

Media Release for Immediate Use – Tuesday 13 November 2018

'80% of us work illegally, so we can be safe', say Qld sex workers

- What:** Policy Symposium to discuss Queensland sex work laws
Where: Parliament House, Brisbane
When: 2–5pm, Wednesday 14 November
Who: Jules Kim, CEO, Scarlet Alliance
- Erica Magenta, BA Hons (PolSci), Secretary, Scarlet Alliance
 - Cameron Cox, CEO, SWOP NSW
 - Leanne Melling, Co-ordinator, SWOP NT
 - Candi Forrest, DecrimQLD Committee of Sex Workers
 - Kayla Rose, LLB, DecrimQLD Committee of Sex Workers
 - Elena Jeffreys, PhD (PolSci), Co-ordinator, Respect Inc
 - Hosted by Peter Russo, MP for Toohey

Queensland laws and policing practices unnecessarily endanger sex workers. 'Sex workers are forced to choose between working safely or legally', **Kayla Rose, sex worker and committee member of DecrimQLD said.**

'Queensland criminalises sex worker safety strategies and allows police to pose as clients to arrest us for using safe work practices. At the same time, when sex workers try to report crimes we are turned away by police.'

'I break the law every time I work so I can implement basic safety strategies, like texting another colleague to let them know I'm safe after a booking', **Kayla Rose said.** 'Decriminalisation would mean I can share overheads with a colleague, not feel so isolated and not be fearful of police raiding my workplace.'

The Queensland regulatory framework for sex work is broken. Quoting evidence from New Zealand and New South Wales, symposium panelists today will explain why **decriminalisation is the solution—the only regulatory approach that provides sex workers with access to industrial, health and work safety systems.**

Queensland snapshot:

- **80%** of sex workers are forced to work illegally in order to work safely
- **450%** increase in sex work offences (2016–17 QPS statistics)
- **30 years** after the Fitzgerald Inquiry police are still regulating sex work
- **\$10M+** taxpayer funds spent on a regulatory body that regulates 20 brothels
- **95%** of Queensland is without a licensed brothel
- **2 Queensland sex workers** recently won court cases, compared with New Zealand where decriminalisation of sex work has resulted in a **70% increase** in crime reporting.

To arrange interviews please contact:

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'Decriminalisation is a cost-effective and efficient model of sex industry regulation that delivers such important public health outcomes that the NSW sex industry has been referred to as the "healthiest sex industry in the world" by researchers', said **Cameron Cox, CEO, SWOP (Sex Workers Outreach Project) NSW**.

'Decriminalisation means as sex workers we are subject to, and can access, the same laws, regulatory frameworks and protections as everyone else. People are misinformed if they think decriminalisation is an absence of regulation. In fact decriminalisation means greater transparency and workplace health and safety standards. When criminal laws and police powers are repealed existing laws can take effect. The sex industry is then regulated like any other industry', said **Jules Kim, CEO Scarlet Alliance, Australian Sex Workers Association**.

As early as 2009, Queensland Government-commissioned research by Anne Edwards warned: '*Sex workers may be in a more precarious position now than they were when the legislation was first passed*'.

'Having sex worked pre-Fitzgerald I know for a fact that sex workers are not better off with the licensing framework', said **Candi Forrest from the DecrimQLD committee**. 'For the majority of us it is no different, and in many ways it is now worse. The police regulation of the sex industry should have ended with the recommendations of the Fitzgerald Inquiry, but that promise hasn't been realised for sex workers in Queensland. Sex workers are calling for decriminalisation based on solid evidence showing the model works.'

'As sex workers we need the full decriminalisation of sex work, and the right to be regulated in the same way as other workers in Queensland', **Elena Jeffreys from Respect Inc** said today. 'The current regime of police entrapment, criminal penalties, fines and heavy restrictions on sex work in Queensland affects us all and also has a disproportionate impact on sex workers who are already marginalised. Research shows that migrant sex workers, male sex workers, trans sex workers, and private and brothel sex workers who have been the victims of crime are all disadvantaged by licensing. Only decriminalisation will remedy the imbalance.'

'Queensland has had more than 18 years of this model and we have suffered its devastating effects on our community', **Erica Magenta of Scarlet Alliance** concluded. 'We will no longer accept being treated like second-class citizens. Experts from legal, health and industrial rights groups agree that sex work in Queensland must be removed from the Criminal Code and decriminalised, taking police out of the regulatory role.'

'The evidence clearly shows that decriminalisation is the world-renowned, best practice model for sex work. Decriminalisation facilitates higher rates of compliance, minimises opportunities for corruption and exploitation, increases transparency of the industry and most importantly, improves safety for sex workers', said **Leanne Melling from SWOP NT**.



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Independent sex workers are criminalised under the Criminal Code 1899 (Qld) Chapter 22A. It is illegal for independent sex workers to implement basic safety strategies including:

- doing bookings together, sharing a workspace or working in the same building
 - Checking in and checking out with another sex worker when a client arrives/leaves
 - texting another sex worker about their current location
 - employing someone to answer phones or as a receptionist
 - using a driver another sex worker uses/recommends, or
 - providing descriptions in advertising of the services provided.
- As early as 2009, Queensland Government-commissioned research warned: *'Sex workers may be in a more precarious position now than they were when the legislation was first passed'*. Sex workers are forced to choose between working safely or legally [Edwards, A. (2009). *Selling Sex; Regulating Prostitution in Queensland*].
 - Police currently regulate 80% of the sex industry, contrary to Fitzgerald Inquiry recommendations.
 - Sex workers report significant barriers to reporting crimes.
 - The Queensland Police Service's own statistics show that the pursuit of sex work offences are mainly for the minor issues of implementing safety strategies, working in pairs, and non-compliance with advertising regulations (which increased by up to 450% in 2016–17).
 - The Prostitution Licensing Authority reports 67% of police infringements were for advertising.
 - New Zealand and New South Wales demonstrate decriminalisation does not increase the size of the sex industry [Ministry of Justice, New Zealand Government. (2008). *Report of the Prostitution Law Review Committee on the Operation of the Prostitution Reform Act 2003*, p 41. Donovan, B., Harcourt, C., Egger, S. & Fairley, C. (2010). 'Improving the health of sex workers in NSW: Maintaining success', *NSW Public Health Bulletin* 21(3–4): pp 74–77].
 - Research shows decriminalisation improves conditions for sex workers with 70% more likely to report crimes to the police, with police and the justice system responding more effectively and more fairly when crimes are reported [Abel, G. M. (2014). 'A decade of decriminalization: Sex work "down under" but not underground', *Criminology & Criminal Justice* 14 (5): p 57, pp 580–92].
<https://doi.org/10.1177/1748895814523024>
 - The World Health Organisation, United Nations, Sexual Health Society of Queensland, Respect Inc and Amnesty International all support the decriminalisation of sex work [Amnesty International. (2016). *Amnesty International policy on state obligations to respect, protect and fulfill the human rights of sex workers* (No. 30/4062/2016)].
<https://www.amnesty.org/en/documents/pol30/4062/2016/en/>
 - The Global Alliance Against Traffic in Women (GAATW) recommends decriminalisation of sex work as it *'would lead to fewer opportunities for exploitative working conditions, including human trafficking'*.

