

Police Powers and Responsibilities and Other Legislation Amendment Bill 2011.

My name is Nikki and I am a Sole Operator Sex Worker as well as a Licensed Brothel manager. The following is my personal submission on the part of the Bill that is relevant to impact on the rights, health and safety of Queensland Sex Workers, namely Clause 101.

Clause 101 Amendment of sch 5 (Additional controlled activity offences)
Schedule 5, part 2, section 9, 'the *Prostitution Act 1999*,
section 73 (Public soliciting for purposes of prostitution).'
omit, insert—
'the following provisions of the *Prostitution Act 1999*—
• section 73 (Public soliciting for purposes of prostitution)
• section 77A(2), (3)(a) or (b) (Prostitute providing sexual intercourse or oral sex without a prophylactic).'

Thank you for the opportunity to make a submission on this issue as Sex Workers should be able to have a place in the process of legislative changes in regards to prostitution laws because the effect they could have on us should be heard by those who don't walk in our shoes.

Many people on the outside of the Sex Industry always believe that what decisions they make for us on our behalf are always for the best and always for the greater good of all Sex Workers - this is untrue. Most of those people have never had sex for money in their life and they probably never will. They are armchair experts only about the sex industry and are not firsthand experienced in what happens to us when dealing with clients or the police.

To the matter at hand, it is understood that changes are looking to be made to the legislation to allow police to be exempt from prosecution in regards to asking for services from prostitutes without the use of a prophylactic.

I have worked in this industry for 15 years now as a Sex Worker and 6 years as a Licensed Brothel Manager and I believe myself to be a respectable and experienced expert in the Sex Industry. I have in this time, established relationships with persons in the PLA (Prostitution Licensing Authority) and PETF (Prostitution Enforcement Task Force) and we have worked well together.

This change in legislation, will indeed, foster the potential for corruption in the police force once again. The police have been known in the past to hold charges over our heads in exchange for covered sexual services – now we are going to have the real possibility of the exchange of unprotected services held over us in bribery for the police officer not charging us with the offense. Because we work alone as Sole Operators this makes us even more vulnerable to bribery from a Police Officer – it would just be the Sex Workers word over the Police Officers which won't go well for the Sex Worker as there would be no witnesses to the incident because of our isolation.

If the police have the power to stand there in front of a sex worker and offer more and more money – of course everybody is going to have their price – it's a fact of life - especially if said worker is a struggling single mum who sees the opportunity to see just 1 client for the price of what she will normally make in nearly a week – she would take the money to look after her child but instead she will get charged and that will be a mean low act on behalf of the police as that officer would have coerced her by upping the amount to an irresistible amount. That is dirty pool. That is and always has been the Qld way when it comes to prostitution and it needs to stop.

The fact that we have the law of it being illegal to provide service without prophylactics is enough for us to fall back on when clients push us to do services without them. I tell clients who try to push

the issue for me to have sex or oral sex without a condom that it's illegal and they can be charged if I call the police – that is enough to scare them.

Ladies in general are afraid to catch an STI and this fear keeps the majority in check. At least in Qld we have this law so most Ladies are trained from the start of their sex work career that using a condom is mandatory – unlike other states in Australia where they are used to not using condoms at all.

The main problem does not lie with Qld Working Ladies - it lies in the agencies in NSW sending their Working Ladies openly to Qld who provide their services without condoms where they come from and then they come up here and do it here - so the clients in Qld are putting more and more pressure on Qld Working Ladies to provide these services too.

I personally have been approached so many times since all this cross border touring has increased this year and I tell the clients of its illegality but they come back with is the party line of the NSW Ladies – what happens behind closed doors is only for you and me to know about.

If the police focused on stopping these agencies from sending their Ladies to Brisbane/Qld for the purpose of prostitution this will help decrease the desire for Brisbane/Qld clients to want this service, as it will be less accessible.

One particular agency based in Sydney has Ladies in Brisbane just about every week and complaints were made to PETF with no obvious change to the agencies practice therefore we assume the complaints have been ignored.

For the police and PETF - refocusing on the legislation we have in hand is probably the best place to start right now as it seems when one sector becomes “too hard” it seems it is tossed aside and another sector is focused on.

Illegal Asian prostitution is the major problem in Qld – like cockroaches they just keep on spreading and keep on getting back up and running after you knock them down. Years of effort on part of sex worker informants and police have been put into this problem yet it is still the number one issue in prostitution in Queensland.

Sex Workers in general are always treated as criminals even when we are not. We are always being tested even when we are doing nothing wrong. We are always being discriminated against when all we are doing is running a business. We have been segregated from our peers and forced to work alone. We are always being exploited by those with all the power and only a very few of us will stand up and say no you will not exploit us in this way anymore.

I personally have been coerced by police. I have been lied to by police. I have witnessed a police officer say to a sex worker “well what do you expect look at the industry you work in” when she was beaten and robbed – yet I know that I have to set aside my past issues with the police and continue a solid relationship with them as they are necessary to the safety and wellbeing of myself and other Sex Workers.

In general though, faith and trust in the police is low amongst Sex Workers. They don't report stalking clients, violent clients and rapes to police out of fear. I have made reports on behalf of some Ladies because there are just some offenders that need to be looked in to, who are a risk to other Sex Workers and to society.

Since I have been a brothel manager – I guess a formal criminal history check buys me a little more credibility - I have been fortunate to have had excellent communications with some PETF officers who have handled problems I have reported to them brilliantly. I consider myself lucky.

However:

If the police are given these powers when it comes to asking for unprotected services – how will you – the Government – guarantee to me and to other Sex Workers – that the police will not abuse this power by offering excessive amounts of money that will be irresistible to struggling, vulnerable Women who are home alone? That they will not stand there and harass and harass a Sex Worker until she says yes to the service – even if she means she won't go through it – but to just to get the client to stop being harassing and scaring her and get on with the service so she can get him out the door? How will you guarantee this will not be used as a bribe – such as – you blow me without a condom or I'll say you offered it to me anyway?

I for one will be seriously pissed off if I have a police officer in my home doing this to me. I don't need the extra money so he will be at serious risk of getting his face slapped if one harasses me for these services. Will I then be charged with assault on a police officer – even though he didn't identify himself as one when he entered my premises? Herein lies a new problem.... on and on the issues go.

Help us – work with us and we will help you and respect you (the Police and Government) and the laws. We are not all bad people. We are people who are just trying to earn a living within a legal framework that is constantly being changed so that it seems as if the lawmakers want us to break the law instead of having some faith that we won't. It feels like to me that you guys want us to be criminals – you still treat us like criminals when all we are doing is trying to earn a living – just like you.

Thank you
Nikki