

**Submission
No 107**

INQUIRY INTO THE REGULATION OF BROTHELS

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The Chair
Committee on the Regulation of Brothels
Parliament House
Macquarie Street
Sydney NSW 2000

19 August 2015

RE: Inquiry into the Regulation of Brothels

I am a Transgender sex worker, we are among the *key stakeholders* in the process of evaluating the regulation of brothels in NSW.

Throughout my working life I have worked in most states in Australia. I now choose to reside in NSW as it is the only State that recognises my Human Right to be a sex worker. This recognition allows me to interact with state agencies honestly and freely. Licensing & regulation complicates the life of Trans sex workers forcing us to work alone or risk working in situations that are still criminalised, only decriminalisation provides sex workers with the scope of human rights afforded the rest of the community, in fact regulatory models in other states often promote and condone various levels of discrimination & marginalisation. Compliance in those states requires me to work in unsafe situations that put me at risk of violence & abuse.

Decriminalisation in NSW has proven to be the best policy for both sex workers & the broader community,(finding of the Law and Sex Worker Health Study, which compared the health impacts of legal frameworks across Victoria, NSW and WA)1.

There no evidence that it has increased or promoted organised crime,(recognised by the Land and Environment Court)2.

Decriminalisation has provided better health outcomes for sex workers with extremely low rates of STIs & HIV(recognised by Australia's National Strategies and the Kirby Institute Annual Surveillance Report)3.

Decriminalisation of sex work has also been recognised as the best practice model by many highly respected organisations and academics, in Australia and around the world.4. If NSW is committed to the international fight against HIV Aids the evidence is clear that the continued decriminalisation of sex work will have the greatest impact.5.

I feel that that the day to day Laws & Regulations that govern NSW are the most effective way to deliver the best out comes for both sex workers and the broader community in NSW and that it would be a grave mistake to impose any new laws or regulations specifically for sex workers.

1.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

2.Martyn v Hornsby Council , cited in Nothing About Us Without Us, 'North Sydney Council Prohibits Home Occupation (Sex Services) in All Zones under the New Draft LEP',

accessed at <http://nothing-about-us-without-us.com/tag/urban-realists/> on 30 October 2014.

3. 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.

4. https://www.opensocietyfoundations.org/sites/default/files/10-reasons-decriminalize-sex-work-20150410_0.pdf

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

Yours Faithfully
Tarkwin DJ Coles