

Article

# New Zealand Prostitutes' Collective—An Example of a Successful Policy Actor

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Academic Editor: Leslie Jeffrey

Received: 27 February 2017; Accepted: 3 May 2017; Published: 9 May 2017

**Abstract:** The New Zealand Prostitutes' Collective (NZPC) is a unique example of a sex workers' rights organisation which is an important actor in prostitution policy. The NZPC has had a significant impact on prostitution laws, managing to achieve the decriminalisation of sex work in New Zealand, which distinguishes it from many other studied organisations. Indeed, the literature on sex workers' rights organisations notes their relative failure in terms of their impact on prostitution law and policy, identifying the following hurdles: the lack of a common identity and solidarity among sex workers, their stigmatisation, problems with organisational leadership and membership, lack of resources and challenging relationships with allies. This article analyses the role of the NZPC in prostitution policy in New Zealand, particularly in the adoption of the decriminalisation model, and examines the key factors for its success in light of the literature on sex workers' rights organisations.

**Keywords:** sex workers rights; sex workers' organisations; NZPC; hurdles for political organising and law reform; success factors

## 1. Introduction

Since the birth of the sex workers' movement in the 1970s, there has been a proliferation of sex workers' organisations worldwide. However, most scholars have argued that these organisations have largely been unsuccessful in terms of their impact on prostitution law and policy (Weitzer 1991; Mathieu 2003; Van der Poel 1995; Jennes 1993). These scholars identify significant hurdles that organisations have faced in different countries and that have prevented them from having any significant impact on prostitution policy. Commonly identified obstacles are the lack of a common identity and solidarity among sex workers; their stigmatisation; small and informal membership and problematic leadership; lack of resources; and ambiguity of allies. As the literature examines only a few organisations<sup>1</sup> and measures success narrowly (by focusing primarily on their impact on law), the conclusion about the failure of these organisations might be an overstatement, as they have all done important work. However, the fact is that sex workers' rights organisations have not generally succeeded in effecting legal change, in achieving decriminalisation. In many countries sex workers' rights movements have never become an important policy actor, while in some countries, like Croatia, there is still no sex workers' organisation (Radačić forthcoming).

In light of this, the New Zealand Prostitutes' Collective (NZPC) is a unique example of a successful sex workers' rights organisation. It had a crucial role in the adoption of the Prostitution Reform Act 2003

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<sup>1</sup> These are the movements in France (the occupation of the Saint-Nizier church in Lyon, Association Nationale de Prostituées), the Netherlands (Red Thread), the USA (Coyote), and the International Committee for Prostitutes Rights. For the activities of non-Western organisations, see Kampadoo and Dozema (1998), and for the sex workers' rights activism in Europe, see Dziuban and Stevenson (2015).

(PRA), a unique human rights-focused legislative model of decriminalisation,<sup>2</sup> which has been widely celebrated by sex workers.<sup>3</sup> NZPC has also had an important role in the implementation of this law and is one of the key actors in prostitution policy in New Zealand. It is also a grassroots organisation, in daily contact with sex workers. This article analyses the role of the NZPC in prostitution policy in New Zealand, and examines key factors for its success, in light of empirical data obtained through field work, and in the context of scholarship on sex workers' rights organising. It opens by describing the methods used in the study and the type of data gathered, after which I describe the work of the organisation, illustrating its success, not only in terms of its impact on policy, but also in other areas of work. I then discuss the key factors for its success, as grounded in the collected and analysed data.

## 2. Data and Methods

The paper is based on my desk research, observations of the work of the NZPC in Wellington, Auckland, and Christchurch<sup>4</sup>, and interviews with its members and supporters conducted between February and early March 2016. I conducted sixteen interviews with NZPC members, of whom four were volunteers, one a Board Member, and one a contracted lawyer, while the rest were all paid employees.<sup>5</sup> Five interviews were conducted in Auckland, eight in Wellington, and four in Christchurch. The interviews explored the following themes: roles and experiences in the organisation, organising and lobbying for the law reform, and key success factors as well as hurdles encountered, view of the PRA and its impact on the human rights of sex workers, and the usefulness of engaging with law and the human rights framework. I also had an interview with a nurse at the sexual health clinic at the Wellington office.

In addition to speaking to NZPC members, I wanted to look at other key actors' perspectives on the NZPC and its role in prostitution policy, as well as their views on the PRA. I conducted an interview with Tim Barnett, a former MP who sponsored the PRA in Parliament. The interview focused on the process of lobbying and the adoption of the PRA, the key factors contributing to the successful law reform, the hurdles that were encountered, and his view on the role and the work of the NZPC. In addition, I interviewed (the now former) detective superintendent Virginia le Bas, who was at the time a national manager of organised crime, on the experiences of police cooperation with the NZPC, and her views of the PRA. Finally, I interviewed three academics about their experiences of cooperating with the NZPC, their views of the organisation, and the PRA.<sup>6</sup>

All interviews were semi-structured. As the research was placed within the scholarship on sex workers' rights organisations, they were organised in such a manner as to, inter alia, solicit data on the factors identified as crucial for the failure/success of the movements. On average, they lasted for an hour. They were recorded and then transcribed. In this article, I primarily use the data that arose with

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<sup>2</sup> The law enhances the autonomy of sex workers and the protection from exploitation. Under the law street-based sex workers can operate without any restrictions; up to four sex workers can operate together as equals before any person needs a manager/operator's certificate; and only if someone oversees one other (or more) sex worker(s) is a certificate needed. The use in prostitution of persons under 18 is prohibited.

<sup>3</sup> Sex workers' demands for decriminalisation of sex work and the recognition of sex workers' rights have also been supported by several United Nations agencies, such as the United Nations Development Programme (UNDP), the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), United Nations Population Fund (UNFPA), the World Health Organisation (WHO), and the United Nations Joint Programme on HIV/AIDS (UNAIDS), as well as Amnesty International and Human Rights Watch ([Global Network of Sex Work Projects 2016](#); [Dziuban and Stevenson 2015](#)).

<sup>4</sup> I was fortunate enough to attend and present at the NZPC symposium (Wellington, 12 February 2016) which enabled me to meet more of the NZPC staff, volunteers, and members as well as health officers and brothel operators. Furthermore, I attended a meeting with police, staff of the Child, Youth and Family agency, and youth workers in Auckland, as well as a meeting with the police in Wellington. I also went to a homeless shelter with the Auckland coordinator to secure accommodation for a pregnant street worker and I attended street outreach activities in Christchurch. These experiences enabled me to gain a greater understanding of the organisation.

<sup>5</sup> I first spoke to the coordinators of the offices who then introduced me to other people in the office, and I then interviewed all those who volunteered, and that included all the employees who were present at the office during the time of my field work.

<sup>6</sup> Gillian Abel from the University of Otago, Christchurch and Jan Jordan and Lynzi Armstrong from the Victoria University of Wellington.

respect to questions regarding the role of the NZPC in the law reform process, the hurdles encountered, and the factors that contributed to its success, leaving aside the data relating to the participants' views of the PRA. Thematic analysis of the interviews was undertaken. The data was coded inductively by initially marking sections of interviews that addressed the questions mentioned. These sections were then assigned thematic codes that captured their main points, which was followed by a finer coding of the main themes identified.

The participants were given the option of being identified or remaining anonymous. Most chose to be identified by either their first name or their full name, and some chose a pseudonym. Their choice is reflected in this article.

The next section explores the key factors that contributed to the success of the NZPC in terms of policy making and policy implementation, after first introducing the organisation and its work.

### 3. Results

#### 3.1. The NZPC—A Key Actor in New Zealand's Prostitution Policy

The NZPC is an organisation run by current and former sex workers and advocates for the rights, health, and well-being of sex workers.<sup>7</sup> It was set up in 1987 by a handful of indoor working female sex workers. There is no formal membership; any sex worker can come and be involved to the extent he or she wants as suits her or his needs and time schedule<sup>8</sup> The organisation is run by a seven member board.<sup>9</sup> There are 18 people employed, most of them part time, a few contracted workers (a lawyer, web designer, counsellor), around 10 regular volunteers, and around 50 people who are in regular contact with the NZPC. The organisation has six community bases.<sup>10</sup> The organisation identifies as a 'collective of collectives' (Healy et al. 2010, p. 50) whereby different offices and programmes have a great degree of autonomy. It embraces consensual decision making, also with respect to filling in the positions within the organisation (including coordinators of the NZPC and national offices). It is funded by the Ministry of Health, but it also has its own resources from a lubricant-selling business, which supports the work of the organisation in areas not funded by the Ministry of Health.<sup>11</sup>

The organisation was initially funded through a health initiative, and health promotion has been one of its main activities (Healy et al. 2010). NZPC distributes condoms and does outreach work in all the community bases and surrounding areas, and runs education programmes on STI prevention. There are also free and anonymous sexual health clinics operating in each of the community bases once or twice a week, and the Christchurch office has a psychotherapist and drug and alcohol counselling service available. However, the scope of the work of the organisation is much broader. As an organisation by and for sex workers, the NZPC assists sex workers with a variety of things, such as helping them with claiming social benefits, getting personal documents, searching for jobs or accommodation, and assisting them with respect to the police, court, or Disputes Tribunal proceeding. As Annah, the coordinator of the Auckland office, said, 'sex workers come for all sorts of reasons . . . NZPC is the place where they will come to tell their deepest and darkest hurts.' Kim, an Auckland-based employee, explained: 'Someone comes in, we may not be funded to help them but we still do. That's what I like about us. It does not matter what they come for . . . We do so much here

<sup>7</sup> See: [www.nzpc.org.nz](http://www.nzpc.org.nz).

<sup>8</sup> Ahi, for example, got involved when she was organising a feminist conference, which included the topic of sex work, and came to the NZPC to seek advice. Chanel was recruited as she was known for her role in helping young transsexual street-based sex workers. Many employees first volunteered with the organisation, including the national coordinator, Catherine.

<sup>9</sup> The board is diverse and includes people of different genders (cis and transsexual women), ethnicities (white European and Maori), and sex markets (street and indoor).

<sup>10</sup> Wellington, Auckland, Christchurch, Duredin, Tauranga, Palmerston North.

<sup>11</sup> According to the national coordinator of the NZPC, Catherine, the business arose out of their concern for the lack of good and accessible lubricants, as important products for safe sex practices.

with such small staff'. Similarly, Chanel, a Wellington-based employee, said: 'We support them [sex workers], and we really go beyond what we are supposed to do as an organisation.'

In addition to providing personal assistance to sex workers, the NZPC is policy-oriented and engages in advocacy work. As has already been mentioned, it had a crucial role in the adoption of the PRA. From its beginnings the organisation raised awareness about the problems with the laws of the time<sup>12</sup> and exposed the inconsistent approach by the Government—while the Ministry of Health was funding them to distribute condoms, the police were confiscating them as evidence of offences and arresting sex workers. In 1989 the NZPC presented its first arguments for decriminalisation in the Parliament to the Select Committee on Justice and Law Reform (Healy et al. 2010; Barnett et al. 2010). By the mid-1990s alliances were established with a diverse range of women's groups (such as the National Coalition of Women, the Young Women's Christian Association, the National Collective of Independent Women's Refuges, and the Maori Women's Welfare League), youth groups, AIDS and sexual health groups, LGBT groups, academics, lawyers, as well as individual Catholic nuns and churches, and the working group on drafting the law was established (Barnett et al. 2010). The work on drafting the law intensified in 1999 when a Labour Government came to power. The NZPC worked with MPs, lawyers, academics, students, and others on drafting the law. The law was submitted to Parliament in 2000, and passed in 2003,<sup>13</sup> with a few significant changes that went against what was initially proposed.<sup>14</sup>

In the process of lobbying for the law change, NZPC leaders organised public debates, met regularly with different MPs and other relevant actors, and wrote submissions to and spoke before the Select Committee regarding the PRA. They also utilised their community networks, members of which also engaged in lobbying and petitioning MPs. Many sex workers spoke to MPs, which, in the views of the interviewed leaders of the NZPC as well as Tim Barnett, a former MP who sponsored the Act, was one of the key success factors. As Calum, a Wellington-based employee, states, 'sex workers sharing their stories helped MPs realise that the sex workers are people too.' Annah, the coordinator of the Auckland office, elaborated on this point:

... we had to strategize the key messages and a lot of it was that we had to talk about our own experiences and come out of the closet to politicians. That was really hard and there was a lot of crying ... you know, we had politicians crying ... cause it's the human stories that touch people ... I said to them, 'if I was your daughter ... what would you do? There is so much injustice in the law and if I was your child, wouldn't you want the law to protect me?'

NZPC members see the law as a useful tool for the advancement of sex workers rights, and an important part of their work is to support sex workers in legal proceedings. For example, the NZPC supported a sex worker who won a harassment case before the Human Rights Commission (Newshub 2014), a sex worker who reported a client for taking off the condom (Shadwell 2015) and a sex worker who reported a police officer for inducing sexual connection from a sex worker by the means of threat (Stuff 2009). Further, they are recognised as expert witnesses in court proceedings concerning sex work.

<sup>12</sup> Prior to 2003, indoor prostitution in New Zealand was governed by the Massage Parlours Act 1978, which allowed brothels to operate in the guise of massage parlours. However, as the Act defined massage parlours as public places, laws against soliciting in a public place applied to workers in parlours, and they were sometimes raided and entrapped by police posing as clients. Workers in the parlours were also required to provide their names and addresses to the police. Advertising the sale of sex ('soliciting'), running a brothel, and living off the earnings of prostitution were illegal.

<sup>13</sup> In October 2000, the Bill received its First Reading, and was passed by 87 votes to 21. It was then submitted to the Justice and Electoral Select Committee, which heard a number of public submissions. The committee made numerous amendments to the Bill. The Second Reading, held after the 2002 General Election, passed by only 64 votes to 56. The third reading was held on 23 June 2003, and the Bill passed with 60 votes for, 59 against and one abstention (Barnett et al. 2010).

<sup>14</sup> Most significant amendments include the prohibition of work by non-nationals and criminalisation of sex workers who do not practice safer sex practices.

In addition, the NZPC cooperates with relevant state and non-state actors on the implementation of prostitution policies in New Zealand. Its members sit on a number of governmental or local public bodies. Moreover, they have established an excellent connection with police and social services with whom they regularly meet, which I witnessed during field work. Annah stated: 'The police, they are working with us, not only on a community level but policy level as well.' A former coordinator of the Christchurch office, Anna, ran a training programme for police, which the former police officer Virginia le Bas assessed as very important for challenging the prejudice police officers might have about sex workers. She described NZPC members as 'brokers' and found their work very important:

... like anything education and communication is critical for people to work together ... It is just breaking down those barriers. Police uniform is sort of quite scary, because it is very authoritative, and often when police are dealing with the street workers it is late at night so to have someone like Anna to come out and sit down and have a general discussion to take questions it is very enlightening for the police staff then to look at how they might operate with those particular girls.

The NZPC also has good contact with youth and women's organisations, human rights organisations, and sexual health organisations (Healy et al. 2010). In Christchurch the outreach programme is jointly run with Youth Cultural Development and the Salvation Army, which shows the organisation's openness for cooperation. Indeed, the NZPC's ability to network with diverse groups of people is assessed as one of its strengths by Gillian Abel, an academic based at the Medical School of the University of Otago, Christchurch, an institution that has been cooperating with the NZPC for more than 20 years.

NZPC members find research very important. As Annah, the coordinator of the Auckland office, stated:

It's really important when you are advocating for sex workers and policy that you have credible research that backs up the evidence and looks at different frameworks of decriminalisation and legalisation and legislative and non-legislative approaches, what works and what doesn't in other countries.

The interviewed academics find the facilitating role of the NZPC really important for research, and generally praised the organisation for providing a voice to sex workers. The NZPC is also keen to host international researchers, as well as representatives of foreign governments and spread knowledge about the decriminalisation model.

To sum up, the NZPC is not only a service but also a policy-oriented organisation. This dual role, this ability to connect with sex workers as well as other actors in prostitution policies, is what researcher Lynzi Armstrong defined as the main strength of the NZPC and something missing in many other good grass root organisations:

They do all that grassroots, connecting with people really, really well but they are also a respected organisation. That's their strength ... The other main strength is that they prioritise sex workers' rights, that is really, really important.

The focus on human rights and engagement with the law as a mechanism for the protection of rights is indeed one of the key characteristics of the NZPC, one that seems to be among the factors that contribute to its successful policy role. These factors are explored in more detail in the following sections.

### 3.2. Factors Contributing to the Success of the Organisation

#### 3.2.1. Political and Legal Mobilisation: 'Our Beating Heart Is Related to Rights!'

The literature on sex workers' rights organising notes that sex workers lack the capacity for political action, which has resulted in a modest impact on policy. Mathieu, who has analysed

movements in France, the USA, and the ICPR (International Committee on Prostitutes' Rights), explains that most sex workers, 'due to stigma, poor social background, low levels of education and precarious living conditions are incapable of defining their conditions in political terms' (Mathieu 2003, p. 34). Similarly, Weitzer, who discusses the relative failures of the US organisation Coyote (Call off Your Old Tired Ethics) identifies the stigmatisation of sex workers and their related low self-esteem as major obstacles to organisation and mobilisation due to the fear of harassment from citizens and police (Weitzer 1991).

The NZPC, however, has successfully mobilised for political and legal change. Justice and rights have been a focus of concern for the organisation since its beginnings. Indeed, the organisation was set up to challenge the marginalisation, stigmatisation, and criminality of sex workers, as seen from the following quote by Catherine, the national coordinator of the NZPC:

I didn't experience bad conditions, but I know that the police came in and came in undercover, and arrested someone as working. And I thought, 'Why is that happening, that's really wrong!' And everyone was really scared and it made me very angry. Just to think that could really happen, it felt wrong. So we started talking amongst each other . . .

Sharon, an Auckland-based employee, said how as a feminist she wanted to challenge the double standards of the old laws, while Sammy, a Christchurch-based volunteer, said that she believed that women need to be empowered in the sex industry.

Even though sex work was illegal and heavily stigmatised in New Zealand in the past, and sex workers faced the risk of harassment by police, this did not prevent NZPC founders from fighting for their cause in the political arena. On the contrary, it acted as a motivating factor for organising. Feelings of injustice, what Fassi (2001) calls 'consciousness of oppression', facilitated political organising. The notion of justice and rights led them to think about law reform. As Catherine, the national coordinator of the organisation, explained:

We didn't have the language of law reform at all, but we knew it was wrong, that the laws were wrong . . . From the beginning, we wanted to get the law changed. And we had to, you know, push back quite hard. We threatened to hand our funding back [gained for HIV prevention programmes], actually we said 'we're going back underground!' We were deadly serious, you know.

The law reform was framed around the discourse of human rights, which fit well with the political environment of New Zealand. Hence, safeguarding of the human rights of sex workers became one of the explicit purposes of the Act.<sup>15</sup>

Annah, the coordinator of the Auckland office, explained:

In the law, PRA, we have five points . . . and one of the first is around safeguarding the human rights of sex workers. You know, you have to write that in the law and say it because some people don't think that sex workers are human, have human rights, they think you are just nothing, or, you know, you go missing, who cares? And if you don't have that written in the law where are you going to stand as a person?

Human rights are still the defining framework of the organisation. Catherine, the national coordinator, is very clear on the importance of this:

We cannot be a service organisation. I think a service organisation for sex workers is no service at all, it's horrible. It takes your beating heart away. And you know our beating heart is related to rights.

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<sup>15</sup> The Act (Part I Preliminary Provisions, 3. (a) Purpose) states: The purpose of this Act is to decriminalise prostitution (while not endorsing or morally sanctioning prostitution or its use) and to create a framework that safeguards the human rights of sex workers and protects them from exploitation . . .

All the NZPC interviewees seem to agree about the importance of the human rights framework<sup>16</sup> in the work of the organisation. Ahi, a Wellington-based employee, described human rights as ‘the perspective that focuses on sex workers’ and the ‘the thing that will help sex workers’. That is why, as emphasised by the former coordinator of the Christchurch office, Anna, they ‘continuously talk to people about their rights.’ She also stressed how the law can be a tool of empowerment of sex workers, referring to the conviction of a client for ripping off a condom.

Fighting for rights has hence been a strong motivation for political organising. This has been facilitated by solidarity and diversity among the NZPC members, factors discussed in the following section.

### 3.2.2. Solidarity (in) Diversity: ‘It Is a Big Family!’

The literature on sex workers’ rights movements identifies a lack of solidarity as one of the key hurdles for successful political organising, and one of the key factors for the failures of the movement. Mathieu (2003), for example, argues that the commercial logic of the world of prostitution hinders solidarity (and enforces competition) and the establishment of the community which is needed for successful collective action. Similarly, Gall (2007) discusses how the hierarchies within the industry and the competitive nature of the market, which hinders collectivism and solidarity, are obstacles to sex workers’ unionisation. On the other hand, Van der Poel (1995) claims that solidarity acted as a boomerang in sex workers organising in the Netherlands since including more socially disadvantaged groups strengthened the stigma surrounding sex workers.

Solidarity and diversity are key features of the NZPC. While the organisation started as an initiative of a handful of friends, the founders were clear from the beginning that they wanted to include a diverse group of sex workers, and the organisation has consistently been making efforts to ensure inclusiveness and diversity (Healy et al. 2010).<sup>17</sup> Ahi, a Wellington-based employee, emphasised: ‘NZPC values the experiences of all sex workers, we know that that makes us strong.’

While the first members were relatively privileged sex workers working in an indoor setting, they soon attracted less privileged sex workers from disadvantaged backgrounds and living in more precarious conditions and they all worked together to define their claims and fight for them in the legal and political arena. Feelings of injustice gave them a sense of community and solidarity. Moreover, the existence of the NZPC facilitated the development of the community. Calum, a Wellington-based employee, mentioned how the organisation ‘was very inclusive and helped to build a community within the sex work area’. Many of the interviewed subjects view the NZPC as a family. Kim, an Auckland-based employee, explained: ‘It’s a big family, that’s what I like about the NZPC!’

It is a family composed of very diverse groups of people, which has been a strength, rather than a weakness of the organisation, contrary to van der Poel’s (Van der Poel 1995) argument about solidarity being a boomerang.

Being part of a sex workers’ rights organisation has also had an impact on sex workers’ self-esteem. Many of the NZPC interviewees reported how their self-esteem had been enhanced by their involvement in the organisation, and they also thought that stigma had been reduced as a result of the work of the NZPC and decriminalisation.<sup>18</sup> Chanel stressed how NZPC was ‘empowering sex workers to take control, make their own decisions’. Monique, a board member who decided to do a B.A. after sex work became decriminalised as she thought that ‘no one [was] going to discriminate against her any longer’, for example, said: ‘NZPC gave me a whole new life . . . it is nice I got to share my ideas with many people, creating policies’.

<sup>16</sup> The framework built on the values of autonomy, equality, and dignity of all human beings, which establishes rights as entitlements against the governments, as codified in international human rights and national constitutions and bills of rights.

<sup>17</sup> Catherine, for example, approached Maori transsexual street-based sex workers to join the organisation.

<sup>18</sup> On the other hand, Abel et al. (2007) note that stigma is still present.

All members are involved in creating policy and are very proactive and visible. A high level of commitment and determination among the leaders and members of the NZPC is another key element of its success.

### 3.2.3. Committed Membership and Leadership and Stable Resources: ‘Quite a Unique Case’

The literature notes the poverty of material and human capital and problematic leadership and membership structures in sex workers’ organisations as key factors responsible for their failure. Gall (2007) for example mentions how ‘prostitute’ rights groups did not operate as membership-based organisations, which levy subscriptions, create democratic structures, use participative processes of forming policies, and deploy elected position’, but were rather composed of small numbers of self-selected leaders and activists (Gall 2007, p. 77). Mathieu (2003) notes how leaders of the movements studied were often more concerned with their own goals (which is often how to exit prostitution) than the goals of the collective. He also questions the criteria of respectability on the basis of which leaders are selected—whether it is a higher status within the sex industry (indoor, self-managed) or socially higher status (qualifications, higher social background, or other work experiences). In his view, ‘prostitutes’ tendency to choose as leaders people that either best conform to the stereotypes of prostitution or people who are most removed from their situation, reveals the strength of the effect of stigmatization’ (Mathieu 2003, p. 40).<sup>19</sup> Finally, scholars note how sex worker organisations they studied did not have sufficient and stable finances, which they linked to the stigmatised and often illicit nature of the sex industry, and how ‘poverty of moral, material, and human capital’ made them dependent on allies (Weitzer 1991, p. 24).

As already stated, the NZPC has been funded by the Government and hence has a certain financial stability. Further, its lubricant-selling business allows it a degree of self-sustainability and independence, which members find very important, as ‘depending fully on Government money restricts what you can do and NZPC wants to do policy work’ (Ahi, a Wellington-based employee). Catherine, the national coordinator, however, stated that, despite receiving money from the Government, they do not ‘feel scripted, they can speak their mind and be critical’. However, she does find having their own money, though ‘not as large as the contract with the Government’, important for ‘their ability to remain independent and determine their direction’. For example, they used it for their law reform campaign, since Government money was provided for health promotion programmes.

As seen above, the NZPC does much more than what they are supposed to under the contract with the Government, despite limited resources. Moreover, Tim Barnett notes that NZPC ‘with quite limited resources was massively consistent in pushing for law reform’. Many people volunteer for the NZPC, which speaks about members’ motivation and commitment. Catherine and Anna had volunteered for the first few years, and Sammy has been a volunteer for almost 30 years. The following motivating factors are mentioned: ‘helping others’ (Calum, Rose), ‘giving back’ (Allan), ‘ensuring that sex workers have rights’ (Ahi), ‘advocating for human rights’ (Sharon). Many of the NZPC members also do volunteer work with other vulnerable groups such as homeless people, people living with AIDS, people with disabilities, victims of crime, and youth.

The leaders of the NZPC are very charismatic. This might give them a greater legitimacy in the wider community, but it does not come at the expense of internal legitimacy, which in Mathieu’s (Mathieu 2003) view has been the case with Coyote and the ICPR. The interviewed NZPC members praised Catherine, the national coordinator, for her openness, inclusiveness, and ability to build alliances and to handle publicity. Annah and Anna, local coordinators, were similarly praised by staff and other members of the organisation. They are all involved in wider communal issues, such as homelessness, HIV, and crime.

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<sup>19</sup> On the other hand, Van der Poel believes that it is the ‘sex workers who have the best qualifications to bridge the social chasm’ and who must take over the image formation in order to challenge stigmatisation (Van der Poel 1995, p. 63).



Many interviewees stressed that excellent leadership had been a key feature of NZPC and one of the key factors for its successes. Interviewed academic Jan Jordan stated:

Catherine's got huge respect from many sectors around the country . . . She came across as educated, articulate, incredibly sensible and down to earth, she just seemed so ordinary, so lots of people's stereotypes were challenged by who she was . . . So much of the NZPC success . . . so much of how and why the group got such support, was how credible she came across to others, how eminently reasonable, you know, and just able to respond very calmly to some very nasty attacks that were made . . .

The academic Lynzi Armstrong explained:

NZPC is quite a unique case . . . A lot of it comes back to Catherine . . . She is really politically savvy and I think that her role has been really instrumental in creating that respect that people have got for them. I mean Calum is amazing as well . . . there are so many people there . . . They're just really good at connecting with people, but I think Catherine had a lot to do with the status they now have. She is willing to go and have a conversation with anyone . . .

The former police officer Virginia le Bas emphasised the unique personality of Anna, 'driven a lot around relationships', and her willingness to communicate with others 'in a very balanced and measured way'. All the leaders have been very public, which politician Tim Barnett defined as crucial: ' . . . The media found them attractive because they are accessible. Catherine is happy to speak publically about the issue, so I think that's been really crucial.'

While such exposure had not been easy, Annah, the coordinator of the Auckland office, explained how it means a lot to her 'when you got sex workers behind saying 'thank you for speaking on our behalf'', as she knows she is doing 'good advocacy work and getting their voices out.'

All the research participants agree that the determination of the NZPC leaders has been a key factor for a successful law reform. As Lynzi Armstrong, an academic, stated:

They were so involved and so determined, you know, they were involved in writing, drafting and what not . . . and lobbying that they did was hugely beneficial . . . Their role was really fundamental . . . The way they operate is quite unique and I think they were really smart in terms of how they lobbied and made relationships with other organisations because they had other voices with them.

The cooperation with wide and diverse groups of allies is another key feature of NZPC's work, also important for its success.

### 3.2.4. Wide Alliances: 'Having Tentacles in so Many Different Networks!'

The importance of allies for sex workers' rights organisations is noted in the literature, due to the generally low resources of sex worker organisations and the lack of capacity for political action. However, Mathieu (2003) discusses how the relationship with allies is often ambiguous, particularly as the allies might be in a more powerful position with respect to sex workers, and may have different goals or organisational culture. Weitzer (1991) similarly stresses the importance of strong alliances with other groups and notes the 'half-hearted support' to sex workers from the women's groups in the US. The relationship of sex workers' rights activists and feminists is particularly problematic as sex work is one of the most contested feminist issues (Radačić 2017; Scoular 2004). Indeed, in recent years, abolitionist feminists, who have gained more force internationally, are one of the key opponents of a sex workers' rights discourse (Ward and Wylie forthcoming).

In New Zealand, however, abolitionist feminism has not had many proponents. On the contrary, most of the feminist scholars and activists have from the beginning supported the NZPC and its proposed model of decriminalisation (Laurie 2010). Allies included women's organisations of different

types, which, in the view of Catherine, the national coordinator, was crucial: 'We had tentacles into so many different networks . . . I think that the broad base, I think women's organisations were crucial.'

Feminist academics were also important allies. As Calum, a Wellington-based employee, noted, 'their analysis of previous laws showed how these old laws were patriarchal laws having negative effects on the rights of women.'

Other allies included LGBT, youth, and sexual health groups. The involvement of politicians was also crucial, and in the view of Tim Barnett, it was beneficial that he was respected by different sides of political spectrum: 'You need somebody who is respected on the other side of politics if you are going to try to get a coalition of interests.'<sup>20</sup>

Academic Jan Jordan emphasised the accessibility of Tim Barnett, and politicians in general, in New Zealand.

The Human Rights Commissioner, Children Commissioner, and Police Commissioner were also supportive of the decriminalisation model, and the media was generally supportive of the NZPC's efforts. For example, the NZPC's first submission was widely reported in the media and a Labour MP, Trevor de Cleene, supported the NZPC by submitting an opinion piece to the Evening Post. Barnett et al. (2010) defined it as the first example of collaboration between sex workers, politicians, and the media in explaining the consequences of existing legislation and the need for reform. This example speaks of the collaborative and informal political culture of New Zealand, factors identified as relevant by many of the research participants.

### 3.2.5. New Zealand's Socio-Political Context: 'Ethos of Fairness'

West notes how 'collectives' failures and successes, as well as broader regulatory shifts of which they are a part, must be understood with reference to a wider field of players in the politics of prostitution and a wider political culture' (West 2010, p. 107). Literature on sex workers' rights movements discusses the different national contexts and their particularities only to a limited extent: Weitzer (1991) and Jenness (1993) note how the scapegoating of sex workers as disease vectors in the context of AIDS/HIV had compelled Coyote to focus on health and educational initiatives at the expense of rights-based initiatives. Mathieu (2003) notes the importance of national legal frameworks on prostitution, and Van der Poel (1995) discusses the influence of local councils, researchers, and social workers on prostitution policy in the Netherlands.

In New Zealand, the HIV/AIDS epidemic and a focus on health initiatives has not hampered the NZPC's policy work on rights. Actually, research participants believe that the importance of the public health discourse in the context of the HIV epidemic nationally helped the organisation,<sup>21</sup> as the Ministry of Health became interested in the NZPC and enabled it to work even in the context of a repressive legal environment. As already mentioned, the fact that the NZPC had its own resources allowed them a greater degree of freedom to engage in policy work and lobbying for law reform. Further, coalitions for law reform were built around public health (this being defined as involving a rights dimension). According to academic Jan Jordan, the 'health argument held a lot of sway and was used very well to say this is not about morality'.

Furthermore, prostitution was discussed within the framework of human rights and equality (of treatment), rather than violence against women or rehabilitation. Many of the interviewees stress the importance of human rights and the ethos of fairness in New Zealand (also (Jordan 2010)). Chanel, a Wellington-based employee, for example, stated: 'In our country, everything we focus on is about freedom, whether it is whales, it is just part of who we are . . . '

<sup>20</sup> He is of the opinion that the failure to find a right politician to join the struggles of powerful sex workers rights movement in the UK is the reason for its failure to affect change in law.

<sup>21</sup> Tim Barnett notes that decriminalisation of sex work was seen as one of the crucial measures in the fight against HIV/AIDS.

Jan Jordan stressed the importance of ‘an ethos of fairness, of an equalitarian climate which helped people see how unfair the prostitution law was . . . and which got a lot of traction from conservative women’s groups.’ Academic Gillian Abel said: ‘Reforming law was seen as an issue of fairness and equity that sex workers should have the same rights as any other citizen.’

Politician Tim Barnett stressed the importance of the value of gender equality in New Zealand (conceived primarily in liberal terms). He believes that it was helpful that, at the time of the adoption of the PRA, women had leading positions in politics. He also thinks that the parliamentary system of New Zealand, where parties share power, was beneficial. Many research participants mentioned the fact that human trafficking has not really been a problem for New Zealand, and neither has migration.

While these national particularities are all relevant, Catherine, the national coordinator of the NZPC, believes that these are sometimes overlapped. She explained:

I have heard it directly from the politicians in the UK that New Zealand is so different. But it is not that different. And the themes that run through, the anti-lot comes up with the same sorts of things to oppose legislative reform, the things are the same.

Catherine believes that the decriminalisation model should be applicable everywhere, and Annah, the coordinator of the Auckland office, calls on sex workers to unite in their efforts to achieve legal change. She believes that is only possible if advocacy is linked with a human rights discourse.

#### 4. Conclusions

The NZPC is an example of a sex workers’ organisation with a significant policy impact (and of great relevance for sex workers’ everyday lives). The organisation was the leading actor in law reform, and has been engaged in the implementation of prostitution policy in New Zealand ever since its beginnings. These factors distinguish the organisation from other studied sex workers’ rights organisations. While the charge of the failure of sex workers rights’ organisations found in the literature might be an overstatement as all the organisations analysed did do important work, none of them has managed to impact radical law change. The NZPC and the New Zealand model of regulating prostitution are unique in the world.<sup>22</sup>

In this article, I analysed the main factors contributing to its success in light of the hurdles identified in the sex workers’ rights movement literature. The following factors have been identified as relevant: the NZPC’s focus on human rights-framed policy work, diversity and solidarity among members, motivated and determined leadership, financial stability, wide networks, and a supportive socio-political context. While the NZPC also faced some of the hurdles identified in the literature, such as stigmatisation and the disadvantageous social position of sex workers in society, NZPC members and leaders have been highly committed to fighting for justice and rights in the legal and policy arenas, and have had a wide network of allies in this process. They have also had stable financial resources. The socio-political context of New Zealand was also supportive; the decriminalisation model fit well with New Zealand’s ethos of justice.

**Acknowledgments:** I wish to thank Catherine Healy, Annah Pickering, Anna Reed, and all other NZPC members and supporters I have had the privilege of meeting for hosting me and sharing your experiences with me. Spending time with you has really enriched my life. I would also like to thank Gillian Abel, Lynzi Armstrong, Jan Jordan, Virginia le Bas, and Tim Barnett for their time and willingness to talk to me. I would also like to express my gratitude to Carol Harrington who hosted me at the Victoria University of Wellington. I am thankful to Carol Harrington and Karin Doolan for their comments on the article, and to Stephanie Stelko and Maja Kukavica for helping me with transcribing the interviews. I am grateful to the COST Action Comparing European Prostitution Polices: Understanding the Scales and Culture of Governance for the funding that enabled me to undertake the field work in New Zealand through the Short Time Scientific Mission Programme.

**Conflicts of Interest:** The author declares no conflict of interest.

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<sup>22</sup> The Australian State of New South Wales also has a decriminalisation model, but this model is more problematic from the point of view of the human rights of sex workers, as it, for example, puts restrictions on street-based sex work.

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