

**Submission
No 75**

INQUIRY INTO THE REGULATION OF BROTHELS

Name:

[REDACTED]

Date Received:

19/08/2015

Partially Confidential

19 August 2015

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

To whom it may concern,

As a sex worker, I am writing to make a submission to the Inquiry into the Regulation of Brothels. Sex workers are the key stakeholders in the process of evaluating the regulation of brothels in NSW.

The decriminalisation of sex work is essential to recognising the human rights of sex workers in Australia. Sex work has been decriminalised in NSW since 1995 and NSW is world-renowned as having a best practice model. The outcomes of decriminalisation in NSW have been:

- Extremely low rates of STIs and HIV (recognised by Australia's National Strategies and the Kirby Institute Annual Surveillance Report);¹
- Better access to health promotion (finding of the Law and Sex Worker Health Study, which compared the health impacts of legal frameworks across Victoria, NSW and WA);²
- No evidence of organised crime (recognised by the Land and Environment Court);³
- Better access to Occupational Health and Safety (WorkCover and SWOP worked with sex workers to create Health and Safety Guidelines for Brothels, which have been translated to Thai, Chinese and Korean);⁴ and
- Current evidence presented by the Lancet at AIDS 2014 found the decriminalisation of sex work would have the greatest impact on the HIV epidemic, reducing HIV by up to 46% in the next decade and resulting on cost saving thresholds of tens of millions of dollars globally.⁵

I have worked in other places with different regulatory models and choose to work in a state where sex work is decriminalised because it presents the only situation where I am recognised as an independent autonomous adult, capable of making my own decisions.

It is also the only state of affairs that supports a valid exit strategy – I could study, get [more] qualifications and switch industries if I wanted to without discrimination against my previous work.

Licensed models do nothing to protect sex workers, do not support healthy working conditions and allow future employers to judge you as a less worthy human because of the industry that you have chosen to work in.

Working in a decriminalised state has meant that education and sexual health materials are easy to access free of judgement or barrier. It has meant that when I am discriminated against or assaulted, I can report to the relevant authorities like a normal human being and expect my rights to be upheld to the same standards as everyone else.

There is absolutely no reason to licence sex workers. It adds no value and can only harm us in either making it hard to get visas, mortgages or hindering our exit from the industry. It can also make our lives more dangerous in enabling stalkers/potential threats to locate and access our personal details.

Yours Faithfully,



[working name used for reasons of privacy, safety and security]

1 Australian Government Department of Health and Ageing, Sixth National HIV Strategy 2010-2013, Commonwealth of Australia, Canberra, 2010, 16. Kirby Institute, HIV, Viral Hepatitis and Sexually Transmissible Infections in Australia Annual Surveillance Report, University of New South Wales, 2011, p8, Figure 46, Figure 34.

2 Christine Harcourt, J O'Connor, S Egger, C Fairly, H Wand, M Chen, L Marshall, J Kaldor, B Donovan, (2010), 'The Decriminalisation of Prostitution is Associated with Better Coverage of Health Promotion Programs for Sex Workers', Australian and New Zealand Journal of Public Health, 34:5 at 482.

3 Martyn v Hornsby Council, accessed at <http://www.lawlink.nsw.gov.au/lecjudgments/2004nswlec.nsf/00000000000000000000000000000000/00/45b396e658d9f27eca256f420004a76a?opendocument> on 10 August 2015.

4 NSW Government and Workcover, 'Health and Safety Guidelines for Brothels', accessed at http://www.workcover.nsw.gov.au/_data/assets/pdf_file/0014/15134/brothels_health_safety_guidelines_English_0120.pdf on 10 August 2015.

5 The Lancet. HIV and Sex Work, <http://www.thelancet.com/series/HIV-and-sex-workers> July 2014, accessed on 30 October 2014.