

I am writing this submission for the Director of Legal Affairs and Community Safety Committee who have been asked to report on the recent Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012 by the 22nd of November, 2012.

As a legal sex worker in Queensland, I am appalled by the proposed amendment to the Anti-discrimination Act 1991 in particular, hidden within the Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012. This Amendment effectively targets the removal of the one piece of legislation within the Act that protects the civil liberties and human rights of sex workers. In the state of Queensland, it is illegal to discriminate against 'Lawful Sexual Activity'.

The proposed new Amendment to the Anti-Discrimination Act 2012 is therefore both illegal and discriminatory by all intents and purposes. Supporting 'legal' discrimination is an oxymoron and against the United Nations 'Universal Human Rights Constitution'. The Prostitution Act 2000 made sex work legitimate work within Queensland and therefore legal sex workers are protected under the provision of 'Lawful Sexual Activity'. This new Bill is clearly singling out sex workers and does not make any reference to other business activities which may be conducted by other guests or patrons using various rented or leased accommodation to conduct their work.

This Bill gives individual hoteliers/moteliors, body corporates and landlords the right to evict sex worker's from their hotel rooms, apartments and homes on a whim, any time of the day or night, just because they either suspect or know someone is a sex worker and working. This new law also extends to clients who will also be evicted if they get 'caught' bringing a consenting sex worker back to their hotel room, or place of residence. This is blatant discrimination on a grand scale. It has all the elements of the former Joh Bjelkie-Petersen days most Australians want to forget.

This new Bill *must* be scrutinised in line with the Human Rights (Parliamentary Scrutiny) Act 2011 which is now in effect. The Attorney-General, Honorable Nicola Roxon, released a media statement on the 4th of January this year reminding us that all new laws *must* consider "... protection and promotion of human rights". Human Rights will be "...brought into sharper focus in Parliament this year with all new laws to be checked to see if they stack up against human rights obligations". The principles of freedom, respect, equality, dignity and a fair go, apply to everyone *including* sex workers.

We are witnessing Puritanical Moral Police with God Complexes cavorting with Renegade Rednecks in positions of power who collectively gang up to bully minority groups and manipulate the media who then use propaganda and scaremongering tactics to mislead the public in order to glean political votes which ultimately ensures that their pockets are fully lined. Enough to pay for a good curry at least!

This Amendment will severely affect sex workers in every aspect of their lives. It will also negatively impact their partners, children, family, friends and their clients. Sex workers will be forced onto the street at all hours of the day and night. Accommodation will be refused as word is quickly spread from one hotel to

another, one real estate agency to another, one data base to another. Current law abiding citizens will now become criminals. Stigma and marginalisation will increase to even more damaging levels and sex workers health and well-being will deteriorate.

As it is, the number of sex workers accessing community organisations like RESPECT Inc, Queensland's Sex Worker Organisation, for support, is *increasing*. Sex workers are already finding themselves out on the street in the middle of the night, in the middle of nowhere with no place to go. These illegal evictions are occurring because no one is protecting our basic human rights. Sex workers live with this ever-present threat to their health and safety on a daily basis.

Last year, my then partner and I were evicted from my leased apartment. We were physically locked out of the underground carpark we had been using for the past 6 months. The gate codes were changed and we were told we were not allowed to park there anymore. The onsite manager began to harass my guests at first as they came through the door and up to my apartment. Including a RESPECT Inc support worker doing Outreach with me. He then informed my real estate agent and attempted to prove I was a sex worker by going through the local paper. He then rang me on my work phone and left text messages. He then told everyone in the complex that I was a sex worker and I was subject to rude stares, hostile looks and general beligerance from my otherwise unsuspecting neighbours.

The real estate agent then issued me with a Breach of Tenancy stating that I were running an illegal escort agency and we were told our lease would not be renewed. We were not refunded all of our bond even though the apartment was beautifully kept. We were not given a reference and were not assisted to find other accommodation with the same real estate agency. I provided the onsite manager and the real estate agent with pamphlets from RESPECT Inc, ADCQ and the Prostitution Licensing Association (PLA) in an attempt to educate them about sex work and the law but it made no difference.

We had not done anything wrong or illegal. I would discreetly sex work while my partner was away working for up to two weeks at a time. I would then cease work when he came home for a week. We were discreet. We were polite and courteous to everyone in the complex. We minded our own business. We didn't have loud late night parties. No complaints were made against me, by my neighbours or clients.

So when a high profile case like the recent Civil & Administrative Tribunal ruling between GK v Dovedeen Pty Ltd, Mrs Joan Hartley, ruled in favour of sex worker GK, all hell breaks loose! We all felt a sense of hope that maybe we could trust the ADCQ and QCAT to get it right and apply existing laws to protect our civil and human rights. Unfortunately, what we all witnessed was bigotry and corruption and widespread systemic discrimination at the highest level of government. I agree with Janelle Fawkes of the Australian Sex Worker's Association who states that 'Systemic Predjudice' is most definitely at the core of all anti-discrimination cases throughout Queensland. We are witnessing just how far up the hierarchy it has reached.

It is my shared belief that the Attorney-General, Mr Jarrod Bleijie is grossly abusing his political powers with other key political figures like Mr Campbell-Newman, and other Christian based groups and individuals, for political gain. By interfering in this case he is perpetrating abuse against a specific vulnerable minority group and this is morally corrupt and unethical. Mr Bleijie and his cronies should not be above the law. He clearly has a bias and discriminatory agenda. His actions are arguably enough to warrant a collective Anti-Discrimination complaint being made against him for further investigation.

Please seriously do something about what is going on under our noses. There appears to be widespread discrimination against sex workers in general throughout Queensland and Australia. Discrimination, that also violates the basic Human Rights of sex workers. Lyon asserts that health outcomes of sex workers are directly affected by stigmatisation and marginalisation and that “It is described as the single biggest issue facing sex workers – even those who operate legally” (Lyon, 2011: 2.3.1, 45). Pushing new laws through like this one, is an attempt to over-ride existing laws that have *proven* evidence that glows in the dark! Even then, as we re-enter the Dark Ages, people who proclaim to see the light, are all blind.

There has to be a shift away from the pre-existing moralistic viewpoint, to one that supports a public health and human rights approach such as New Zealand and New South Wales. It is apparent that there needs to be more constructive discussion and debate between sex workers, the government, lawmakers and public opinion in Australia. In Queensland, it was found that sex workers who were working legally (i.e. service providers in licensed brothels, legal sole traders) had better mental health than those in illegal settings (Seib et al 2009). Harcourt et al (2005) suggested that decriminalization seemed to provide the best outcomes for sex workers health and welfare and that this is a *desirable* outcome that affects the community as a whole.

By Jodine



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