

**Submission
No 74**

INQUIRY INTO THE REGULATION OF BROTHELS

Name: [REDACTED]

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18th August, 2015

[REDACTED]

To: The Committee Manager. Select Committee on the Regulation of Brothels Parliament House,
Macquarie St Sydney NSW 2000

To whom it may concern,

My name is [REDACTED] and I have been a Sole Operator Sex Worker for 19.2 years. I have also been a Government Licensed Brothel Manager for the last 9.5 years. I live in the state of Queensland however I travel to NSW regularly for the purpose of working as a sex worker. I am writing to make a submission as a sex worker to the Inquiry into the Regulation of Brothels as I believe this is an important issue that will potentially affect my business.

In Queensland, sex work is legalised. As you know, the difference between legalisation and decriminalisation is quite distinct. In Queensland I exist and work in fear of prosecution from the police and the Prostitution Licensing Authority for something as simple as making an error in placing an "unapproved word" in my advertising or for offering services that are not legally allowed in Qld.

Even though my body is my body, I do not have autonomy in Queensland and I am told I am not allowed to make decisions for myself on what services I can provide. Sexual activity between consenting adults should not be criminalised. There is no difference in sexual risk whether I am with a client or my husband. Sexual services should be a choice for individual sex workers. And as for the public health risk of STI's: sex workers have a lower rate of HIV and STI's than the general population of Australia. Laws which criminalise certain sex acts (for example in Queensland cunnilingus without a dam) are misguided.

I believe it is vitally important the voices and lived experiences of sex workers are heard. Laws in Queensland which were supposedly designed to protect sex workers, actually fail us. They cause us harm and grief, especially with the police.

Decriminalisation is a pipe dream for a Queensland based sex worker. Our previously elected government - the LNP - worked hard against sex workers, publicly stating that they did not want the sex industry to be an industry that flourished. At least they recognised us as an industry!

They changed the anti-discrimination act to legally allow sex workers to be discriminated against by accommodation providers which has simply made my job harder and more dangerous. Now not only do I have the police to fear and the Prostitution Licensing Authority, but now finding a house, apartment or hotel/motel has become more difficult. This law has the potential to drive sex workers to extreme and unsafe working conditions.

The LNP government also shut down many of our sexual health clinics, limiting access to sexual health resources which has the potential to discourage clients and sex workers from having regular sexual health checks because they are no longer easily accessible. The closures were done to save money in the States budget in regards to sex worker resources. The money that was anticipated to come in from licensing brothels did not eventuate as less people than expected applied for and opened licensed brothels in the last 15 years - only 22 brothels. Overall the licensed brothel system in Queensland has failed to support itself.

In NSW the difference is dramatic. When I come to Sydney for work, I feel like I can breathe! I have no fear of prosecution or persecution. I have no fear of offering the services I want to and I can advertise those services without censorship. It is important for me to be able to talk about services with clients before I meet them. This is so both the client and I know exactly what is on offer. In Queensland I am not legally allowed to talk about the services I offer, which means that if a client asks for a service that is legislated as illegal, however I am happy to provide it by personal choice, I cannot say yes over the phone, via SMS or email for fear of prosecution. Yet 30 minutes drive from my home those same services are legal to agree to and provide in NSW.

In NSW I also have no fear of being kicked out of a hotel. I have no fear of calling the police if I need them and no fear of being told "well look at the job you do" because my work IS a job in NSW and it should stay that way.

In NSW I also have the option of working in tandem with another sex worker. This provides the other sex worker and myself with adequate security and safety conditions should something nefarious occur.

In inquiries like this, people in positions of limited authority come along to offer you opinions against sex workers having autonomy and agency over our bodies and our businesses. This is a really unfortunate approach from them, telling us and you that they think they know what is better for us than the person who is actually performing the tasks of her or his occupation.

To put licensing legislation and restrictions in place in NSW and to criminalise an occupation where it is currently decriminalised and an equal occupation within society will be taking a step backwards. Introducing licensing in NSW for sex workers will have a significant negative effect against the sex workers who work in the industry. Society will go back to the old way of thinking about us and we will be, once again, discriminated against and stigmatised.

The entire sex work community in Australia is proud that NSW has been a world leader by having decriminalisation. In the world's eye, NSW is progressive in sex industry regulation. To go backward would be a mistake and would be embarrassing in the international view of us, because the NSW sex industry is continually being brought up as an example of successfully working decriminalisation. With low rates of STIs and HIV due to access to health resources, no evidence of organised crime, these things are an achievement to be proud of and a testimony to the fact that decriminalisation truly does work.

Decriminalisation is a human right of a sex worker. Amnesty International recently agreed on this and I would highly recommend reading the outcome of their long and in depth inquiry here:
<https://www.amnesty.org/en/latest/news/2015/08/sex-workers-rights-are-human-rights/>

With a full Q&A on what it all means here: <https://www.amnesty.org/qa-policy-to-protect-the-human-rights-of-sex-workers/>

In closing, I kindly ask that you take your time in your deliberations. Don't just look at us as statistics on a piece of paper. Look at the human faces of sex work and understand that the majority of us happily choose sex work as a means of earning a living and the more restrictions you put on our job, the harder it is to be safe in our job.

Kind Regards,

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