



NT Sex Industry Bill ignores Australia's human rights obligations

The Sex Industry Bill being considered by the Northern Territory Parliament plans not only to fully decriminalise the prostitution industry but to “legalise contracts in relation to sex work”.

Pimps and buyers of prostituted women will be freed from the risk of prosecution, but this Bill also provides them with recourse to contract law should the women in their “employ” not perform as agreed. Says human rights lawyer Anna Kerr:

“Although the proposed legislation requires consent for the provision of sex work in compliance with criminal law, section 9(3) nevertheless provides that sex workers may be sued for damages for ‘sex work not performed’. This provision is abhorrent and must be removed.”

“Some measures in the bill are welcome in providing safety from criminal prosecution to women in prostitution. But this legislation then adds duress to their circumstances by introducing the prospect of being sued by their clients or pimps should they want to withdraw their consent to sexual acts. This is a rapists’ charter, at odds with the criminal law of sexual assault, which rightly provides no recourse or punishment for withdrawal of sexual consent.”

According to survivor Simone Watson of NorMAC, “Complete decriminalisation has been tested in many jurisdictions around the world, and has failed to deliver the improved conditions promised. Instead women’s lives continue to be lost and destroyed. For example, complete decriminalisation has been shown to have little effect on sky-high levels of PTSD among women in prostitution.”

“The bill commits to further entrenching the coloniser's importation of prostitution to Australia; giving extraordinary powers to sex-buyers and brothel owners. It even proposes the prosecution of children for procuring other victims. The bill must be quashed.”

“The Australian Government needs to follow the lead set by Scandinavian and other countries such as France, Ireland and Israel, and adopt the Nordic Model in which only buyers and pimps are criminalised, and women are given support to exit the industry.”

According to Dr Helen Pringle of the Women’s Human Rights Campaign, and co-convenor of the Nordic Model Information Network, a global research network, “This is a question of women’s fundamental human rights. The NT legislation is in breach of Australia’s obligations under Article 6 of the Convention for the Elimination of All Forms of Discrimination against Women which requires Australia as a party to the Convention to *“take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women”*. Empowering men to sue women who withdraw consent to sexual acts legitimises sexual assault as a contractual obligation.”

Sabrinna Valisce, who represented SPACE International at the NT hearing of this Bill, says: “Why would anyone wish to legitimize businesses that abuse women? If you are opposed to abuse then you are opposed to this Bill.”

For further information, contact Dr Helen Pringle of Women’s Human Rights Campaign (Australia) on 0475219982 or hmpringle@gmail.com; Simone Watson of the Nordic Model Australia Coalition (NorMAC) on 0477448164 or simonewatson3@gmail.com; Sabrinna Valisce of SPACE International at sabrinnadancer@snakebite.com; Anna Kerr of Feminist Legal Clinic, at anna@feministlegal.org.

Women’s Human Rights Campaign (WHRC) is a group of volunteer women from across the globe dedicated to protecting women’s sex-based rights. Our volunteers include academics, writers, organizers, activists, and health practitioners, and aim to represent the total breadth of the human female experience across races and boundaries. More information can be found on the main website for the international campaign [here](#) and on the Facebook page for the Declaration [here](#).