted to make “small talk” with sex workers while they waited for their appointments. Given my lack of experience in sex work, I struggled to participate in conversations that revolve around the business of commercial sex. A typical conversation starter, for example, is the question: “How busy are you?” Nonetheless, I encountered sex workers who work in all sectors of Auckland’s sex industry, and this informed my understanding of the diversity of sex work.

While I gained useful insights by spending time at NZPC, most migrant Asian sex workers declined to participate in my research. This reflects a combination of factors, including fear of authorities, language barriers, cultural distance, and temporary stay in New Zealand. Difficulties in recruiting migrant sex workers is consistent with previous research (Abel, Fitzgerald and Brunton 2010, 163-164). In the Auckland branch of NZPC, the coordinator of the Migrant Education and Information (MEI) project pointed out that participating in research is a much lower priority than earning income for migrant Asian sex workers (Field notes, 3 July 2017). For some, “every minute is a million dollars”, meaning that there is little time for anything but work while in New Zealand (ibid).

Initially, recruitment was limited to migrant Asian sex workers who had lived in New Zealand for less than six years; a sample criteria designed to make my findings comparable with those of Roguski (2013, iv). However, between July and September 2017 I recruited only six participants. All six were permanent residents at the time of research, enabling them to work legally and emboldening them to share their stories with me. In contrast, those who held temporary visas were clearly unwilling to participate in my research. As a result, I decided to extend my sample to include migrant Asian sex workers who have lived in New Zealand for more than six years. Broadening my sample criteria eventually enabled me to recruit more participants and to make tentative comparisons between migrant Asian sex workers who hold residency or citizenship (i.e. they are working legally) versus those who hold temporary visas (i.e. they are working illegally).

In order to recruit the latter population, staff at the Auckland branch of NZPC suggested that I accompany them on their outreach visits to brothels that employ migrant Asian sex workers (Field notes, 3 July 2017). However, I had not applied for permission from UAHPEC to conduct research in brothels, and I worried that participants may not be comfortable discussing their working conditions in their actual workplaces. After roughly three months of painfully slow recruitment, my supervisor and I applied for an amendment to our ethics protocol to allow me to recruit and interview participants through NZPC's outreach visits to brothels, with the help of an interpreter and the coordinator of the MEI project. By the time this amendment was granted, the coordinator of the MEI project was away, but I was able to accompany other staff members on outreach visits. During one particular visit I met a couple of Chinese women who provide sexual massage in residential area, and who became participants in my study.

Given that very few male sex workers drop into the Auckland branch of NZPC, recruiting male participants was a challenge. In an attempt to contact this population, I posted recruitment fliers on Backpage and Craig's list, as these websites allowed sex workers to advertise their services at the time of data collection. Only two migrant Asian men responded, one of whom was not actually a sex worker. While I attempted to distribute fliers in gay saunas and other commercial venues where men may engage in sex work, only one such venue accepted my fliers (to which no one responded), and the operators of other venues refused my fliers on the grounds that male sex workers are not using their premises. This could well be true, as male sex work is increasingly moving online in the twenty-first century (MacPhail, Scott, and Minichiello 2014). However, one male participant suggested that male sex workers covertly service clients in gay venues unbeknownst to their operators.

I soon realised that, unless I made a particular effort to recruit a gender-diverse sample, the unique experiences of male and transgender participants would be excluded from my research (see Kim and Jeffreys 2013, 73). Therefore, while applying for permission to accompany NZPC on outreach visits, my supervisor and I also applied for an amendment to our ethics protocol to allow for the use of direct recruitment of male and transgender migrant Asian sex workers who advertise their services online. This involved identifying online advertisements by migrant Asian sex workers who clearly indicate that they are male or

transgender. Then I phoned, emailed, or texted these sex workers, inviting them to participate in my research. This was a time-consuming task, and most potential participants simply ignored my efforts to make contact. This non-response has also been reported by other researchers who found that contacting sex workers without prior introduction was not a successful recruitment method (Sanders 2005, 27 and cites therein). Ultimately, direct recruitment enabled me to recruit only two male participants, and no transgender participants, although I was able to recruit two transgender women through the Auckland branch of NZPC. Although these numbers are small, it was worth pursuing gender-specific recruitment methods in order to include a wider diversity of experiences and perspectives in my research.

Overall, recruitment was a slow and incremental process that involved being at the right place and the right time, especially on Thursdays when the sexual health clinic was operating at the Auckland branch of NZPC. Face-to-face contact facilitated rapport, and the more time I spent at NZPC, the easier it became to recruit participants. One of the transgender participants, for example, refused to talk with me when I first met her, but after several months of seeing me at NZPC she accepted my invitation, in part because she wanted to document her gratitude for the support she had received from the organisation. This motivated her participation in my research. In contrast, snowball sampling was unsuccessful because participants had no economic incentive to recruit other participants (I did not offer money for this), nor was there any interpersonal incentive to recruit friends or co-workers into research by a male, New Zealand-born “non-sex worker” (Sanders 2005, 29) who is located outside of the social and occupational networks of migrant Asian sex workers (ibid, 25-26; Kim and Jeffreys 2013, 88).

For this reason, my recruitment was heavily reliant on my ability to invite participants who dropped into NZPC in Auckland; only two participants were set up for me by staff at the organisation. While I attempted to recruit through other organisations that come into contact with migrant Asian sex workers, nothing came of these efforts. Shakti New Zealand, an ethnic women’s refuge and anti-violence organisation, agreed to support participants who experience violence in their familial or intimate relations if such violence was disclosed to me during interviews, but the organisation did not respond to my attempts to set up a

meeting to discuss the possibility of recruitment. I did meet with Dennis Maga, the co-ordinator of the Union Network of Migrants (UNEMIG), who invited three migrant Asian sex workers to participate in my research, but they all refused. If I had been able to recruit participants through these organisations, I may have heard different perspectives than those articulated by participants at NZPC, and this is a limitation of my sample.

Ethical issues: consent, confidentiality and harm

Gaining ethics approval from UAHPEC was a difficult process. A key concern of UAHPEC was the means of gaining consent. Initially, my supervisor and I proposed that participants sign a consent form using a pseudonym in order to protect their confidentiality. We believed that a pseudonym was necessary because many sex workers are reluctant to sign documents with their real names (Wildt 2016, 59). However, the use of a pseudonym signature was rejected by UAHPEC, which stipulated an oral consent process observed by an independent witness. My supervisor and I readily agreed to the use of oral consent, which is more ethical for participants who work illegally as sex workers (Kelly and Coy 2016, 36), whereas “written consent forms do not benefit respondents but primarily protect researchers and the institutions they work for” (Wildt 2016, 59). At the same time, we resisted the use of an independent witness as he or she might breach confidentiality. Recognising this concern, UAHPEC finally stipulated that I obtain oral consent but note the date, time, and location of each interview on consent forms that record participants as “Participant 1”, “Participant 2”, etc. This was recorded on consent forms in the following way:

Participant Number: _____
 Date: _____
 Time: _____
 Location: _____
 Oral consent response (write “consent given” or “consent declined”): _____
 Interview completed (write “yes” or “no”): _____

Although anonymized oral consent did protect confidentiality, I found that the process relied on participants having a fairly proficient level of English. One Chinese woman who spoke only elementary English approached me at NZPC to be interviewed, but she changed her mind during the oral consent process. I am not sure if this woman was concerned about confidentiality, or whether our language barrier led to a misunderstanding of this issue. In contrast, I was more able to persuade participants who have an advanced level of English that I would maintain their confidentiality. The more fluent in English, the more likely that participants were better educated, and a couple of participants who were studying at the University of Auckland (UoA) remarked that they were not worried about confidentiality because the UoA requires researchers to be ethical. While these well-educated participants found the consent process reassuring, some of the less educated participants found the process intimidating and unnecessarily formal. Overall, the language barrier skewed the sample to more educated, and therefore more middle-class migrant Asian sex workers, although there was considerable diversity in the economic standing of participants.

Confidentiality was a key concern of UAHPEC, who sought clarification on how I would protect the confidentiality of participants who disclosed “serious harm”, such as exploitative working conditions. In response, my supervisor and I made explicitly clear that I would not report exploitation to authorities, as this could lead to deportations of participants who hold temporary visas. Rather, I planned to gain the consent of participants to refer them to NZPC. In practice, however, the most vulnerable participants were already receiving support from the Auckland branch of NZPC. The most exploited participant was an international student whose earnings were effectively stolen by a brothel operator, and the manager of NZPC was endeavouring to recover the stolen earnings at the time of the interview. Other participants experienced unfair managerial practices in former workplaces, but they had already moved to better venues, which is a common response to exploitation in the sex industry (Healy, Wi-Hongi and Hati 2017, 56-57).

Maintaining confidentiality is particularly important in a small city like Auckland, where everyone seems to know each other. Although recruited through NZPC, I had previously met two participants – who I did not know as sex workers - through social networks in the local queer community. Coincidentally, after interviewing one of these participants I offered to

drive him home, and as we were walking to my car, we bumped into the other participant, who had just finished an escort job. At NZPC I also encountered an acquaintance from high school, and another from university. And some sex workers in Auckland receive treatment for drug and alcohol addiction in a residential rehabilitation centre in which my partner worked at the time of research. The small size of Auckland meant that it was particularly important to remove any information, such as names, that may identify participants in this thesis. One participant asked me to use her real name in order to document her story, but I persuaded her to use a pseudonym in order to protect her confidentiality. For this purpose, other participants removed certain details from this thesis.

Interactions with participants: positionality and power dynamics

While interacting with migrant Asian sex workers, I felt that, in the words of Teela Sanders, “I was always defined as a “non-sex worker”” (Sanders 2005, 29). But while I lack embodied knowledge of sex work, other aspects of my subjectivity fall less neatly within the social categories of “insider” or “outsider.” This ambiguity in part reflects considerable diversity among the sample of migrant Asian sex workers that I recruited and interviewed. In regards to class, for example, I was acutely aware of the socio-economic chasm between myself and two transgender women who were homeless at the time of their interviews, but other participants have achieved or maintained middle-class status that is not dissimilar to my own standpoint. And one woman had used sex work to purchase numerous properties in Auckland: a financial position that is vastly more secure than my own.

Given that I was born in New Zealand to a Chinese Malaysian father and Pakeha mother of Scottish parentage, I did not feel too dissonant from participants who had migrated to New Zealand as young people, and who subsequently grew up with a sense of mixed ethnic identity. It was relatively easy to build rapport with these participants, in part because we shared similar experiences of negotiating the cultural gap between ourselves and our parents. Most participants had migrated to New Zealand as adults, but in some cases they came from countries in which I had lived while teaching English, namely China and Thailand. My experience of living in these countries also helped to build rapport, although to a much lesser extent than the experience of growing up in a cross-cultural environment. Finally, it is worth mentioning that my physical appearance is not particularly “Chinese”, and participants may

not have known that I claim this heritage, especially because I cannot speak Mandarin or other languages spoken by participants. This language barrier was a significant source of cultural distance between myself and participants, including those who speak English fluently, because we could not fully draw upon subtle, culturally-specific meanings of sex work and migration that are best conveyed through participants' native languages.

Surprisingly, my gender was less of a disadvantage than expected. I did not find, as Sanders has assumed, that "being a man would have made it difficult, if not impossible, to get alongside" female sex workers and gatekeepers (Sanders 2005, 26). Rather than my gender, NZPC was more concerned about my ideological orientation towards sex work, while migrant sex workers were more concerned about my trustworthiness in protecting their confidentiality. Because of the gendered structure of the sex industry, female participants were very familiar with interacting with men, and many seemed to have developed interpersonal skills that allowed them to ascertain that I was not a threat to their safety. Indeed, most female participants struck me as fairly confident in their interactions with me. Despite my privilege as a researcher, women tended to control certain aspects of their interviews, including what topics were off-limits and how long they were willing to spend with me, suggesting that these women were accustomed to setting boundaries with clients in their sex work (Armstrong 2012, 6). Sometimes I asked few questions, instead listening to what women were willing to share, and one participant dominated her interview to the extent that I was unable to ask many questions at all. And while I avoided asking direct questions about violence, fearing that this might re-traumatize participants, some female, transgender, and male participants recounted painful experiences of abuse at home, in the workplace, and on the street. Nonetheless, it is important to acknowledge that female and transgender participants may have discussed violence more extensively if I had shared their particular gender subjectivities.

Interestingly, my gender was not sufficiently clear to one participant, a middle-aged Chinese woman, who directly asked me: "Do you want to be a woman?" (Field notes, 20 October 2017). She found my interest in sex work puzzling, and she also seemed unsure how to interpret my answer to her question: I do not identify as a woman, but as a gay man. Then the tables turned, and the participant asked *me* questions about *my* life as a gay man. I discussed

my partner and, in response, she offered her thoughts on marriage. This exchange of intimate information revealed that “sexuality is coconstitutively produced in the research encounter” (Berger and Guidroz 2014, 4). Indeed, my sexuality appeared to facilitate rapport with female participants, especially with younger women who shared insights about pleasure - and pain - in sex work. While I enjoyed the most relaxed rapport with gay male participants, I was also wary of maintaining a professional boundary, and in one instance I had to rebuff an inappropriate text message sent by a gay male participant. In contrast, female and transgender participants could flirt and poke fun at me without fear of misinterpretation. For instance, one morning I walked into NZPC having just shaved my face, and a transgender participant joked that the redness around my mouth looked as if I had been giving too many “blow jobs”! Embarrassing me in this way appeared to give the participant a sense of power in the researcher-participant relationship.

Relatedly, it is important to acknowledge that I am one of many gay men who have formed political, professional, and academic relationships with NZPC, including Tim Barnett (the sponsor of the Prostitution Reform Bill), Michael Roguski (the author of the survey of migrant sex work in New Zealand), and Calum Bennachie (staff member of NZPC and researcher of migrant sex work in New Zealand). Notably, radical feminists have criticized gay men for advancing sexual libertarian politics that minimize harm to women in prostitution (Gerlich, 18 January 2017; Raymond 2018, 8-9). I recognise that as a gay man I enjoy some degree of male privilege, and while I have experienced stigma based on sexuality that may help me to relate with sex workers, homophobia is not as severe as whorephobia in New Zealand today. As one participant remarked about the stigma attached to sex work, “It’s worse than being gay, you know”. Here the participant implicitly reminded me of my privilege.

My outsider status was confirmed by a confrontation that I experienced with Rachel Wotton, a sex workers’ rights activist from Australia, who I met at a national conference for sex workers organised by NZPC. Rachel argued that outsiders such as myself should not be researching sex work (Field notes, 12 October 2017). Similarly, other sex workers’ rights activists in Australia contend that “When research is undertaken by a community member [i.e. sex worker], the tensions that exist between the researcher and participants are alleviated by the united aims of both researcher and participant” (Kim and Jeffreys 2013, 69). While I do

not dispute that research by sex workers is highly valuable, the assumption that sex workers are a cohesive community glosses over “the conflicts and competition between sex workers, the struggle for power between groups of different origins and the defence of collective interests within a shared social context” (Siegel 2016, 76). Indeed, one of the Chinese women who I interviewed described “feeling unfair about illegal girls” in sex work, and the participant spent most of her two-hour-long interview arguing that only “local people should have human rights,” even though she herself is a migrant. While I struggled to empathize with this participant, her interview usefully illustrated that neither gender nor race guarantees solidarity among migrant Asian sex workers.

While most of my data collection involved intense yet fleeting encounters with migrant Asian sex workers, I did engage in more extended interactions with a couple of middle-aged Chinese women who were earning a living from sexual massage (Field notes, 20 October 2017). During an outreach visit led by a staff member of NZPC, I helped one of the women to set up an email account. Both women also wanted help to advertise their services on Backpage. As their rather dilapidated workplace indicated, business was slow, and they needed more clients. To assist with advertising, I enlisted the help of another Chinese participant, a young woman who worked for a separate sensual massage business, and who had previously offered to be an interpreter for my research. Returning with the participant-turned-interpreter and a box of condoms from NZPC, I was warmly welcomed by the two older women. After the interpreter set up their advertisements, we completed part of an interview with one of the women, and then returned several days later to finish the interview and to enjoy home-made dumplings that had been promised by the other woman. Overall, relations between the two women, the interpreter and I were underpinned by a mixture of both altruism and instrumentality: the interpreter wanted a reference for her school application, which I was happy to provide; I needed the interpreter to collect data with the two women, given that I cannot speak Mandarin; and these women were immensely grateful for help with their advertising, but they were also keen for the interpreter to work for their sexual massage business. The interpreter politely declined their offer. However, the reciprocal nature of these exchanges can be understood as a “research bargain” between researchers and sex workers (Sanders 2005, 24). As the research bargain is highly relational, the resulting data collection “is no longer distanced from the action, the discourse, but is implicated unavoidably in its production”

(Mitchell Jr 1991, 108). Indeed, the research bargain would have been legally risky if the two women held temporary visas, in which case the interpreter and I could have been liable for “aiding and abetting” illegal sex work. Thankfully, this was not the case.

Emotional labour: vulnerable participants

Feminist researchers have documented the “labour pains” that come with researching sex work and sexual exploitation (Melrose 2002). Listening to vulnerable participants required emotional labour, particularly when they discussed traumatic life experiences. Like other researchers, I found that “sometimes all I could do (and was expected to do) was to show empathy in times of distress” (Wildt 2016, 65). Previously, I had trained in volunteer counselling through Outline, a free support service for lesbian, gay, bisexual, transgender and queer people. This training was useful for interviews with vulnerable participants.

Among the most challenging interactions involved participants who disclosed attempted suicide. One young gay man was struggling with the effects of date rape, and he sent me the following text message after his interview: “I have no love in my life no support and no reason to live or nothing stopping me from dieing [sic] so why not kill myself” (Field notes, 24 October 2017). I was unsure how to respond to this message because I had already provided the participant with information about services for male victims of sexual violence, and he was already accessing support from a doctor and a counsellor, according to his interview. Further, the participant sent me a sexually suggestive text message, as previously mentioned. In the end, I made clear to the participant that I was willing to listen, but not to engage in a romantic relationship.

I was particularly concerned about another vulnerable participant, a young transgender woman and asylum seeker, who I first interviewed during a challenging time in her life. This led me to arrange for the participant to meet with the manager of the Auckland branch of NZPC. During this meeting, the manager asked the participant if she had ever tried to kill herself, and participant replied that she had considered this (Field notes, 25 September 2017). As she summarized at the end of the meeting, “I have a lot of problems. I’m just trying to survive every day” (ibid). This comment struck me, and I made an effort to keep in touch with the participant. Later, when she was briefly hospitalized for drug-related issues, I

helped the manager to search for housing options for the participant, who at that time was homeless. Fortunately, the participant was eligible for emergency housing, and obtaining this housing was a turning point in her well-being. This shift was evident in her more optimistic perspective during her second interview with me, reflecting that “people interpret and evaluate their experiences differently over time” (Wildt 2016, 54, citations omitted). Unfortunately, the participant has recently been hospitalized for mental health issues, and I have visited her several times and spoken to the staff about providing gender-appropriate care. I have kept in touch with this vulnerable participant as she does not have family support in New Zealand.

Conclusion

Overall, this research on migrant Asian sex workers has been challenged by the methodological issue of recruitment of “hard to reach” population; the ethical issues of consent, confidentiality, and harm; and the epistemological issues of positionality and power dynamics in interactions between the researcher and participants. Additionally, there are also moral issues related to support for vulnerable participants. As there is no existing qualitative research on migrant Asian sex workers, this study offers a starting point for further investigation.

Chapter Four: Empirical findings

Given a lack of research on migrant Asian sex work in New Zealand, this exploratory study addresses the following two questions:

- How does discourse around trafficking into sex work compare with lived experiences of migrant Asian sex workers in Auckland?
- How does race/ethnicity, gender, sexuality, age, class, location, and immigration status influence these lived experiences?

In order to answer these questions, qualitative data was collected through semi-structured interviews with a diverse sample of twenty (n = 20) migrant Asian sex workers in Auckland. The demographics of this sample are set out in Table 4:

Table 4: Demographics and Immigration Statuses of Sample

Pseudonym	Country/ region of origin*	Gender	Sexuality	Age**	Immigration status at the time of entry to NZ	Immigration status at the time of research***	Current and former legal status in sex work
Kamon	Thailand	Cis female	Heterosexual	32	Student visa	PR	Formerly illegal, currently legal
Esther	Singapore	Cis female	Queer	22	Dependent	Citizen	Always legal
Sophia	China	Cis female	Lesbian	22	Student visa	PR	Always legal
Mia	China	Cis female	Heterosexual	27	Working holiday visa	PR	Formerly illegal, currently legal
Emily	China	Cis female	Heterosexual	M/A	Student visa	PR	Always legal
Gabriel	N/A	Cis male	Queer	31	Student visa	PR	Formerly illegal, currently legal
Ling	N/A	Transgender female	Queer	22	Student visa	Work visa	Always illegal
Noah	India	Cis male	Heterosexual	30	Student visa	Work visa	Always illegal
Casey	N/A	Cis female	Heterosexual	20	Dependent	PR	Always legal
Ann	Singapore	Cis female	Heterosexual	27	Working holiday visa	Student visa	Always illegal
Jimmy	Fiji	Cis male	Gay	27	Dependent	PR	Always legal
Aditi	Fiji	Transgender female	Heterosexual	37	Student visa	Work visa	Always illegal
Li-Wei	China	Cis male	Gay	27	Work visa	Work visa	Always illegal
Yu Yan	China	Cis female	Heterosexual	50	Partner visa	PR	Always legal
Keiko	Japan	Cis female	Heterosexual	37	Working holiday visa	Citizen	Formerly illegal, currently legal
Angela	China	Cis female	Heterosexual	M/A	Student visa	PR	Always legal
Dayita	India	Cis female	Heterosexual	22	Student visa	Student visa	Always illegal
Sonia	India	Cis female	Heterosexual	M/A	Partner visa	PR	Always legal
Alexa	Vietnam	Cis female	Heterosexual	35	Student visa	Citizen	Always legal
Rose	China	Cis female	Heterosexual	60	Visitor visa	PR	Always legal

* N/A = not available

** M/A = middle aged

*** PR = permanent resident

As Table 4 indicates, the most common country of origin was China (n = 8), followed by India (n = 3), with most of the remaining participants originating from various countries within Asia (n = 7). While two participants (n = 2) originate from Fiji, they are included in the sample on the grounds of being migrants of Indian ethnicity (i.e. they are Fijian Indian). Note also that some relatively uncommon Asian countries of origin have not been reported here because this information may identify participants.

In regards to gender, most participants are cisgender women (n = 14), followed by cisgender men (n = 4) and transgender women (n = 2). And while most of the sample can be categorized as heterosexual (n = 14), a significant number of participants identified as queer (n = 3); gay (n = 2); and lesbian (n = 1). In terms of age, a few cisgender women (n = 3) declined to specify their exact number of years, but they can be assumed to be middle aged based on their reported life experiences. The remaining participants were in their twenties (n = 9); thirties (n = 6); or their fifties and sixties (n = 2).

Immigration status can be a sensitive issue for migrant sex workers, but it was crucial to establish whether participants worked legally or illegally. According to the interviews, half of the sample (n = 10) began sex work after gaining residency or citizenship, meaning that they have always worked legally. The other half of the sample (n = 10) have engaged in sex work while holding temporary visas either now or in the past, meaning that at some point in their lives they have worked illegally and they could have been deported for providing commercial sexual services.

It should be noted that two participants have obtained refugee status (n = 2), and one is currently in the process of applying for this status (n = 1). While sex work is technically illegal for refugees who hold temporary visas, they cannot be deported for providing commercial sexual services.

Because discourse around trafficking emphasizes force, fraud and coercion at some point during migration into sex work, the findings of this study are reported in a loosely temporal

structure. I begin by documenting the motivations for migration among participants and their immigration statuses and trajectories, and I then turn to their motivations for sex work and their recruitment into Auckland's sex industry. Given that discourse around trafficking focuses on exploitation in this industry, I next examine the working conditions of participants in managed, private, and street-based sex work, with specific attention to their experiences of law enforcement, violence and interactions with clients. Finally, I discuss stigma and perceptions of sex work in order to shed light on lived experiences that are obscured by discourse around trafficking.

Motivations for migration

Contrary to discourse around trafficking into sex work in debates on the Prostitution Reform Bill, the participants in this study were not “brought into” New Zealand “for the purposes of prostitution” (Dalziel in Hansard, 14 May 2003). Further, no participants had engaged in sex work in their Asian countries of origin, nor had any participants migrated with the intention of engaging in sex work in New Zealand. The unplanned nature of migrant sex work in this sample contrasts with claims by some New Zealand-born sex workers, as reported by the news media, that “mainly illegal sex workers [are] willingly travelling here to work from countries where it is illegal” (One News, 31 May 2018).

Rather than trafficking or intended sex work, various other social, economic, and political factors led participants to migrate from their Asian countries of origin to New Zealand. Three participants migrated as young people with their families, while the remaining seventeen participants migrated as adults for reasons related to: education and employment; desire for new experiences; single motherhood; and violence and discrimination based on gender and sexuality. While these motivations are not mutually exclusive, they are discussed separately below for ease of reading.

Education and employment

Unsurprisingly, economic aspirations motivated five participants - two cisgender men and three cisgender women - who migrated in search of better education and employment opportunities in New Zealand. Some of these participants described themselves as sojourners who planned to study and/or work to save money before returning to China or India:

[I don't want to settle in New Zealand] permanently, but of course I will be looking to make some good amount of money and go back to the country (Noah).

Other participants had no intention of returning to densely populated countries in Asia. Alexa, for example, calculated that there were 82 million people in Vietnam when she left, compared with only 3.8 million people in New Zealand when she arrived, "so for one job, there's like 21 times you have to compete." This emphasis on competition was particularly pronounced among younger participants from China, where educational opportunities are more accessible to those with "some level of family background" or "really high marks," as Sophia explained. Both Sophia and Li-Wei were born in the 1990s during an "infant tide," and as a result, "competition is very, very fierce between students," as Lei-Wei noted. Further, "The Chinese economy is slowing down", and Li-Wei struggled to find well-paid work in his field:

So because I was a chemistry major, the chemistry sector is already saturated. The job opportunities is not so huge, and if you find a job it's usually underpaid. The salary isn't so nice (Li-Wei).

Regional inequalities also gave impetus to the migration of Lei-Wei, who emphasized that "the Chinese system is not fair" for people from "backwards," "abandoned", and "forgotten" regions that remain impoverished while "the economic centre moves to the east coast."

Desire for new experiences

Compared with participants from poorer areas, who primarily migrated to New Zealand for economic reasons, participants from wealthier areas framed their migration as a quest for new experiences. For example, a sense of adventure was sought by Ann, who grew up in Singapore:

Initially, when I came here on the working holiday, it was just to open my eyes, to be outside of my comfort zone. [I] wanted to explore - I don't want to live and die in the same country that I was born in. And I took a big step out (Ann).

Similarly, Keiko, who grew up in Japan and the United States, travelled to New Zealand as part of a working holiday in which she planned "to see the world before I die." Likewise, Mia, who grew up Shanghai, decided to embark on a working holiday after the end of an intimate relationship led her to try "something different to change my mood." Finally, Kamon, who grew up in Bangkok, migrated as an international student but was actually more interested in travelling:

My parents just want me to study, [but] I didn't want to study. I think about, like, okay I go study English and then I can go travel! [Laughs] (Kamon).

In short, a desire for new experiences motivated the migration of four cisgender women from more economically developed areas of Asia.

Single motherhood

In contrast to these relatively privileged cisgender women, single mothers from China migrated for better opportunities for themselves and their children. As Emily stated, "I want my son to [a] have good education, [a] good life." For these reasons, "lots of Chinese people love to send their kids overseas," as Sophia interpreted during Yu Yan's interview.⁶ Indeed, Yu Yan and her son migrated to New Zealand for a better education, a less polluted environment, and a more generous social welfare state:

⁶ Sophia acted as an interpreter for Yu Yan, who cannot speak English fluently.

The New Zealand government cares more about people than the Chinese government, although the Chinese government claims to do that... [New Zealand provides] benefits... when you lost your job [and] ...affordable medical service... [and] free education from primary school... until you're in university (Sophia, interpreting Yu Yan's interview).

A further impetus for migration was Yu Yan's weariness with the "heart-breaking city" in which her husband had died, along with her growing sense of insecurity because of rapid marketization in China:

There's no further way to go in China. And she [Yu Yan] don't have the money to send her kid overseas. The government facility [where she worked] is cutting off people. She's kind of worried if she might lose her job (Sophia, interpreting Yu Yan's interview).

Reflecting both material and emotional motivations, Yu Yan and Emily migrated as single mothers with aspirations for a better life for themselves and their children.

Violence and discrimination based on gender and sexuality

Further indicating the significance of familial circumstances in women's migration, two other middle-aged and cisgender women migrated in response to violence in the home. Having endured many years of domestic abuse, Rose migrated from China to New Zealand after her son joined the army, which was the catalyst for her decision to leave her abusive husband:

Husband... bad for me. Every day fighting - my body very sore... [When] I have children, very hard for me. He not do nothing job [at] home - all me do. Get up... wash, clean, all my do (Rose).

Compounding this violence and unequal division of labour in her marriage, Rose was unable to gain a divorce, and her health was suffering from the effects of pollution in China:

[I decided to leave] because if I stay China I dead... Pollution, cough (Rose).

If I stay in China, can't divorce, argue, fighting. Can't divorce! (Rose).

An untenable situation at home also contributed to Sonia's migration from India to New Zealand, along with her husband and children. As young girls, both Sonia and her daughter had been sexually abused by Sonia's father, and migration was a way of leaving this violence in the family.

That patriarchal family dynamics compel the migration of women is illustrated by Dayita, a young cisgender woman from India. While growing up, Dayita was physically abused by her parents and her brother, and when she was a teenager, her intimate relationships with various boyfriends resulted in estrangement with her father. As she explained, "We won't talk" because "I don't want anyone to control my life." In this context, Dayita migrated to New Zealand in search of greater freedom, but she found that she had shifted from a controlling relationship with her parents to her partner:

I thought I'll be having freedom, but no I was wrong! Even over here my boyfriend, he's too controlling. But it's okay. I feel happy. Even my parents were controlling, same like here (Dayita).

Dayita decided to stay in New Zealand with her controlling partner because her parents have attempted to arrange a forced marriage:

[My mother said] "You have to come back... [because] this December we are planning for your marriage." I said "I'm just twenty-two. How can you – I don't want a marriage." They're, like, "Anyhow, you have to get married" (Dayita).

Thus, Dayita's migration reflects the constrained choices made by women within patriarchal structures of family and marriage.

Also revealing the significance of gender and sexuality in migration, one gay man and two transgender women have sought asylum from violence and/or discrimination in their countries of origin. In response to homophobia at school, for example, Gabriel was sent abroad by his parents "to be safe and get a better education":

I was at an all-boys school. I was in grade seven. And there was a bunch of boys who... came to rape me... [So] my dad refused to send me back to school. And then he [sent me] on a plane to going to [another Asian country]... I was there for four years. And then when I was eighteen I moved to New Zealand (Gabriel).

After completing high school in New Zealand, Gabriel returned to his country of origin where he organised queer rights activism in a political climate of rising religious extremism. Because his safety was jeopardized by this activism, Gabriel sought asylum in New Zealand, where he was granted refugee status on the grounds of religious and sexual persecution.

Risk of persecution was also grounds of refugee status for Aditi, a transgender woman who initially migrated as an international student in search of a “better life,” but was subsequently disowned by her family due to trans-misogyny:

My whole family doesn't speak to me... And that's what made me end up on the streets. Because my dad stopped paying the [international student] fees, and my aunty [made me homeless and she] ring the immigration and she cancelled the sponsorship... [So] my student visa got revoked (Aditi).

Aditi was eventually granted refugee status “because my family was threatening me if I ever come back. Because my uncle's a cop. And they will get me arrested and put me in jail and get me killed.”

Similarly, Ling is a transgender woman who also migrated as an international student, and she has recently begun the process of applying for refugee status due to trans-misogyny in her country of origin:

I am one of the LGBT people, and I got so depressed, and just not treated as a normal human being... I got severe social anxiety... [and] major depression... that all contribute to the mistreat[ment] of who I am because I have always been a feminine kind of role in my life... So I did think that I will definitely go out and not live in [my country of origin], because if I still continue to live in [my country of origin] I may just kill myself... So I fight for myself, I used the opportunity, I grasped the opportunity of studying abroad (Ling).

While researching countries where she could study, Ling looked for a destination “where people are more open-minded, a lot more caring and loving, and where LGBT community are supported.” She began to imagine the West as a tolerant place where she would find acceptance:

Because the more I see the Western culture, the more I get excited, interested... I knew I can easily fit in... I think that's what my future life will be (Ling).

This idealisation of the West as a haven for queer people, combined with trans-misogyny in her country of origin, made Ling feel that "I couldn't live, survive in that situation anymore. So I had to go out, reach out."

Immigration statuses and trajectories

According to anecdotal evidence of trafficking, "Some international students and temporary visa holders are vulnerable to forced labour or prostitution" (USDOS 2016, 285). For this reason, it was necessary to ask participants about their immigration statuses and trajectories, even though these can be sensitive issues for those who have breached the conditions of their visas.

In order to understand how participants migrated to New Zealand, they were asked about their immigration statuses when they entered the country. As indicated in Figure 7, half of the sample migrated with a student visa (n = 10), while the remaining participants migrated with a working holiday visa (n = 3); a partner visa (n = 2); a work visa (n = 1); a visitor visa (n = 1); or as dependents of their parents (n = 3).

Given that participants reported diverse reasons for their migration, as previously described, it is notable that half of the sample entered New Zealand with a student visa. Some of these participants stated that student visas offered the least difficult means of migration available:

It was easier to get into New Zealand as compared to other countries... because the student visas, it was easier to get immigration (Noah).

Nonetheless, obtaining a student visa often required technical support from education agents and financial support from family members:

[I got help from a] ...study agent, and we do a student visa... [in] Thailand, so my family helped me, too (Kamon).

Significantly, Dayita and Noah have used - or intend to use – a student visa as a way of obtaining a post-study work visa:

So this is how I planned of coming to New Zealand. One year course [of study], and after that I'll be getting a one year visa [to find employment], and then if I get a nice job... I'll be applying for my work permit and whatever (Dayita).

These two Indian participants migrated as international students with hopes of gaining a pathway towards residency.

As participants settled in New Zealand over time, they tended to apply for residency, permanent residency (PR), and citizenship. Figure 7 indicates that, at the time of research, more than half of the sample held PR ($n = 11$) or citizenship ($n = 3$). Some participants had obtained PR via their parents (Casey, Esther, Jimmy and Sophia):

I got my Permanent Residence visa because my mum got married to a Kiwi. And because I was considered as a "minor" (under 24 years old) in immigration law at that time, when my mother married to her partner, I got the residence as well. So it's quite smooth (Sophia).

Notably, four cisgender women had formed intimate relationships with partners who sponsored their PR (Yu Yan, Keiko, Kamon and Alexa). With the help of a friend in New Zealand, Yu Yan arranged a transnational marriage with a "Kiwi man" in order to migrate to New Zealand on a partner visa:

After my husband died, I have a cousin go to Canada. I see my cousin go Canada, I want to go oversea[s]. In New Zealand have my colleague. She introduce Kiwi man for me. I married, I come here (Yu Yan).

The remaining three cisgender women entered New Zealand with student visas or working holiday visas, and they subsequently met boyfriends or husbands who sponsored their PR and, in some cases, became the fathers of their children:

At first I didn't plan to get a PR, I just came here for study, but I met my ex-boyfriend and then asked me to live here and he did a PR for me. So now I been living here and I like it here, so now I plan to stay for a while (Kamon).

With varying degrees of savviness and serendipity, these migrant Asian women invested sexual labour in marriage, motherhood, and heterosexual relationships that enabled them to obtain PR, and eventually citizenship in the case of Alexa and Keiko.

While cisgender women found it relatively easy to obtain PR through heterosexual relationships, queer migrants often struggled to obtain this immigration status through the asylum seeking process. In this sample, three participants initially migrated to New Zealand with student visas, but they have subsequently been granted refugee status (Gabriel; Aditi), or are currently applying for refugee status (Ling). In the case of Gabriel, a well-documented history of queer rights activism in his country of origin meant that he was fairly swiftly granted refugee status - and PR - only months after he began the asylum seeking process:

No, [it was not difficult to obtain PR] because of the asylum thing. All in all, eight months (Gabriel).

In contrast, Ling described the asylum seeking process as very challenging, noting that “it may take years and years” and involves “going backwards and forwards with lawyers, the courts even.” The outcome of this process is unknown:

[My future plans are] waiting for the replies from my lawyer so that I can do further actions towards my visa. And [I’m] still finding a way out (Ling).

Meanwhile, insecure immigration status is highly stressful. As Aditi explained, she constantly feared being deported when she was an “over-stayer,” which was eventually discovered by authorities during her incarceration for an offence unrelated to her sex work. While in prison, Aditi was served a removal order that rendered her suicidal; as she recalled, “I decided that my life is finished.” Fortunately, with the help of an immigration lawyer, Aditi sought asylum and she was ultimately granted refugee status, which prevented her deportation upon release from prison. However, her immigration status is still insecure:

I have to stay out of trouble... [And I have to make] another Permanent Residence application, which will take eight to ten years because of my criminal charges and stuff (Aditi).

Thus, for both Aditi and Ling, the right to stay permanently in New Zealand remains far from certain.

Motivations for sex work

After participants were asked about their migration to New Zealand, they were then asked why they began sex work. Anecdotally, some Asian women may have been trafficked into sex work through the use of force, fraud or coercion (USDOS 2018). In this sample, no participants were trafficked in these ways: rather, a majority entered the sex industry in response to challenges they faced in New Zealand, the most important being a need for more money. While initiation of sex work was most often economically motivated, the reasons why participants needed more money reflected their particular social location.

Employment

Importantly, sex work is much better-paid than other feminized occupations performed by cisgender women in this sample, including waitressing, hairdressing, nannying, cleaning, and working in a supermarket. Consider Emily, who earned \$50 a day as a hairdresser, and \$13.75 as a beautician, compared with at least \$120 per hour as a sex worker. Similarly, Kamon earned around \$60 or \$70 for five or six hours of waitressing in a Thai restaurant, whereas in sex work she makes at least \$150 an hour. Likewise, Yu Yan earned \$50 per day in an Asian supermarket, and \$30 per day in a Chinese restaurant, compared with at least \$60 per hour in sexual massage. Sex work is also much better-paid than physically demanding jobs that are not traditionally feminized. Dayita, for example, earns up to \$700 a day in sex work, in contrast to \$50 a day for labouring on a construction site where she experienced poor health and sexual harassment:

I was the only girl [at the construction site]. People used to laugh in my face. And I had health issues... And the boss, he was Fijian Indian. He was trying to dominate me... So I thought there's no point in going there for fifty bucks [for roughly ten hours of work per day]... Again I started applying [for] jobs - one million jobs. Then at a point I burst. I cried my arse out. What do I do? I need money to live here: I have to pay rent... college, [and] travelling expense[s]... I was sitting on the sofa crying... [and] searching what to do... And that's how I found [sex work on] Backpage (Dayita).

Low-paid labour in migrant owned and operated businesses – combined with the high cost of living in Auckland – led these cisgender women to enter the sex industry, where they could earn a much better living.

Low pay was also a problem for cisgender men in the sample who engage in sex work in the context of underemployment in New Zealand. For instance, Noah previously worked in healthcare management in India, and he has recently gained a qualification in business management in New Zealand, yet he has found only part-time work “in some butchery and some dairy shops.” As he remarked, these were not “the kind of jobs I was looking to do after coming over here.” While searching for employment in his field, Noah began sex work to earn more money:

It was basically I needed the money to keep going over here. And that was the industry that was giving a good amount in a small time (Noah).

Similarly, Li-Wei has a bachelor’s degree in chemistry as well as professional experience in chemical detection and analysis in China, yet since migrating to New Zealand he has been relegated to low-skilled jobs involving manual labour:

I came here on a work visa and the first time I arrived I found it so hard to find a job related to chemistry. It seems there isn’t much job opportunities in that sector. Because the economy is different from Chinese economy... [Consequently, migrants like myself are] basically doing manual jobs. We [are] working in a factories in production lines, we work in the butcher, in the poultries slaughter house, we work as cleaners or just as construction workers. I have also done that (Li-Wei).

Even relatively low-paid sex work is more lucrative than these “ordinary jobs”, as Lei-Wei explained:

Oh, well, the money [from sex work] is very obvious because if you work one hour the usual pay is about – for me it’s one fifty [i.e. \$150]. It’s not high – it’s quite low in that sector [i.e. the sex industry]. But compared to ordinary jobs it’s already one day’s wage (Li-Wei).

That sex work is better-paid than other jobs available to Li-Wei and Noah reflects their downward occupational mobility. While these two cisgender men engaged in sex work in

part because their qualifications and/or experience are not recognised in New Zealand, around half of the cisgender women in the sample entered the sex industry in part because this gendered segment of the labour market offers the highest remuneration available to migrant Asian women with limited English and other marketable skills.

The two transgender women entered the sex industry because their precarious immigration statuses limited their employment options. Aditi began sex work after losing her job as a caregiver when her manager was informed that she was an “over-stayer.” And Ling turned to sex work in the absence of the legal right to employment when she first applied for asylum. A further barrier to employment for Ling is her difficulty in “passing” as a woman:

Yeah, I have to either dress up like a man, or either I have to dress like a typical, like, stereotype woman. I think I can't at the moment because I'm not on hormones and my facial structure, my voice, and so many things are just, like, I was born with, which is not feminine... [and] still a little bit masculine (Ling).

As a result of these barriers to the labour market, Aditi and Ling relied on sex work to meet their economic needs.

Education

A combination of better pay and flexible working conditions make sex work particularly viable for international students, who pay particularly expensive fees:

And this job allows me to juggle studies and work at the same time, so it's not as destructive as other kinds of work, for example, waitressing, where you need to work long hours in order to get the same amount of money that I'm earning with this industry (Ann).

Students who have obtained PR pay less expensive fees than international students, but they also engage in sex work to repay their student loans, supplement their incomes, and balance their study, work, and social lives:

[Sex work fits in] the study schedule (Jimmy).

I mean the student loan can pay for some of my tuition fee, but it's the living expense that I need (Sophia).

Part of the reason I work as like this is... [because] I want to get out of uni [i.e. university] debt-free (Casey).

Further, the flexibility and lucrativeness of sex work enables students "to stay focused at uni," in the words of Sophia, and "to keep my GPA [grade point average] up," in the words of Esther.

(Single) motherhood, separation and divorce

The flexibility and lucrativeness of sex work also allows mothers to provide unpaid childcare at home whilst earning an income in the paid labour market:

And I didn't do too much [sex work] every day. So I have time at home, plus some extra money (Mia).

Limited time and incomes are particularly important motivations for sex work among single mothers in this sample:

Ah, being a single mom is no time. No time for myself. If somebody help it's easier. But financially very hard. That's why I still staying in the sex industry, I guess (Keiko).

While Keiko asserted that "You can't live on child support," she also noted that "I don't like expecting [money from] somebody." Similarly, Emily began sex work "because I had to pay for everything" and "nobody helped me" with childcare. Both of these women view sex work as temporarily bound to single motherhood; as Emily stated, "When my son's independent I should stop."

Of course, single motherhood often follows divorce or separation. Despite the aforementioned challenges of single motherhood, Keiko stated that divorce is preferable to marriage with unequally divided labour:

I don't need to look after another person, do you understand? I don't have to cook, clean up for husband, so less work. I can go out! ...Asian... men don't do anything (Keiko).

In addition to this unequal division of labour, two single mothers reported that their ex-husbands were violent or controlling. In one case, Sonia described a “very controlling” marriage in which she was treated “like a servant” and “not allowed to be who I am” by her ex-husband of twenty-four years. In another case, Yu Yan’s marriage to her “Kiwi husband” broke down only weeks after she had migrated to New Zealand. As Sophia interpreted:

The Kiwi husband is lazy, [and he] don’t really want to work, and they’re having some problem with sex. The Kiwi husband wants sex every day, and she’s not really up to that (Sophia, interpreting Yu Yan’s interview).

When the “Kiwi husband” became abusive, Yu Yan was taken by police to a safe house for migrant women who escape domestic violence:

... [O]ne day the Kiwi guy is becoming aggressive. And he just, like, pushed her and threatened “You can’t leave me: if you leave me then Immigration is going to get you”... And then the police say that was domestic violence. And then they took [Yu Yan] to a safe house... (Sophia, interpreting Yu Yan’s interview).

Facing unemployment after leaving the safe house, Yu Yan began working in sexual massage to support herself and her son.

Remittances

Other participants used their earnings from sex work (and other jobs) to send remittances to their parents in their countries of origin. Noah, for example, sends money to his parents for “the cost that I have taken to move over here.” Similarly, Dayita sends much of her savings to her father because “there’s a condition that I’ll be paying him all the money that he has paid for my studies because he didn’t want me to come here to do that.” For these two participants, sex work facilitates the repayment of migration-related debt to their families in India. Even families in Singapore - which is among the most developed economies in Asia - receive remittances earned through sex work by their migrant children in New Zealand. Consider Ann, who supports her aging parents in Singapore because “they are getting on in their years, so they don’t have full-time jobs.” Ann views supporting her parents as her duty:

Yeah, and you don't really want to shirk away from the responsibility because that's – I think it's our Asian culture thing – you need to support your family, your parents especially, because they brought you up. So it's highly regarded important. To be in New Zealand because I had the choice about whether I want to study in Singapore or New Zealand, and I chose to be here because my partner he's here. So I chose to sacrifice my family (Ann).

When probed about the notion of sacrificing her family, Ann displayed a sense of guilt that “I am not physically taking care of my parents.” However, sex work alleviates this guilt by enabling Ann to send money to her parents. Relatedly, Emily stated with visible pride that she had provided her parents with a “good life” before they passed away. This reflects that some migrant Asian women use remittances earned via sex work to meet their filial obligations.

Gender and sexuality

The two transgender women in the sample emphasized various ways in which their gender informed their entry into the sex industry. In search of belonging, Ling drifted into social networks of queer people who congregate on Karangahape Road (a.k.a “K Road”), where street-based sex work also takes place:

Yeah because of this amazing street, which is K Rd, is kind of where I relate to because of my gender issues. So, like, when I came here, after a while, I don't know why, but I know this street is K Rd, I know there's gay bars or LGBTQ communities here. It's just, like, so me. So I just stick to this area more and more and more, and I just find myself kind of fitted into this [sex] industry, or, like, this kind of lifestyle (Ling).

After Ling began the asylum seeking process, sex work became her “no-choice choice” due to her precarious immigration status and her lack of economic options:

I was in a kind of transit visa... So I was not allowed to work, I was not allowed to study, or anything. I was only allowed to be here when I first started applying my

asylum refugee status. So under that circumstances, and plus my financial problems, I got almost zero money left so that [sex work] was my no-choice choice (Ling).

Similarly, Aditi described sex work as “my only option” in order “to feed myself [and] to shelter myself when I couldn’t get on the benefit when I was a[n] over-stayer.” Due to discrimination against queer people in her country of origin, “I didn’t want to go back... That’s why I took whatever was available just to survive and stay in New Zealand”:

[When I started sex work] I was going through quite a lot, I had no permit. I was an over-stayer. And then my family disowned me... And then the same thing happened with my boyfriend. Everything just came crashing down on me. And I didn’t know what to do. And then on the streets I really found myself, who I was, you know (Aditi).

When asked how she “found herself,” Aditi explained that she came “to realise who I really am” as “a woman trapped in the wrong body” who desires “straight, bisexual guys” rather than “gay boys”. While sex work was a way of affirming this gender identity, it was also structurally coerced by multiple disadvantages – including drug addiction, insecure housing, and barriers to licit employment – that reflect systemic marginalisation of transgender *women* and asylum seekers.

Sexuality also played a significant role in shaping trajectories into sex work for gay and lesbian participants in this sample. For instance, Esther began sex work in the context of homelessness following her parents’ discovery of her queer relationship:

I was homeless for a couple of months because my parents found out that I was dating a girl, and they... [couldn’t] deal with this. So I gapped [i.e. left home], and I sort of couch-surfed, and during that period... I decided to start working at a brothel (Esther).

Similarly, the discovery of a lesbian relationship between Sophia and her ex-girlfriend led the parents of the ex-girlfriend to withdraw their financial support for their daughter, thereby ensuring her return to China. This event made Sophia determined to gain independence from her own family, which prompted her to entry into the sex industry:

I've always thought that if I were more capable of taking care of her [i.e. the ex-girlfriend], and more independent at the time... then she wouldn't need to go back to China... But I can't because I was still living with my family. My life, my fate is kind of controlled by others (Sophia).

The dissolution of an intimate relationship and "coming out" to parents also led Gabriel to begin sex work:

I wanted to get over a heart break. I was falling to pieces. My life was just not – like, my visa was expiring, I had broken up with my boyfriend, had just come out to my parents... And then I was, like, I need to have sex and get out of it. And then I just did it [i.e. began sex work] (Gabriel).

For these gay and lesbian participants, sex work was initially a way of coping with difficult circumstances, especially after "coming out" to their parents when they were fairly young adults.

As children, two participants experienced sexual abuse that also influenced their trajectories into sex work. As previously mentioned, Sonia was sexually abused by her father when she was a young girl. In light of this traumatic experience, Sonia felt ambivalent about her entry into sex work. On one hand, she stated that she enjoys sex with men, and "Why should I do that for free when I can make money?" On the other hand, she wondered whether her desire for sex is a consequence of sexual abuse as a child. A sense of ambivalence was also articulated by Esther, who stated that sexual abuse during childhood had made her vulnerable to "the kind of guys who go for already damaged goods," while also teaching her that she "could get a lot out of them." As a teenager, Esther engaged in "a four year sort of relationship with a sugar daddy that was mostly about me getting free tutoring" in exchange for "fucking him on the side." When that relationship ended at the age of eighteen, Esther began sex work after realising that:

I could do this in a way that meant I could actually set boundaries; get a decent amount of money; [and] start running... something that is kind of exploitative... as a business that I have control over, where I set my limits, and I consent to things properly. And [I can do sex work] within these transactional parameters, rather than

these messy, feelings-y relationships where you are being preyed on – why wouldn't we do that? (Esther).

Thus, neither Esther nor Sonia rejected an association between sexual abuse as children and sex work as adults; rather, these participants evinced complex understandings of the relationship between these experiences. In the words of Esther, a history of sexual trauma among some sex workers “doesn't mean that the [sex] industry is wrong, or illegitimate,” but instead may indicate that these workers “are more likely to see that sex is something they can make money off, or profit from, or something that they might not have as virginal or conservative a relationship with.”

Finally, three participants attributed their sex work to a desire for sexual pleasure and social connection, in addition to a need for money. For instance, Li-Wei began sex work “to earn more money and to have some fun”:

At first I just want to make more money. That's the main reason. And sometimes I just feel so lonely. There is not so much people – sex partners – in New Zealand. And if I do that [i.e. sex work], some of the guys they might be interested. At least I can have someone to have fun with (Li-Wei).

A similar combination of social and economic motivations were reported by Casey, who primarily engages in sex work to pay for her education, but also felt “quite intrigued” about the job. Likewise, Alexa described herself as “curious about everything,” including sex work, which she framed as a natural expression of heterosexual desire:

[This desire is] ...human instinct; you get attracted to the opposite sex, right, but when you go out, people... call you slut if you sleep with multiple men... And I'm just, like, “Well, if I get to do this [i.e. sex work], I get to do what I do [i.e. have sex with multiple men]... and get my curiosity out of the way... (Alexa).

For Alexa, the brothel in which she worked provided “a safe environment for girls who [are] actually into sex, and who want to drink and have sex with different men and not worry about personal attachment... [or] doing something that they don't want to [do].” However, money was still an important motivation for the two women who reported being “curious”

or “intrigued” about sex work. Overall, as Esther summarized, “money helps with basically everything, I guess!”

Recruitment into sex work

Means of recruitment

In addition to asking *why* participants engage in sex work, I also asked them *how* they entered the sex industry. Anecdotally, some Asian women who work in brothels may have been recruited by labour agents or brokers in their countries of origin (Tan, 12 July 2010). While this was not the case for any participants in this sample, Sophia observed the following recruitment by Chinese operators of brothel in which she worked as a receptionist:

I mean they [i.e. the operators] kind of recruit girls [i.e. women] from China; they put ads on Chinese websites; they help them handle the visa, lots of things, pick them up for airport and get them working here (Sophia).

In contrast, most participants were recruited into sex work through either social networks or job ads in New Zealand. Specifically, nine participants were introduced or exposed to sex work by someone they knew, usually a friend or an acquaintance, and in one case an intimate partner:

And, ah, then one of my friend introduce me to an older lady. And she introduced me to this industry (Mia).

And when I finished my study, I actually talked to my husband at the time, and I was, like, “You know what, I actually want to know what it’s like to be a working girl” ...And he was, like, “Yeah, it’s just money, and you earn good money as well.” And I was like, “Okay. So how do I start?” ...And he said “Well, go to [name of brothel], it’s actually quite a nice place and it’s got a good reputation” (Alexa).

Seven participants searched for or responded to job ads on the internet or in Asian language newspapers:

So I read Thai newspaper and they have a advertising this job, and I just call them and I just, yeah, try (Kamon).

[I was] looking for a job in the escort industries... [on] Auckland Backpage and Craigslist and all those places (Noah).

In contrast, two participants were inadvertently recruited into sex work. Initially, Ann and Yu Yan enquired about working as either a receptionist or a masseuse for businesses that provided commercial sexual services. After discovering that they could earn more money in sex work, they subsequently decided to try this work:

And I was pretty much working a normal job, until I saw an advertisement by one of the brothels. I thought it was for a receptionist job, I went in, and the manager told me about what the job comprised of. And I gave it a thought, and I was sexually active by then, and I thought okay, yeah, I'll go for it. So yeah, that's how I started working (Ann).

[Yu Yan] can't find another job. And another woman told her about the massage. She thought it was a bit like physiology and therapeutic massage. Then she went to the job, and just... thought that I've already started it, so why not make some money (Sophia, interpreting Yu Yan's interview).

Finally, two participants began sex work in a combination of ways. As previously mentioned, Ling drifted into the sex industry through queer networks of "trans people, gay people, drag queens" on Karangahape Road, some of whom "are sex workers as well." Around the same time she used the internet to research sex work. Sophia was also researching sex work on the internet when, coincidentally, an escort agency recruited her for "outcall" sex work after finding her curriculum vitae (CV) online:

Actually, I was looking online... I basically typed some kind of related key word, like adult entertainment, and it just popped up. The cool thing is I got my CV online, and I don't know why an outcall agency reached me. When I was thinking about sex work a text just came in and said "Are you interested in that?"... So it's kind of like coincidence. They were recruiting girls for outcall [i.e. escort work] (Sophia).

Sophia had no experience in sex work, and there was nothing in her CV to suggest that she was considering this occupation (although this was indeed the case). Rather, the escort agency appeared to recruit Sophia because she is a young Asian woman, and was therefore seen as “innocent” and therefore exploitable (see discussion below). This was the only case of a participant who was directly recruited by an operator of a commercial sex business.

Knowledge of the law at the time of recruitment

Although sex work is prohibited for migrants who hold temporary visas, not all participants were aware of this fact when they first entered the sex industry. Indeed, participants indicated a spectrum of awareness around the legality of their sex work. On one end of this spectrum, Ann stated that she clearly understood that she was breaching the conditions of her visitor visa when she first began sex work in a brothel:

Pretty much by then [i.e. start of sex work] my working holiday visa expired, and then I went back and forth, back and forth [to Singapore] so that I have a visitor visa. I knew it was not legal, so I had to be really careful back then (Ann).

Representing the middle of the spectrum, Kamon was unsure about the legality of her sex work when she first entered the sex industry, although she did lie about having PR in order to get a job in a brothel:

So I don't know if I can work [in the sex industry while holding a work visa], but I work at that time... And they [i.e. brothel operators] never asked me, but I don't know why they believe me, but I said that I got PR and they believe me (Kamon).

On the opposite end of the spectrum, Gabriel did not know that he was breaching the conditions of his visa when he first began sex work in the private sector, and he only became aware that he was working illegally when he entered the managed sector:

DAVID: So you were on a student visa. How did you feel about doing sex work on a student visa?

GABRIEL: I didn't think, I just did.

DAVID: Were you aware you that it's illegal?

GABRIEL: No. And the only time it ever came up was after I tried to get work at a brothel. And they were, like, “Can you legally be a sex worker?” And I’m like, “Probably not” [joking tone].

While this brothel operator informed Gabriel that he was working illegally, this was not the case for Keiko when she first began sex work in a “massage house”:

DAVID: So at that time you’re on a working holiday visa, so...

KEIKO: So I can work, I can take holiday. You can do whatever.

DAVID: But it’s still illegal for people to do sex work... on a working holiday visa. Did you know that it was illegal?

KEIKO: No, definitely not!

DAVID: Okay. So did your boss tell you anything about that?

KEIKO: No.

As Keiko further explained, “I didn’t worried [about my illegal sex work] because I’m on a working holiday [visa], so I thought I’m okay.” Dayita was similarly unaware until she was threatened with deportation by the operators of a brothel in which she worked:

I have met so many people in this [sex] industry who are students or on work visas... no one told me it is illegal for us students... [The brothel operators] were threatening me because of this thing. That’s how I came to know [about breaching the law] (Dayita).

Clearly, Dayita was not aware that she was breaching the conditions of her student visa. This unwittingly illegal sex work contrasts with claims by some New Zealand-born sex workers, reproduced in the news media, that temporary migrants “know they’re doing it illegally and they don’t care” (Lewis, 25 March 2018). As Dayita indicated, she only became aware of the illegality of her sex work when she was exploited by brothel operators.

Working conditions in the sex industry

Central to this research is the question of how migrant Asian sex workers perceive their working conditions, and the extent to which these conditions substantiate - or confound - discourse about trafficking into sex work.

This discourse tends to focus on migrant Asian sex workers in the managed sector of Auckland's sex industry. While most participants have worked in that sector, there was considerable mobility between the managed sector and the private sector among cisgender women. In contrast, cisgender men worked almost exclusively in the private sector, while transgender women worked primarily in the street-based sector. The interviews revealed that working conditions reflect the gendered location of participants in each of these sectors.

In regards to the managed sector, no participants reported working in "slave-like conditions" (Tan, 12 July 2010) in brothels where operators "confiscate their passports and force them into prostitution for up to 18 hours a day," for example (USDOS 2011, 274). Only one participant reported conditions that were consistent with "indicators of people trafficking" (INZ website, accessed 10/01/2018), and this case involved a brothel operator who effectively stole earnings from Dayita and threatened her with deportation. Other current or former brothel workers reported unfair managerial practices that are not severe enough to constitute trafficking, but are nonetheless significant issues that indicate "mundane" exploitation (Armstrong 2018, 87) in the managed sector of the sex industry.

The managed sector

Among participants who had worked in the managed sector at some point in their lives (n = 13), working conditions were commonly attributed to the practices of brothel operators from particular ethnic backgrounds. Notably, some Chinese and non-Chinese women described older Chinese "ladies," "aunties," and "mamasans" as unscrupulous operators:

I mean, she's like the typical Chinese lady that I hate (Sophia).

Chinese [are] dodgy, you know! [Laughs] (Keiko).

However, the interviews made clear that not all Chinese operators are purely exploitative. For instance, Dayita described a rather egalitarian relationship with a Chinese operator who was young, female, and possibly also working as a sex worker:

The owner over there [in a brothel], she was so good. I have no complaints regarding her. She was my age; she was a Chinese. She used to live there itself. I used to live there two, three nights as well, whenever I felt like. So safe, so good (Dayita).

And while Keiko asserted that “Chinese [are] dodgy,” she also felt fortunate to have begun sex work in a “massage house” that was operated by “a very good mamasan.” This older Chinese woman encouraged Keiko and her co-workers to invest their money in real estate, although “she made money from us as well”:

Now I am [her] friend. She is a very good mamasan. I was lucky. She asked girls to make money for property or do something for future, so that was good. So that’s why I have a couple of property now (Keiko).

Mia also felt “lucky to meet” the operator of the brothel in which she began her sex work career, and she expressed a sense of gratitude for this “nice [Chinese] lady” whom she described as both an “aunty” and “the best boss I ever met”:

Because she [i.e. the first brothel operator]... quite respect you. She told you, like, what you should do and what you shouldn’t do. And, um, she won’t force you to do something you if you don’t feel like it. [If] you say “no” she will never... [ask] one more time. Like, oh, “Please do it” or something. And then you have quite freedom in her place. You can leave any time you feel uncomfortable. Like, I tried some other places. But they were really dirty, the boss was really try to control you. Yeah, or she [i.e. a subsequent brothel operator was] not happy if you leave for even one hour or two hour, she’ll think “Did you meet some guy outside without my permission,” or something (Mia).

Thus, Mia’s first operator upheld her right to refuse to provide sexual services and to leave the brothel at any time, in contrast to a subsequent and more controlling operator who expected her to be available for work at all times in order to profit from her labour as much

as possible. This highlights how participants distinguished between “good” and “bad” operators of brothels. As Emily explained, the “good” ones respect that sex workers consent to some sexual acts but not others, while the “bad” ones pressure sex workers to provide “extra services” that may be less than consensual. From the perspective of participants, some operators are greedy profiteers, while others are respected mentors. And despite the racialized rhetoric of participants, their interviews indicated that Chinese operators fell into both groups

For the most part, however, cisgender women emphasized that brothel operators are primarily motivated by capitalist interests. In regards to “Kiwi” (i.e. white) operators, participants complained about shift fees:

It was a Kiwi brothel that I worked with... and basically they have a lot of shift fees and charges and stuff like that, and they take money away from the girls (Ann).

Yeah, it’s a shift fee as well, which I think is bullshit as well! Like, you [i.e. owner/operator] take half the money that a client pays, why do you have to take a shift fee? (Casey).

A more frequent complaint about Chinese operators involved their underpayment of Asian sex workers, which has the perceived effect of undercutting other Asian sex workers in the market:

So I went in [i.e. began work at a brothel], and they’re quite a cheap little place, and the madam is a Chinese lady who is, like, quite aggressive about pressuring people to give discounts... because she just wants more, obviously she gets a cut. And... her thing was cornering the cheap market (Esther).

Actually my [Chinese] nationality can be a disadvantage of the job because there are a lot of cheap, Asian place that do sexual massage (Sophia).

While claims of undercutting are often racially charged, it is important to note that migrant Asian sex workers who work legally are also concerned about undercutting by those who work illegally. As Angela complained, some Chinese “shops” (i.e. managed brothels) prefer not to employ “local girls” because “broken law girls” work for less money.

In addition to remuneration, working hours and client numbers also determine the costs and benefits of sex work in the managed sector. Some participants stated that working in brothels can be time-consuming and economically unrewarding if there are not enough clients:

A lot of girls come here [to a brothel for] one day [but] they can't even get one job, even. And they just come, come, talk and then leave (Mia).

But you're not guaranteed any income, and I'm not sociable enough... to deal with hanging out with a whole bunch of girls for several hours without possibly making any money off it, basically (Esther).

Other participants stated that they used to see many clients during their shifts in brothels, which resulted in fatigue:

...I was working day shift in the Asian brothel, and night shift in [a "Kiwi brothel"], and I was really tired (Ann).

I used to work two days a week, but ten [a.m.] to ten [p.m.], and I get ten clients, and I feel too tired (Kamon).

...I used to come [to the brothel at] five, six o'clock in the evening on Saturday, and I used to go home at two, three in the morning. Fourteen clients in just a few hours. So it must be back-to-back you don't even have time to sit (Dayita).

Working hours and client numbers reflect various factors in the managed sector, including the "busyness" of brothels, the managerial practices of operators, and the choices and circumstances of migrant Asian sex workers.

Working long hours and seeing high numbers of clients entails both financial reward and physical suffering. Consider Casey, who sees up to "thirty dudes" during the weekends, which earns her significant money but also causes her considerable pain:

CASEY: Like last weekend I was working, and then on Sunday I was in bed for all day with a heat pack on my stomach. I felt like I was dying! It's like this is the worst I've ever been, it's just really painful. And then on Saturday morning I had to leave early because I physically could not walk anymore. So that's definitely a downside.

DAVID: Is that something you feel you can mitigate somehow? Would it be possible for you to take it more easy and take less clients?

CASEY: Yeah, but I'm putting heaps of my savings towards travel. So I hustle a lot. So it's my personal preference. You can definitely refuse clients, obviously, if you're too tired...

While Casey stated that she "can definitely refuse clients," she also noted that her co-workers may struggle to exercise this right, even when they are suffering from occupational strain to their bodies:

She [i.e. brothel operator] forces people [i.e. sex workers] to go up with certain clients; unless you can stand up for yourself, she will make you go up, and she will make you feel bad if you don't go up, even if you're dying down there (Casey).

According to Casey, the ability to refuse to provide commercial sexual services is influenced by the individual capacity of sex workers to "stand up for yourself" when faced with bullying by operators of brothels.

However, structural conditions also matter because, among all sex workers in the managed sector, those who work illegally may experience the most difficulty in refusing to provide commercial sexual services. In this sample, two participants who have worked illegally – either currently or in the past – stated that brothel operators induced or compelled them to see clients when they were tired:

[The operators] used to force me for something that I don't want. I'm tired. I want to sleep (Dayita).

[W]hen I want to go home, she... [i.e. the operator said] "Don't go, customer coming, you have booking." Like, I wanna go and I'm tired, but she didn't let me go [home] (Kamon).

Thus, long hours and high numbers of clients are partly attributable to difficulty in refusing to provide commercial sexual services. While this type of coercion is not limited to sex workers who work illegally, a lack of labour rights under the PRA renders them more vulnerable to labour exploitation in the managed sector.

For some migrant Asian sex workers who temporarily migrate to New Zealand for the purpose of sex work, long hours and high numbers of clients reflect not only labour exploitation, but also aspirations for upward social mobility in the context of global economic inequalities. Both factors were observed by Sophia, who briefly worked as a receptionist for a brothel in which migrant Chinese sex workers lived and worked for short periods of time:

I would say the first thing is that most of them come on a visitor visa - actually some of them are only here for three months and then they go back to China. [They] just want to make money (Sophia).

However, Sophia also observed that the brothel operators refused to give time off to the sex workers:

Most [of] their girls work fifteen hours per day and seven days a week because the boss refuse to give holidays. That is why their girls usually just stay for one month (Sophia).

I just quit the job because the shop [i.e. brothel] owner refuse to let a sick girl going home. That is really not fair (Sophia).

According to Sophia's observations, these migrant Chinese sex workers have little control over their working conditions, including the right to time off.

This vulnerability is exemplified by Dayita, who experienced some of the most exploitative working conditions in the sample. In part reflecting her isolation as a new migrant, Dayita befriended a European woman who operated a brothel in which she worked. Having grown to trust the operator, Dayita did not question why this woman introduced her to crack cocaine in order to service more clients:

DAYITA: And I was very tired, and my pussy was very sore. So I told her [i.e. the operator] I can't work because I had nine clients that day.

DAVID: Yeah, you need to take a break.

DAYITA: She's, like, just try this once [i.e. crack cocaine]... She didn't tell me what it is... She just told me "Have a smoke... [and] you'll feel energetic" ...So I did that, and

after that I got a very good feeling... I did maybe four more bookings... And I wasn't tired at all... And I was like "Oh, I need to take this every day then" ...I trusted her for each and everything.

Later, the brothel operator borrowed three thousand dollars from Dayita, who believed that "she was my best friend." However, when Dayita attempted to recover the money, the operator threatened her with deportation:

[The operator and her boyfriend] have said that if you complain, you'll get deported first because you are a student. On what visa you are on? So I was always threatened like that (Dayita).

By the time she was threatened in this way, Dayita had already quit her job at the brothel and begun working privately, having realized that the operator "has exploited me all the way." As Dayita holds a student visa, she has been unable to access justice to recover her money.

Even migrant Asian women who hold PR may be targeted by exploitative operators. This was the case for Sophia, whose job at an escort agency was "the first sex work experience as well as the first sexual experience for me." Sophia was recruited by an operator who perceived her as "innocent" – and thus exploitable – given her age, gender, and ethnicity:

[The man who owned and operated the escort agency said] "You should do something [i.e. sexual act]... if you don't do something you won't get paid... And the clients won't want you". And [he also said] "You should be more open-minded." And I think I'm open-minded enough! [Sarcastic tone.] It's like he just don't take my boundaries seriously. And it's like they advertise me as eighteen but they really think I'm an eighteen year old girl without any knowledge, new to everything, and I'm Asian. Because lots of guys think Asian girls should be kind of innocent type (Sophia).

As Sophia concluded, the escort agency "was trying to manipulate me" and assumed that "I can be controlled by them." However, Sophia resisted this control in various ways:

My agency said "you just read too much" [about sexual health] ...But I was like if I don't read too much, you're gonna fool me; I'm not gonna let that happen (Sophia).

Ultimately, Sophia left the escort agency and shifted to a sexual massage agency, which she described as “the perfect job” because it has “really good management”:

And there’s a lot less earnings, but I’d say it’s worth it. It’s also a lot less frustrated. Especially when you’re starting. I mean, you can always move to the actual sex work later, but I’d say that it’s okay to start with sexual massage. And with the experience of sexual massage you’re being more professional (Sophia).

This illustrates how sex workers engage in occupational mobility in search of better working conditions in the sex industry.

Private sector

Unlike the managed sector of the sex industry, the private sector is not a feature of discourse around trafficking. This reflects that the private sector enables sex workers to exercise greater autonomy in their working conditions. In this sample, participants who had worked privately at some point in their lives (n = 14) enjoyed the ability to control their schedules, retain all of their earnings, and refuse to provide commercial sexual services:

... [Now I’m] only working for myself. So there’s more flexible [schedules] (Mia).

So I moved to an apartment in the city [and] I started doing private [sex work]... I made [in] not even two days... approximately two thousand seven hundred [i.e. \$2700]. The profit was that [much] (Dayita).

[Private work means that] if she’s not feeling good at that she can refuse [to provide commercial sexual services]. It’s like you’re free (Sophia, interpreting Yu Yan’s interview).

However, working privately requires sex workers to invest time and money in marketing their services, taking bookings from clients, and dealing with “time-wasters”:

So you are responsible to do advertising... Have to [take] booking is hard, yeah. Sometimes time waster never show up. Who knows! (Keiko).

And I don’t like that I have to have aspirations to develop my website, or build up my brand, or do a lot of work that doesn’t directly get me money, but will hopefully

increase my client base... [because] I feel like that is already consuming more of my life than I would like it to (Esther).

And some clients they simply just waste your time – I mean, they say they want to meet me at a certain place, at a certain hour, but they never show up (Li-Wei).

After weighing up these pros and cons, some cisgender women transitioned from the managed sector to the private sector. This occupational mobility is informed by a rational process of evaluating the costs and benefits of working conditions in each of these sectors. As Keiko summarized, brothel work is “Easier, but [provides] less money” than private work, which entails more autonomy but also more responsibility for sex workers. However, as sex workers gain skills and knowledge over time, they may prefer the conditions of the private sector. As Emily explained, “I know more - of course I want to do [sex work] by myself” because “When I do [it] myself, [I’m] more free.” However, as Sophia observed, working privately may not be feasible for recent migrants who lack experience in sex work or fluency in English language, and those who migrate temporarily may prefer the convenience of living and working in brothels that are operated by fellow migrants from their countries of origin.

In contrast to cisgender women who previously worked in brothels, transgender women and cisgender men took for granted the autonomy afforded by the private sector. An exception was Gabriel, whose brief stint in a male brothel had given him an appreciation of the ability to control his schedule and retain all of his earnings:

You have to be always ready if you’re working at the brothel. But when you’re an independent worker your time is your own and you get to keep all your money (Gabriel).

Other male and transgender participants have never worked in the managed sector, in part due to discrimination by brothel operators who employ only cisgender women. Due to the exclusion of male and transgender participants from the managed sector, the absence of third-party involvement in their sex work was seen as normal and unremarkable.

The gender of sex workers also influences their location in the private sector. In this sample, one cisgender man works from home, while the remaining cisgender men work from accommodation provided by their clients:

[When clients respond to my online advertisement] everything is negotiated on the emails, and then they decide the place, or they call the place, and I go there and whatever has been decided is done (Noah).

Both transgender women cycle in and out of homelessness and insecure housing, so they tend to work in accommodation provided by their clients:

Yeah, either they [i.e. clients] have to host me, or I have to host them. Or find some place, like hotel or motel (Ling).

Among cisgender women who work privately in small owner-operated brothels (SOOBs), those who are younger tend to rent rooms from older migrant Asian sex workers who rent houses in which the SOOBs are located. While renting a room reduces the earnings of the younger women, it offers them flexibility:

...I just go there [i.e. a SOOB] and I pay for room... so I can go [to] work any time, and finish [at] any time that I want (Kamon).

In order to reduce the need to work, older women collect rent for rooms in SOOBs, but demand for these rooms is unreliable, so it can be difficult for these older women to make much money:

ROSE: My job [is] well-paid... But [I feel] stress... because [the] rent [for] the house [is] too much.

DAVID: Because the rent is too high?

ROSE: Six hundred [dollars] - too high. And [the SOOB is] not busy.

Two cisgender women set up SOOBs in apartment buildings where they may be evicted if running a business violates the terms and conditions of their tenancy agreements:

Location is very hard because... working girl-friendly place is very hard to find... Have to be careful because body corp will say something. If [they] want to complain, you have to find the place again (Keiko).

So I moved to an apartment in the city. I started doing private [sex work with a friend]... But on Sunday afternoon, while I was working, the manager of the apartment he came and said there's some illegal activity [i.e. sex work in the building] going on, so we need to call the cops. I was so scared, so I just left (Dayita).

After Dayita was evicted from this apartment, she returned to the managed sector.

Similarly, Keiko stated that "Sometimes [I] can't find a place, [so I go] back to mamasan's house." This suggests that difficulty in finding a "working girl-friendly place" contributes to occupational mobility within the sex industry.

Street-based sector

As with the private sector of the sex industry, the street-based sector is rarely mentioned in discourse around trafficking in New Zealand, and this reflects that migrants rarely work in street-based sex work in this country. The only participants who engaged in street-based sex work were the two transgender women in this sample. For Aditi and Ling, homelessness and insecure housing compelled their street-based sex work:

Nah, I've always done the streets because I've never had my own place... And whenever I've stayed at a hostel or lodge... [or emergency housing facility], no visitors are allowed at any time. Yeah, it's really hard (Aditi).

[Something that would improve my working conditions] would be the proper accommodation. Having a safe place to stay, and for work (Ling).

While recognising this lack of options, it is equally important to recognise that the street-based sector does offer certain advantages. Notably, both Aditi and Ling enjoyed being their "own boss" in much the same way as the private workers described above:

I know who to go with, what type of client. And what I want to do with them; if I want to give them that service or not. We [are] still in control. We're our own boss in a way (Aditi).

[I enjoy] being self-employed! No time limit, like nine-to-five job. And no discriminations or what not. And I work for myself; I can choose the client. And it's very flexible. Yeah, and sometimes also it's enjoyable (Ling).

At the same time, working in the street-based sector “has its own pros and cons” in relation to the private sector, as Ling noted:

[Working in the private sector means that] you don't have to be on the street to advertise yourself... The downside is that I don't have transportation... [to see clients]. So that's tough. But working on the street these days is cold, so the downside is the weather. You have to ...be present constantly. It's hard. But the good side is that clients can see you, and you can see clients, and you can discuss more in details [before engaging in sex] (Ling).

As Ling pointed out, a key advantage of soliciting in the street-based sector is that it enables face-to-face screening of clients and negotiations about sexual acts. While soliciting on the streets, however, both Aditi and Ling contended with (racialized) competition and conflict among their co-workers:

In the early days, when I started on the street [with a non-Māori friend]... We were getting beaten... by the MāoriT girls [i.e. transgender women] ... [They used to] tell us to get off the street... (Aditi).

In addition to this hostility from co-workers, Aditi and Ling also faced the risk of violence by clients and other people in the street environment:

Working on the street is definitely less safe than [private work]... because it's night time in unsafe area where a lot of crimes may be happening, and a lot of dangerous people maybe around (Ling).

While street-based sex workers are most vulnerable to violence, they are also least likely to be targeted by law enforcement of the prohibition of temporary migrant sex work.

Experiences with law enforcement and violence

Given that “indicators of people trafficking” include threats of violence and deportation (INZ website, accessed 10/01/2018), participants were asked about their experiences of these issues. In order to mitigate the risk of re-traumatizing participants, they were not directly asked about violence, but questions about safety, working conditions and interactions with clients elicited relevant data. Throughout their interviews, participants indicated that primary sources of vulnerability to violence include the location and the legality of sex work, as well as racialized and gendered stereotypes of migrant Asian sex workers. However, participants who had worked illegally (n = 10) – and who were aware of this illegality (n = 5) – often viewed deportation as a greater risk than violence.

Experiences with law enforcement

In this sample, no participants had been served a deportation liability notice, nor had any participants experienced a brothel raid. However, some cisgender women who had worked in the managed sector were keenly aware of other migrant Asian sex workers who were deported or who worked in brothels that were raided:

And I heard of news about girls who have been detained by immigration, and basically not allowed to return back to New Zealand. I’ve heard of that story before. I have heard a lot of girls, you know, because of raids they have to go into hiding. But so far the place that I’m in hasn’t been raided yet (Ann).

[The student visa holders in the “massage house” were] very worried. [They used to] get another massage parlour’s information, you know. “Which day [do raids happen]?” “Every Thursdays mostly they come.” So they don’t come to work on Thursdays! They have many information. Talking to each other, another massage owner (Keiko).

Through their occupational networks, migrant Asian sex workers share information about law enforcement because, as Esther pointed out, “exclusively Asian [brothels]... are the kind of places that immigration tends to raid.”

Surprisingly, cisgender women expressed divergent perceptions of the risk of raids in larger brothels in the managed sector versus SOOBs in the private sector. Recalling her first job in the sex industry, Kamon stated that she was not too worried about working illegally in a larger brothel because “it’s quite big and many people know [it],” including authorities, “so it’s not like hiding” and “I feel okay with that” (Kamon). In contrast, Mia initially chose to work in a SOOB in “a very private apartment” rather than “a big shop, like open on the street, and real public.” Having visited one such “big shop” where migrant sex workers “don’t have the proper visa,” Mia felt that “I was quite scared; I can’t working there.” This indicates that visibility to authorities influenced the sector in which cisgender women chose to work, although they weighed the threat of visibility differently, with some hiding in plain sight and others flying under the radar.

In contrast, the street sector has at times been the only “choice” available to the two transgender women, for whom the legality of their sex work was of less concern than the legality of their presence in New Zealand:

So I had to do the sex work under those circumstances [when I held a transit visa]...

It’s not like I’m offending the law on purpose or something (Ling).

Regardless of gender, participants who had worked illegally – and who were aware of this illegality – feared being deported:

I feel more safe now because I have the PR now, so I have less scary about the immigration one (Mia).

Yeah, [I was afraid of getting deported] ...when I was standing on [certain streets] or in the city areas, and the cop car goes past... My heart nearly popped out of my chest every night (Aditi).

The other [reason I want to stop sex work] is that I know it’s illegal, it’s so risky. I don’t want the police to come and arrest me (Li-Wei).

In this sample, however, the risk of deportation is specifically gendered in that it relates to failed asylum for *transgender* women and brothel raids for *cisgender* women. In contrast, cisgender men are relatively unlikely to be deported on the grounds of illegal sex work, which reflects the sexual double standard of law enforcement.

Experiences of violence

Throughout the course of the interviews, participants discussed varying degrees of violence by clients, ranging from relatively minor but nonetheless non-consensual acts to much more traumatic incidents of physical and sexual assault. In some cases, participants described sex with clients as “rough” rather than violent:

[Sex work is] still hard now if you see quite rough clients, but most of my clients [are] quite good (Kamon).

However, sex with these “rough” clients were not traumatic if participants were able to assert their boundaries:

And when with clients, if they make me painful, I just tell them off. And most of them, they can be gentler, or simply stop. And that’s good (Li-Wei).

Indeed, two cisgender women saw themselves as “confident” or “strong” sex workers, as opposed to more “timid” or “vulnerable” sex workers who may be targeted by abusive clients:

I never come across anything that bad happen to me... And I mean, I am quite a strong person, it’s probably [one of the reasons] why those guys don’t come to me, they probably go to the girls who are more vulnerable where they can take advantage of them and do the things that they don’t want to (Alexa).

But I think, pretty much because I can speak English fluently, they [i.e. clients] can’t do anything to me. They know they’re not supposed to take off their condoms... So, I think I’m pretty fortunate in the sense that I would probably come off as confident - I’m not timid - so they won’t dare to do those type of stuff on me (Ann).

While Ann works illegally and Alexa works legally, both of these sex workers felt that their fluency in English and their confidence in asserting their bodily rights deterred violence by clients.

While individual capacities shaped vulnerability and resilience to violence, location mattered more. In addition to the aforementioned violence by co-workers, the two transgender women discussed both physical and sexual assaults in the context of their homelessness and their social networks:

And then I spent the night on the street, which is very, very hard for me because that night was cold, and without proper clothes, without shelter, without even food. I remember that night I was offered a free pizza, and I was - I would say – it's called sexual assaulted or harassed at the same time... And after that, the second day I think, I got another sexually assaulted from another person, but for different reasons. Just within that two days. Because at my very worst, fragile moment and most vulnerable situation, people would easily just take advantage of that (Ling).

For these transgender women, urban streets are places where they survive homelessness but also suffer violence that is not limited to sex work.

Location also shapes experiences of violence in a variety of indoor settings. In the managed sector, for instance, "outcall" work can be more dangerous than brothel work, as Keiko concluded after she was physically assaulted by a client in a hotel:

Ah, [I] went to outcall from Mamasan's house. Never do outcall. Nearly man was, like, choking me [in a hotel]. So nearly die. I thought I could have died. Never do outcall (Keiko).

And within the private sector, Jimmy was raped by a client during "outcall" work in a motel:

...I met this guy online, and he asked me just to give him a blow job. And next minute he took me to a motel, and the he paid for everything because I told him I can't host... And then he got pissed off, and he said "I thought I was getting everything because I paid for the motel?" I was, like, "I told you that this is what you're getting [i.e. blow job only] because this is what you asked for." But next minute I got my

hands tied behind my back and he just completely raped me. And no one could hear us because the doors were closed, and the curtains were closed as well (Jimmy).

Another male worker in the private sector, Gabriel, stated that violence was very rare in his experience of working from home, although he did mention that a client and acquaintance had threatened to have him physically assaulted:

She's literally threatening me... [and] she told my flatmates "Tell [Gabriel] be careful; I'm going to get my friends to beat him up." And... you know for a fact that I'm a queer individual, I'm not interested in you, why are you doing this? (Gabriel)

These accounts highlight different types of client violence against sex workers – including male sex workers – within indoor environments where they lack support from co-workers and operators of brothels.

While operators can provide protection, they can also facilitate and exacerbate violence by clients. Consider the following two examples from cisgender women who worked in brothels. In the first example, Emily stated that a brothel operator led a client to expect penetrative sex for an *entire* hour. As she recalled with rage in her voice, "I can't take one hour to fuck" because that is "really rough" and "If you want to fuck [for] one hour you have to tell me." As Emily holds PR, she was able to stop the "rough" client by threatening to call the police. However, the client then demanded a refund, which the brothel operator deducted from Emily's pay. In response, Emily told the operator: "If you have to refund the money that's your problem [because I'm] really hurt." Emily then quit her job and shifted to another brothel.

In a second example, Casey (who also holds PR) resented a brothel owner who offers refunds to abusive clients:

She's [i.e. the owner] not supportive. There's so many fucked up rules that she comes up with... So, like, say you're having sex, and he [i.e. client] did something you really didn't want him to do, and you've made it clear – you've given him warnings – and he still does it. And you kick him out, and the owner's on shift, she will take your money with that booking. But it's, like, I've already done all of the things that I was meant to, anyway (Casey).

Unlike Emily, Casey has chosen to continue working at the above brothel. Taken together, however, the accounts of these two participants show that some brothel operators exploit sex workers by unfairly deducting refunds from their pay. And by offering these refunds to abusive clients, brothel operators legitimize and incentivise violence against sex workers.

Further, the issue of refunds underscores the vulnerability of migrant Asian sex workers who lack labour rights. In order to gain a refund, abusive clients may threaten to report these sex workers to police, as Sophia observed in the brothel where she worked as a receptionist:

Because usually we can have some nasty clients who said “We going to call the police because you’re not giving me refund.” They more like threaten [the illegal sex workers in this way] (Sophia).

Further, migrant Asian sex workers who work *legally* may be reluctant to seek assistance from police if they work in brothels where others work illegally. As Angela explained, “boss say you trouble girl” when “legal girls” call police to an “Asian shop” where “illegal girls” are working. In this way, the prohibition of sex work for holders of temporary visas is a barrier to accessing justice for migrant Asian women who work both legally and illegally in sex work.

Further, an *assumption of illegality* may lead abusive clients to target migrant Asian sex workers who in fact work legally. As Esther recollected of her first brothel:

I got into trouble again, again, and again because people [i.e. clients] saw size six, teenage, *Asian migrant*, and they thought oh my god, she’s going to be so *submissive*, I can do whatever I want; [she is] tiny and dark enough to be undesirable? You know, [she] must be really shy; [she] must be really *sexually naïve*; [she] won’t notice if I take the condom off. So I just got into so many situations that were either, like, just really dodgy or, like, literally sexual assault, because by being racialized, and being my build and my height, and, like, you know, little and quiet with glasses, people thought I was going to be something that I wasn’t. And either they were the aggressive type, or they were like “I want a refund! This girl talks English better than I thought she would” (Esther, emphasis added).

As Esther points out, some clients perceive migrant Asian women – especially those who are young, petite, and cisgender - as “submissive”, “sexually naïve”, and therefore violable. And when such clients encountered Esther - who turned out to be a highly assertive sex worker - they soon realised that she did not conform to their racialized and gendered stereotypes of migrant Asian women. In fact, Esther has largely grown up speaking English; she gained PR as a young person; and she knows her rights in sex work.

Other young Asian women who migrated more recently were also subject to racialized and gendered stereotypes, but they were more vulnerable to abusive clients. In one example, Sophia (who holds PR) was targeted by a “newbie bullier” who exploited her inexperience rather than her illegality:

[Some clients] like innocent girls because they want to take advantage [of these new sex workers]... [W]e have a so-called newbie bullier... I was with that guy before. Yeah, I have to say I was terrible in the room and I do got take advantage [laughs with a sense of hindsight] (Sophia).

In a second example, Dayita (who holds a student visa) was vulnerable because of her economic distress (which limited her capacity to select clients) and her illegal sex work (which foreclosed the possibility of accessing justice). Due to these structural factors, Dayita felt resigned to violence by clients:

There was a mark here [on my face because] a client has scratched me... If they are like that, I have to just take it, there’s no other option, you know. Because if I be rude, I won’t get clients. And I need clients (Dayita).

Because of inexperience or illegality as sex workers, compounded by racialized and gendered stereotypes as Asian women, Sophia and Dayita were vulnerable to both exploitation by brothel operators and violence by clients.

Views of clients

Existing research suggests that migrant sex workers are disempowered in their interactions with clients, but also that New Zealand's decriminalised framework may enable clients to report instances of exploitation involving these sex workers (Armstrong 2018). Given this complexity, participants were asked about their interactions with clients, with a particular focus on how gender and race/ethnicity influences these relations.

In this sample, a few participants reported seeing exclusively white and middle-aged clients, but most participants reported seeing clients of various ethnicities and ages. There was less diversity with regards to gender, however, as almost all participants reported that their clients were predominantly male. An exception was Noah, who claimed to see female clients only.

Unsurprisingly, participants often reported that the best clients were either regular with their bookings or generous with their tips, while the worst clients either failed to pay participants or abused them in the ways described above. Further, the interviews revealed that clients can be a source of racism and sexism, but they can also be a source of pleasure, intimacy and social connection for participants.

Indeed, participants described a range of interactions with clients. Some interactions were fleeting and purely transactional; while others were long and intensely communicative; and still others were comical and sexually unconventional:

Some [clients] are just very straight into the business... And some actually sit there and talk for, like, two hours... And some actually want certain things [i.e. sexual acts] ...It's the variety of it that interests me until now. It's been two years and I still get people that surprise me for years. It's, like, "Okay, that tickle your fancy, sure!" (Alexa).

Reflecting a degree of trust, intimacy and reciprocity, some regular clients provided financial support for participants:

But I was a bit short [of money] because with the student visa you need to prove that you have enough money to live and, you know, fork out all your expenses and

pay the school fees... And I asked one of my customers, and he lend me the money. And I was really, really grateful (Ann).

And in the case of two participants, regular clients became intimate partners and breadwinners:

It's like a blurred line [between client and boyfriend] because he was a client in the beginning, right, and then suddenly we became mates with benefits, I guess. Because it comes to a point when you stop charging them money... and it starts coming to a point that you fall in love, and you move in with them (Aditi).

Thus, clients – and particularly those who were regular - performed multi-faceted roles in the lives of participants. In addition to providing a relatively reliable source of income, regular clients often became part of the social networks that supported participants as they settled into New Zealand.

Interactions between participants and clients also reveal the intersection of gender and race/ethnicity in migrant Asian sex work. Significantly, the gender of participants influenced their preferences for clients of similar or dissimilar ethnic backgrounds. In this sample, the two transgender women reported seeing white men rather than men from their countries of origin:

I love my white boys. Even my clients, on the streets even. [If] a dark person stops... I tell them to get fucked... (Aditi).

Perhaps the transgender women rejected men from their countries of origin because discrimination and isolation within those countries - and diasporic communities in Auckland - caused them to dissociate from their ethnic identities. As Ling stated, "I couldn't accept or admit that I'm [Asian]." In contrast, cisgender women evinced stronger ethnic identities as they were more closely tied to diasporic networks. As a result, they were more concerned about the threat of stigma to their reputations, so they avoided Asian clients:

If I see Asian guys I usually just draw myself away in case they are [from my country of origin]. It's quite a small community and I know a lot of [these] people as well (Alexa).

By refusing Asian clients from their ethnic communities, cisgender women use ethnicity to create a boundary between their sex work and their domestic lives:

When I was working with outcall, I told my agency that I don't want to work with any Asian or Chinese client. My boundary is that I speak Chinese with my partner, with my family, when I'm relaxed, but I speak English when I'm working (Sophia).

Other boundaries may be driven by (internalized) racism. For instance, some cisgender women openly demonized Indian men as smelly, pushy and rough, while implicitly idealizing "Kiwi" (i.e. white) men as good customers:

Yeah, I like Kiwi customers. [It's] not [about] how much money [they pay because they are] very polite (Rose).

I don't take Indian customer because they are bastards. No Indian! (Keiko).

Kiwis are good. Indians they treat you like "We have paid, so we will be using each and every cent, every dollar for what we have paid for" (Dayita).

Given the actual experiences reported by participants, this binary between Indian and "Kiwi" (i.e. white) clients reveals more about racial hierarchies than nuanced differences in the treatment of cisgender women by these groups of men.

While cisgender women discussed their preferences for - and aversions to - clients of certain ethnic backgrounds, cisgender men discussed the question of racism among clients. Opinions differed on this question. For example, Jimmy stated that he had experienced less racism by clients than by users of Grindr, which is the largest social networking application for men who have sex with men:

That's one thing that was nice; they [i.e. regular clients] actually didn't discriminate against me being an Indian. Because nowadays, if you go on Grindr, it's literally everyone hates Indians (Jimmy).

Noah also perceived that his clients are "just looking to try people of different ethnicity, so I don't find any discrimination as such." Conversely, other male participants expressed a weary acceptance of the racialized desires of clients who fetishize their bodies. As Gabriel lamented, "I guess I'm an acquired taste":

But there will always be people I guess people that do fetishize you because you're different, like your skin colour (Gabriel).

From Li-Wei's perspective, racial fetishization led some clients to view him as an object rather than a person. He described such clients as "a bit arrogant, even when having sex":

I think some of the clients they just have a fetish for the Asians, and they view me a toy or something like that. But sometimes they are respectful and they view me as a person (Li-Wei).

This fetishization is paradoxical for Asian sex workers because, as Esther remarked, "if people didn't fetishize us we wouldn't make money." But as Esther further explained, clients often expect Asian women to either be "docile, submissive, [and] innocent" (the dominant stereotype), or kinky and domineering (the opposite of this stereotype):

And so I do still have quite a limited market, purely because white sex workers get to do whatever the fuck they want, but, like, if you're an Asian sex worker and if you don't fit a stereotype – like if you're not either a submissive flower, or a tiger lady/dominatrix – then, like, there's not that much [demand] for you (Esther).

These racialized and gendered stereotypes are consciously performed by Asian women for clients with "yellow fever," in the words of Esther, or "Asian taste," in the words of Sophia:

But it's still different, like with a Chinese client I'd be more like playing cute, or innocent, even a bit naïve kind of thing. But when I'm with kiwi guys I'd be more naughty and playful (Sophia).

This strategic performance of gender and ethnicity enables migrant Asian women to make money from the stereotypes that are expected of them. However, conforming to these stereotypes is emotionally taxing for these women, especially when clients attempt to "rescue" them from sex work:

I've had so many guys say "I can get you out of this, don't worry, stop doing it." And I'm like, oh my god, we don't live in the eighteenth century! I'm making the decision for myself! [Laughs] (Casey).

An underlying assumption here is that (Asian) women lack agency in sex work, but they can be “saved” through intimate relationships with (white) men. Given this rescue fantasy, clients’ stories about suspected trafficking should be treated with some caution:

Yeah, and this [story] is from clients, not from the girls that I work with. Some of them [i.e. clients] say that there are places that they go [i.e. commercial sex establishments] where they see regular girls, and some girls actually mention that they come here to work, and all of a sudden they get their passport held, so basically they can’t leave the country because they need the money at the same time. So it can be hard for them not to do [sex work] (Alexa).

While clients may identify this exploitative scenario, it would be remiss to overlook the bias of those who imagine themselves as rescuing or saving migrant Asian sex workers.

Experiences and effects of stigma

The sex industry is identified as a site of trafficking in the New Zealand Police Manual, which lists stigma around trafficking as one of several barriers to assistance for victims who are trapped in “sexual servitude” (NZP 2017, 18). Given that participants were not trafficked into “sexual servitude,” the notion that they ought to be saved or rescued was perceived as stigmatizing, particularly by those who willingly choose to engage in sex work, as Casey indicated above. However, participants who felt that they exercised less choice in entering the sex industry tended to internalise stigma around sex work, which they viewed not as a legitimate profession, but rather as an immoral way of meeting their economic needs:

Ethically I don’t support that [i.e. sex work], but then you have to support yourself (Noah).

Reflecting their gendered location in the sex industry, the participants who were most exposed to stigma were the two transgender women, who were doubly stigmatized by trans-misogyny and public antipathy to street-based sex work:

Especially working girls like us, if you are a trannie, or cross dresser, or T girl on the street. They look at us like scum. There are arseholes out there. There always will be I guess; that's something that nobody can change (Aditi).

While transgender women were objects of stigma on the streets, their cisgender counterparts were more concerned about "loosing face" within their natal families and ethnic communities:

If my family know [about my sex work], my dad will kill himself (Angela).

Because in my culture, with my parents and stuff, it's very, very taboo. Like, that kind of shit, you will be disowned (Casey).

In short, stigma around sex work affected all participants, but they experienced this stigma in gendered ways.

Stigma also operates in heteronormative ways, and this problem was illustrated by cisgender women who struggled to negotiate the intersection of sex work and heterosexual relationships. In this sample, only Alexa reported that a boyfriend or husband was fully supportive of her sex work:

And he's already know about the industry long time ago, and when we first met I pretty much told him straight away, like, "Look, this is what I do. I don't know how you feel about it, but I am not leaving my job for anybody unless I am ready to do so, and right now I am not." And he was like, "Well, you enjoy it; it's good fun; it's good money; and you [are] safe. That's all that matters." He's just amazing because I'm very curious about everything, include sex (Alexa).

More commonly, when cisgender women embarked on intimate relationships with cisgender men, they stopped sex work in order to conform to norms around heterosexual monogamy. As Casey explained:

[A few weeks after I met my ex-boyfriend] ...I felt I couldn't [continue sex work]. Like, there's this person that I love, that I adore, back at home, and then there's people here hitting on me, and I'm expected to flirt with them, and I just couldn't do it (Casey).

Other cisgender women continued their sex work in secret. However, a fear of being discovered by a suspicious boyfriend was highly stressful, as Ann stated:

I don't want this job to affect my relationship because basically this job is not something I want to carry on for the rest of my life... [So] my partner is in the dark; he has no idea [that I've returned to sex work]. He knew that I used to be a working girl... [and he used to] surf advertising pages to see if [I was still doing sex work]... He almost caught me... [working in a brothel]... And I managed to hide... It was a horrible... [situation] that stopped me from working for at least three months (Ann).

Openly engaging in sex work is not easy, either. Consider Dayita, whose jealous and controlling boyfriend resented her sex work:

He tortures me, he doesn't hit me and stuff, but [he says] "You can satisfy your clients, [yet] you can't satisfy your boyfriend" ...[And] when I'm working in a private apartment, he stands out[side] the door just to listen [to what I am doing with clients] (Dayita).

Resisting these patriarchal power dynamics, Esther has consciously avoided men who expect her to be "their subby [i.e. submissive] Asian girlfriend." Instead, Esther has created a polyamorous marriage in which she and her partner occasionally engage in sex work together. The compatibility of polyamory with sex work throws into relief the challenges of negotiating sex work and monogamy. Those cisgender women who could not disclose their sex work to their boyfriends were acutely aware of the potential impact of stigma in their intimate relationships, and they were more concerned about being discovered by these boyfriends than by immigration officers. As Esther observed of her migrant Asian co-workers, "immigration raids weren't the biggest thing to worry about," rather, their main concerns were: "Will my ex find me?" and "Will I see someone who knows me?" Indeed, cisgender women feared the social effects of stigma much more than the risk of trafficking.

Perceptions of sex work

Rather than describing trafficking, with its neat divisions between victimisation/agency and innocence/deviance, participants articulated much more nuanced perceptions of their lived experiences in sex work. Overall, these experiences were contingent upon the social and occupational locations of participants, and their perceptions were shaped by their life histories and personal dispositions.

Most importantly, participants of all genders appreciated the financial rewards of sex work. Those who were struggling to earn a living in New Zealand reported that “good money” or “quick money” was the sole advantage of sex work:

Good thing is - the only thing why I'm doing [sex work] is for money. It gives you a good amount of money in a short time (Noah).

For cisgender women in particular, sex work was often seen as a means of economic independence that comes at the cost of stigma. In the words of Angela, sex work “give[s] me a lot of confidence” because “[I] don't need to rely on other[s].” But while her “life quality” improves, her “respect drops bottom.” Similarly, Ann stated that sex work “gives you the freedom to do whatever you want” because “you don't have to worry about money,” while also acknowledging that stigma can take a heavy toll on mental health:

There's always a price to freedom. So I had to pay the price to do something that I cannot talk about very freely with somebody else... I had a breakdown when I left the industry, and I was just reflecting on what I've done... I think it was just, you know, accumulation of all the secrets in you... It's just too much, the pressure, everything (Ann).

Given the harmful effects of stigma, many cisgender women viewed the lucrativeness of sex work as both a blessing and a curse. As Keiko stated, “Best thing is money is good. Worst thing is once you start it can be hard to get out of this industry.” Dayita was particularly conflicted here:

And then money. To be frank when girls like us work in the industry it's very hard to leave the job. Even if it's painful, even [if] we are struggling. Still we want to do this

work because the income is good. And you know when you see that money it's difficult to leave. Every day I earn seven hundred dollars. Even to think if I go for a normal job, maybe in one month I'll earn this much. Because I'm a student. So all those things (Dayita).

Looking ahead to the future, cisgender women often anticipated that sex work was not a long-term solution to their economic needs. As Mia remarked, "You can't rely on this job for your whole life" because "when you're old... you're not pretty anymore." Indeed, the oldest women in the sample - Yu Yan and Rose - struggled to earn what they considered to be a decent income through sexual massage. As Sophia interpreted for Yu Yan, "she's getting older, [so] it's not really that good money."

While money was the most frequently cited advantage of sex work, some participants also enjoyed the sociability, pleasure, and desirability they experienced at work. As Alexa enthused:

For me, at the time, I think I really enjoy working at the club, because it's a fun environment, I mean the sex is not always great but you do get good sex every now and then, you know when you get nice people, and stuff like that. You get to have drinks. And as a girl, we get that attention, like, oh my god, someone actually paid me to be with me! (Alexa).

While sex work could be pleasurable, it could also be physically, mentally, and socially demanding. As Kamon qualified:

I can stop [sex work at] any time that I want, yes, and I don't know, I quite like it, I didn't love it, but I quite like it, I can cum [laughs], you know, like, orgasm, so I feel like it's okay (Kamon).

You can't work this job your whole life or a long time; it's not good for your body, your mental, too... You can't say like its easy job - yeah its good money - but you... have to deal with many different people (Kamon).

Thus, participants felt ambivalent about sex work, and their views about this form of labour were highly contextual.

Indeed, perceptions of sex work reflected the specific conditions of labour within particular sectors, workplaces and types of services in the sex industry. This was illustrated by Sophia's divergent feelings about "full service" work versus sexual massage work in the managed sector:

Because full service did earn a lot more money, but it just really depends on can you do it. And if I can't do it, that can give me quite a lot of burden (Sophia).

Even if it's a sex job; sexual massage doesn't really sound like a decent job, but I'm happy, I'm living my own life, and enjoy it (Sophia).

Even with regards to a single type of sex work, however, participants reported highly variable experiences and perceptions of their labour. As Jimmy stated, "outcall" work within the private sector was a multivalent source of income, violence, and intimacy in his life:

The positive was the money, but the negative was getting raped. That's the biggest downside to it. But sometimes you meet nice people that actually take care of you and look after you in a way that at least it's not having sex with a stranger. It's like having friends with benefits (Jimmy).

This variability reflects the complexity of sex work and the diversity of life histories and social locations of participants. Consider Esther, who is a queer migrant Asian woman who experienced sexual abuse in her childhood. Given this history of sexual trauma, Esther stated that sex work had given her "a greater sort of understanding of sex, and of consent." Nonetheless, Esther acknowledged that it was difficult as a survivor of child sexual abuse to negotiate the racialized and gendered power dynamics that structured her interactions with clients:

Yeah, there are a lot of risks and a lot of dangers because ...being an Asian sex worker means that you're infantilized as in sexualised in a way that can be quite traumatic for people with quite a lot of sexual trauma because they treat you as little and cute and young anyway and submissive and devoid of agency. And the best you can do is sort of manage that (Esther).

While critical of these power dynamics, Esther was doggedly pragmatic about sex work: “It might be unpleasant, but it’s work,” and the money earned through this work “got me out of homelessness and got me a lease on a house.”

The most paradoxical views of sex work were reported by the two transgender women in the sample. On one hand, their “choice” to engage in street-based sex work was structurally coerced:

Nobody wants to stand on the street and sell their body, you know? ...I mean in my case, I never thought that was in my dream when I was coming to New Zealand, you know? If I had known that one day I will come to New Zealand and have to sell my body to survive, I’d have never come to this country (Aditi).

On the other hand, sex work expanded their choices to a degree, even while this labour was born of desperation:

Because of immigration visa issues, and financial problems, and gender issues... I actually had no choice but to work for sex [i.e. engage in sex work]. But then I’m getting more and more choices. Because I can choose from clients, from rates, from places. And people who I want to be around with (Ling).

In the context of displacement from communities of origin, sex work provided a sense of emplacement because it could be relied upon when all else fails, while certain clients offered a much-needed sense of family:

In a way I should say it’s my first home. Yeah, it’s my first home. I mean, we will come and go but it [i.e. sex work] will always be there (Aditi).

They’ve [i.e. clients] taught me a lot of things... To even feel the sense of family that I had never ever felt. Like how important it is as part of my life – I didn’t know that part of my life is missing (Ling).

Given the systemic disadvantages faced by these queer refugees and transgender women, sex work became a way of surviving but also of belonging in New Zealand.

Discussion and conclusion

Consistent with Roguski (2013), migrant Asian sex workers in this study (n = 20) were not trafficked into New Zealand's sex industry. Further, participants did not enter the country specifically for sex work. Semi-structured interviews revealed that a few participants migrated as young people with their families (n = 3), but most migrated as adults due to: education and employment opportunities; desire for new experiences; circumstances of single motherhood; and violence and discrimination in countries of origin (n = 17). Intersectionality reveals how these motivations for migration were shaped by the social location of participants, particularly their class, nationality, gender and sexuality.

While participants were not desperately poor, their class and nationality structured their migration. Highly stratified competition for education and employment motivated those whose opportunities were perceived as limited in densely populated countries, whereas a desire for new experiences was emphasized by participants from relatively privileged backgrounds in countries that are highly industrialized, namely Singapore and Japan, or cities that are home to burgeoning middle classes, namely Shanghai and Bangkok. Thus, migration was not solely motivated by a need for upward socio-economic mobility, although this was an important goal for many participants.

Gender and sexuality also structured the migration of participants. Cisgender women who migrated as single mothers sought to improve their life chances and those of their children. Other cisgender women migrated as a way of removing themselves from violence and control by either a husband or a father, reflecting that patriarchal family dynamics were a significant push factor, while desire for greater freedom was a pull factor. Violence and discrimination in countries of origin was also a crucial push factor for transgender and gay asylum seekers, while their desire to more fully embody their gender and sexual identities was a pull factor. Although migration has classically been viewed as a masculine and heterosexual project, participants of all genders and sexualities took the risk of moving abroad for a better life.

Furthermore, class, nationality, gender and sexuality intersected in complex ways in the migration of each participant. Consider Yu Yan, whose experiences illustrate the ways in which emotional and material turning points in life histories (e.g. the death of a husband and the loss of his income) and structural contexts of political-economy in countries of origin (e.g. declining job security and rising marketization in post-socialist China) informed the decision to migrate abroad. And this migration was specifically gendered in that Yu Yan was motivated in part by the absence of adequate social assistance for single mothers in China. Due to these circumstances, Yu Yan arranged a transnational marriage with a “Kiwi” man as a means of migrating to New Zealand with her son, thereby investing sexual labour in their future prospects.

Given diverse motivations for migration, it is notable that half of migrant sex workers in this sample (n = 20) entered New Zealand with a student visa (n = 10). Their interviews indicated that the export education sector facilitated migration, as studying provided a way of entering the country. However, immigration statuses change over time, and many participants – including former international students - have now settled in New Zealand. Indeed, at the time of research, more than half of the sample were permanent residents (n = 11) or citizens (n = 3). But while some cisgender women have obtained secure immigration status through heterosexual relationships, the two transgender women have struggled to achieve this status through the asylum seeker process. This inequality between cisgender and transgender women highlights the heteronormative structure of marriage markets and the immigration system.

In the context of intersecting structural inequalities, the majority of participants began sex work to meet their economic needs. Crucially, sex work offers much better pay than other forms of feminized labour by migrant women. And the combination of better pay and flexible hours makes sex work particularly viable for single mothers and international students. Sex work also allows migrants to send remittances to their families, in some cases to repay migration-related debt, and in other cases to meet filial obligations. Migrant transgender women may affirm their gender identity through sex work, but this labour is at times coerced by multiple disadvantages and systemic marginalisation. Similarly, sex work by young queer migrants can be a way of exploring sexuality, but it is also a response to

dislocation from family support networks. At least one migrant in this sample viewed sex work as a way of exercising greater control over sexual encounters, while others viewed sex work as a source of pleasure and sociability, at least occasionally.

Throughout their interviews, participants indicated that primary sources of vulnerability to violence include the location and the legality of sex work, as well as racialized and gendered stereotypes about migrant Asian sex workers. However, participants who had worked illegally (n = 10) – and who were aware of this illegality (n = 5) – often viewed deportation as a greater risk than violence. Further, only one participant reported conditions that were consistent with “indicators of people trafficking” (INZ website, accessed 10/01/2018), and this case involved a brothel operator who effectively stole earnings from an international student and threatened her with deportation. Other participants who have worked in managed brothels – either during or prior to the time of research - reported unfair managerial practices that are not severe enough to constitute trafficking, but are nonetheless indicative of “mundane” exploitation (Armstrong 2018, 87). This common form of exploitation involved, for example, brothel operators who induced or compelled participants to provide sexual services when they were tired. However, participants did not view this violation of their labour rights as “trafficking”; indeed, no participants used the term to describe problems in sex work.

Finally, Section 19 of the PRA and its enforcement reflect not only concerns about trafficking, but also historic prejudices against Asian migrants. The law has not actually stopped this population from earning a living in sex work; rather, the prohibition of their labour has rendered them more vulnerable to exploitation. Further, as Section 19 empowers Immigration New Zealand to deport migrant sex workers, the sexual double standard continues to operate in law enforcement that targets migrant sex workers (who are predominantly Asian women), but not their clients (who are predominantly men). Thus, the PRA has not ended racialized or gendered law enforcement in the sex industry; rather, the focus of this enforcement has shifted from street-based Māori sex workers to migrant Asian sex workers. Likewise, the PRA did not eliminate the power of the state to punish sex workers; rather, this power has shifted from New Zealand Police to Immigration New

Zealand. For all of these reasons, Section 19 of the PRA needs to be repealed to ensure that the rights of migrant sex workers are better protected.

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