

Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024

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To the people deciding on the new Prostitution Act,

I am writing to you as I am greatly concerned that the decision makers of the proposed Prostitution Bill do not fully understand the ramifications for the sex workers and the community. I am also concerned they have not directly spoken to the sex workers or managers and are being influenced by the Queensland Law Reform who I believe have not directly spoken to them either (please correct me if I am wrong).

I am finding the general public information regarding the changes to the Prostitution Act interesting and alarming. The general information out there is like reading every second page in a book. There is lots missing.

Towards the end of last year I have visited 5 Brothels in Brisbane and spoke personally to the sex providers and managers, learnt the limitations they have in everyday life and the fears they have over the changes.

Please ask yourself if you or your colleagues have personally met the sex workers that will be impacted by the new Bill or if the people you are listening to have done. I hope you meet and listen to them before making a decision. Would it be right to make a decision with out talking to them? Is it taking away some of their basic human rights away if they are not listened to? Did the staff at the Law Reform visit the brothels before writing their papers?

I am a Community Member on the Board of the Queensland Prostitution Licensing Authority, soon to be abolished. I am a Mum of six and a Nurse and have always advocated for people in some way through organisations such as the National Rural Women's Coalition and recently finished 4 years on the Advisory Council for the ABC.

Prior to accepting the position on the QPLA I knew nothing of the sex industry. I saw it as my duty to visit the brothels, both day and night, see what goes on and learn from the workers themselves. They were all appreciative of the time I took to listen to the conditions they now work with and the concerns they have for removal of the regulations.

They explained to me how discriminated they are. It is difficult for them to have ATM's and pay squares onsite, many banks will not work with them for moral issues (I do wonder if the same applies to industries such as vaping), they struggle to find accountants who will help them financially, they struggle to get a rental estate companies will not recognise their work as a regular income particularly if payslips can not be generated. They can't get a loan from a bank because again their work is not recognised. However, if they are honest and phone Centrelink once a fortnight with their earnings, their pay will be recognised, and their parenting payments reduced accordingly.

The Brothels I visited were exceptional in their cleanliness and care for the sex workers. They are a unique group and therefore rely heavily on each other emotionally. The managers cared for the workers like they were their own girls and pride was taken in each establishment for their professionalism and service to the community. Some girls I spoke to

said they felt rape, violence and paedophilia is reduced in the community because of their work.

The Queensland Law Reform wrote a paper to the Attorney General not just recommending decriminalisation but also deregulating, and this is the scary part - all of the workers I spoke to do not want that. The QLR sent out a survey a couple of years ago about their working conditions and they have used this to justify their position, but they actually did not lay out what the changes could be. Now that the deregulations look like they are being rushed through (and I do not understand why?). To me it is horrifying that in this day and age, it is not what they want, it takes away a lot of their human rights for protection and is being pushed through at an alarmingly fast pace.

I will give you some examples;

The new Bill would mean their in no regulatory body, the QPLA who currently oversees the running of the brothels, liaise with community stake holders, holds the owners and managers to account and protects the workers and the community will be gone. They will have no representation that has direct access to the government or an organisation that understands them. They will fall under the umbrella of places like Work Place Fair Trade and local councils who have no idea about the industry (and who may not morally care). NSW & VIC have done the same thing and more recently sex providers have been phoning the QPLA asking for advice that they can't give because it is a different state. Many sex providers in NSW & VIC state there has been a huge increase in STI's, alcohol and its associated problems, violence and an increase in competition leading to unsocial/dispassionate behaviour amongst the working, standards being dropped and fees being reduced because of the regulations that were taken away. Many workers have moved to Queensland. Many will not go back.

Currently it is legal to wear PPE (condoms) and if they get asked for natural services they can simply say it is illegal and their is a \$5,000 fine for even asking. Without this law, they can easily be coerced and harassed. Not one sex provider I worked with wanted this law changed. As one sex provider told me ' I don't want to go home and kiss my kids [REDACTED]

Currently the workers must have 3 monthly health checks, and all of those I spoke to like that. It forces them to get it done, they can't procrastinate, and they know that other girls they work with do not have STI's. Health checks on the clients prior to sex is also mandatory. Because of the removal of the mandatory PPE's and health checks, STI's have increased in both NSW and VIC.

Currently alcohol is not to be consumed on premises. Most of the workers I spoke to like that. There is an issue of both the worker and the client being taken advantage of when alcohol is used. Canberra has also legalised cocaine in brothels and that is causing huge issues.

Currently there are limitations on the number of workers that can work at a brothel and the locations of them. When these are lifted an endless number of workers can work on site and this is where the competition and lowering of standards and fees occur. The providers I

spoke to would like an increase so that brothels can expand as a business, but not an unlimited amount.

Currently brothels can only exist in certain discreet areas. Without the regulations they will be able to set up anywhere and have no restrictions to advertising.

The new Bill is meant to normalise their work and remove discrimination. However, the providers feel that without a regulatory body it does the opposite. What industry does not have some regulatory organisations? For example, builders, teachers, accountants, nurse etc, all require registration and regulations but they also receive support and guidance. Dismantling the QPLA will further alienate them.

I was shocked to read the Draft Bill. Not just because it is repealing the Prostitution Act by totally decriminalizing and deregulating the sex industry, but more so because there is no indication that it takes in to consideration of the QPLA and QABA reports. Its actually alarming that they have not done at all. They have totally disregarded the views of the people in the industry. And in a democracy that does not sit well with me. It disregards the human rights of the sex providers as it disregards their views/requests. It is removes protection for the providers who are mainly female and impinges on their rights for protection.

The two questions in the draft consultation or not the priority for most sex providers and are offensive to the fact their views are limited to these. What is very concerning about this paper is not what so much is in the paper, but what it misses out. Reading the draft Bill any lay person would have no idea of the consequences and the vulnerabilities it imposes. It does not explain the mechanics; that decriminalising the use of PPE puts the providers at risk, that STI's have increased in Victoria and NSW as a consequence or that the unlimited number of rooms and providers in a brothel (shop) leads to competitiveness and unfavourable relationships within the sex providers. I am concerned about the general laws of application to the industry.

Sex work is very unique with specific vulnerabilities that cannot be understood unless you have some inner knowledge of the business. I cannot begin to tell you about the specific vulnerabilities of the providers from my visits to the Brothels that you would only know if you were in the industry. How are general laws of application going to understand their unique issues. General laws of application would mean the Health Department (Public Health) and the Work Health Place and Safety Departments would need to address these issue. How are they going to be educated? There is also the issue of their care factor. Prostitution is a moral issue. The employees of the QPLA are there because they have a level of sympathy for the industry. It can not be assumed that other government employees will feel the same and therefore not be able to emotionally invest in the welfare of the industry. Most people in the community do not care about it. So if there is total deregulation, few will care about health and safety consequences for the providers. However, community members might care when 'shops' are allowed to locate anywhere.

My concerns are around 4 Focal Points;

1. Approved management – you do not need to be an approved person to run a 'shop'
2. Total deregulation – concerns around sexual health without mandated sexual health checks and use of PPE, cohesion as it is not legal to wear PPE, mental impairment with use of alcohol, mental impairment of clients
3. Location
4. No Code of Practice

There is no mention in the Bill of how deregulating will remove discrimination.

It really is like this Bill is being rushed. And if they totally deregulate it, then they will no longer have to deal with, because they will know longer know what's going on, and therefore not have to deal with the mechanics because in all honesty it is in the too hard baskets because of the conflicting morality and it is not a vote winner for the election; deal with it now and quickly, people have no time to react, and it wont impact the lead up to the election.

I know this is a very long but I feel there is so much to say and that time is running out!

I am happy to speak with anyone or attend brothels with anyone who is interested.

I am planning on attending the public hearing on the 22nd March.

Thank you for taking the time to read my very long letter!

Kind Regards,
Summer Gwynne