

**Submission  
No 68**

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

**Name:** Ms Kimberly Pater

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

To whom it may concern,

As a concerned community member, I am writing to make a submission to the Inquiry into the Regulation of Brothels. I am an academic researcher currently in the process of completing a Master of Applied Anthropology. My research has investigated the lived experiences of sex workers in Sydney and how they choose to self-identify their business practices.

Over the course of my research, I have found that regulatory models do not suit the needs and business practices of sex workers. The problem with regulation is that it seeks to place sex workers into defined categories, for example, street, brothel, agency, and independent. In actual practice, sex workers often operate in grey areas between these categories, or operate in multiple categories simultaneously. When even one of these categories becomes regulated, it can cause major issues for sex workers who then have to self-assess which legal category best fits their mode of operation.

When the police are the overseers of regulatory model, this worker self-assessment can quickly become troublesome. If the police make their own determination about the worker's categorization, which conflicts with the worker's self-assessment of their working category, it can lead to false and unnecessary arrests of sex workers, who were doing their best to operate safely and legally.

For instance, the regulatory model currently in place in Queensland was set up to control and license brothels. However, the restrictions infringe upon the business practices and safety of independent workers, who are forced to work completely alone because the law states that two workers cannot operate on the same premises. Under these tight restrictions, sex workers are not even able to hire an assistant, or even a cleaner, to assist them with the running of their business. Furthermore, workers are not allowed to work in pairs, which is one of the most logical ways for sex workers to protect themselves against violence and abuse. If a sex worker chooses to keep herself safe, and hire the aid of an assistant or work alongside another sex worker, she is doing so at great risk of arrest, police harassment and abuse.

Sex workers should have the right to self-determination and self-categorisation. Sex workers should not have to dig through the criminal code in order to decide whether it restricts them from hiring an assistant, an onerous that is not placed on any other small business owner. Most importantly, sex workers should never be forced to decide between operating their business legally and keeping themselves safe.

Therefore, I support decriminalisation in New South Wales as the best practice model for sex worker safety and health.

Sincerely,

Kimberly Pater