

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

Submission No: 171
Submitted by: Vixen
Publication:
Attachments:
Submitter Comments:



Submission of Support for the **CRIMINAL CODE (DECRIMINALISING SEX WORK) AND OTHER LEGISLATION AMENDMENT BILL 2024**

Vixen is Victoria's peer sex worker organisation, proudly run 100% by sex workers for sex workers. Vixen promotes the cultural, legal, human, occupational, and civil rights of all sex workers, and Vixen supports the full decriminalisation of the sex industry as the best practise framework for supporting sex worker health and safety. Vixen campaigned for many years to support the decriminalisation of Sex Work in Victoria and has remained involved in the implementation of decriminalisation in Victoria since the passing of the *Sex Work Decriminalisation Act 2022*.

Vixen's program background includes advocacy and policy, as well as community based peer education and support through face to face contact with sex workers. This submission is informed by the collective knowledge and lived experience of Vixen's staff and the communities we reside in, which provide Vixen with expert knowledge on how regulation and policy affects sex workers. In this case it is also informed by our experience of the impact on sex workers of Victoria's licensing system and its repeal in Victoria, and the experiences of our community members who work in Queensland under the licensing system.

Vixen promotes decriminalisation of the sex industry as an evidence-based regulatory approach, with a proven track. Vixen acknowledges decriminalisation as the first and most important step in improving health and safety in the sex industry. The decriminalisation of sex work is inextricably linked to the reduction of socio-economic harm¹, access to justice otherwise denied in criminalised settings², improved human rights³, and better health among sex workers^{4 5 6} including migrant sex workers.⁷

¹ Armstrong, L. 'I Can Lead the Life That I Want to Lead': Social Harm, Human Needs and the Decriminalisation of Sex Work in Aotearoa/New Zealand. *Sex Res Soc Policy* 18, 941–951 (2021).

<https://doi.org/10.1007/s13178-021-00605-7>

² Gillian Abel et al, 'The Impact of the Prostitution Reform Act on the Health and Safety Practises of Sex Workers' (2007) Retrieved on 04/03/24 from:

https://www.otago.ac.nz/_data/assets/pdf_file/0027/248760/pdf-811-kb-018607.pdf

³ Decker MR, Crago AL, Chu SK, Sherman SG, Seshu MS, Buthelezi K, Dhaliwal M, Beyrer C. Human rights violations against sex workers: burden and effect on HIV. *Lancet*. 2015 Jan 10;385(9963):186-99. doi: 10.1016/S0140-6736(14)60800-X. Epub 2014 Jul 22. PMID: 25059943; PMCID: PMC4454473.

⁴ McCann J, Crawford G, Hallett J. Sex Worker Health Outcomes in High-Income Countries of Varied Regulatory Environments: A Systematic Review. *Int J Environ Res Public Health*. 2021 Apr 9;18(8):3956. doi: 10.3390/ijerph18083956. PMID: 33918688; PMCID: PMC8070506.

⁵ Lucy Platt et al, 'Associations between sex work laws and sex workers' health: A systematic review and meta-analysis of quantitative and qualitative studies' (2018) Retrieved on 04/03/24 from:

<https://journals.plos.org/plosmedicine/article?id=10.1371/journal.pmed.1002680>

⁶ Christine Harcourt et al, 'The decriminalisation of prostitution is associated with better coverage of health promotion programs for sex workers' (2010) Retrieved on 04/03/24 from:

<https://www.sciencedirect.com/science/article/pii/S1326020023019647>

⁷ C. Pell et al, 'Demographic, migration status, and work related changes in Asian female sex workers surveyed in Sydney, 1993 and 2003' (2006) Retrieved on 04/03/24 from:

<https://www.sciencedirect.com/science/article/pii/S1326020023047088?via%3Dihub>

The failures of the licensing system have been well established through inquiries and research in both Victoria and Queensland, and Vixen appreciates this vital step forward for Queensland.

This submission commends the Queensland government on the proposed bill, and outlines Vixen's support for the specific regulatory amendments proposed by this approach.

If the committee or any of its representatives wishes to discuss this submission, please contact us by email at [REDACTED]

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General comments on the approach of the bill

Vixen supports the bill and strongly supports its proposed approaches to reform for Queensland sex work, which we believe are in line with the contemporary understanding for best-practise sex work regulation. We support the repeal of the Prostitution Act and the failed licensing system it enabled, including the dismantling of the Prostitution Licensing Authority (PLA), repeal of the novel forms of criminalisation for advertising, and the health related offences. All of this is in-line with the approach taken in Victoria since the *Sex Work Decriminalisation Act 2022* was passed into law, these approaches have been successful and without negative impact.

Decriminalisation is an evidence-based approach, enabling sex workers to access the full range of civil and industrial rights that all other workers enjoy. It is not a unique regulatory model - instead it is simply the process of giving sex workers access to the same regulatory models utilised by all other industries in Australia, without singling sex work out for unique regulation or enforcement.

The proposed bill is commensurate with decriminalisation, taking an approach of repealing exceptional criminal restrictions placed on sex work and sex workers. The repeal nature of the bill is essential for achieving this best practice reform. The criminalised regulatory approach and licensing system have had no benefit to sex workers or the public and must be repealed.

The licensing model has inherent, unavoidable failures

It is notable to Vixen that both Victoria and Queensland have identified the failings of licensing models, in favour of decriminalisation. In both jurisdictions, the licensing models were expensive failures, which threatened the safety of sex workers. Before decriminalisation, many sex workers in Victoria were never afforded the ability to work within the legal framework. The licensing systems in both Victoria and Queensland effectively created a two-tiered sex industry where sex work was criminalised, not treated as work, which has been destructive for sex worker health and safety and resulted in extremely low compliance. Decriminalisation promotes an enabling environment for sex worker safety, where sex work is treated as a job like any other, and is not singled out for unique forms of regulation. This allows sex workers to safely access essential support services, including health and justice and facilitates compliance with universal regulations.

Vixen commends the government on recognising the failure of the licensing system in Queensland, just as the Victorian government did before the Victorian licensing system was dismantled. One sex worker consulted by Vixen and Scarlet Alliance during the “Review into the Decriminalisation of Sex Work” inquiry in Victoria commented:

“they [the Victorian sex industry regulation] make it harder to work in a way that suits me. And it’s often harder to fight for better conditions at a brothel too if they know it’s hard for us to work for ourselves.”

The experience of licensing in Victoria and Queensland prove that where viable and safe forms of sex work are restricted, the “two-tiered” industry occurs. Due to the unique restrictions placed on sex work under the licensing systems in Victoria and Queensland, the vast majority of sex workers in both jurisdictions have historically been forced to work outside the regulated sex industry, risking arrest everyday at work and with little or no access to justice or systems that every other worker has access to. Criminalisation and the licensing models, impede sex workers safety strategies, limits sex workers access to justice, and exacerbates a power imbalance between sex workers, sex industry owners/operators, and sex work clients.

Under licensing systems most sex workers cannot viably work within the limited reach of the licensed sex industry. No regulatory approach which infringes on the economic viability or safety for sex workers can be expected to be successful, safety and viability are absolute barriers to compliance.

Policy frameworks that endeavour to single out sex workers for exceptional and unusual policing or regulation are known globally and locally to fail. Under criminalisation, police are inappropriately positioned as regulators and enforcers of the sex industry. This targeted enforcement is an entirely novel approach - no other industry is required to call on the police to negotiate industrial disputes or to support work health and safety. This conflict of interest creates a hostile relationship between sex workers and police who are supposed to protect them, singling sex work out for regulation unlike any other industry.

Fairness in local government and planning regulation is central to the success of decriminalisation

Planning regulation has historically targeted and singled out sex workers inappropriately and counter-productively. Vixen supports the proposed Queensland amendments to prevent local governments from implementing unique planning restrictions on sex industry businesses.

Where local governments are allowed to single out sex workers, restrictive bylaws from local governments could create pockets of sex workers who are once again forced into non-compliance. No otherwise-compliant home-based businesses are singled out or subject to exceptional restriction by local government. It is not acceptable for business owners in any industry to be subjected to such impossibly unfair standards for compliance. Allowing local government to single out sex work for exceptional regulations would be inconsistent with a decriminalised framework.

Moving forward, it will be important for all stakeholders to remain sensitive to the potential for conflict of interest between police and sex workers in case of any issues arising not yet identified. Sex worker safety and access to justice is undermined wherever police have an extraneous regulatory role within the sex industry. This is unfair on both sex workers and police, positioning police into industrial relations roles they are not designed to inhabit, and eliminating sex worker trust in police⁸. Some additional consequential amendments may be needed in relation to adult entertainment during the process of decriminalisation to ensure police are removed as regulators or co-regulators of the sex industry.

⁸ Zahra Stardust et al., ‘I wouldn’t call the cops if I was being bashed to death’: Sex work, whore stigma and the criminal legal system’ (2021) 10(2) International Journal for Crime, Justice and Social Democracy (advance) 2 (‘Stardust’).

Implementation of Decriminalisation

The Victorian decriminalisation Bill was passed early in 2022. Our organisation, as well as the sex workers and government stakeholders we work with, have led and been active in implementation. We have had the opportunity to observe and reflect on what has worked and what has not.

Government investment and co-design

- There was government **resourcing for Vixen** to work with the sex worker community to deliver education and communication messaging about the changes to the many multiple levels of industry stakeholders.
- Vixen recommends **appropriate resourcing** for sex worker organisations, such as Respect Inc., to provide education and information services to the sex industry as part of the implementation process. Services including destigmatisation, education and information about rights and responsibilities will be essential to ensure that the benefits of decriminalisation are fully realised, and these are most effective when delivered through the best-practise peer education and community development framework utilised by peer sex worker organisations.
- There was government **resourcing for the Victorian Equal Opportunity and Human Rights Commission (VEOHRC)** to produce anti-discrimination guidelines in collaboration with Vixen and the broader sex worker community.
- **Resourcing for government agencies in Victoria** included planning and worksafe related content to support the implementation of decriminalisation.
- The best examples of implementation activities in Victoria have occurred with a **high level of co-design process**, while the worst examples have been characterised by siloing, or tokenistic engagement between stakeholders and sex workers.
- Vixen recommends **clear standards for collaboration and co-design** of implementation materials. Implementation activities by government agencies should specify the involvement of expert stakeholders, in this case Respect Inc, Decrim QLD and Scarlet Alliance. Setting clear expectations for co-design with sex workers at the outset of implementation is a valuable way to ensure government investment is utilised well and that outcomes support sex worker safety.

Fair, accurate, consistent information to government agencies about their rights and responsibilities

Victoria learned from New South Wales (NSW) the importance of early and consistent communication from government to key stakeholders. Challenges in NSW were particularly observed in local government and planning, where delays and lack of information hampered implementation. Victoria provided much clearer directives to local government in Victoria than what was seen during the early days of decriminalisation in NSW. **Vixen recommends:**

- Ensure government agencies communicate a **clear directive to all stakeholders that decriminalisation is not to be undermined.**
- Vixen supports proposed amendments (Part 3 and 7 in the Bill) to prevent local governments from implementing new unique restrictions on sex industry businesses.

Early and simultaneous commencement with clear review dates

- Vixen recommends **against** any delays to commencement. This recommendation is based on our own experience of a delayed two tranche process which unexpectedly detracted the implementation, allowed bad actors to undermine the bill and created avoidable disappointing outcomes (*discussed in detail below*).
- Vixen joins other groups in Queensland including unions and sex worker organisations to nominate **1 July 2024** for implementation of all aspects of the law simultaneously, allowing for the start of the new financial year for ease of transition and to avoid the problems that occurred in Victoria as a result of a delay and staged process.
- Vixen recommends the full **removal of Police from workplace regulation in the Queensland Adult Entertainment sector** now, simultaneous with their removal from other sex industry workplace regulation.
- Vixen recommends the **review of the Queensland Adult Entertainment sector** as soon as practically possible, so those workplaces are not left behind in the longer term.
- Vixen supports the Queensland government committing to a **review of the act in 4-5 years at the earliest**, to ensure implementation activities have fair time and resources prior to the start of the review, to evaluate for any novel issues that have occurred in related regulatory or policy environments which could undermine decriminalisation, and measure WHS outcomes.

Detail of problems caused by delayed, staged implementation in Victoria

Having executed a delayed two tranche implementation process recently, Victoria is a useful case study for Queensland to support efficient and successful implementation of the bill. Vixen cautions the Queensland government against following the same implementation approach as Victoria.

Decriminalisation was implemented in two tranches in Victoria, the first in April of 2022, and the remainder of reforms in December of 2023. The rationale behind this approach was that stakeholders would use the 18 month period of Tranche 1 to understand their new rights and responsibilities. However it unfortunately, and unpredictably, had the opposite effect.

Instead of learning one set of new laws, which should have been very clear, all stakeholders were instead asked to learn a vague set of interim approaches, of which no one had time to develop a sophisticated understanding of during that 18 month period, and then expected to switch smoothly into a delayed implementation. Sex workers, owner/operators, and other industry stakeholders such as Police experienced confusion. It was intended that the 18 month grace period would give the industry time to adjust. By contrast the 18 month staged delay allowed for bad-faith actors to take advantage of the situation and damaged the collective understanding of roles and responsibilities contained in the new laws.

Vixen sees this as having been a poor use of resources. Much of the funding dedicated to the implementation of decriminalisation which should have been used for communicating with stakeholders about decriminalisation, instead had to be diverted to communicating with stakeholders about temporary, poorly defined regulatory frameworks which were then discarded.

The delayed approach created information fatigue among government and community stakeholders who were working under 3 entirely different sets of laws in only a 2 year period. The culture of confusion also impeded implementation efforts more broadly. Industry stakeholders were largely not required to adopt the new responsibilities in that 18 month period, so they simply postponed the introduction of workplace changes right up until 1 December 2023. For sex industry stakeholders, they largely were not able to use this period to implement any changes at all. It would have been more meaningful and efficient if the entire suite of regulations was simply rolled out all at once.

As alluded to above, the 18 month rollout period enabled some bad actors to worsen conditions for sex workers.

- Some LGAs took their opportunity to shut down sex work businesses before those businesses gained legitimacy under the new laws. Those same businesses just reopened nearby, with a net result of confusion and mismanagement, to no one's advantage.
- Some small number of owner/operators unsuccessfully campaigned to shut down competition in their neighbourhoods, vilifying independent sex workers and exposing them to privacy breaches in advance of the new laws.
- Vixen observed cases of neighbourhood leafleting by disgruntled owner/operators, high rates of vexatious complaints against businesses by other industry businesses, and aggressive media pieces targeting small venues and sex workers in various areas across Victoria.

This pattern has seemed to indicate desperate efforts by a small number of industry stakeholders to eliminate competition, trying to hold onto their “big fish in a small pond” status within the small section of the industry that existed within the licensing framework. These types of activities have been entirely malicious, serving only to broaden the power imbalance between sex workers and the worst actors in the Victorian environment. The many well-meaning businesses, LGAs, media, government agencies and sex industry stakeholders who were ready to get involved in positive implementation of the laws were delayed from doing so.

The two tranche delayed roll-out only benefited those who intended to undermine implementation. While the concept behind the delayed staged approach was sound, it was entirely counter-productive and worked against the goals of the government, sex workers, and industry stakeholders. In particular it created an environment of widespread confusion and information fatigue amongst sex workers, government agencies and industry stakeholders. We join our colleagues in Queensland in advocating 1 July 2024 for commencement and strongly recommend the committee not delay implementation.

Health Policy and the Act(s)

Vixen wishes to express support regarding various health aspects of the decriminalised framework, consistent with the approaches undertaken in Victoria. These have included but are not limited to, the removal of all forms of mandatory sexual health testing for sex workers, and the repeal of the mandates for condom use for all sex work. These historic approaches have had unintuitive but broadly negative impacts on sex workers. Decades of research indicate that sex workers have maintained low rates of STI and BBV, and high rates of condom use across Australia, including in states without these restrictions.

The Eighth National HIV Strategy and The Fourth National Sexually Transmissible Infections Strategy identifies mandatory testing of sex workers as a key barrier to evidence-based prevention, and healthcare.^{9 10} Certificates of testing are not useful for confirming a person's sexual health status, they simply denote that a person has engaged with the mandatory requirement.¹¹ Sexual health clinics have spoken against mandatory testing in Australia, noting that it results in extremely low numbers of positive notifications, while clogging up already burdened services with unnecessary tests.¹²

Mandatory testing was a discriminatory and pointless feature of the Victorian approach. While we acknowledge the Queensland Bill does not consider retaining a mandatory testing approach, we have highlighted this history briefly here in the context of other health related repeals, as it is useful to observe the unintuitive impacts caused by singling sex workers out with exceptional health related regulations.

Laws mandating condom use have been subject to some moral panic in Victoria and elsewhere. Since the repeal of these laws in Victoria, the high rates of condom use and engagement with testing have persisted. The reality of mandatory condom use is that sex workers employ a diverse range of safety strategies when working, many of which are not related to condom use, or to sex itself. Enforcement of mandatory condom use further erodes the balance of power between sex workers and clients, effectively undermining each sex worker's ability to negotiate safety strategies, in favour of this one-size-fits-all approach. Research demonstrates condom use remains high in jurisdictions without mandatory condom use. In the *Sex Industry in NSW: a Report to the Ministry of Health* study, sex workers in Sydney brothels were shown to be approaching 100% condom use, a statistic which remained consistent also for migrant sex workers.

⁹ Department of Health. (2018a). *Eighth National HIV Strategy Strategy 2018-2022*. Retrieved on 28/02/24 from <https://www.health.gov.au/sites/default/files/documents/2022/06/eighth-national-hiv-strategy-2018-2022.pdf>

¹⁰ Department of Health. (2018b). *Fourth National Sexually Transmissible Infections Strategy 2018-2022*. Retrieved on 28/02/24 from

<https://www.health.gov.au/sites/default/files/documents/2022/06/fourth-national-sexually-transmissible-infections-strategy-2018-2022.pdf>

¹¹ Jeffreys, E., et al. (2012) Mandatory Testing for HIV and sexually transmissible infections among sex workers in Australia: a barrier to HIV and STI Prevention. *World Journal of AIDS*, 2(02), 203.

¹² Chow EP, Fehler G, Chen MY, Bradshaw CS, Denham I, Law MG, Fairley CK. Testing commercial sex workers for sexually transmitted infections in Victoria, Australia: an evaluation of the impact of reducing the frequency of testing. *PLoS One*. 2014 Jul 21;9(7):e103081. doi: 10.1371/journal.pone.0103081. PMID: 25048817; PMCID: PMC4105494.

HIV criminalisation creates disincentives for all sex workers to test and know our HIV status as a positive HIV result can lead to criminalisation, unemployment, or stigma and discrimination. Testing is a very valuable tool for the prevention and treatment of sexually transmitted infections and blood borne viruses, and disincentivizing any population from engaging with testing is a critical failure of public health policy.

This form of criminalisation also violates sex workers' right to privacy and confidentiality, subjecting them to unequal treatment before the law, and creating further barriers for access to health services. This approach has resulted in discriminatory treatment and harassment of sex workers by healthcare workers¹³, and results in forcing sex workers to operate covertly in another example of a two-tiered sex industry.

Decriminalisation on the other hand recognises the advances in biomedical intervention for people living with HIV, as well as the epidemiology of HIV among sex workers in Australia. In Victoria, public health related to transmissible infections is regulated by the Public Health and Wellbeing Act 2008, which applies equally to all Victorians. This approach avoids the harms caused by singling sex workers out for unique regulation.

Each of these above examples are commonly cited as controversial topics, with unintuitive consequences. It is normal for any layperson to assume that punitive approaches to disease control could be positive for public health, however the evidence surrounding these types of unique health restrictions show each of these to be catastrophic failures of public health policy, exposing sex workers to greater risk for no discernable benefits. We expect some level of moral panic to continue as new people are introduced to these issues, however with some investigation we hope it is clear to the committee how important repeals of these health related regulations and similar are to the safety of sex workers and the realisation of the benefits of decriminalisation. The repeal of these laws in Victoria in 2022 have had no negative impact on public health. The evidence bears out short and long term reasons for removing the punitive approach and Vixen commend the Queensland government for prioritising good health outcomes as was recommended by the Queensland Law Reform Commission.

¹³ Scarlet Alliance, & AFAO. (1999). Unjust and Counter-Productive: The failure of government to protect sex workers from discrimination. Retrieved on 25/03/20 from <http://www.scarletalliance.org.au/library/unjustcounterproductive>

Industrial Law: Work Health and Safety

Vixen supports the move to regulate sex work through industrial law alongside all other industries, including the development of industry guidelines. This is an essential aspect of decriminalisation.

We have a few recommendations related to the role of Police in the sex industry for the committee:

- Ensure Police are not utilised in a regulatory role to investigate compliance with any sex work related legislation - this should be undertaken by the relevant civilian body as in all other industries.
- Do not include Police in any role in the development of the WHS guidelines for the sex industry. Police involvement is not appropriate for a decriminalised workforce, nor is it consistent with approaches to guidelines for any other industry.

Sex work discrimination

Vixen commends the move towards introducing Anti-discrimination protections for sex workers in Queensland, in line with contemporary understanding of sex work decriminalisation. Sex workers experience extreme levels of discrimination in many settings, including in health settings, within financial services, in the legal sector, and in the general community. Due to the historic stigma faced by sex workers, anti-discrimination protections are an essential feature of decriminalisation to ensure sex workers can participate equitably in society.

Vixen supports the inclusion of a new attribute of “sex work activity” into the Queensland Anti-Discrimination Act. However, Vixen recommends the removal of the word “Adult” throughout the subsection. Restricting discrimination protections to adults only is inconsistent with approaches to the protection of children and young people, creating an unnecessary loophole for legal discrimination against young people who have engaged in sex work, or are perceived to have engaged in sex work. Anti-discrimination protections for sex workers must not allow such loopholes to exclude any demographics.

Furthermore, Vixen supports the proposal in the Bill to repeal the exemption within the ADA which allows for lawful discrimination by accommodation providers. This approach is discriminatory, and repealing it as suggested will bring the legislation in line with the approach towards accommodation providers in Victoria.

Planning

Vixen joins our colleagues in offering a number of considerations related to planning and local government.

- It is essential that sex workers are able to work together and in small groups or collectives without council permission.
- Sex workers must not be forced to work alone.
- Vixen supports proposed amendments in the Bill to prevent councils from impeding or banning sex workers from their area.
- We will be able to provide further feedback when any changes to Planning Regulations are consulted on.

To support these outcomes, effective communication with both sex workers and LGAs about their rights and responsibilities will be essential in ensuring the benefits of decriminalisation are realised in Queensland. In New South Wales, poor communication with councils was identified as a cause of some discrimination by LGAs against sex workers and sex work businesses in the years following decriminalisation. In Victoria, many councils undertook regulatory action in the lead up to tranche 2 of decriminalisation in a last ditch effort to discriminate against sex workers while it was still lawful for them to do so, despite the Victorian government's strong communications to LGA's around complying with the intent of Decriminalisation. Observing that some issues occurred even with strong communication, Vixen suggests that a lack of any communication could have been much worse.

Councils in many jurisdictions have been vulnerable to moral panic regarding sex work conducted in their LGAs, including claims about the proliferation of 'illegal' brothels, denial of sex work occurring in their areas at all, fears that sex workers will have negative amenity impact, or that sex workers will change the cultural nature of the area. The reality is that sex workers exist in every LGA already, and that decriminalisation does not deregulate the sex industry. Sex industry businesses under a decriminalised framework do have legal obligations to comply with a number of different laws and agencies, like any other industry. Research from NSW has demonstrated that there are minimal amenity and safety impacts to communities as a result of home-based private sex workers. A study which surveyed the perception of 401 residents in two neighbourhoods in NSW found that, despite residents assumptions around public nuisances and private sex work, '43% of respondents were unaware of living or were uncertain that they lived near a sex premise, while a further 30% were aware but noted no impact'.¹⁴

Councils must be appropriately supported throughout this implementation process to educate them about decriminalisation, to prevent the proliferation of harmful political misinformation about sex workers, to ensure that LGAs are supported appropriately, and aware of their responsibilities in relation to sex work and planning. Vixen suggests that the Queensland government engage with sex worker organisations and experts throughout the implementation process, to provide clear and regular information to LGAs periodically, assistance and training, a liaison point with Respect Inc, and other clear mechanisms of support throughout the implementation process.

¹⁴ Hubbard, P., et al. (2013). Noxious neighbours? Interrogating the impacts of sex premises in residential areas. *Environment and Planning A: Economy and Space*, 45(1). Pg 8.

The most important stakeholders throughout this process are sex workers themselves. They alone have the expert knowledge to ensure effective implementation, and they must be engaged with faithfully and genuinely to realise their new rights and responsibilities under decrim. Resourcing for sex workers organisations to work within sex worker communities is an essential step for sex workers to be able to access the benefits of decriminalisation, particularly in an environment such as planning and local government which is relevant to every sex worker, and subject to unique localised policy within LGAs across the state. Vixen recommends that Respect Inc. and Scarlet Alliance are appropriately resourced to support this implementation initiative, in regards to education and information services for sex workers.

Misc.

Vixen also wishes to highlight two general issues:

The terminology of “Social Escort” has been removed from all other relevant acts, and should not be inserted into the Child Employment 2006. This terminology does not serve a useful or descriptive purpose.

The review and legislation has so far excluded Adult entertainment workplaces. This will be important to remediate as it risks excluding specific sex workers from the benefits of decriminalisation, and could undermine the legislative approach. Vixen recommends a review of the relevant Liquor Act sections for this purpose.

Summary

In summary,

- Vixen supports the *Criminal Code (Decriminalising Sex Work) and other Legislation Amendment Bill 2024*.
- Vixen supports the approaches undertaken by the bill, including its repeal nature, and its efforts to align Queensland's approaches with other jurisdictions across Australia which have also modernised their regulatory frameworks.
- Vixen recommends against the two tranche approach to implementation that was undertaken in Victoria, in favour of a one step approach with a commencement date of July 1st 2024.
- Vixen recommends that the sex worker organisation in Queensland, Respect Inc., are effectively resourced to support the implementation of decriminalisation, and to ensure that all sex workers are able to access the benefits of decriminalisation.
- Vixen recommends clear standards for collaboration and co-design of implementation materials be in place for all government agencies involved in communications relating to the new laws.
- Vixen recommends all government agencies communicate a clear directive to stakeholders that decriminalisation is not to be undermined.
- Vixen supports the proposed amendments to the Anti-Discrimination Act, with one condition: Removing "adult" as a qualifier in the subsection defining "sex work activity".
- Vixen supports the repeal of exceptional health related laws and regulations that single out sex workers, acknowledging the often controversial nature of these policies. Vixen reminds the Queensland government that these approaches are unintuitive to laypeople. This may lead to some level of consternation or panic around their repeal, however the evidence regarding these approaches clearly demonstrates them as harmful to public health and sex worker safety, and worthy of the suggested repeals.
- Vixen supports the proposed amendments to prevent councils from impeding or banning sex workers from their area.
- Vixen recommends a suite of engagement strategies to ensure that councils are supported and instructed on their rights and responsibilities in relation to decriminalisation.
- Vixen supports the removal of the term "Social Escort" from the Child Employment Act and all other relevant acts.
- Vixen recommends that a review of the Liquor Act and Adult Entertainment Code be undertaken with regards to ensuring strippers and the Adult Entertainment sector are equitably included in decriminalisation.
- Vixen supports a review of the act in 4-5 years to ensure implementation goals have been met, in collaboration with sex worker organisations.
- Vixen recommends any enforcement role of Police in relation to Adult Entertainment be fully repealed.
- Vixen recommends Police not be involved in the development of the WHS guidelines for the sex industry, as this would be inconsistent with other industries.