

**Submission  
No 175**

## **INQUIRY INTO THE REGULATION OF BROTHELS**

**Organisation:** BaptistCare HopeStreet  
**Name:** Ms Jess Davidson  
**Position:** Womens Services Team Leader  
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**BaptistCare**

# **Submission To The Select Committee Inquiry on the Regulation of Brothels**



**BaptistCare**

## **About Us**

BaptistCare HopeStreet is a not-for-profit community centre based in Woolloomooloo, committed to putting faith into action by providing compassionate care to marginalised inner-city residents.

HopeStreet is part of BaptistCare, a leading not-for-profit Christian based care organisation that has been serving the aged and people living with disadvantage since 1944.

At HopeStreet we operate Women's Services, a safe support agency that seeks to serve vulnerable women, including women who are involved with street based sex work, women in domestic violence situations, women in the Woolloomooloo community, and from 2016 we will offer specialised services for sex workers from culturally and linguistically diverse backgrounds.

For more than twenty years we have brought life transforming and trusted care to inner-city women involved with street sex work and have focused on the many factors that are strongly linked to women entering and continuing in the street based sex industry, including homelessness, mental health, domestic violence, trauma and addiction. Our services to women involved with street sex workers include:

1. a drop-in program where women can access a shower, laundry, meals and a safe place in which social isolation is reduced;
2. outreach services in which women working on the streets are provided with support and resources;
3. casework and counselling;
4. a drop-in health clinic run in partnership with St Vincent's Hospital;
5. service referral and;
6. Exit Pathways, a program soon to be established that provides pathways out of prostitution for those women wishing to exit the industry. This includes employment skills training, self-esteem programs, education, and health promotion.



## Our focus

The sex industry in Australia is multilayered. Eggar and Harcourt provide a typology that consists of: parlour (brothel) sex workers (70% of sex workers in New South Wales); escorts (approximately 12% of sex workers in New South Wales); private workers (approximately 12% of sex workers in New South Wales); and street workers (up to 10% of sex workers in New South Wales).

The circumstances of women involved in sex work varies considerably across these types. Women working in illegal brothels, for example, are much more likely to be trafficked, while women working in the provision of escort services are much more likely to have entered the industry by choice and to experience relatively high levels of safety and remuneration. It is important that the Select Committee takes these vastly different circumstances into account when making its recommendations.

Our focus is women involved with street based sex work, who solicit clients on the street and provide services in cars, alleyways and various other locations. These workers are a minority client group and yet they are among the most vulnerable in the sex industry. Our concern, and the purpose of our submission, is to ensure the Select Committee consider this minority group, ensuring no adverse impact is caused upon these individuals in the drafting of changes to the current regulations around brothels.

## The situation for street workers

No two women share exactly the same experience of life, but we have found that most of our clients entered the sex industry due to diminished choice. We have found that the factors influencing their decision to enter and continue in the street based sex industry often include violence, trauma, homelessness, mental illness, sexual abuse, and addiction.

Once working the streets, the women with whom we work are extremely vulnerable to ongoing social isolation, stigma, violence and other forms of abuse. Research by Prior, Hubbard and Birch in 2013 demonstrated that 75% to 81% of street sex workers experienced significant violence while working <sup>ii</sup>, while Roxburgh, Degenardt



and Copeland demonstrated that 98% had experienced previous trauma and just under 50% met the requirements for diagnosis with post-traumatic stress disorder iii.

Sex workers have the right to be treated with dignity, respect, and love. As a faith-based service provider in the Christian tradition, we believe each woman is a unique human being with much to offer their community. As those most likely to be impacted by regulatory changes and those who are most vulnerable to exploitation and abuse, we believe the protection of their interests should be among the primary considerations of the Select Committee.

## **Street workers, decriminalisation, and regulation**

BaptistCare HopeStreet does not formally argue for or against decriminalisation or have any judgement on this subject matter due to the focus of our work primarily being the safety, health and well-being of the women we work with. The sex industry in New South Wales is currently decriminalised and not subject to licensing. Consequently planning measures by local councils are the primary means by which the industry is regulated. We recognise that there are contested arguments around the merits of further regulation of brothels. We have not come to pre-judge any solution or changes that may be made to current legislation. Our concern is that whatever decisions are made in this area, the Select Committee should be aware of the potential ramifications for women involved with street based sex work.

We recognise that decriminalisation provides important protections for women involved with street based sex work. Decriminalisation allows them to provide sexual services without fear of prosecution, to seek out the protection of the law if they are subject to violence and other forms of abuse, and gives them much greater propensity to access services such as those provided by BaptistCare HopeStreet. Any changes to the regulatory regime that effectively criminalises street sex will render women involved with street sex work less safe and less likely to access support services they rely on. BaptistCare agree that all people are entitled to conditions of basic human rights whilst also facing the reality of our clients social and emotional circumstances. We are open to exploring new approaches to service delivery, impact measurement and best practise care for the most marginalised and vulnerable members of the community.



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## **Our recommendations**

The Select Committee's focus is upon the regulation of brothels. We recommend that any shift towards licensing or further regulation of brothels:

1. should not have the effect, either de jure or de facto, of criminalising women involved with street based sex work, nor of creating barriers that effectively move women outside the law;

And;

2. any legislation change should always consider the wellbeing and safety of women involved with street based sex work;
3. any changes to legislation should not further marginalise or further victimise women involved with street based sex work

## **Our contact details**

BaptistCare HopeStreet

174 Cathedral Street

Woolloomooloo NSW 2011

[REDACTED]

[hopestreet@baptistcare.org.au](mailto:hopestreet@baptistcare.org.au)

Jess Davidson

Womens Services Team Leader

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**BaptistCare**

## References

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<http://www.aic.gov.au/publications/previous%20series/proceedings/1-27/16.html>
- ii Prior, J., Hubbard, P. & Birch, P. (2013). Sex worker victimisation, modes of working, and location in New South Wales, Australia: A geography of Victimization. *Journal of Sex Research*, 50 (6), 574-586.
- iii Roxburgh, A., Degenhardt, L., & Copeland, J. (2006) Posttraumatic stress disorder among female street-based sex workers in the greater Sydney area, Australia. *BMC psychiatry*, 6(1), 24