

**Submission
No 80**

INQUIRY INTO THE REGULATION OF BROTHELS

Organisation: Asia Pacific Network of Sex Workers (APNSW)
Name: Ms Kay Thi Win
Position: Coordinator
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75/12 Ocean Tower II, 15th Floor.
Soi Sukhumvite 19th,
Klong Toey Nua, Aattana
Bangkok, Thailand, 10110
secretariat@apnsw.info
Tel: +6622597488-9 (x116),
Fax: +66 2 2597487

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To the Committee on the Regulation of Brothels,

Protect Decriminalisation of Sex Work in New South Wales

Asia Pacific Network of Sex Workers (APNSW) is a sex worker led regional network that promotes the health and human rights of female, male and transgender sex workers. APNSW represents 31 organizations in 23 countries.

We endorse the submissions to the Inquiry into the Regulation of Brothels from our member organisation Scarlet Alliance, and their member organisation, SWOP NSW.

Decriminalisation is regionally and internationally recognised as the best practice model of regulation for the sex industry. Licensing and registration models are a form of legalisation that undermines many of the key health and safety outcomes produced under decriminalisation, which NSW has reaped the benefits of for the past 2 decades.

Licensing and registration models are not supported by the UNAIDS, UNFPA, UNDP report *Sex Work and the Law in Asia and the Pacific*. Specifically the report found that:


- i. Legal empowerment of sex worker communities underpins effective HIV Responses
- ii. Positive public health and human rights outcomes have been achieved in jurisdictions that have decriminalized sex work
- iii. Licensing and registration models have not been effective.”¹

The report goes on to support decriminalisation and the strong health outcomes that have been a product of decriminalisation in NSW:

“Evidence from the jurisdictions in the region that have decriminalized sex work (New Zealand and New South Wales) indicates that the approach of defining sex work as legitimate labour empowers sex workers, increases their access to HIV and sexual health services and is associated with very high condom use rates. Very low STI prevalence has been maintained among sex workers in New Zealand and New South Wales, and HIV transmission within the context of sex work is understood to be extremely low or nonexistent.”

Decriminalisation is also recognised by *the Lancet*, one of the world's leading medical journals, as the superlative model of sex industry regulation, producing positive health outcomes that are not achieved under criminalisation, licensing or regulatory models.²

Our health, our safety, our lives and our livelihoods will be affected by the outcome of this Inquiry. Protecting decriminalisation is essential to maintaining and continuing the positive outcomes that have been achieved in NSW over the past 2 decades.



Best Regards,
Kay Thi Win,
Coordinator
Asia Pacific Network of Sex Workers

¹ UNAIDS, UNFPA, UNDP, *Sex Work and the Law in Asia and the Pacific*, 2012, UNDP Thailand, page 6.

² *The Lancet*. (2015). HIV and sex workers series [online]. Available at: www.thelancet.com