

From:
Tabitha Lee

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To:
Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

7 November 2012

Dear Sir/Madam

Please consider this submission in your report on the Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012. Clause 50, Insertion of section 106C into the Anti-discrimination Act 1991.

I am opposed to this amendment to the current legislation because it will adversely affect the rights, safety and protection of Queensland sex workers by enabling discriminatory practices from accommodation providers in Queensland.

As a human rights advocate, university student and Queensland sex worker, I am concerned about the far-reaching effects of this amendment to legislation, including the potential for abuse. The Prostitution Bill 1999 and the Anti-discrimination Act were created to ensure fairer, healthier and safer conditions for workers in Queensland. However, the proposed changes to legislation have negative consequences for sex workers including: issues of personal safety stemming from eviction from accommodation, new street-based sex work occurring based on lack of suitable accommodation, sanctioned discrimination adding to the stigma and negative perception of sex work and finally, bullying, sexual harassment and sexual exploitation of sex workers from accommodation providers, such as motel and hotel owners.

Accommodation providers in Queensland currently have rights and powers to remove clientele who demonstrate nuisance or offensive behaviour, including sex workers and business operators who contravene motel or hotel rules of operation. Therefore, it seems unnecessary for owners to be given additional legal power to discriminate against a specific profession engaged in lawful sexual activities. Furthermore, the current bill and explanatory notes do not sufficiently demonstrate how changes to current legislation will benefit accommodation providers. Therefore, more analysis of the amendments must be considered as the changes have the potential to create much larger social problems.

Current amendments to the Youth Justice (Boot Camp Orders) and Other Legislation Amendment Bill 2012 have been proposed without consultation with the national peak body for sex workers or other related organisations to assess the consequences and impacts these laws will have in the future. Additionally, submission deadlines do not allow adequate time for affected community members of diverse cultural and linguistic backgrounds to learn about the issue and make an informed submission. As mentioned in this submission, there is currently no evidence that changes to the bill will lessen the overall negative impact on the

community or empower accommodation providers more than current laws, instead these amendments create legal discrimination practices which will have a deleterious effect on sex workers who, as a group, already face significant discriminatory practices and safety issues.

Finally, recent media focus on this bill shows major concerns centre on the direction of civil rights processes in Queensland. It is impossible to forget the long history of discriminatory practices in this state and reasons the Anti-discrimination legislations were created in the first place. Shouldn't we think a little longer and harder before taking steps towards legal discrimination? Actively decreasing the rights of a marginalised group is a step backward for the reasons as outlined above and more.

I oppose this bill because it:

- contravenes principles of the Anti-discrimination Act and undermines the Prostitution Bill 1999
- adversely affects the rights, safety and protection of Queensland sex workers
- exposes sex workers to potential bullying, sexual harassment and sexual exploitation
- is sanctioned discrimination contributing to negative stigma surrounding sex workers
- has not gone through a process of consultation with the peak national body for sex workers or any other related organisation for consideration

Thank you for considering my submission, I am available for contact anytime if you would like to discuss or clarify any information presented here.

Kind regards

A handwritten signature in black ink, appearing to read 'Tabitha Lee', written in a cursive style.

Tabitha Lee