

Legal Affairs and Community Safety Committee
Parliament House
Brisbane QLD 4000
lacsc@parliament.qld.gov.au

Youth Justice (Boot Camp
Orders) & Other Legislation
Amendment Bill 2012
Submission 001

Dear Committee Members,

re: proposed amendments to the Anti-Discrimination Act 1991 regarding accommodation and sex workers

I am a male sex worker who lives in Victoria and travels nationally in pursuit of work, including to Queensland. Whilst on tour I typically use hotel accommodation for incalls/work and for shelter.

I work in a private capacity as it affords me the greatest freedoms with the lowest overheads. When I first entered the sex industry I began the process of registering as a sexual service provider in Victoria, and after personally experiencing discrimination and persecution at the hands of police when seeking signatories, I made a conscious decision to remain unregistered. As such, I work illegally in states/territories that criminalise or require the registration of sex workers (like Queensland); I do this to protect myself, my clients and my business from the institutional discrimination and corruption which is ceaseless, and endemic, in its persecution of sex workers. This means that I could be subject to criminal prosecution, essentially, for putting my health and wellbeing before state law.

I am writing to you in exasperation and outrage. The Queensland government and Attorney General Jarrod Bleijie have felt the need to swiftly amend anti discrimination legislation/propose the Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012¹ to provide hoteliers/landlords the right to discriminate against sex workers. This amended is proposed so as to counteract the few rights sex workers are currently afforded! Whilst speaking about the amendment, the Attorney General has made claims and statements that are grossly uninformed and which I personally found *highly* offensive². I would genuinely like to extend my condolences that this individual is your Attorney General. How unfortunate.

The recent antidiscrimination case by sex worker 'GK' against Moranbah's Drovers Rest Moteliere³ was a significant and hard fought victory for sex workers nationally, where state anti discrimination protections are few. The Queensland government's move to amend legislation, for the provision of discrimination against sex workers, is low. I am greatly embarrassed for Queenslanders, their government, and for Australians. It does little to improve the popular image of Queensland...

¹ <http://arseh.at/384w>, Queensland Parliament PDF 'Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012'.

² <http://arseh.at/lejje>, ABC News 'Hoteliers given power to show sex workers the door', 2 November 2012.

³ <http://goo.gl/BpXO7>, Herald Sun 'Sex workers buoyed by motel case win', 8 August 2012.

Though I do not believe it needs spelling out, I will nevertheless explicitly state that I use hotel rooms to engage in acts of consensual sex between adults. Again: I, like the countless millions of others, use hotel rooms to have sex. That I sometimes get paid for these sexual encounters should be of *no consequence*. Sex workers enjoy the quiet use of hotel facilities to lead our very private lives free from harassment. My use of these spaces is in keeping with other patrons; the amenity impact that sex workers have upon hoteliers/patrons is no different from other patrons. If anyone is concerned about people having sex in hotel rooms, then I wholeheartedly encourage them to shut themselves up at home in fear.

Queensland's hoteliers appear to have forgotten that sex workers and their clients are the bread and butter of the accommodation industry. Moranbah's Drovers Rest Motel owners Evan & Joan Hartley reported that their business' net value went from 4.4 to 2.5 Million, and from 80 to 40% occupancy in the two years following GK's very public anti discrimination case⁴. Perhaps if the Hartley's further reflected upon their beliefs and conduct, they might come to the conclusion that these financial losses were sustained by quite vocally discriminating against and excluding sex workers and their clients. Sex workers are EVERYWHERE. Just no longer at the Drovers Rest...

Regarding sex workers being everywhere, and memory lapses, the Queensland government has forgotten something too: without accommodation in which to have sex, sex workers will be forced onto the street and into public spaces. Whilst I have no qualms about street based sex work, I can imagine Queensland hoteliers, landlords and their government turning a shade paler than their tans at the thought of an increase in street based sex work because of this amendment. Should it pass, I sincerely hope sex workers take to the streets in protest!

Governments which hastily create legislation, without consulting those affected by it, are doomed to make mistakes. Queensland's has shown no forethought, and indeed outright ignorance. This amendment to 'lawfully discriminate', where does it end? The Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012 specifies under Part 3, clause 50 that:

'106C Accommodation for use in connection with work as sex worker

'It is not unlawful for a person (an **accommodation provider**) to discriminate against another person (the **other person**)

by—

- (a) refusing to supply accommodation to the other person; or
- (b) evicting the other person from accommodation; or
- (c) treating the other person unfavourably in any way in connection with accommodation;

if the accommodation provider reasonably believes the other person is using, or intends to use, the accommodation in connection with that person's, or another person's, work as a sex worker.'⁵

⁴ <http://arseh.at/artley>, A Current Affair VIDEO 'No Vacancy', 11 September 2012.

⁵ See Footnote 1

But no provision is made for the definition of 'accommodation provider', 'accommodation', 'sex work' or what conduct constitutes a 'connection' with sex work. Thus, I have a lot of questions...

By these measures, sex workers may also be refused/evicted from leasing realty! Where are sex workers in Queensland expected to live? On the street?

What is a connection with sex work? If a sex worker is leasing a home, may they answer work calls whilst upon that property? Can they post online advertising from their home to go out and work as an escort?

Will hoteliers & landlords be given 24 hour access to sex workers rooms to determine what constitutes sex work? Could landlords and hoteliers please have a red whistle?!

Finally, could Queensland's government please qualify for me *just how much* unfavourable treatment is adequate in shaming and bullying sex workers? Because this sex worker has had a gutful, and I wonder if I've reached the legal limit.

I look forward to your reply.

Sincerely,

[REDACTED]