

**Submission
No 129**

INQUIRY INTO THE REGULATION OF BROTHELS

Name: [REDACTED]
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Partially Confidential

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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 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.

Decriminalisation of sex work is an essential part of maintaining health and safety for sex workers, as well as recognising our human rights. Sex work has been decriminalised since 1995 in NSW and, as a direct result of this, NSW is world-renowned for having a best practice model. Some of the positive impacts of decriminalisation of sex work in NSW include:

- 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 Victoria and Tasmania, where sex work is not decriminalized, and I have found that my rights as an autonomous worker were impinged upon under other regulatory models. NSW is the safest place for sex workers to be working, because of decriminalization. Without decriminalization, we are not able to seek the help of law enforcement in the event that we are the victims of crime, and this impacts upon our human rights.

Yours faithfully,

█ (I am signing off here with a name I use for work. Because of the stigma facing sex workers in our society, I need to keep my real name private.)

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. Land and Environment Court of New South Wales, Martyn v Hornsby Shire Council [2004] NSWLEC 614, 2004, accessed at [http://www.lawlink.nsw.gov.au/lecjudgments/2004nswlec.nsf/00000000000000000000000000000000/45b396e658d9f27eca256f](http://www.lawlink.nsw.gov.au/lecjudgments/2004nswlec.nsf/00000000000000000000000000000000/45b396e658d9f27eca256f420004a76a?opendocument)

420004a76a?opendocument on 12 August 2015.

4. NSW Government and Workcover, 'Health and Safety Guidelines for Brothels', 2001, accessed at http://www.workcover.nsw.gov.au/_data/assets/pdf_file/0014/15134/brothels_health_safety_guidelines_English_0120.pdf on 12 August 2015.

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