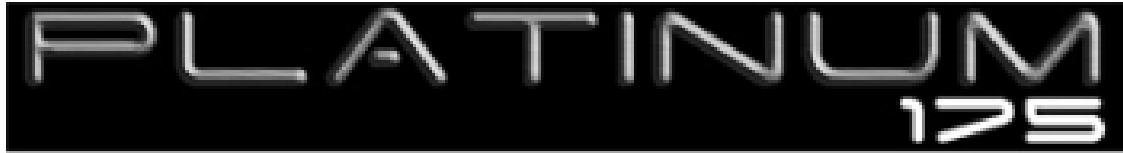


Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024

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**Submission to Housing, Big Build and Manufacturing
Committee Criminal Code (Decriminalising Sex Work) and
other Legislation Bill 2024 March 2024**

INTRODUCTION

As an Industry Stakeholder (Current Licensee of Platinum 175) I have been involved in the current Legal framework over since 1997 both as a Certified Manager and Licensee. I have over 28 years of experience in the Commercial sector of sex work in a decriminalised industry in New Zealand and within the legal framework here in Queensland.

My choice to operate a Commercial sex work venue in Queensland was based on the current legal framework in place for commercial operators. In New Zealand I witnessed a major criminal element within the commercial sex work venue space due to lack of checks and balances.

It is imperative that commercial sex work operators such as me be heard in relation to the impacts of proposed changes on the commercial sex industry.

PUBLIC BRIEFING

After viewing the first public briefing I am concerned that based on the questions raised during that briefing that legislative changes are being proposed when it is apparent that the Committee does not know and understand the current framework in the legal licensed sector and effect of the application of the current laws and conditions imposed on the industry.

The public briefing was the first time that the questions in regard to the commercial sector were asked in relation to:

- Compensation
- Operations
- Health and Safety e.g. monitoring of public health.
- Taxation

The Queensland government is proposing drastic changes to the sex work industry with no regard for the safety concerns and financial impacts these changes will have on the existing venues.

The changes made by the Government will impact the future of the many sex workers, commercial sex work businesses, their staff and clientele. The future for commercial venues is an uncertain one with no clarity provided on how we will be impacted under the proposed decriminalised system.

CONCERNS FOR PROPOSED CHANGES FOR COMMERCIAL SEX WORK VENUES

1. Workplace Health and Safety

Code of Practice/Guidelines v Legislated Requirements

Guidelines are not enforceable and will largely be ignored by many within the industry outside the commercial sex work venues.

Code of Practice – whilst enforceable will be dealt with by Workplace Health and Safety who are already understaffed and will not have capacity to address non-compliance with a code of practice for the sex industry effectively leaving the industry unregulated.

Current Industry - legal requirements are effective as there is action taken for non-compliance. Additionally, the offences in the Prostitution Act 1999 and the Criminal Code 1899 assist sex workers and venue staff to keep themselves safe as it deters clients from undertaking unlawful actions by highlighting the law.

- **Legal Requirements** for Commercial Sex work venues around such things as safe sexual practice only, sexual health examinations, sexual health checks, Providing Personal protective equipment (PPE) e.g. prophylactics. By removing the industry specific legal requirement to use PPE and instead relying on the general WHS legislation, investigations into non-compliance will not be timely and will put the health of workers and the public at risk.
- **Sexual Health**
Under the current legal framework, it is a requirement for all sex workers who work in a legal brothel to have a sexual health certificate of attendance. The certificate must be current for the sex worker to be on shift. This is required every three months. Whilst this system is not without its flaws, it ensures regular testing which offers a degree of comfort to clients.

In my establishment alone, since July 2023 of approximately 120 sex workers operating out of my establishment, 5 sex workers had a sexually transmitted infection (STI) identified during their scheduled sexual health appointment. All were unaware they had an STI due to being asymptomatic. Because of this legal requirement, they could seek treatment for themselves and their health and stop the spread of infection.

2. Vetting for New Owners of Commercial Sex work venues

Personal experience in New Zealand highlights the risk of having no oversight into operators of commercial sex venues. The decriminalised industry in New Zealand has:

- Outlaw motorcycle gang (OMCG) associations in the commercial sex industry
- Drug trafficking, supply and use.
- Drug overdoses.

Sexual assault and violent crimes are not reported, sex workers are in fear for their safety as many commercial venues are indirectly run by the OMCG's.

My concern in Queensland in the proposal for a decriminalised industry will bring all the issues that occur in New Zealand, and further, open the industry up to the risk of sexual servitude and slavery without regular checks being conducted and no way of identifying the locations of commercial sex businesses. There will be no register of where sex businesses operate.

3. Compensation for Current Legal operators

I draw attention to the lack of information available regarding compensation for those currently operating in the heavily regulated industry.

The QLRC proposed fee relief, this does not offer genuine compensation to current operators who will be disadvantaged in the proposed decriminalised sex industry. We continue to pay costly licensing fees. We are locked into specific locations (generally

industrial areas) with long term leases and an unclear understanding of their fiscal futures. The QLRC recommended that, "The Queensland Government should consider a compensatory mechanism". We are losing access to a highly regulated industry with an industry specific governing body and being disadvantaged. I have made business decisions based on the requirements of the current system and cannot leave without incurring hefty penalties.

Without any clear indication of what the new system will look like and the impact it will have on my business, it is difficult to put a figure on the cost of the proposed changes on my business.

INVITATION

I would like to extend an open invitation to the committee members to conduct onsite visit to Platinum175 to gain an understanding of the industry, specifically the commercial sector. I would like to assist the committee with any questions you may have about the commercial sex industry in Queensland or my experience in the decriminalised industry in New Zealand to assist your understanding of the industry.