

**Parliamentary Joint Committee on the
Australian Crime Commission**

**Inquiry into trafficking in women for
sexual servitude**

Submission No:7

Received 11 September 2003

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Ms Maureen Weeks
Committee Secretary
Parliamentary Joint Committee on
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Parliament House
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Dear Ms Weeks

INQUIRY INTO TRAFFICKING IN WOMEN FOR SEXUAL SERVITUDE

Thank you for your letter dated 1 August 2003, affording me the opportunity to make a submission on behalf of the Western Australia Police Service to the Parliamentary Joint Committee's inquiry into trafficking women for sexual servitude.

In response to your invitation, I am pleased to provide the following information:

Background - Trafficking in Persons

The Western Australia Police Service (the Police Service) acknowledges that trafficking in persons constitutes a serious crime. The Police Service also recognises that trafficking in persons poses a significant problem in many areas of the world, particularly in Europe and South East Asia. It is accepted that Australia continues to be a destination country for the trafficking in persons, particularly in relation to women who are recruited overseas to visit here to work in the sex industry.

Key Issue - The Extent of People Trafficking for the Purposes of Sexual Servitude

The extent of people trafficking for the purpose of sexual servitude in Western Australia is unknown and difficult to estimate. However, it is known that this has occurred and may exist today. The office of Vice Investigation, which is situated within the Organised Crime Division, is tasked with the responsibility of monitoring the prevalence of sexual servitude in this State on behalf of the Police Service. Should sufficient evidence be uncovered, charges will be preferred.

The existence of sexual servitude in this State first came to the attention of the Police Service in 1999. Three female Thai nationals attended Crime Headquarters in Perth seeking assistance to return home. All three claimed to have been deceptively recruited overseas to work in the sex industry in Australia. These allegations were not substantiated and with the assistance of the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA), the females involved were returned to Thailand.

Recent investigations conducted by Vice Investigation officers have not uncovered any definite instances of females, or children, being forced to work in the sex industry in Western Australia. During inquiries conducted by Vice Investigation officers, several Asian females, predominantly from China and Thailand, and residing in Australia illegally, have been detained under the provisions of Federal legislation. In all instances, the females were above the age of 18 years and all declined to discuss their situations in any great detail.

Several of these detainees advised police that they had been recruited overseas and most had spoken to other females who had previously worked as prostitutes in this country. The females interviewed gave the impression they had entered Australia fully understanding the conditions under which they would be employed and none wished to make any formal complaint. All appeared to be willing participants in prostitution related activities. Their involvement in prostitution was consensual, their motivation being personal financial gain.

From evidence obtained from a number of sources, it would appear that females recruited in South East Asia initially enter into a condition of debt bondage. They appear to do this in the knowledge that once they have repaid the imposed fee they will be released from their contract. These female prostitutes will then work for their own profit and amass as much money as possible before leaving Australia.

Intelligence holdings suggest that organised criminal syndicates may charge each female a fee of between \$30,000 and \$40,000. For this sum, the recruited female is provided with an airline ticket to Australia and once in this country is provided with accommodation, food and employment as a sex worker. Inquiries have revealed that these recruited sex workers are placed in brothels, hotel rooms or at rental properties. They are also required to act as escorts and service clients at pre-arranged premises.

In Western Australia, police have located Asian females actually living at premises suspected as being used for purposes of prostitution. The women lived and worked at these establishments servicing large numbers of male clients day after day. Their opportunity to leave these premises appears to have been restricted in many instances although there was no overt evidence of the application of force.

The issue of people trafficking in women for sexual servitude/debt bondage has been recognised as an issue in need of greater police attention. Vice Investigation, in partnership with the State Intelligence Services National Projects Unit (SIS NPU), are currently in the process of conducting an intelligence analysis in relation to the prevalence and extent of prostitution in this state. Part of this active inquiry is focused on the issue of sexual servitude/debt bondage with the intention of determining its extent in Western Australia.

Key Issue - The Adequacy of the Current Legislative Framework

The State of Western Australia has not enacted any specific legislation relating to sexual servitude, or to offences related to trafficking in people. Part 6 of the Criminal Code Amendment Bill 2003, which is currently before the Legislative Assembly, creates a number of offences relating to 'commercial sexual servitude'.

At present, Commonwealth legislation would be relied upon to deal with situations involving circumstances of sexual servitude. The provisions of the Criminal Code Act 1995 (Federal) would be greatly enhanced, however, by the inclusion of offences specified in section 270 being designated as class one offences as defined in the Telecommunications Interception Act and the Surveillance Devices Act.

Whilst of the opinion that trafficking in people is primarily the responsibility of the Commonwealth government and its agencies, this Police Service fully supports the concept of State police initiatives aimed at eradicating this vile trade and offering and providing assistance to its victims.

I trust this information will be of some assistance.

Yours sincerely



**B E MATTHEWS
COMMISSIONER OF POLICE**

11 September 2003