

Pre-Budget Submission of Project Respect

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About Project Respect

Project Respect is an intersectional feminist organisation, which provides support for women in the sex industry and women trafficked for sexual exploitation. We outreach to licensed brothels across the Greater Melbourne Region to provide women with information about their rights and where they can access support. We provide case-coordination support to women with experience of the sex industry, including women trafficked who are unable to access the government funded Support for Trafficked People Program.

Our vision is a world where women are free from trafficking, sexual exploitation, violence, and harm. Our primary mission is to support women in the sex industry and women trafficked and advocate for the structural change needed to end all forms of sexual exploitation. We provide a platform to elevate and amplify the voices of women with lived experience.

Recommendations

1. The Government adequately invests in long-term funding to anti-trafficking NGO's who are providing support to survivors of human trafficking to ensure all survivors can access support to heal and recover from their experiences.
2. The government invest in supporting civil society and government to establish a working group to develop a model that will foster a human rights based approach to survivor support which is de-linked from the criminal justice system, including referrals to the program and length of support time.
3. The government invest in the implementation of a National Compensation Scheme for survivors of trafficking to provide restitution to survivors of grave human rights abuses and address Australia's failings to uphold our international obligations.
4. The Government adequately invests in long-term funding to anti-trafficking NGO's who support survivors to deliver critical awareness raising and capacity building initiatives to the service sector and broader community, which gives rise to the voices of survivors.
5. The Government adequately invests in long-term funding to anti-trafficking NGO's to deliver prevention activities to at risk communities.
6. Project Respect recommends the investment in a wholly independent Anti-Slavery Commissioner and office to strengthen Australia's response to modern slavery and the *Modern Slavery Act* and this should be undertaken as part of the *Modern Slavery Act* 3-year review period.
7. Greater research about the impacts of the sex industry on women involved in the sex industry needs to be invested in. This should include:
 - i. Social determinants of health sex worker populations, and human trafficking survivor populations, including:
 1. Employment conditions
 2. Social exclusion
 - ii. Burden of disease measurements on sex worker populations, and human trafficking survivor populations including:
 1. Mortality
 2. Mental health
 3. Physical injury and illness.
 - iii. Research on men who use violence against sex workers.
 - iv. Research into the prevalence of transactional sex, particularly within Aboriginal and Torres Strait islander communities, youth in Out-of-home care settings, and homeless/rough sleeping communities.

8. The government invest in research and development of digital safety measures and tools for people involved in the sex industry who use online platforms to market their services to build awareness on how to keep themselves safe.
9. That the Australian Government exempts women who have experienced domestic, family and sexual violence and have been granted permanent residency from Centrelink's newly arrived resident's waiting period (NARWP). This would be similar to existing waiting period exemptions that are in place for people recognised as refugees.
10. That the Australian Government exempts women on temporary visas and women seeking asylum who have experienced domestic, family and sexual violence from meeting residency requirements so that they can fully access Centrelink and Medicare while their visa is being processed.
11. That the Australian Government expands eligibility for Special Benefit to include people who are on all types of temporary visas and have experienced domestic, family and sexual violence. The rates of Special Benefit should be increased to make it liveable.
12. That State and Territory governments expand the eligibility for and provide equal access without any migration restrictions to temporary accommodation, crisis accommodation, rental assistance, public housing and Safe at Home Programs to ensure that women on temporary visas experiencing violence and their dependants can have a safe place to live and a safe home.
13. That the Australian government ensures that women on temporary visas experiencing domestic, family and sexual violence and their dependants are eligible to access all tiers of education from childcare services, to schools, vocational training and tertiary education.
14. That the Australian Government expands eligibility for childcare subsidy to all women on temporary visas experiencing domestic, family and sexual violence.
15. Long term and sustainable funding to specialist organisations supporting women on temporary visas who are experiencing domestic, family and sexual violence
16. Women on temporary visas are provided access to JobKeeper and JobSeeker payments and women involved in the formal or informal sex industry do not need to evidence their employment relationship to gain access to the benefits.

A. Invest in modern slavery prevention, response and support to survivors within Australia

Project Respect acknowledges the government's long-standing commitment to addressing human trafficking, slavery and slavery-like practices including serious forms of labour exploitation. Addressing all forms of modern slavery, and the grave human rights abuses as a cause and consequence of slavery is of extreme importance. The Government undertook extensive consultations and research as part of the Joint Standing Committee on Foreign Affairs, Defence and Trade's (the Committee) Inquiry in to Establishing a Modern Slavery Act in Australia (JSCFADT Inquiry) which included 225 submissions from civil society, business and government, as well as 10 public hearings with a broad range of experts sharing their specialised knowledge and expertise with the Committee. This resulted in the *Hidden in Plain Sight: An Inquiry into Establishing a Modern Slavery Act in Australia* Report, the most comprehensive review of modern slavery in Australia to date, which led to the ground-breaking development and implementation of the *Modern Slavery Act* (Cth) 2018.

This legislation has increased the awareness of the issue of modern slavery, particularly offshore in supply chains, and investment in particular areas and initiatives to implement the *Modern Slavery Act*, however, despite this increased focus and awareness of modern slavery, there has been a decline in funding to anti-trafficking NGO's working on the ground in Australia to prevent, deter and respond to modern slavery within our borders, and a decrease in length that funding towards projects and initiatives, making it difficult to adequately implement program initiatives. Frontline service providers and NGO's in Australia undertake critical work on the ground with survivors as well as with the broader community. This knowledge, expertise and reach should be adequately funded to increase the effectiveness of addressing modern slavery.

Support for Survivors of Human Trafficking in Australia

Australia has ratified the *United Nations Convention against Transnational Organized Crime* and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children which outlines Australia's protection obligations for survivors*. It is consistently recommended to the Australian government that they need to do more to meet their international obligations in protecting survivors of slavery, slavery-like and trafficking offences. Anti-trafficking organisations in Australia have long advocated for fostering a survivor-centred holistic human rights-based approach¹ to survivor support. This primarily centres around delinking of the government funded Support for Trafficked People Program (STPP) and the Human Trafficking Visa Framework pathways from the criminal justice process. This approach is supported by:

- International Organisation for Migration;
- United Nations Office on Drugs and Crime;²
- a recommendation in the 2012 report by UN Special Rapporteur on trafficking in persons, especially women and children, Ms Joy Ngozi Ezeilo on Australia's trafficking framework;

¹ JOINT STANDING COMMITTEE ON FOREIGN AFFAIRS, DEFENCE AND TRADE (JSCFADT), *Hidden in Plain Sight: An Inquiry in to Establishing a Modern Slavery Act in Australia*, Canberra, 2017 p. 150

² JSCFADT p. 141 -142

- a recommendation in Parliamentary Joint Committee On Law Enforcement (PJCLE), *An inquiry into human trafficking, slavery and slavery-like practices*³
- a recommendation to the Australian Government in the 2018 United States Trafficking In Person Country Narrative Report, and;
- submitted evidence to the JSCFADT Inquiry by numerous civil society and NGOs who have been working in the anti-trafficking space for numerous years⁴; and
- was the Committee view and recommendation that support be de-linked in the JSCFADT Inquiry.⁵

Further, survivors of trafficking are initially only provided 45 days of support through the initial Assessment and Intensive Support Stream.⁶ In Project Respect’s experience, the initial 45-day reflection period is inadequate for women who have been trafficked, who are likely to be experiencing trauma as well as other mental and physical health issues as a result of their exploitation, to reflect and make critical decisions⁷. The inadequacies of this reflection period have been raised in the 2012 report by the former United Nations Special Rapporteur on trafficking in persons, especially women and children, Ms Joy Ngozi.⁸ Numerous NGOs submitted evidence to the JSCFADT Inquiry⁹ also outlining the inadequacies of this reflection period and the Committee’s view indicated the reflection period be increased to 90 days.

In addition to this, referrals to the Support for Trafficked People Program can only be made by the Australian Federal Police (AFP). This again makes access to the support program contingent on engaging with the AFP, despite survivors being afforded a reflection period to decide if they would like to proceed with a criminal investigation. It was the Committee’s recommendation that “the Australian Government extend the ability to refer potential victims to the Support for Trafficked People Program and the Bridging F visas beyond the Australian Federal Police to other approved entities, such as the Department of Immigration and Border Protection, Australian Border Force, approved NGOs, state and territory police, the proposed modern slavery hotline operators and the Fair Work Ombudsman.”¹⁰

Recommendations:

- **The Government adequately invests in long-term funding to anti-trafficking NGO’s who are providing support to survivors of human trafficking to ensure all survivors can access support to heal and recover from their experiences.**

³ PARLIAMENTARY JOINT COMMITTEE ON LAW ENFORCEMENT (PJCLE), *An inquiry into human trafficking, slavery and slavery-like practices*, 2017. p. 35

⁴ See Project Respect, Anti-Slavery Australia and Australian Law Council submissions to JSCFADT

⁵ JSCFADT p. 159

⁶ AUSTRALIAN GOVERNMENT ATTORNEY-GENERAL'S DEPARTMENT CRIMINAL JUSTICE POLICY AND PROGRAMMES DIVISION (AGAGD) submission to JSCFADT, p. 12

⁷ JSCFADT p. 156

⁸ UN Human Rights Council, p. 14

⁹ JSCFADT - See HTRAC, Anti-Slavery, Norton Rose Fulbright, Project Respect and UNICEF UK submissions p. 156-157

¹⁰ JSCFADT p. 159

- **The government invest in supporting civil society and government to establish a working group to develop a model that will foster a human rights based approach to survivor support which is de-linked from the criminal justice system, including referrals to the program and length of support time.**

National Compensation Scheme

Currently in Australia, there is no specific compensation scheme for survivors of trafficking. Access to compensation is through victims of crime or other state-based schemes and is subsequently regulated differently in each state. Compensation amounts vary for the type of offence(s) perpetrated¹¹ which results in the provision of, as well as compensation amounts differing. Under international Law, the Australian Government is obliged to provide provisions for compensation for survivors of human trafficking. The Palermo Protocol indicates states are required to “ensure that its domestic legal system contains measures that offer victims of trafficking in persons the possibility of obtaining compensation for damage suffered.”¹² Joy Ngozi Ezeilo, the former United Nations Special Rapporteur on trafficking in persons, especially woman and children, recommended in 2012 that Australia should “establish a federal compensation scheme for victims of trafficking, noting this would “be in accordance with the obligations of Australia with respect to remedies under the Trafficking Protocol and international human rights law.”¹³

Project Respect, and other organisations such as Anti-Slavery Australia (ASA) and the Law Council of Australia (LCA) have long advocated for a National Compensation Scheme for survivors of trafficking. In 2016, ASA and LCA produced the report *Establishing a National Compensation Scheme for Victims of Commonwealth Crime* which sets out Australia’s obligations, the current inadequacies, as well as proposed models.¹⁴ The 2018 United States Trafficking in Persons’ Report also highlights and recommends Australia needs to fulfil this obligation. Despite being a key recommendation in the JSCFADT Inquiry, there is no provision for a National Compensation Scheme.

Recommendation:

- **The government invest in the implementation of a National Compensation Scheme for survivors of trafficking to provide restitution to survivors of grave human rights abuses and address Australia’s failings to uphold our international obligations.**

¹¹ Project Respect submission to JSCFADT p. 19

https://d3n8a8pro7vhmx.cloudfront.net/projectrespect/pages/15/attachments/original/1504666130/25052017_MSAFINAL_amended.pdf?1504666130

¹² Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000, Article (6).

¹³ United Nations Human Rights Council (UN Human Rights Council), Report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ngozi Ezeilo, Addendum, Mission to Australia, 18 May 2012, p. 16 & p. 21,

<http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.18.Add.1.En.PDF> (accessed 7 November 2017)

¹⁴ Law Council of Australia, Anti-Slavery Australia and the University of Technology Sydney, *Report on ESTABLISHING A NATIONAL COMPENSATION SCHEME for Victims of Commonwealth Crime*, 2016.

Capacity-Building and awareness raising Initiatives

Lack of awareness and knowledge about modern slavery in the broader community is evidenced in the 2009 Australian Institute of Criminology (AIC) Community Attitudes and Awareness Survey across Australia.¹⁵ Only 9% of respondents correctly defined trafficking¹⁶ and 75% of respondents believed they would not be able to identify a trafficked person.¹⁷ Further, in a 2017 report from InTouch Multicultural Family Violence Service, 10% of audited case files over a two-year period evidenced indicators of human trafficking,¹⁸ and it was likely the numbers were higher, however there was insufficient discernible evidence to assess whether there were indicators of human trafficking based on the case notes. Only 35% of cases were reported to the AFP.¹⁹

The inability to more widely recognise victim/survivors of modern slavery is further reflected in the 2019 AIC report, *Estimating the Dark Figure of Human Trafficking and Slavery Victimisation in Australia* which found, that for every 1 victim detected in Australia, 4 go undetected.

Despite the knowledge and practice gap, there is evidence to suggest services are wanting to build their knowledge, awareness and practice to be able to better respond. This is evidenced in Domestic Violence Resource Centre Victoria's 2017 survey of 367 people across Victoria working in the family violence sector with 25% of the respondents indicating that they required training on "identifying and working with women who have been trafficked"²⁰, and Project Respect's own training evaluation data, where 254 participants reported working with more than 190 people who showed indicators of human trafficking or sexual exploitation, and 0 people had received any specific training.

Recommendations:

- The Government adequately invests in long-term funding to anti-trafficking NGO's who support survivors to deliver critical awareness raising and capacity building initiatives to the service sector and broader community, which gives rise to the voices of survivors.
- The Government adequately invests in long-term funding to anti-trafficking NGO's to deliver prevention activities to at risk communities.

¹⁵ J Larsen et al., *Trafficking in persons monitoring report: January 2009–June 2011. Monitoring reports No. 19.*, in, Canberra, Australian Institute of Criminology, 2012, p. 19 <<https://aic.gov.au/publications/mr/mr19>> [accessed 20 June 2018]

¹⁶ J Larsen et al. p. 19

¹⁷ J Larsen et al. p. 21

¹⁸ Seagraves p. 63

¹⁹ Seagraves. P. 71

²⁰ DVRVC survey response provided through personal email

Independent Anti-Slavery Commissioner

Recommendations made by the Committee in the JSCFADT Inquiry related to the establishment of an Independent Anti-Slavery Commissioner, wholly independent from government would ensure there was an individual with the capacity to:

- engage with government, civil society, unions and business in relation to matters to do with modern slavery;
- oversee the implementation as well as monitoring of national plans relating to modern slavery;
- undertake legislative reviews of any implemented Act;
- ensure survivors have access to appropriate support, and,
- work with other agencies to strengthen identification, response, reporting and data collection.

Without an independent Anti-Slavery Commissioner, the *Modern Slavery Act* is weakened. Public servants providing information to the public with no compulsory powers to enforce the Act will be less effective than the creation of an independent office who has oversight of reporting entities adherence to the legislation.

Recommendation:

- Project Respect recommends the investment in a wholly independent Anti-Slavery Commissioner and office to strengthen Australia's response to modern slavery and the *Modern Slavery Act* and this should be undertaken as part of the *Modern Slavery Act* 3-year review period.

B. Invest in research

Project Respect's work encompasses the continuum of violence against women, with the link of women often being involved in the sex industry. There is limited research available about the crimes experienced by women involved in the licensed sex industry setting in Victoria, although a 2014 global meta-analysis reviewed 340 existing studies on the prevalence of workplace violence experienced by sex workers found that the "[l]ifetime prevalence of any or combined workplace violence ranged from 45% to 75% and over the past year, 32% to 55%".²¹ As noted in the 2020 *Respect@Work: Sexual Harassment National Enquiry Report*, the gendered nature of the sex industry and the nature of the work itself places women at higher risk of experiencing sexual harassment from customers and clients. The core of the business model, that focuses on physical appearance and sexual appeal are likely to drive increased risks of sexual harassment. Further, "[g]ender inequality creates a sense of entitlement and false expectations where men seemingly believe they have the power to do whatever they like within the booking, as they have paid for it".²² The Commission heard it can be difficult "for victims, bystanders and even perpetrators to identify the line between acceptable sexual discussions and comments that would be considered sexually harassing".²²

²¹ Deering et al "A Systematic Review of the Correlates of Violence Against Sex Workers" (2014) *American Journal of Public Health* 104 (5) e42.

²² Australian Human Rights Commission, *Respect@Work National Enquiry Into Sexual Harassment in Australian Workplaces* 2020 p. 227

Further, while there are limited studies relating to the experiences of intimate partner violence experienced by sex workers, the Victorian Royal Commission into Family Violence found that women enter the sex industry as a cause and consequence of family violence, often seeking access to an income when leaving a violent partner or being forced in to the industry to earn an income while with a partner who uses violence. The Royal Commission also heard women who work in the sex industry are disproportionately affected by family violence and noted the compounding nature of experiencing violence in the work setting, as well as in their personal lives and how this, and potentially childhood violence could lead to a normalising of violence. The impact of family violence on their health and wellbeing could be particularly severe and could impede their recovery. The Royal Commission report found women face particular challenges when seeking support before, during and after experiencing violence, compounded by the stigma and discrimination they experience due to their involvement in the sex industry, often making women feel invisible within the service system.

Recommendations:

- Greater research about the impacts of the sex industry on women involved in the sex industry needs to be invested in. This should include:
 - i. Social determinants of health sex worker populations, and human trafficking survivor populations, including:
 1. Employment conditions
 2. Social exclusion
 - ii. Burden of disease measurements on sex worker populations, and human trafficking survivor populations including:
 1. Mortality
 2. Mental health
 3. Physical injury and illness.
 - iii. Research on men who use violence against sex workers.
 - iv. Research into the prevalence of transactional sex, particularly within Aboriginal and Torres Strait islander communities, youth in Out-of-home care settings, and homeless/rough sleeping communities.

C. Technology-facilitated abuse for women in the sex industry and women trafficked

Technology facilitated abuse is a highly complex issue, combining issues of gender inequality, sexual violence, internet regulation, internet anonymity, privacy, copyright, ethics and the rights of women in the sex industry. The sex industry is unusual in relation to technology facilitated abuse, as few other industries or workplaces require sexual interactions. The nature of the industry inevitably makes women in the sex industry more vulnerable to technology facilitated abuse than might be experienced by women in other industries. Our work reveals that technology-facilitated abuse impacts on women in the sex industry in four distinct ways: in the context of family violence, with clients, in their role as independent business operators and, in the context of women trafficked for sexual exploitation.

Often the abuse plays out through threats to out and/or expose women by intimate partners or clients who have images or video footage taken without consent during a booking. Further, we have supported

women who have had adverts for services and their phone numbers posted online without consent. In the context of trafficking, exploiters will take images of women and then use this as a form of power and control. Research suggests that the trauma related to technology-facilitated abuse increases as time goes on, as the threat to expose someone remains.

In the context of business, the increased use of online platforms to provide sexual services exposes women to increased risks of experiencing technology-facilitated abuse. Digital platforms have reshaped the marketing of sexual services, accessibility and the types of experiences available. From online forums dedicated to rating brothel experiences to escort directories, a woman's capacity to market her personal 'brand' while still retaining a sense of privacy, safety and security remains an area of uncertainty. For women in the sex industry, technology-facilitated abuse might appear as non-payment or attempts to underpay for services, threatening/harassing behaviours, persistent unwanted contact attempts, blackmail or attempts to sabotage a woman's personal brand via online forums. Even less is known about the experiences of women from migrant backgrounds who use technology for sexual services. However, the literature suggests that the barriers that prevent women from reporting crimes are the same in the online sex industry; distrust of law enforcement, fears of persecution and ongoing shame and stigma connected to the sex industry.

In this context, more needs to be done to protect and prevent violence against women in the digital realm, regardless of whether it is within the context of work or the individual. These types of violence are highly underreported, and often not considered in the realm of violence perpetrated against women at all. Specific training and resources are required that go further than simply building the capacity of women to be able to keep themselves safe, and instead focus on the perpetrators of violence.

Recommendation:

- The government invest in research and development of digital safety measures and tools for people involved in the sex industry who use online platforms to market their services to build awareness on how to keep themselves safe.

D. Women on temporary visas experiencing violence

Currently, there are significant gaps and inadequacies in Australia's ability to support women on temporary visas which creates serious risks for harm to victims/survivors of domestic, family and sexual violence who hold temporary visas.²³ Women on temporary visas are ineligible for many government supports, such as housing and Centrelink, leaving many victims/survivors dependent on a perpetrator (partner or other family member) or with no income and with limited pathways to re-establish independence. Limited or no income as well as immigration precarity may force women to remain with a partner who is abusive and violent. Current barriers in relation to services eligibility include:

- The majority of women on temporary visas are not eligible to access social security payments through Centrelink as well as Medicare in some instances
- Only a small number of temporary visa categories may be eligible to access Special Benefit

²³ "Temporary visas" includes both Bridging visas and substantive temporary visas. New Zealand nationals who reside permanently in Australia but have no access to social security are treated as temporary visa holders for the purposes of this document due to their disadvantage.

- Women who are granted permanent residency through their application for Family Violence Provisions are subject to a 4-year waiting period under the newly arrived resident's waiting period (NARWP)
- Residency rules also apply to access childcare subsidy meaning that most of women on temporary visas are not eligible
- Holders of the New Zealand special category visa, while being able to remain in Australia indefinitely, are not eligible for any social security apart from Family Tax Benefit
- Women who experienced domestic, family and sexual violence and were successful with their application for Family Violence Provisions i.e. obtained their own permanent residency, are only eligible to access parenting payment when they have become a solo parent after the visa grant;
- In all states with an exception of South Australia, women on temporary visas are not eligible to access social and public housing
- Some funding agreements and modes of operation of housing service providers prevent them from accommodating women who are not eligible to access Centrelink and are otherwise unable to contribute payments towards rent
- Significant funding cuts to community legal centres including the restructure of funding administered through Immigration Advice and Application Assistance Scheme (IAAAS) has significantly limited access to free legal advice and representation for women on temporary visas experiencing violence and their dependants. Community legal centres are providing services to these women without dedicated funding to do so
- The majority of temporary visas holders are considered international students for the purposes of accessing vocational and tertiary education
- Children who are not permanent residents or Australian citizens are generally regarded as international students. Women on temporary visa with no income are often unable to afford to pay the fees for their children to attend primary or secondary school
- Free access to interpreting services remains an issue. Not all support organisations are eligible to access free Translation and Interpreting Services (TIS) and not all have sufficient costs built in their funding contracts to meet the demand. Access to interpreters in regional, rural and remote areas is even more challenging.

The rights of victims/survivors of domestic, family and sexual violence to access a range of needed support services at the points of crisis is fundamental for their protection, safety and their recovery. Currently, women on temporary visas experiencing domestic, family and sexual violence and their dependants are restricted from accessing services and support.

Recommendations:

- That the Australian Government exempts women who have experienced domestic, family and sexual violence and have been granted permanent residency from Centrelink's newly arrived resident's waiting period (NARWP). This would be similar to existing waiting period exemptions that are in place for people recognised as refugees.
- That the Australian Government exempts women on temporary visas and women seeking asylum who have experienced domestic, family and sexual violence from meeting residency requirements so that they can fully access Centrelink and Medicare while their visa is being processed.

- That the Australian Government expands eligibility for Special Benefit to include people who are on all types of temporary visas and have experienced domestic, family and sexual violence. The rates of Special Benefit should be increased to make it liveable.
- That State and Territory governments expand the eligibility for and provide equal access without any migration restrictions to temporary accommodation, crisis accommodation, rental assistance, public housing and Safe at Home Programs to ensure that women on temporary visas experiencing violence and their dependants can have a safe place to live and a safe home.
- That the Australian government ensures that women on temporary visas experiencing domestic, family and sexual violence and their dependants are eligible to access all tiers of education from childcare services, to schools, vocational training and tertiary education.
- That the Australian Government expands eligibility for childcare subsidy to all women on temporary visas experiencing domestic, family and sexual violence.
- Long term and sustainable funding to specialist organisations supporting women on temporary visas who are experiencing domestic, family and sexual violence

E. The unique impact of COVID-19 on women in the sex industry and women trafficked

The onset of COVID-19 has revealed a significant impact on the women Project Respect supports, through mass loss of jobs, whether that be in the licensed sex industry, informal sex industry spaces such as massage parlours or, for women we have assisted to transition from the industry in to other employment, in other service sector spaces. This is all compounded by the fact the government package to assist people who have lost their jobs does not consider women on temporary visas. More than 60% of the women Project Respect supports are from migrant backgrounds, and approximately 40% of the women supported are on temporary visas, meaning that many women are without the ability to access any government benefits at all.

For many women, the COVID-19 pandemic has coincided with the onset or escalation of violence and abuse. A report released by the AIC revealed that two-thirds of women had experienced physical or sexual violence by a current or former cohabiting partner since the start of the COVID-19 pandemic, and that the violence had started or escalated in the previous 3 months. Although the experience of women in the sex industry was not included in the report, data indicated that of the 15,000 responses, 2.2% of respondents were forced to take part in sexual activity against their will, and that there is a high co-occurrence of women reporting that they experience both coercive control and physical or sexual violence.²⁴ Project Respect's work during this time has revealed women in the sex industry are facing additional challenges as a result of the pandemic, exacerbating the risk of experiencing violence during this time.

²⁴ Boxall H, Morgan A & Brown R 2020. The prevalence of domestic violence among women during the COVID-19 pandemic. Statistical Bulletin no. 28. Canberra: Australian Institute of Criminology. <https://www.aic.gov.au/publications/sb/sb28>

As many specialist family violence services are stating, social isolation is a contributing factor to increased risk in experiencing family and domestic violence. For women with experience of the sex industry, these risks are exacerbated by:

- A lack of and loss of income preventing women from leaving violent partners to have access to basic necessities such as housing and food
- The likelihood that the provision of sexual services will continue but will be driven further underground. This increases the risk of women experiencing workplace violence including sexual assault and places them at greater health risks, including transmission of the virus
- Due to stigma, discrimination and the current restrictive measures in place, women will be less likely to report the violence or health risks
- An environment for women to be trafficked or re-trafficked, as they take greater risks to secure a source of income

In Victoria, where quarantine measures are still in operation, there have been reports of brothel owners requesting women to “return to work”, and that brothels are continuing to operate by renting out a number of apartment rooms in different locations, meaning that women may be moved across many sites. Escort services have continued to operate, unabated, during this time.

As with all aspects of health, the ability of women in the sex industry to protect themselves against COVID-19 depends on their individual and interpersonal behaviours, their work environment, the availability of community support, access to health and social services, and broader aspects of the legal and economic environment. Stigma and criminalisation mean that women might not seek, or be eligible for, government-led social protection or other economic initiatives. Police arrests, fines, and other media reports are fuelling concerns that the pandemic is intensifying stigma, discrimination, and repressive policing. This has been revealed by reporting in Australia that has focussed overwhelmingly on the role of the woman in providing sexual services during quarantine, rather than the purchaser of services or on brothel owners and managers.

Furthermore, the impact of COVID-19 increases the risk of women being re-trafficked in Australia. This is due to the increased risk taking in trying to source an income, particularly for migrant workers who are not able to access government support incentives, as well as the environment which further pushes the demand underground. The increased levels of domestic violence reported across many countries can act as an indicator for the conditions of many trafficking victims, such as those in domestic servitude or situations of sexual exploitation, and other forms of exploitation that disproportionately affect women and girls. In an environment where priorities and actions are geared towards limiting the spread of the virus, it is easier for traffickers to hide their operations, making victims increasingly invisible, and the already challenging task of identifying victims of human trafficking more challenging. Dramatic increases in unemployment and reductions in income, especially for low wage and informal sector workers, mean that significant numbers of women who were already vulnerable find themselves in even more precarious circumstances.²⁵

Recommendations:

²⁵ UNDOC, Human Trafficking and Migrant Smuggling Section, *Impact of the covid-19 pandemic on trafficking in persons*, p. 3

- Women on temporary visas are provided access to JobKeeper and JobSeeker payments and women involved in the formal or informal sex industry do not need to evidence their employment relationship to gain access to the benefits.