

# 3. Sex work in SA History

## SIDAC Information Sheet

This information sheet is part of a series prepared for the Sex Industry Decriminalisation Action Committee (SIDAC) to support the decriminalisation of sex work in South Australia in 2019.



### Lucky Thirteen ...

The current Bill is the thirteenth attempt to reform the State's sex work laws since 1980. These have been introduced by members of the Australian Democrats, the Labor Party, the Liberals and the Greens: 1980 (twice), 1986, 1991 (twice), 1995 (twice), 2012 (twice), 2013, 2014, 2015 and 2018.

The 2015 Bill easily passed the upper house of State Parliament but wasn't dealt with in the lower house due to an election being called. The current Decriminalisation Bill revives that Bill and process.

The history of sex work in South Australia goes back much further than this.

### Colonial South Australia

Moralising and class, sex and race-based biases pervade old newspaper articles about sex work and workers, as does a sense of fascination.

Yvonne Potter records that in 1879, the *Port Adelaide News* described the workers with terms such as flashy females, members of the demi-monde, lewd women, idle and disorderly, wretched girls, loitering women, asphalt [*sic*] trotters, frail sisterhood, streetwalker, a lady of professional impropriety and soiled doves. This paper consistently assured its readers that the Port was relatively well off compared to the stews of downtown Adelaide. In 1842 Governor Grey was advised that "the large number of females who are living by a life of prostitution in the city of Adelaide, is out of all proportion to the respectable population".

**"Can you inform for how long ... Weymouth Street and Light Square are to be infested with brothels, and when the inhabitants are to be rid of the music, dancing, revelry and the mob of drunken blacklegs who idle about there all day and live on plunder and prostitution at night?"**

*Letter to the Register, 15 April 1843.*

The City's west was notorious in the colony's early years, with Light Square often mentioned. In the early twentieth century, the area around Sturt Street also was noted, with police reporting 10 brothels located between numbers 14 and 105 in 1928. In 1907 an investigator said that the "beastly bludger", the pimp, thrives in Hindley, Flinders and Franklin Streets, while sex workers were especially common in North Terrace and Elder Park.

**"Three young women ... appeared on a charge of keeping a disorderly house in Rosewater ... started a business in Glanville ... Corporal Kelly disturbed the nest and the three blushing beauties removed to Alberton ... their business resumed in Rosewater, whereupon Constable Beare succeeded in arresting them ... Pleaded guilty ... upon leaving the Court, one of the girls cried out "Goodbye all, for three months. See you again soon"**

*Port Adelaide News, 24 September 1886.*

In a rare reference, the Police Commissioner was advised that there were 10 sex workers in 'country districts' out of a total of 208 known to South Australian police in 1892.

It was observed that there were as many brothels as churches in Adelaide. A Parliamentary Paper in 1867 reported that "Brothel keeping is carried on in every part of Adelaide and when put down in one locality springs up again at no great distance".

While often glossed over, differentiation between sex workers was noted in 1879 when Adelaide hotels were said to be frequented by "fashionable classes of fallen women" as well as the "lowest class of prostitute".

### Social Purity

A Social Purity Society was established in 1882 which, as elsewhere, was an attempt to make and control society in its own middle-class image. Sex workers were victims due to their personal or class failings. Gross social inequity did not feature.

The Ladies Social Purity Society formed in 1883 sought to 'save' victims and "induce them to forsake their lives of sin

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and aid them to regain positions of respectability and usefulness”.

In 1885 members of the Ladies Rescue Society resolved to go forth to save fallen women wearing a white cross on a scarlet background on their shoulders.



Ladies Social Purity Society Adelaide

Later, there was a mild local version of the current “White Slavery” moral panic. Locally, this has been seen to be partly responsible for the inclusion of a provision in the *Criminal Law Consolidation Act 1885* to ban the procurement of a female for defilement by threats or fraud.



“MY GOD! IF ONLY I COULD GET OUT OF HERE”

‘Prostitution’ was a focus of *An Ordinance for regulating the Police in South Australia* (1844). In subsequent years, the classification of workers could see them progress from being merely “idle and disorderly” to become a “rogue and vagabond” to that of “incorrigible rogue” (in 1863 legislation).

The *Suppression of Brothels Act 1907* targeted landlords to prevent the use of properties for “immoral purposes”. It also saw the term ‘brothel’ applied even if only a single worker worked on the premises. Part of the background to this was the ‘contagious diseases’ discourse that led to legislation in various places, with SA a relative latecomer with the *Veneral Diseases Act 1920*.

“The suppression of brothels’, said the doctor, ‘will never get rid of the condition, and neither will the compulsory registration of prostitutes. It may tend to mitigate it, but the trouble is that there are so many *unprofessional* who spread the disease”.

*The Advertiser, 28 August 1913*

### Culture, race and sex work

A feature of colonial settler societies is the involvement of new arrivals with marginal work, including sex work. This was the case with the Irish in nineteenth century Adelaide. A mid-century estimate was that “Irish orphans” made up about 42% of the City’s sex workers, while between 1871 and 1882, 54% of those admitted to the Girl’s Reformatory as prostitutes were defined as “Irish Catholic”.

The poignant fate of many such destitute girls, often victims of the Irish Famine and its aftermath, was that they had no real support, as was the case for those who arrived in Adelaide in 1849 aboard the ship *Inconstant*. Sixteen of the 118 able to be identified in 1850 specifically were named as prostitutes in a Government return.

**Note: the impact of colonisation on Aboriginal people, including with respect to sexual relations, is too important and complex to treat in passing in a leaflet such as this.**

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### Protecting the young

The young were a focus of much of this concern. A letter from the Police Commissioner to the Social Purity Society in 1883, for example, reported “a very large class of young girls even younger than 16 who lead very immoral lives”.

In the 1920’s some attention was paid to exposure of wards of the state to predatory behaviour. It is only very recently that the extent to which children in care, among others, were at risk has been exposed (especially in the accounts of rampant institutional sexual abuse, especially in religious institutions, in the recent Royal Commission report).

### Sex Workers respond

By the nineteen seventies, the South Australian feminist movement was focussing on the need to reform sex work laws. Events such as a Women and Labour Conference in May, and a WEL seminar in June 1978, drew support. In August that year, Parliament established a select committee that ultimately recommended decriminalisation.

At the same, sex workers had taken a momentous step by forming Scarlett Alliance in July 1978. This name survives for the national peak sex worker body. The Sex Industry Network (SIN) is the South Australian representative body (with several permutations having occurred in the period since 1978).

Importantly, it was sex workers and the LGBTQ community that led the fight against HIV/Aids when the rest of the community didn’t really grasp the importance of safe sex practices.



Twenty years ago, some attention focussed on the mayoral campaign of ‘well known madam’, Stormy Summers.

Tensions apparent then continue today between advocates of a ‘business’ approach to sex work and proponents of a worker

led model. Debates often contrast legalised models based on brothels (Victoria and Queensland) with the decriminalisation model (NSW and New Zealand) that also allows workers to be independent or work collaboratively with others. SIDAC strongly supports the decriminalised model.



### Law Reform – can SA get its Act together

As noted above, the current decriminalisation bill is the thirteenth attempt to reform the State’s sex work laws since 1980. Significant efforts were made through the Millhouse (1980), Pickles (1986), Gilfillan (1991) and Brindal (1996) Bills.

A version of the current decriminalisation model was first introduced by Steph Key as the *Statutes Amendment (Decriminalisation of Sex Work) Bill 2013*. Supported by sex workers, it was then taken up by Michelle Lensink MLC and Steph Key MP as the *Statutes Amendment (Decriminalisation of Sex Work) Bill 2015*. Tammy Franks MLC reintroduced that bill (which passed the upper House 13 votes to 8 in the previous Parliament) to the current Parliament in 2018.

Sex worker advocates consistently argued for a law that didn’t compromise essential principles, seeing this as a “long haul” process rather than being willing to accept an inadequate semi-criminalised option. The current bill is best practice decriminalisation and is supported by sex workers and their advocates.

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SEX  
INDUSTRY  
DECRIMINALISATION  
ACTION  
COMMITTEE

**“Massive amounts of time and investment came from SIN, Scarlet Alliance, SWAGGERR and individual sex workers.**

**This means that the Bill remains as sex workers intended, and aims to fully decriminalise sex work in South Australia”**

*Ari Reid 2018*

A South Australian Parliament Select Committee found in 2015 that “the evidence heard and submitted to this inquiry supported the proposed amendments to the Bill” (which mirrors that being considered in 2019).

Submissions made to that Committee and evidence given in presentations led to a substantial Legislative Council vote in favour of the Bill. Unfortunately, the Bill was not able to proceed in the Lower House due to an election being called.

Introduced in the Upper House in 2018 by Tammy Franks, the State’s Attorney-General, Vickie Chapman, will sponsor the Decriminalisation Bill when it moves to the Lower House in the coming months with the support of the Shadow Minister for Women, Katrine Hildyard, MP.

In 2019 we hope to finish this unfinished business.



As well as original sources, material in this leaflet has been drawn from the South Australian State Library, the SA Parliamentary Library and works by Yvonne Potter (1999), Jennifer Hughes (2011), Peter Donovan (nd), CW Parkin (1964), Mark Staniforth (nd), GH Manning (nd), Roberta Perkins (1994), Helen Jones (1986), Margaret Barbalet (1993), Patti Walkuski (1993), Raelene Frances (2007), Alan Fairley (2015), and Susan Horan (1984).