

INQUIRY INTO THE REGULATION OF BROTHELS

Name:

[REDACTED]

Date Received:

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Partially Confidential

The Committee Manager
Select Committee on the Regulation of Brothels,
Parliament House
Macquarie Street,
SYDNEY NSW 2000

19 August 2015

To whom it may concern,

Thank you for the opportunity to provide input to this important Inquiry into the Regulation of Brothels.

Allow me to provide you with some of my background - I live and work in South Australia as a Certified Practicing professional in a large electrical contracting company. To that end, I am highly regarded in my profession both at a State and National level. Over the last 12 months, I consider myself fortunate enough to have been a client of the Sex Industry and recently, have had the opportunity to work as a Sex Worker myself, albeit only on a limited part time basis. So, to some extent, I bring the experiences of both sides of this industry.

Throughout the course of my submission, I will endeavour to justify to the Committee, why it should focus its attention on:

- Promoting those parts of this industry that encourage safe, caring and responsible practices and removal of Legislative and Regulatory instruments which foster stigma, discrimination and harassment;
- Acknowledging that consensual sex work is very distinct from human trafficking; and
- Acknowledging the evidence, strongly supported by fact based research, that human trafficking and sexually transmitted infections are most effectively managed in a Legislative framework which decriminalises consensual sex work.
- Setting in place a course of action that continues to reduce stigma and isolation that is felt by many sex workers.

Promote Responsible Behaviour

In the last 12 months, I have found a vast majority of the industry, right across Australia, to be typified by passionate and caring people who are in this line of business, not necessarily for the money or personal gratification, but because they genuinely care about their clients and gain great personal satisfaction from providing quality care to their clients.

Contrary to popular belief, sex work involves far more than just mindless sex. It involves building an intimate personal relationship with someone the Sex Worker may never have met before, listening and responding to that person in a caring manner, ascertaining their needs and meeting those needs. There is little room for self-centred indulgence as many might think. The skill set required to undertake such a role is not dissimilar to any therapist or counsellor. Provision of such services requires adherence to ethical codes relating to disease prevention and patient confidentiality.

It is responsible behaviour such as this, which needs to be supported and promoted.

To this end, I believe that industry practitioners themselves would offer their support to Parliament. I strongly encourage the NSW Parliament to establish a Working Party and seek participation from those industry bodies such as SWOP, Scarlet Alliance, etc who will be pleased to provide very positive and practical suggestions on Legislative and Regulatory reform.

Distinction between Consensual Sex and Human Trafficking

Intimacy and sex between consenting adults is a very beautiful and soulful activity, irrespective of how it comes about. Indeed, it is fundamental to the very existence of all creatures. I believe that there are two important words in this preceding sentence. They are:

- Consenting; and
- Adults.

Providing that both parties consent to an activity AND providing that activity does not bring harm to any other party, then society need not be concerned about the conduct of that activity. Human

trafficking, by definition, occurs in absence of real consent, so comparing this to consensual sex is the same as comparing theft of property and the receiving of a gift at Christmas – hardly that same at all!

Decriminalisation the best model

I am sure that you are aware that SA currently criminalises sex work. Despite this, it is apparent that there are approximately 1000 persons engaged in sex work in South Australia (Refer to ABC Adelaide report by Brett Williamson, Aug 2014). Clearly, criminalisation is not effective and serves merely to force the industry to operate outside the law. Because of this, unsavoury practices are condoned due to individuals concerns that they will not be treated well by law enforcement agencies. I have personal knowledge of a sex worker (whom I hold in very high regard) who had property stolen by a client after that client had treated the sex worker appallingly. I find any violence toward women totally abhorrent and unacceptable, but what can the sex worker do in that circumstance? Decriminalisation would provide that worker with full legal recourse and protection.

Australia is a signatory to the 2011 United Nations Political Declaration on HIV and AIDS, and consequently is demonstrated its commitment to protecting and promoting human rights and the elimination of stigma and discrimination for people living with HIV and prioritised communities (including sex workers).

There is a substantial body of fact-based evidence (United Nations, Amnesty International, inter alia) that demonstrates that decriminalisation provides the best framework in which to manage these outcomes including the serious issues of:

- Worker protection;
- Management of sexually transmitted infections and
- Normal business regulation, including compliance with Planning, Workplace Safety and Taxation Legislation and Regulations

Where to from here?

While NSW is recognised not only nationally, but also internationally as having the most progressive Legislative framework in relation to the Sex Industry. No finer an example of this progressiveness is seen in world renowned events such as the Gay and Lesbian Mardis Gras. However, there is still a long way to go in relation to changing societal attitudes.

As a contemporary society, we need to move well away from the fundamental belief that commercial sex is smutty, demeaning and degrading. This belief only leads to stigma and isolation. These things also go by other names – things we no longer accept in our workplaces – bullying and harassment.

Imagine a working career that you have to keep a secret from those you love the most, even though you may be working in a legal profession. Imagine that you have genuinely given all of your emotional energy, day after day, providing care to lonely individuals. Imagine how isolated you would feel in not being able to talk openly about your workplace success with friends and family or to write proudly about it in your CV.

As Honourable Members of the NSW Parliament, I feel sure that you are all very proud of what you are achieving, each and every day of your terms – and rightly so. You have more opportunity to effect meaningful change in one day in office than the average sex worker would have in an entire lifetime. They need your support so that they too, can speak proudly about the care they provide.

I urge the Committee to think of sex workers as health care providers and then ensure that any recommended course of action would be equally appropriate if applied to any other healthcare provider.

At a personal level, I have found that I have learned more about safe sex practices from this industry than I ever did from school sex education and life generally. Better education about safe sex practices can benefit all of society through a reduction of sexually transmitted infections and accidental pregnancies. Despite this, could we currently imagine asking a sex worker to present to a class of teenagers at school. Yet we wouldn't think twice about asking a Psychologist to talk about managing stress in Year 12 students.

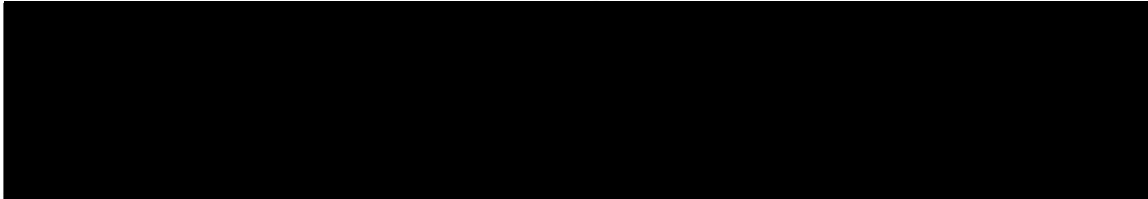
Why am I interested in this?

While am personally unlikely to be directly impacted on a day to day basis by NSW Legislation, I hope that NSW Parliament will take this opportunity to take further steps forward in relation to

decriminalisation and removal of discrimination and stigma associated with sex work. Further I hope that other jurisdictions (including South Australia) will adopt the same or similar approach after seeing success demonstrated in NSW.

I thank you again, for this opportunity to provide input to this important Inquiry into the Regulation of Brothels and look forward to reviewing the Committee findings in this important Inquiry.

Yours Faithfully,

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