

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

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From: [REDACTED]
To: [Housing, Big Build and Manufacturing Committee](#)
Subject: Submission re: Criminal Code (Decriminalising Sex Work)
Date: Friday, 8 March 2024 6:04:19 AM

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

RE: *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024.*

To the committee presiding over the lives and livelihoods of sex workers,

I am a sex worker with 20 years of experience. I have worked in brothels and as a private escort all over so-called Australia, including Brisbane, Townsville and Cairns, and reside in Ngunnawal Country, ACT. My sex work enabled me to study and I have attained a Masters in Health Science (Sexual Health), a Masters in Applied Science, and a PhD in Social Science. I have worked as a visiting scholar at University of New South Wales and I have been registered as a nurse with APHRA and a sexologist with the Society of Australian Sexologists (SAS). I am a founding member of the National Board of the Society of Australian Sexologists (SAS). I thank you for this opportunity to influence your decisions into changing the laws that harm the lives of sex workers in Queensland.

I support the Decriminalisation Bill because sex work has not been a problem for me. I support the repeal of Chapter 22A of the Criminal Code and the Prostitution Act. There is nothing about exchanging sexual services for money that should be a criminal issue. People should have autonomy to consent to sexual activity for any reason. Moral objections are personal and should not be a concern of the legal system.

I have, however, been harmed from the stigma and bad laws that surround sex work. I support the Bill which would protect sex workers by amending the Anti-Discrimination ACT. I have felt afraid of eviction from hotels I have worked in as an independent sex worker, and I have been denied fair treatment in the justice system, employment and health services due to being known as a sex worker.

I support the regulation of sex work business by local councils and through Workplace Health and Safety (WHS) guidelines (to be developed). I look forward to the day when sex workers can expect to be treated like other contractors or employees and be provided with personal protective equipment and rights to report WHS concerns. I have been subjected to the whims of brothel owners, pumped with impunity, and making ridiculous rules to control workers who have no powers to protect themselves. When working independently, I look forward to being able to control my workplace, who I employ, who I choose to work with, who I talk to, and where I work. I should not need council approval or development application to work with colleagues. Should any crime be made against me, I hope to have the confidence that I can report to police services and expect to be treated fairly and with respect.

My academic work has unequivocally proven that decriminalisation of sexual services and managing sex work as work are the safest and fairest ways to support sex workers and the

community. An estimated 16 million occasions of sexual services are provided in Australia by approximately 20,000 sex workers each year. In thirty years, decriminalisation of sex work in NSW has not resulted in an increase in the size or harms of the industry. Sixteen per cent of men have ever bought sexual services in Australia compared with eighteen per cent of men in the US where buying and selling sexual services are almost completely criminalised (see references).

In regards to fine tuning the Bill, there is no requirement to quantify ADULT sex work at any time. The quantification implies the involvement of children, which is not the case, and children are protected in sexual behaviour laws which rightly apply to all people. The use of the word ADULT in Part 2 regarding the Anti-Discrimination Act is superfluous.

I thank the current QLD Government for introducing the Bill and hope that it is passed soundly with a commencement date of 1 July, 2024. We can not leave sex worker justice and safety behind. I also support a review of the Act in 4-5 years and expect this to be done in consultation with sex worker organisations who are funded to ensure all sex workers are informed with changes to the laws. Please make my submission public on the Committee website but withhold my name and contact details.

██████████, MHSc, MAppSc, PhD (she/her)
Ngunnawal Country

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References

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- Caldwell H (2018) Women who buy sex in Australia: From social representations to lived experiences. PhD thesis, University of New South Wales, Australia. Available at: https://www.unsworks.unsw.edu.au/primo-explore/fulldisplay?docid=unsworks_51728&context=L&vid=UNSWORKS&search_scope=unsworks_search_scope&tab=default_tab&lang=en_US (accessed 4 March 2020).
- Caldwell H and De Wit J (2015) Australian attitudes about heterosexual power relations when women participate in sex tourism. In: Proceedings from 22nd Congress of the World Association for Sexual Health, Singapore (25–28 July 2015). Special issue of *Journal of Sexual Medicine* 12 (S5): 294–381.
- Caldwell H and De Wit J (2016) Sex workers describe the market of female clients in Australia. In: HHARD Conference, CRSH Margins and Belonging, Sydney, 31 March– 1 April 2016.