

# Mandatory Testing for HIV and Sexually Transmissible Infections among Sex Workers in Australia: A Barrier to HIV and STI Prevention

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## ABSTRACT

Australia is an apt landscape upon which to measure the success of mandatory testing of HIV and sexually transmissible infections (STIs) among sex workers. Mandatory testing is implemented in some Australian jurisdictions and not others, allowing for a comprehensive comparison of the outcomes. It is apparent that mandatory testing of HIV and STIs among sex workers in Australia has proven to be a barrier to otherwise successful HIV and STI peer education, prevention and free and anonymous testing and treatment. The outcomes of mandatory testing are counterproductive to reducing HIV and STI rates, do not reach the intended target group, are costly and inefficient, and mandatory testing has proven to be a very difficult policy to repeal once in place. Scarlet Alliance, the Australian Sex Workers Association, as well as numerous academics and policy leaders in Australia recommend against mandatory testing of HIV and STIs among sex workers.

**Keywords:** Sex Work; Mandatory Testing; STI and HIV Prevention; Health Promotion; Public Health Objectives; Criminalization; Law Reform; Scarlet Alliance

## 1. Introduction

Sex workers in Australia are world-renowned for having consistently low rates of sexually transmissible infections (STIs) and HIV. This phenomena—a result of Australia's partnership approach to HIV, sex worker peer education and safer sex practices—is regularly documented in studies on the sex industry in Australia. Research demonstrates that sex workers have low rates of HIV [1,2] (less than 1%), low rates of STIs [2,3], and high rates of pro- phylactic use [4]. Sex workers maintain these standards across various states in Australia.

Studies illustrate high levels of condom use amongst sex workers across states. In New South Wales, the Law and Sex worker Health (LASH) report found that condom use approaches 100% in Sydney brothels in 2011 [5,6]. In 2010, Donovan *et al.* found in the NSW sex industry, “condom use for vaginal and anal sex exceeds 99% and sexually transmissible infection rates are at historic lows” [7]. High condom use is also demonstrated in Western Australia—the LASH Report in 2005 found close to 100% rate of condom use at work in Perth brothels [8].

In other states in Australia, epidemiology and research consistently show that sex workers have lower rates of STIs than the non-sex working population. The 2001-2009

annual national surveillance report demonstrates that prevalence of HIV among sex workers has remained consistently low—less than 1% [9]. In the Australian Capital Territory (ACT), a Canberra Sexual Health Centre study demonstrates that positive diagnosis of Chlamydia among sex workers between 2002 and 2005 was 1.6% and positive diagnosis of syphilis was 0.0% [10]. Such low rates of STIs among sex workers are unique, particularly when one reviews these statistics in the context of wider studies on STIs rates among the general community. For example, 2008 research from the ACT illustrates that the prevalence of Chlamydia among tested women in general practices was 4.3%. Among women 20 - 25 years this rate rose to 6.5% [11]. In that same state in 2004 the incidence of positive tests for Chlamydia was 5.1% [12].

Similarly low rates of STIs amongst sex workers are illustrated in research from Victoria [13]. In their 2009 study on STI screening intervals, David Wilson *et al.* estimate STI incidence in Victorian sex workers based on sexual health clinic databases as “0.1/100 person-years for HIV, 0.1/100 person-years for syphilis, 3.3/100 person-years for Chlamydia, and 0.7/100 person-years for gonorrhea” [14]. Such studies contribute to an overwhelming evidence base that consistently reveals that sex