

To the members of the Legal Affairs and Safety Committee,

I write to express my concerns about the proposed legislation to allow hotels and other accommodation providers to discriminate against sex workers. Although I am not a resident of Queensland, I am about to go on holiday in your state, arriving the day before submissions close, so this seems relevant to me.

There is no doubt that accommodation providers should be allowed to remove guests who are noisy or otherwise disruptive. This may include some sex workers. If current laws are not explicit enough on this, or have loopholes, this indeed should be addressed. However, that is not what the proposed legislation does.

A number of aspects of the bill strike me as alarming:

- 1) Allowing discrimination against legal activity is a bad precedent to set. Sex work is legal in Queensland. Parliament may wish to change this, but to allow hotels to discriminate against one form of legal activity simply on the basis of the prejudices of hotel owners will lead to pressure to allow other forms of discrimination, or even to a belief amongst hotel owners that they have the right to discriminate against guests on the basis of their own prejudices.
- 2) While the reasonable belief test is well established in law, it is deeply problematic in this case. If a woman has two different men spend time in her room does that make for a “reasonable belief” that she is a sex worker? Does she also need to dress in a revealing manner (something that may be quite common in the Queensland heat). All it will take is for one non-sex worker to be deprived of accommodation in a well publicized case for other single women to become alarmed. The situation is particularly serious in small towns with limited accommodation options. It is entirely credible that women will find themselves stranded in small towns with nowhere to sleep under cover based on suspicion alone.
- 3) The popularity of the term “whore” as abuse is indicative of the way it is common for women to be accused of being sex workers, whether they are or not. If a male hotel guest makes advances to a woman and they are rebuffed, it will be all too easy for him to tell the hotel she is a sex worker, and see her thrown out of her accommodation. Whether this occurs or not the threat will be potent in a town where no other options are available.
- 4) Given the demand for sexual services in towns with large numbers of men present for the mining boom there is a high chance that someone will come forward to meet the demand by providing accommodation specifically for sex workers. In some cases this may create a satisfactory solution. However, given the stigma with which the industry is viewed, there is a danger that this accommodation will be supplied by the most unscrupulous individuals. The dangers of sex workers visiting a town where the only place they can get accommodation is from a single individual who decides to extract more than a monetary payment from them is large, and the consequences could be very serious.
- 5) The timelines for this process seem to me unusually rushed. It may be that Queensland tends to process legislation more quickly than other states, but if this is not the case it is alarming that law is being made on the run for a case like this.

Yours,
Stephen Luntz

