

*Sex Work and the New Zealand Model: Decriminalisation and Social Change*

Edited by Lynzi Armstrong and Gillian Abel. Bristol University Press, 2020.

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Reviewed by Kirsten Gibson

It has been seventeen years after “the situation in New Zealand became a point of interest throughout the world for policy makers concerned with reforming sex work laws, and a beacon of hope for sex workers advocating for decriminalisation” (p. 1). Sex work in New Zealand was decriminalised in 2003 through the Prostitution Reform Act (PRA). The legislation mostly aims to protect the rights of sex workers through the decriminalisation of sex work. As legal frameworks are contemporarily and heavily debated, this book seeks to shed light on its unique context and the effects of decriminalisation for sex workers’ occupational health and safety. These chapters fit into wider international debates regarding legislation governing sex work. The work in this book builds on literature from the last 15 years examining decriminalisation of sex work and its unique context in Aotearoa New Zealand.

Both editors, Abel and Armstrong, bring their extensive knowledge about sex work, sex workers’ rights and the impacts of decriminalisation to this book. Gillian Abel’s academic work is grounded in public health with a sociological lens, with her research on sex work including stigma, social exclusion and risk. Lynzi Armstrong is a senior lecturer in Criminology at Victoria, University of Wellington, New Zealand. Her academic work, includes her PhD published in 2011, encompasses extensive research about the on the effects of decriminalisation for sex work and sex workers. Both Abel and Armstrong’s prior work has informed policy and practice in this field and this book is intended to continue doing this.

One of the key arguments in this book is that decriminalisation of sex work has seen the overall occupational health and safety conditions improve for sex workers. Another point the authors assert is that despite this, sex workers continue to experience stigma, particularly social stigma. The authors also claim that both the benefits of decriminalisation and impacts of stigma have not been experienced consistently by different groups of sex workers. The chapters in this book have used various sources, research and analysis methods in their work. The research is largely qualitative, feminist and sex-worker rights’ based.

Set in a New Zealand context, this book is divided into three themes, each containing three chapters. The three themes are; legislative change, diversity of sex workers, and perceptions of sex workers. The first theme consists of three chapters that largely set the historical, political and social context for the book, with the history of sex work and accompanying legislation until 2003 detailed in chapter one. This first section of the book also highlights fundamental issues with legislation prior to decriminalisation such as fear of police and issues relating to receiving a criminal conviction. Drawing on historic literature, Jordan clearly shows the links between moral stances, public views, stigmatizing attitudes and historic governing responses. Chapter two, co-authored by members of the New Zealand Prostitutes Collective (NZPC), further builds on the history and documents how and why NZPC was formed, and the rationale behind NZPC’s drafting of the bill that led to the PRA in 2003, and the implementation of the legislation. NZPC also note their disappointment with last minute amendments, sections nine and nineteen, to the legislation that they argue is discriminatory against sex workers. They further this by arguing that full decriminalisation has not been achieved in New Zealand due to section 19, the exclusion of temporary migrant workers being legally able to engage in sex work. Chapter three rounds off the first section of the book with a thought-provoking picture

of feminism's journey in New Zealand and its collaborative work with sex workers and sex work activism.

The book notes in the first section, some sex workers lack representation in literature that purports to centre sex workers voices. The second theme in the collection, the diversity of Sex Workers in New Zealand, seeks to address this gap. Chapter four draws on international empirical research about trans sex-workers and seeks trans workers thoughts and experiences in a decriminalised context. While acknowledging the benefits that decriminalisation has brought, Gilmour argues that the successes have not been experienced to the same extent for trans sex workers, claiming that social stigma, and fear of the police are still significant and ongoing issues. While there have been significant shifts in policing attitudes since 2003, Gilmour notes "...many participants had experienced negative interactions with the police, including in the post-decriminalisation context..." (pp. 106-107). The author convincingly balances the nuance between recognising the overall benefits of the PRA while acknowledging how it has not reached all sex workers. Chapter five expands on the claim around section 19 of the PRA, made in chapter two. Incorporating the words of temporary migrants who are sex workers, the authors claim that section 19 of the PRA has resulted in migrant workers being more vulnerable to exploitation. Using cogent points, the authors clearly show that section 19 contradict the PRA, for example "since some sex workers benefit from the protections of the PRA while others work in a precarious situation that places them at harm of risk" (p. 114). The final chapter in this section explores clients' perspectives and experiences and counters the perception that clients hold the power in this industry. Mower demonstrates clients possess good knowledge of the legal context and have an appreciation of sex workers' boundaries and services. As one client notes the context lends to "dealing with the unknown rather than the unknown" (p. 144), Mower posits decriminalisation fosters transparency. In addition to this chapter providing another unique perspective, it chapter undoubtedly addresses a gap in the overall research about decriminalisation. However, the chapter's content lack the same thematic alignment in this section as other chapters.

The last theme in the book explores and expands, in a decriminalisation context, how stigma is experienced by sex workers in various contexts. In chapter seven, using media narratives, Easterbrook-Smith articulates clearly how stigma is experienced by sex workers, and how it links to portrayals of respectable workplace, for example working in so-called 'low-end' locations. The penultimate chapter analyses stigma and disclosure of sex work by drawing on in-depth interviews with sex workers. In continuing a prominent theme in this book, the authors centre sex workers words in this chapter and explore the mixed experiences sex workers have faced when disclosing their work statuses. Armstrong and Fraser also show that while most sex workers had not internalised stigma, stigma still affected their disclosure of sex work to others. The authors make a convincing argument here that decriminalisation can "mitigate structural stigma to some extent". The book ends with an account of how sex workers are accepted, or not, by the wider community in certain spaces. Tension around whether sex workers' presence in certain areas was addressed, as Abel argues, through engaging with all parties. This provides an interesting and informative account of how perceptions and stereotypes of sex work can be mitigated through improving relationships between groups.

The successes of this book cannot all be covered in this review. The impressive quality of the book commences from the outset, the introduction sees Armstrong and Abel taking time to carefully define what decriminalisation means. Due to persistent blurring of legal terms and subsequently frameworks in literature, this clarification is necessary and advantageous for

readers to gain full appreciation of the debates and issues. Sex workers often experience and manage the impact of stigma in their occupation. The authors thread these impacts throughout. Although stigma and subsequent discussions are often oversimplified, as chapter eight demonstrates, this book is an exception, with simple and clear explanations and examples throughout the text.

Showden states in chapter three that “the PRA...has failed to challenge heteronormativity and gender hierarchy” (p. 76). As proponents of decriminalisation, the authors do not argue that it is a panacea to address all structural issues that sex workers face, such as stigma, poverty, gender discrimination and racism. This is demonstrated through consistent signposting of the limitations of the PRA’s aims, and the inconsistent benefits of the PRA experienced by marginalized groups. The book does not shield the reader from limitations of the PRA, but rather engages successfully in a nuanced manner with the challenges sex workers continue to face, even in a decriminalized context.

This edited book provides various accounts examining sex work in New Zealand 17 years after decriminalisation. It succeeds in providing a resource that includes diverse voices for how decriminalisation is functioning. The accessibility of the language in this book ensures it will be a great resource to a wide variety of audiences, from undergraduate students, other academics, policy makers, or those simply desiring to be more informed about sex workers’ rights in this unique legal context. Further, while the chapters and themes are interwoven and well threaded together, each chapter is also able to be read independently.

This work, achieved as the editors proposed, as a powerful contribution to the existing body of research around sex work and legislation; “...forum to start thinking through the current situation for sex workers in New Zealand, filling gaps in existing knowledge and providing cutting-edge insights into this unique legislative model” (p. 10). This unique book is a collection of chapters with a strong sex workers rights lens, that provide a convincing argument for full decriminalisation, and strong evidence to inform international debates.