

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

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Committee Secretary
Housing, Big Build and Manufacturing Committee
Parliament House
Brisbane Qld 4000

07 March 2024

Dear Ms Galbraith,

I am writing to express my strong support for the Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024. I have been a long-term career sex worker for over 50 years. During this time I have worked in various states, largely in Queensland and under the decriminalised system in NSW as well as in Western Australia. As a gay male sex worker I face the additional stigma of homophobia and have been subject to violence on a number of occasions from men pretending to be clients and the police. The fear I have experienced from treatment by the police is not something that ever really leaves you. It has had flow-on effects in that I have to work hard to maintain my mental health because I know that the safety and security other people feel is not something that I can access, especially in regards to obtaining access to justice.

I have worked in sex worker organisations for many years in both paid (peer educator/social work-type roles mainly) as well as voluntary positions, including in my current role as the Chairperson of Respect Inc., Queensland's sex worker organisation. I know, as well as have experienced, the heavy, sometimes overwhelming impact of stigma, discrimination and violence. My submission is heavily informed by both my sex work and sex worker organisation experience and advocacy at many different levels of the industry over many decades.

The expungement of sex work offences is important to include in future legislation to prevent ongoing impacts on sex workers as well as to demonstrate that sex work is legitimate work and that we are human beings and worthy of respect and dignity.

My many years of experience as a worker and working in peer organisations has shown me that peer-based education and support is critical in engaging with sex workers. I strongly urge that Respect Inc be resourced to undertake an awareness program to address sex work stigma and inform sex workers about decriminalisation in line with QLRC Recommendation 38.

Being able to work with other sex workers is a very important safety strategy, and yes, I know all too well about having to choose between working 'safely or legally'. Working alone where you are waiting for the phone to ring is a strange feeling. It's a combination of boredom and high levels of alertness/stress all the time. It affects my physical and mental health at times.

Decriminalisation is important for me both as an individual and because of my deep and long-term connection to the sex worker community. I have seen much suffering over many years brought about by poorly informed laws and their misuse by the police in particular. Having worked under decriminalisation in NSW, I have seen how decriminalisation has benefited sex workers and the community and that it is a low-cost, high-compliance model that has not – despite the rhetoric of anti-sex worker activists – led to an increase in the size of the industry or sex workers not using

condoms, etc.). I also support Part 10 (repeal of the Prostitution Act), including the licensing system, licensing body, public health and advertising regulations

I support the proposed changes to the Criminal Code (which bring Queensland into line with other decriminalised jurisdictions - NSW, NT and Victoria) and strongly urge you to have these laws operational by 1 July 2024 so that sex workers can have redress for the many injustices that have been perpetrated on us for a long period of time.

I also support amendments to the Anti-Discrimination Act but recommend the removal of 'adult' from clause 6 as well as laws to prevent councils (Parts 3 and 7) from banning sex work from their area and amendments to the Liquor Act. However, a full review of the adult entertainment laws is needed and the police should not any role in regulation.

I have been involved in a number of reviews of sex work laws and regulations over the years and strongly support a review of the Act in 4-5 years; however, this must be done in consultation with sex worker organisations. We are the experts on sex work. I also support Part 11 (but with the social escort reference removed from the Child Employment Act as it has been from other Acts).

I am happy for my submission and name to be public but ask that my contact details be withheld. I can be contacted at [REDACTED] or on [REDACTED]. Thank you for the opportunity to contribute to this process.

Yours sincerely,

Robert Fawkes