

## HOT PANTS AT THE BORDER

*Sorting Sex Work from Trafficking*

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*The role of borders in managing sex work is a valuable site for analysing the relationship between criminal justice and migration administration functions. For the purposes of this article, we are concerned with how generalized concerns around trafficking manifest in specific interactions between immigration officials and women travellers. To this end, this article contributes to a greater understanding of the micro-politics of border control and the various contradictions at work in the everyday performance of the border. It uses an intersectional analysis of the decision making of immigration officers at the border to understand how social differences become conflated with risk, how different social locations amplify what is read as risky sexuality and how sexuality is constructed in migration. What the interviews in our research have demonstrated is that, while the border is a poor site for identifying cases of trafficking into the sex industry, it is a site of significant social sorting where various intersections of intelligence-led profiling and everyday stereotyping of women, sex work and vulnerability play out.*

Keywords: borders, sex work, women, immigration, border control

*Introduction*

Against the ideologically charged international backdrop of anti-trafficking initiatives we consider the role of airport immigration officers in reconciling Australia's national commitments to curb trafficking with the highly gendered and racialized discourses that circulate around anti-trafficking initiatives. The border is a site where a range of criminal justice and administrative migration functions are enacted, and has assumed increased significance in recent years in efforts to curb transnational crime, human trafficking and, in particular, trafficking into the sex industry. The role of borders in managing sex work is a valuable site for analysing the relationship between criminal justice and migration administration functions. For the purposes of this article, we are concerned with how generalized concerns around trafficking manifest in specific interactions between immigration officials and women travellers. To this end, this article contributes to a greater understanding of the micro-politics of border control and the various contradictions at work in the everyday performance of the border.

Borders between the Global North and Global South are increasingly becoming sites for law enforcement and intelligence efforts to identify and repatriate suspected victims of human trafficking. At the same time, the border, as performed at Australia's major airports, is where masses of pre-entry information and intelligence are processed at high speed, to determine whether entry will be granted to travellers. Contrary to

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what travellers may assume, visas for Australia officially permit travel to Australia but do not necessarily guarantee entry (Wilson and Weber 2008). The border, therefore, remains the concentrated point at which ‘the document is compared to the body which is compared to the story. If the isomorphism between this body-dossier-narrative tests the guard’s credibility, exclusion looms’ (Salter 2006: 181). A key concern for border policing officials, in this case from the Department of Immigration and Citizenship (DIAC), who undertake this work is to identify victims of human trafficking. As this study will show, it is trafficking into the sex industry that comes to constitute the focus of broader concerns over human trafficking played out at the border.

This study contributes to the broader research literature that explores the role of borders in defining and regulating women’s sexuality, which covers the regulation of lesbian, gay, bisexual and transgender women’s immigration (e.g. Luibheid 2002), marriage migrants (i.e. determining their legitimacy) (Lan 2008; Friedman 2010) and women migrant workers (e.g. Constable 1997; Thomas 2009; KavLaOved 2010; Human Rights Watch 2012). There has also been extensive research on sex workers who cross borders, which highlights the migrant sex worker as a potent figure within anti-trafficking discourses (e.g. Kempadoo 1998; Doezeema 2001; Jeffrey 2005; Agustin 2007; Andrijasevic 2010; Mahdavi 2010). Despite this, there has been minimal research to date on how women are perceived as sex workers *at* the border (Piscitelli 2006, as cited in Nederstigt *et al.* 2007). This study contributes to the literature on the interaction between technologies (such as Advanced Passenger Information Systems) and discretionary decision making at the border. While there is a large body of research on the racial profiling of those perceived as potential threats (e.g. Amoores 2006; Lyon 2006; Pratt 2008; 2010;), this study looks at the less-examined profiling of potential *victims* at the border.

The highly racialized, gendered and nationalized contours of border policing form the focus of our analysis. Intersectionality theory attends to the various relations between power and social difference (such as race, class and gender) (Burgess-Proctor 2006; Naples 2009; Dhamoon 2011). The power relations that produce and act through categories of social difference shape institutions, social interactions, individual and collective experiences, subjectivities and identities (Collins 2000; Brah and Phoenix 2004; Yuval-Davis 2006; Davis 2008). Central to intersectionality theory is the mutually constitutive nature of social categorization or the simultaneity of social locations (Collins 2000; Hancock 2007; Valentine 2007; Ken 2008; Nash 2008; Lutz *et al.* 2011;). Intersectional approaches examine the ‘explanatory power’ (Hancock 2007: 67) of more than one social differentiation *process* in maintaining inequality (e.g. how race *produces* gender). An analysis of the classification of risk at the border demands such an intersectional approach. The risk profiles used by immigration officers encompass a range of social locations, including gender, race, age, nationality and migration history. Analysing these social differences in isolation not only obscures the whole picture, but may provide a misleading veneer of neutrality. Instead, our analysis suggests that it is the interaction or combination of different indicators that identifies risk for officers, rather than any specific social difference alone. In summary, an intersectional analysis of the decision making of these officers at the border assists in understanding how social differences become conflated with risk, how different social locations amplify what is read as risky sexuality and how sexuality is constructed in migration.

*The Trafficking Context*

Border control and the push to identify the victims of trafficking during immigration checks at the point of arrival need to be understood against the backdrop of broader approaches to combating trafficking in Australia and internationally. Since 2004, Australia's criminal laws against trafficking (Divisions 270 and 271 of the Criminal Code 2002) and the National Action Plan to Eradicate Trafficking in Persons have been based on the definition of trafficking outlined in the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.<sup>1</sup> This protocol, also commonly referred to as the UN Human Trafficking Protocol, defines human trafficking as the sum of three elements: (1) the movement of persons (recruitment, transportation, transfer, harbouring or receipt of persons), (2) through coercive means (threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, control of another person), (3) for the purpose of exploitation (UN Office on Drugs and Crime (UNODC) 2004). The UN Human Trafficking Protocol allows a distinction between trafficking and sex work, and acknowledges trafficking as a form of exploitation that occurs in various work sectors.

Pearson (2007) argues that the UN Human Trafficking Protocol's distinction between trafficking and sex work can theoretically be readily understood in the Australian context, where sex work has been legalized or decriminalized in a number of states: 'Australian government officials are careful to tell you that human trafficking does not mean simply trafficking for sexual exploitation, and that trafficking is not the same as migrants engaging in prostitution, or human smuggling' (Pearson 2007: 28). UN and Australian national anti-trafficking policies are complicated by political discourses that have at times conflated efforts to stop trafficking with efforts to stop migration (of anyone perceived to be a potential victim) or efforts to stop sex work (Segrave *et al.* 2009). The anti-prostitution framework, such as that advocated by the Coalition Against Trafficking in Women (CATW), defines sex work as a form of gendered exploitation and argues that permitting sex work facilitates trafficking (Hughes 2005; CATW 2006). Numerous feminist and postcolonial scholars have critiqued the anti-prostitution framework and the use of anti-trafficking rhetoric to further anti-immigration, anti-prostitution and neo-colonial agendas (e.g. Kempadoo 1998; Agustin 2007). The Global Alliance Against Traffic in Women (GAATW) has also detailed the human rights violations that have been justified by anti-trafficking rhetoric (GAATW 2007). The identification of, and response to, trafficking at airports considered in this study is deeply embedded within the competing ideological and political forces that shape broader trafficking debates and policy developments.

*Methodology: Border Intersections*

Although borders are not typically foregrounded in anti-trafficking discourses, Segrave (2009) argues that the border remains a critical site of analysis for anti-trafficking stakeholders. Moreover, the border is where all individuals entering a country are systematically sorted and become known to authorities. So, while the literature often suggests that it is not an effective site for the identification of trafficking victims, authorities

<sup>1</sup> Australia ratified the UN Human Trafficking Protocol in 2005.

cannot ignore its importance and the opportunity it offers for responding to trafficking. Our concern here is therefore with how officers make sense of this role and enact the policing of trafficking at airport borders. With the permission of DIAC, over a nine-month period, we visited two airport sites for extended periods of observation (over 200 hours), including access to all parts of the immigration process. This involved: (1) the close observation of the management of Advanced Passenger Information by analysts while planes were still en route to Australia to identify travellers of concern, (2) the identification of risky travellers at 'the line' or the point at which Customs staff perform the immigration assessment function once travellers disembark an aircraft, (3) observing initial conversations between officials and travellers identified as risky 'at the line' to ascertain whether (as in the majority of cases) their identification was due to data errors that have erroneously flagged the person as being of concern, through to (4) both informal and formal interviews with travellers identified as *prima facie* presenting a 'risk' regarding their travel intentions, documents and any associated issues. Observations were also undertaken of the areas where immigration staff congregate ahead of processing travellers, where they exchange information and stories about those they are processing.

In addition, immigration officials were interviewed about the procedural aspects of their work, with a specific focus on gender. They were questioned about the key reasons for identifying certain women as being 'of interest', and what then occurred. They were also asked questions about the nature and purpose of their work in order to contextualize how they identified women in relation to their role in border control. Semi-structured interviews with 16 immigration officials were conducted at two airports in 2012. These officials were asked to describe all aspects of the process of identifying risky travellers (or 'passengers of concern'). They were specifically asked to talk about what made for an easy or difficult interaction with a risky traveller. What were the profiles they sought to identify in female travellers? How did they manage their investigation of these once women were being informally or formally interviewed? By grounding our analysis in the discretionary and subjective assessments offered by airport immigration officers, we hope to reveal the border as a relational and discursive space (Parks 2007; Friedman 2010; Korczyn 2011; Ameeriar 2012) and to contribute knowledge to the under-explored area of discretionary decision making at the border (Pratt, 2010).

This case study of immigration officials at Australian airports is one site in a multi-sited international research project on border control, irregular migration and gender. This broader project includes interviews and observations at land, air and maritime border sites with a range of different border and immigration agencies in Australia, Greece, Italy and the United States. The aim of the project is to develop a large empirical base for examining the micro-politics of border control that will be capable of shifting the macro debates over global immigration governance and the criminalization of irregular migration. To examine the micro-politics of border spaces, this article considers the very human(e) interactions that occur in an increasingly depersonalized, technologically remote-driven space: the border (see Aas 2011). This interrogation is also specifically interested in the enactment of gender at the border in relation to the increasing numbers of women making irregular migration journeys *and* the competing paradigms of enforcement (masculine) and rescue (feminine) in the identification of illegal travellers and potential trafficking victims in the daily operation of borders. In an effort to empirically ground recent theoretical excursions into the geographical margins of the state (cf. Mountz, 2010), this article

examines the narratives of Australian immigration agents who undertake border enforcement and are charged with the identification of trafficking victims.

*The Micro-Politics of Airport Control: Women of Concern*

There were three key categories of women that immigration officials were concerned to identify within the airport environment: grandmothers performing unpaid or paid work within families, backpackers working in breach of their visas and potential victims of sex trafficking. The first group were considered one of the easiest to identify but of least concern, with the identification of such women often resulting in the exercise of discretion in their favour. Airport immigration officials spoke about some grandmothers abusing the 'spirit' of their visa, but not posing any significant risk to themselves or the broader objectives of border control:

[T]he grandmother of course wants to come and see the kids. They give them a tourist visa, but of course they just keep on coming and coming—coming. We look the other way but it is a form of abuse, I suppose ... really they're just here and they're really acting as nannies—unpaid nannies. (AIAS6)

The second key group of female travellers of concern were young European women, mostly of Spanish or Irish background, who are working in breach of their visas while backpacking in Australia. This group were also considered easy to identify and, importantly, often quickly confess, enabling swift resolution to cases. As these cases often neatly met the need to identify, establish facts and reach a clear resolution, this group were similarly seen as yielding good border control outcomes:

[L]ike the Working Holiday Visa<sup>2</sup> type people ... they're more well acquainted with what's going to happen to them. Some are still outraged and shocked at how they're treated and all that sort of stuff but .... They understand they're doing the wrong thing. (AIAS6)

It was women who are working in the sex industry and/or are viewed as actual or potential victims of trafficking who were of the greatest concern to immigration officials, and whose cases often could not be easily resolved or result in reportable outcomes. The focus on this group was not because such women constitute the highest numbers of female passengers of concern (as data below indicate—indeed, they comprise a very small group). Rather, this attention was because officers' awareness of trafficking victim profiles was sharpest and they saw this work as a critical part of their role in inter-agency efforts to combat trafficking. In short, the potential for harm, the difficulty of identification and the pressure of performing the identification function on behalf of law enforcement agencies informed their heightened concern:

Sometimes we flag women. Why is this person on a tourist visa, keep coming back? Okay, that raises a question. So, when we sort of flag that, when we print that paper, we write down what is she doing, why is she coming back, how long is she going to stay again? ... I would look at different things. Previous arrival, how long did she stay, we look and pull out the previous passenger card, reason why she's staying, and then you go through the assessment and you look at, okay, what was the reason she said she's coming here for? ... [W]e look at people who could be working in the sex industry, sometimes we also

<sup>2</sup> Working Holiday Visa. To be eligible for this visa, travellers must be between the ages of 18 and 30 and work only for the purpose of supplementing their holiday in Australia (see [www.immi.gov.au/visitors/working-holiday/417/](http://www.immi.gov.au/visitors/working-holiday/417/)).



look at are they bringing something into the country. A sort of yeah, yeah—those are the kinds of stuff we look at. Depending on the age, depending on nationality, where they're coming from, where did they board the plane, where was the visa granted and all that stuff we look at. (AIS8)

This research contends that, at the border, sex workers overwhelmingly come to constitute the 'problem' woman traveller. This ordinarily occurs as the result of a series of formal and informal measures whose function is effectively to make sense of the relationships between labour and victimization; the identification and measurement of problematic sexuality; interpreting women's agency; and the use of evidence, 'intuition' and racialized knowledges. There are some indications that stereotypical depictions of the problem woman traveller is challenged by immigration officials, but this requires particular cultural and legal contexts as well as particular personal attributes which will be considered in the conclusion.

### *Sex Workers as the Problem Woman Traveller*

#### *Discourses of risk: tangles of labour and victimization*

Interviews with Australian airport immigration officials understood women's labour and sexuality as closely interconnected with ideas of migration and the border. Most references to problem women travellers or women travellers who required further investigation involved women working illegally. And, overwhelmingly, these were women sex workers (no interviewees mentioned men in sex work) rather than women who were intending to work illegally in other industries (such as fruit picking or hospitality). The respondents considered sex workers to be the paradigmatic 'suspicious' woman traveller. First, they were perceived as an illegal work risk (i.e. working in breach of their visa or in illicit parts of the industry); and, second, they were perceived as a victimization risk (sex workers were considered to be the main group at risk of being trafficked into Australia):

So if we look at maybe South Koreans they tend to work more in the sex industry. We know some of those people are now arriving on legitimate visas. So the fact that they are coming to work in the sex industry on a legitimate visa that entitles them to work is not an issue as such, but whether they are actually being trafficked is the issue. So when they are quite open with us about it and they are telling us what they are doing we are not—and they have got a legitimate visa that lets them work, we are not really worried about those particular ones. It's where they are going to be in breach of their visa. So we might profile more female South Koreans coming in on a particular flight. (AIAM1)

More broadly, airport immigration officials pointed out that the majority of so-called suspicious women travellers were women working on visas (such as tourist visas) that did not permit employment. The identification of these women also involved attempts to determine the boundaries of what counts as 'work' and whether unpaid labour involves a breach of visa conditions.

At one of the airport sites, data supplied by DIAC for the period 5 July 2011 to 8 August 2012<sup>3</sup> showed that 406 travellers were refused immigration clearance, comprising 99 female and 307 male (see Figure 1).<sup>4</sup> Of this number, only eight were

<sup>3</sup> This sample period also overlapped with the period during which the interviews were conducted.

<sup>4</sup> The same data were not collected and available at the second airport site.

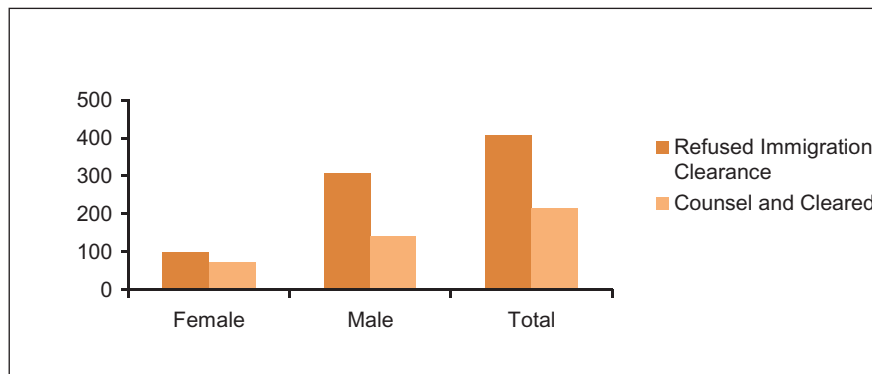


FIG. 1 Refused immigration clearance, counsel and cleared, by sex

refused clearance based on a suspicion of intention to work in the sex industry. Sex work in the jurisdiction in which this airport is located is legalized,<sup>5</sup> so refusal in these cases was not based on the illegality of sex work, but rather on the fact that the refused women were travelling on tourist visas which had a work prohibition.<sup>6</sup> In process reform aimed at regularizing suspect visa status, in one site, DIAC had established a determined ‘counselled and cleared’ programme whereby those who might ordinarily have been refused immigration clearance were counselled as to the steps required to regularize their status. Notably, the proportion of females identified to be counselled and cleared was higher than that of travellers with refused immigration clearance (see [Figure 2](#)).

Broader feminist discourses about sex work still debate whether it is a form of labour, as per the sex worker rights perspective, or a form of gendered exploitation, as is the view of the anti-prostitution abolitionist perspective ([Maher et al. 2012](#)). Sex work was considered a form of work by officials at both airport sites in this study. One site was located in a jurisdiction that has decriminalized sex work, while the other site was located in a jurisdiction that has legalized sex work. Therefore, at both airport borders, the issue of working illegally in sex work revolved around whether women were working on visas that do not permit employment, rather than whether they were working in an ‘illegal’ work sector. Despite the broadly regularized status of sex work in both sites, perceptions of risk and exploitation still permeate public understandings of sex work. The licit status of much sex work in both sites did not inoculate decision makers against making moral and even paternalistic judgments regarding the desirability and/or legitimacy of the sex work industry.

<sup>5</sup> Criminal law is predominantly a state matter in Australia. As a result, across the states and territories, sex work has differing legal status. Moreover, different forms of sex work often attract a different legal status. For example, street work is illegal in New South Wales but sex work in brothels is licensed. Some forms of street work are illegal in Victoria but work in brothels, independent premises and in escort agencies is licensed.

<sup>6</sup> *Decriminalization* of sex work ordinarily involves the removal of criminal laws relating to sex work and is usually part of broader harm minimization approaches that prioritize the occupational health and safety of workers. The legalization of sex work ordinarily involves the use of criminal laws in the regulation of sex work by determining the legal conditions of sex work with associated penalties for legal breaches. *Legalization* can be informed in different jurisdictions by more liberal or more repressive approaches to sex work.

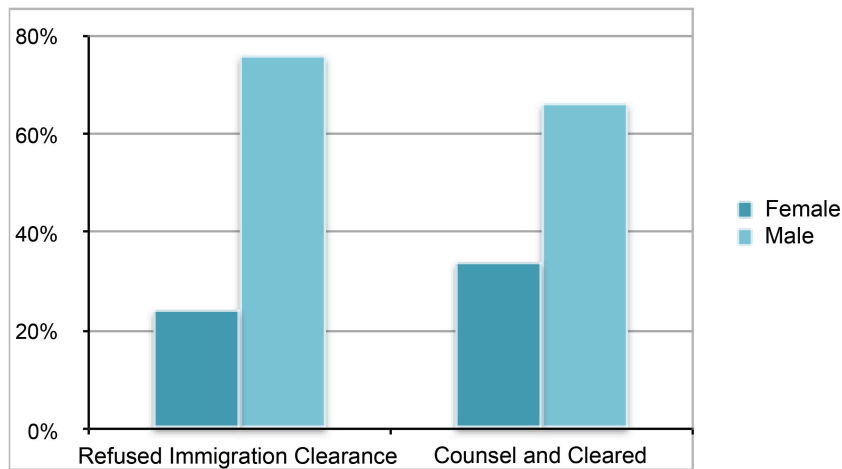


FIG. 2 Refused immigration clearance, counsel and cleared, by sex (%)

### *Discourses of risk: monitoring sexuality*

Public perceptions of trafficking still largely revolve around images of racialized women being forcibly moved across borders for sex work (Andrijasevic 2007; Segrave 2009; Segrave *et al.* 2009). This distorts the reality of trafficking, which can occur in various work sectors such as domestic work, and can include the trafficking of men in male-dominated industries, such as fishing and construction (Surtees 2008a; 2008b). Despite the myriad realities of trafficking, our interviews found that the imagery of Asian women being forced into sex work still dominates at Australian airport borders. However, border officers' judgments also varied, depending on their attitudes towards sex work (as work), their knowledge about trafficking, their attitudes about profiling and their attitudes about the role of evidence in decision making.

The monitoring of women's sexuality can be understood as one part of the 'social sorting' that occurs at airport borders (Wilson and Weber 2008), whereby people are sorted into categories which determines whether their mobility does or does not constitute a risk. Our research suggests that the public's confusion between trafficking and sex work underpins the use of women's sexuality as an indicator of risk at the border, including both the risk of potential victimization (of trafficking) and the risk of illegality (e.g. working on tourist or student visas). The identification of potential trafficking victims or potential illegal workers was found to be based on scrutinizing women's sexuality at the border, which confirmed Parks's (2007: 190) argument that 'gender and sexuality are repeatedly invoked as sites for the assertion of authority'.

A key strategy that was mentioned by just over half of the immigration officials interviewed ( $n = 8/15$ ) involved searching women's luggage for sexy clothing and seeking justifications from the women as to why they were travelling with sexy clothing. These assessments of the contents of women's luggage were based on subjective norms about what clothing is deemed appropriate for 'genuine' tourists, students or other types of approved travellers:



But we have to find evidence in terms of—we are doing a baggage search ... what are their motives? If you're coming here for a holiday, why do you bring some sexy lingerie and so many, like, the sex worker? Like, why do you bring those items? (AIAS10)

That's, I guess, part of their culture they do like to dress like, you know, I guess, sexy or whatever you want to call it. So there is nothing wrong with that, but that is like a trigger point to us and we might refer them to Customs for a bag search to see whether they carrying those kinds of clothing in there for that industry, for that type of work or have they really got, you know, touristy clothes in there. (AIAM2)

The perceived risk represented by sexy clothing in women's luggage strongly intersects with race, ethnicity and nationality, as well as class and age. Certain racial identities and passports render sexy clothing more suspicious at the border. For immigration officials, sexuality connotes risk at the airport when women are Asian and holding passports from Asian countries. The groups mentioned most often in the interviews were South Koreans, Thais and Chinese-born Hong Kong passport holders:

[G]oing back about six months ago it was more the Taiwanese, Chinese and now it's sort of started to include the South Koreans as well because I think from—what the intelligence officer was saying in Melbourne at the brothels here it's a different kind of legislation, different laws they follow as opposed to Sydney. So for them it's almost like they do tend to favour and hire more the Chinese, Taiwanese and South Korean background, whereas the Malaysian women are here more for the labour market, they are exploited into the labour market. So, yeah, South Korean wasn't really on the radar but in the last couple of months that's now been added to the list as well. (AIAM2)

### *Discourses of risk: acceptable agency*

Attempts to sort potential illegal sex workers from potential trafficking victims also involved subjective assessments of women's agency in their migration and in their behaviour at the border. As with sexuality, power shapes the recognition or denial of agency (McNay 2003). Migration researchers have also argued that immigration officers' perceptions of agency are closely linked to public perceptions about the authenticity of migrant narratives at the border (Friedman 2010; Korczyn 2011). The manner in which women talked about their travel plans or travel arrangements was closely scrutinized by immigration officials, when women fit gendered racial profiles of sex workers and trafficking victims—that is, Asian women with Asian passports. Women who may already be suspected of engaging in sex work raised further suspicions of trafficking if they were perceived as not being sufficiently curious or knowledgeable about their travel destination. In short, if women did not demonstrate the anticipatory knowledge of the circumstances of their travel and stay, this increased their risk profile:

[N]ormally we do a baggage search first to see if there is any evidence that can be found in the baggage, and then we deal with the knowledge of Australia sometimes, we just want to know what their intention is. Do they know much about Australia before they come through? Because normally if you go for—to a country to visit the country, you do have some knowledge of that. But a lot of the time, they don't. Even though they are in a tour group, they say that their tour agent organised everything but if you are going to a country, you are bound to know something about what you expect to see. (AIAS2)

[T]hey could be traffick[ed] ... into the sex industry ... 'cause I guess I always think ... as a human being you are curious. [You would expect a person to ask] ... a few questions, [such as] which school am I going to [and] you would be excited about it .... [T]he fact that they are not told anything at all, not even the name of a course ... like nothing at all, they have no idea .... [T]he fact that they know absolutely nothing that makes me think that they really have no idea or no active decision-making.

This was especially apparent in the case of women who had arranged their travel through a third party. Although numerous travellers depend on third parties for their travel arrangements (such as travel agents) without scrutiny, this was interpreted as an indicator of potential trafficking if women also fit a particular risk profile.

Demonstrating the 'appropriate' level of agency was a precarious exercise for women who were more likely to be suspected of being in sex work due to particular gendered and racial profiles. Having open-ended plans or travel arrangements assisted by third parties raised suspicions of trafficking. The quote below reveals the ambiguities inherent to such interpretations of agency. In some instances, having the correct information and requirements for entry can also be viewed with suspicion:

[W]hen they don't know why they are here and when they can just give you like a pretty blank explanation then you know there is somebody else behind it, somebody else has told them, 'This is what you say'. And it is because like whoever does come to our attention and does actually get cleared and go through they must report to whoever is organising back home so they know, like, you know, what kind of questions we will ask, how much money do you have. If they are staying for a month with \$1000, they know to immigration that will be sufficient. 'Do you have accommodation booked?' 'Yes, I have.' So they know what factors we can't really cancel on because they can provide that information. (AIAM2)

However, perceptions of 'too much' agency demonstrated by women travellers who fit a particular racial/national/migration profile raised suspicions about them working in the sex industry on visas that prohibit employment. Sexy phone messages that appeared to be communications with clients and online identities (e.g. on Facebook or website ads) were also seen as indicators that a woman was a professional sex worker. This was found to have one of two possible outcomes which were noticeably different at the two airport sites. In the jurisdiction in which sex work is legalized, that a woman traveller was a sex worker was seen as a choice, and such women were largely waved through, although not without some concern over the legitimacy of their choices expressed by some officials. In the other jurisdiction, where some aspects of sex work have been decriminalized, women were always viewed as potential illegal sex workers *and* as potential visa breachers:

[W]e search the phones as part of evidence, and they often have, sort of, similar kinds of contacts both in their own country and in Australia. We have seen sort of like sexy type of messages on them, which leads us to believe that they are in the sex industry, and if that was the case, there would normally be, we would think it was by choice. (AIAS1)

While well intentioned, this interpretation misunderstands the nature of trafficking—as trafficking is not determined by the amount of experience a worker has in a sector, but by the existence of exploitative conditions in the workplace or the migration process.

*Evidence, 'intuition' and racialized knowledges*

Only a few immigration officials reflected critically on the act of scrutinizing women's sexuality as a measure for entry into Australia. Instead, most interviewees discussed the strategies they used to identify suspected sex workers. Airport immigration officers' explanations of their sorting potential sex workers from potential trafficking victims revealed various interactions between gendered and racialized knowledges, the requirement for 'evidence' and officers' intuition. Zedner (2006: 426) argues that risk management remains a political exercise based on 'value assumptions rather than on precise calculation'. Indeed, it is striking to note from our findings that, despite the sophistication of surveillance technologies, risk assessments at these border sites ultimately appeared to rely on officers' judgments about the clothing women wore and what this signified about their sexual risk. For women who fit specific racialized risk profiles, decisions over whether the clothing in a woman's luggage fit her visa carried significant consequences.

The interviews revealed immigration officers' heavy reliance on race, ethnicity and nationality to organize passenger information, predict passenger risk and anticipate travellers' responses to questioning and entry refusal. There was strong consensus about some nationalities. For example, the majority of immigration officers described interactions with 'suspicious' Chinese travellers as difficult, while other ethnicities and nationalities raised differences of opinion concerning national characteristics and the level of difficulty involved in interactions. These assumptions played a powerful role in organizing information about passengers and immigration officers' workloads, determining, for example, whom to scrutinize more closely and how travellers' responses to questioning were anticipated:

There's a massive difference with the way they respond. And I think that's probably cultural to some degree. You get an Irish female 417 [Visa Class]. She's lied on her application. When she knows she's caught, she'll usually give it up and cry and then admit and go home. And that will be one thing. You can get someone from Hong Kong who will be of a different background and they will say, 'No, it's not my fault. No, no.' They will deny. They'll stick firm. They'll stop talking to you. They'll tell you you're wrong and then they'll fight you every step of the way. (AIAS5)

It depends on the triggers, like when we profile our flights we do have the sex workers, the South Koreans that we suspect we will profile them on that flight. Women from European backgrounds we don't really profile as much because if it will be a man who puts his hand up for protection if he is travelling like on a Greek—a fake Greek passport or from an Albanian background, whereas we don't find women, so they sort of tend to send the men and then maybe later they will bring the family out because they just spend time in detention. The Malaysian women, they don't care. They know if they are caught they will go into detention but if they get in they will go to work so we profile them as well based on our worker bees, yeah. (AIAM2)

The interviewees also emphasized the importance of grounding entry/refusal decisions on evidence. The necessity of evidence-based approaches in anti-trafficking has been advocated (GAATW 2007) as a means of countering the ideological foundations of some anti-trafficking measures (whether anti-prostitution or anti-immigration). However, the use of evidence in immigration officers' decision making is infused with highly gendered and racialized assumptions. In some instances, evidentiary requirements acted to prevent biased decisions:

And then we would interview them, and sometimes based upon what they tell us we could, sort of, work out that they were not genuinely here as tourists, if that's what they've said they've come out for. Sometimes there is insufficient evidence. Like you have a gut feeling, you know that this is what they are here for, but you've got to have the evidence, really. And if you don't have the evidence, you really can't turn somebody around on a suspicion, or on a whim, really. (AIS4)

However, the reliance on racialized knowledges at the border also often reveals the fluidity of what counts as evidence. A study of the United States–Mexico border found that the so-called evidence of working illegally included such items as a Starbucks receipt (Murià and Chávez 2011). In that study, what action different border control officers took when faced with such evidence varied, resulting in a fluid space of varied and conflicting determinations.

The value of evidence-based procedures in anti-trafficking measures also comes up against strong concerns over the perceived importance of the need for surveillance and passenger searches at the airport border. For passengers selected for further investigation, gathering evidence involved searching their luggage and phone messages. Advanced Passenger Information Systems were supplemented with online searches for passengers' Facebook pages, Google mentions and websites that might confirm the nature of their employment:

And when we do put them in detention, we have their phone, so we see messages and all that. And we look into that, or we Google their name or Google their—just one of the things we ask is have you been known by any other name, or do you have another name, do you use other names? Basically we use a lot of the internet. We use Facebook. We use other things when we're researching while the inspector is inside, so we do our work outside and basically do that. (AIS8)

'Cause you can surf the net, find the person and see what they say in their blog or what they have advertised themselves in the link in. Sometimes they would advertise that they're working here. [Laughs] Yeah we've got interpreters, teachers, tutors, advertised nannies advertising themselves ... I think it is. So that's evidence basically even before the person arrives. So it's so much more interesting actually now. You can do a lot more researching before the flight actually gets here. (AIS7)

Some interviewees acknowledged that evidence should take precedence over officers' gut instincts or stereotypical assumptions. For others, the requirement for evidence was at times perceived as an administrative burden that limits one's scope for action. Importantly, some interviewees stressed the value of intuition or 'hunches' in decision-making processes at the border:

If they don't give you anything else more than they have given you when you are speaking to them on the line then they are really not breaching or not intending to breach any of the visa conditions, so it's like based on legislation, well, what do we have to go by? I can't cancel, I can't even put a notice of intention to consider cancelling the visa 'cause I have no grounds .... I can bring them into the interview to try and get something more but if I don't get anything else I know they will be going through. And sometimes it is worth getting them in the interview just to maybe try and develop a profile and maybe somebody will crack under the pressure and, you know, might say something that might help us later on. (AIAM2)

The distinction between intuition and racialized knowledges can become easily blurred in a border security context (Salter 2006; Pratt 2010), as norms and values are ascribed to particular bodies (Adey 2004). Valorizing intuition can function as

one strategy of legitimizing racialized knowledges in practice, but denying their use in policy or on record. Racialized knowledges may be officially frowned upon but nevertheless remain prevalent in the day-to-day decision making carried out at the border (Newsome 2003; Pratt 2010). The interviewees' comments suggest that unofficial norms are assumed in relation to different categories of people. In a border security context, countering a stereotype can provoke suspicion, such as Muslim women who resist being identified as victims of a patriarchal culture (Ameeriar 2012) or African-American women who have the financial means to travel independently of family (Newsome 2003). As Salter (2006: 183) argues: 'If we do not confess in a way that echoes with the story that the examiner has told him/herself about us, then we are suspect.' Other studies have found that travellers' intentions can also appear suspect if they do not adhere to cultural norms, as in the case of assessing 'genuine' marriage migrants (Friedman 2010) or judging the validity of a traveller's story by the level of emotion they express (Korczyn 2011):

I do find that certain officers, within the department, who may not have had the same, I guess, multicultural or international sort of upbringing or background, will typically profile flights. (AIAS4)

Immigration officers' comments also alluded to the fluid processes by which 'hunches' could become evidence in the absence of other forms of evidence. When no evidence could be found to refuse entry to a traveller who elicited suspicion at the border, immigration officers were still permitted to place an alert to continue monitoring a traveller's movements in and out of the country, so that 'today's hunch' could become 'tomorrow's evidence':

It depends on if we have no evidence and it's just a gut feeling, we have to clear them, we have nothing, our decisions must be evidence based. But what we might do is if we—if we are looking at their movement patterns as well, so if somebody has been here a number of times, and again, they have abided by their visas each time but there is still something we think going on, we might put an alert on them. (AIAM1)

For a sex worker they would normally come either alone or with another woman, or maybe two. Often as part of a tour group. Usually as part of a tour group, that particular kind of profile. Not usually family groups. (AISAI)

The ambiguity of risk indicators for border control has been noted by numerous researchers (Newsome 2003; Pratt and Thompson 2008; Pratt 2010; Agustin 2012). Newsome (2003) observed that the drug courier profiles used at the US border legitimized racial stereotypes and included risk indicators (or behaviours) that might represent responses to discrimination rather than illegal activity (such as being evasive or defiant). The risk profiles mentioned during our interviews demonstrated this ambiguity, and were both simultaneously specific and general. At the time of the interviews, immigration officers were paying particular attention to women holding Hong Kong passports and arriving in tour groups:

Chinese-born person travelling on a Hong Kong passport, they are in an age group of maybe 20 to 40, first-time arrival to Australia, they have got a recently issued visa and they are maybe coming out of either Hong Kong or another type of port, that tends to fit all our boxes that we want to have a look at them, so we will just put them in for a profile and then they will refer to us at the border. In most cases they are genuine but it's worth asking those questions as to what they intend to do. (AIAM1)

Although immigration officers at both airports shared a general suspicion about, and alertness to, identifying potential sex workers, a few interviewees recognized the validity of sex work as a work sector and questioned the stereotypical profile of a migrant sex worker. These officers were exclusively located in the jurisdiction in which sex work is legalized:

I find it offensive when Customs say to me, ‘She has got frilly underwear, she has got hot pants, she is doing this’. Well, no, you can’t say she is doing this, some Asian cultures like to dress that way .... There has to be some other indication whether there is a phone number or whether there is something to say that they are going to be paid money or a diary with lots of different phone numbers and different names. There’s got to be something else that puts the two together or an admission, of course. (AIAM1)

*Sorting Sex Work from Trafficking: Different Categories, Same Outcomes*

Overall, identifying trafficking at the airport has some important limitations, particularly when identifying trafficking for the purposes of sex work. The Australian Government has invested significant resources in reforming criminal laws against trafficking and drafting national plans that are in line with the UN Human Trafficking Protocol. Despite these policy measures, airport processes for handling potential trafficking victims did not appear to differ much from the processes for handling travellers suspected of working illegally. In both instances, the processes involved scrutinizing women’s sexuality (e.g. via their luggage) and agency. And, in both cases, the ‘solution’ is the same—refusing entry and removal from the country. Given that trafficking concerns human rights violations in the migration process and exploitation in the workplace, it is unclear how border security efforts can assist when options are limited to refusing or permitting entry. In one case cited in our research, in which an immigration official reported concrete evidence that a traveller’s contact person in Australia was a known trafficker, this information was not relayed to the traveller (which would have equipped them with more information to inform their future migration decisions). Another interviewee acknowledged that removing travellers from the country may endanger them further:

One of the cases that I experienced before is that they borrow a large sum of money from a gang, they come here to do, like, sex work and then because they couldn’t get through, they have to go back. Because they already borrowed so much money, it’s like a—it’s a dead world—end for them. That’s how they see it—they have to go back to get that money to repay, and sometimes the gang try to kill their family back home. But we at the border here, we can’t do anything; because once we find evidence that they are working we have to cancel their arrival. (AIAS10)

However, the enactment of an anti-prostitution approach at the border may not be based on immigration officers’ moral attitudes towards sex work (which were not discussed in the interviews). Rather, it may be that an anti-prostitution understanding of trafficking better suits the demands of the bureaucratic airport environment.

The administrative culture within the airport requires outcomes that are dichotomous and easily administered (i.e. which either allow or refuse entry) and minimize risk to the state. Korczyn (2011) has called the border a ‘bureaucratic structural binary land’ (Korczyn 2001: 86) and Murià and Chávez (2011) have argued that ambiguities arouse suspicions at the border. The anti-prostitution framework has also been critiqued for relying



on strict binaries, in particular its categorization of women as either victims or agents (Abrams 1995). The dichotomous options available within the airport border infrastructure result in more power being given to individual officers' subjective assessments. When administrative choices are limited to either allowing or refusing entry, individual officers are ultimately responsible for sorting ambiguous scenarios into neat categories.

To accomplish this, immigration officers relied on highly gendered and racialized assumptions about trafficking victims—for example, about Asian women in sex work. Sorting sex work from trafficking at the border focused more on who women are (e.g. Asian or African) or their behaviour (unknowing or passive), rather than on the conditions of their labour or the human rights violations perpetrated against workers who migrate. General characteristics of travellers (including having open-ended plans or incomplete information about the destination) and travel (such as travel logistics being arranged by a third party) thus became indicators of trafficking if the women traveller came from a particular ethnic background and held particular passports.

Even if sex workers have the correct visa to work in Australia, suspicion about the sex work sector and a perceived need to monitor sex workers still prevails:

... they're getting harder to detect ... when I first started we would get lots of Thai girls that would come in alone, part of a tour group, a certain age, and they'd be coming as imposters. So you could get them because, 'Oh, look, you're an imposter. Tell us what you're really here for.' But now, I think they are more like, very clever coming on student visas. It allows them work rights, so we rarely see them anymore. (AIAS2)

The approach to trafficking practised in Australian airports, which is dominated by the anti-prostitution perspective, weighs in favour of challenging entry to sex workers, and supports the perception that sex workers can be further sorted into 'problem categories' later (e.g. based on their breach of visa prohibitions against work or them being a victim of trafficking). While sex work is recognized as work for border security purposes, there is still a lack of knowledge about how the sex work sector operates and the variation in work conditions in the sector. There is also a narrow understanding of trafficking that is highly gendered, racialized and limited to the sex work sector. Given the resources that the Australian Government has committed to countering trafficking, these contradictions between policy and practice bear further scrutiny by policy makers, government and practitioners.

### *Conclusion*

The risk profiles used by immigration officers encompass a range of social locations. These profiles, when considering sex work, served to obscure the whole picture despite operating with a veneer of neutrality. This research found that there is a combination of different indicators that identifies risk for officers, rather than specific social difference alone. These social differences become conflated with risk and amplified what is considered risky sexuality in the context of border control.

Border crossing lies at the heart of the definition of trafficking, and yet is often largely irrelevant because trafficking is rarely identifiable at the border. Frequently, all that is possible at the border is to identify the *potential* of trafficking and victimization. Trafficking involves exploitation and human rights violations in the workplace

(or destination site) as well as in the migration process. What the interviews in our research have demonstrated is that, while the border is a poor site for identifying cases of trafficking into the sex industry, it is a site of significant social sorting (Adey 2003; Lyon 2006; Murià and Chávez 2011), where various intersections of intelligence-led profiling and everyday stereotyping of women, sex work and vulnerability play out.

The bureaucratic binary that dominates the airport administrative environment needs to shift if a more responsive regulatory context is to emerge whereby strong workplace regulation in the sex industry might be capable of challenging current practices based on anti-prostitution ideology or poorly informed rule adherence and effectively dealing with workplace exploitation. This would include a more sustained partnership in engaging women who may be at risk of exploitation as well as enabling the clearer and more effective identification and investigation of trafficking cases. In the meantime, the ongoing impact of sorting at the border needs to be more carefully monitored.

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