

**Submission
No 131**

INQUIRY INTO THE REGULATION OF BROTHELS

Organisation: [REDACTED]

Name: [REDACTED]

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Confidential

From: [REDACTED]

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To: ROBInquiry

Subject: Submission to Committee reviewing NSW decriminalisation of sex work

I am a sex worker and a refugee from the Victorian licensing system. I moved to Sydney precisely because NSW has decriminalized sex work and my experience in Victoria and other Australian states showed me that full decriminalization is the only way to ensure the health and safety of sex workers, clients and the community at large.

This conclusion is also supported by research done by the World Health Organization, Amnesty International and various HIV/AIDS organizations.

NSW is world-renowned as having the best business practice model. The outcomes in NSW have been:

- * **Extremely low rates of STIs and HIV (recognized by Australia's National Strategies and the Kirby Institute Annual Surveillance Report).**
- * **Better access to health and promotion (finding of the Law and Sex worker Health Study, which compared health impacts of legal frameworks across Victoria, NSW and WA).**
- * **No evidence of organized crime (recognized by the Land and Environment court)**
- * **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)**
- * **Current evidence based by the Lancet at AIDS 2014 found that the decriminalization of sex work would have the greatest impact on the HIV epidemic, reducing HIV by up to 46% in the next decade and resulting in cost saving thresholds of tens of millions of dollars globally.**

The most deadly forms of harm come from sex work stigma and bad laws based on that stigma. This forces sex workers into conditions that put us in harm's way. Forced into the underground, sex workers become vulnerable to corrupt police and bad clients.

When stigma-based laws create fear of eviction, fines or jail time just for following normal business practices any other business would enjoy, sex workers start to take risks and adopt less than ideal practices. This leads to less compliance with health and safety standards which affects not only sex workers, but clients and their loved ones... spilling out into the community.

When the law interferes, by assuming I am a victim or a criminal, it ties my hands behind my back and makes it much more difficult for me to protect myself.

I need to be able to work safely from a premise without being forced to work for someone else and without fear of eviction. The Victorian licensing system made it extremely difficult to the point of impossibility to legally work from my own premises as a sole trader. I was forced to move to NSW or be non-compliant and be pushed underground... being pushed underground leads to hiding what I do for a living, including not stocking condoms and other

health and safety necessities. This becomes a health and safety issue for the community. I chose to move to NSW. Please do not take away the best safe option for me and thousands of other sex workers.

I need to freely describe who I am and what I am offering on my website and on adult only advertising forums. Not being able to draw to me relevant clients. It also means I am unable to filter out inappropriate clients and am exposed to lots more harmful stigma, sex worker phobia, prejudice.

We do not actually need special laws for sex work as, under decriminalization, sex work is already subject to the laws that keep every other business in line and protect worker health and safety.

The only problems in NSW under decriminalization are coming from councils who are not implementing the intention of decriminalization by making it difficult or impossible for us to get a premises to work from. Councils fear being seen to support sex workers as this will mean loss of votes for them. They are therefore unable to implement procedures that would protect sex workers (a highly stigmatized minority group) without risk to themselves.


There is no such thing as an illegal brothel in NSW. There are only brothels that are non compliant with local councils... and they are non compliant because the council creates the condition of non compliance in the first place by making unreasonable laws and loopholes.

We are then left with a situation where workers are forced to pretend their business is something other than it is in order to work. They then hide evidence of their work, including condoms etc to avoid being exposed by undercover inspectors. This leads to less compliance with necessary health and safety procedures.

Sex workers are by and large community leaders when it comes to implementing STI health and safety procedures when we are not forced underground by councils and stigma based laws.

If any change were to happen in NSW, I would love to see councils forced to comply with decriminalization and supported in treating brothels like any other business. Councils need to approve safe places for us to work from.

Evidence based research consistently concludes the current NSW system of decriminalization is the best in the world (along with New Zealand). The results are better health and safety for sex workers, clients and community members. So in conclusion, if it ain't broke, don't fix it.


(I have used a pseudonym because I fear the stigma of being publicly outed as a sex worker. I fear eviction from my home out of prejudice even though I comply with the current NSW expectations of my business. I do not wish to be contacted by media. I do not wish to receive hate mail. Please ensure that the email address I have used to send this through is

not printed along with this submission. It is fine to publish this submission with all identifying contact details removed.)