



Queensland Human Rights Commission
adareview@qhrc.qld.gov.au

RE: Queensland Anti Discrimination Act Review

Dear Commissioner,

As a sex worker in Queensland for more than ten years I am providing you this submission focusing only on the questions in the Discussion Paper that relate directly to the discrimination I have experienced, the process that I feel did not support my ability to make a complaint and the laws that allow discrimination against me and thousands of other sex workers.

I work as an independent sex worker and I therefore struggle with laws that that determine that by working safely, I am working unlawfully, at least some or most of the time.. By this I mean that I sometimes offer doubles bookings with another worker, I choose to let another sex worker know the details of my booking location for every booking and I occasionally work from hotels where other sex workers work. All of these factors make me effectively an unlawful sex worker. As a result when I have experienced discrimination I have not felt able to make a complaint for fear that even if successful there would be an attempt to prove I am not operating legally and I am likely to have police attention that I try to avoid.

I have followed the media on high profile sex work cases and I know that even so called *lawful sex workers* are covered only for discrimination based on being a sex worker and not on discrimination based on the act of doing sex work. This is semantics to me, used to shut down sex work cases. In the same way that the government at the time shut down the GK case. The reality is all sex workers are impacted by the laws here and we are all operating outside of the law some or all of the time.

I attended a Respect webinar and agree that it is important that the protected attribute is replaced to include both sex work and being a sex worker. (Q28) I also think that sex workers need protection even after we have stopped doing sex work.

I have experienced discrimination when a bank refused me an account, countless hotels charged me more and two cut my stay short, several newspapers in Queensland charged me more to advertise and require me to pay for online advertising I do not want, medical staff have treated me with disgust, purposefully outed me in the reception area and made me pay extra for an STI screening, and police did not take my report seriously indicating that because I am a sex worker it was unlikely to be seen as an offence.

Although I have experienced discrimination many times in my career it is particularly offensive that the laws in Queensland allow hotels to charge me extra per night just because they know they can.

There is a misconception that hotels need to be able to protect other guests from sex workers. They already have the capacity to remove any guest who is impacting on other guests. The reality is they say they do not want sex work happening there, but you can stay if you pay an excessive extra fee. They do not charge more because there are extra costs for them, they charge more because a law allows them to. It is shameful that an Anti-discrimination Act pertaining to protect Queenslanders actually enables discrimination. (Q45)

I also disagree with the law that lets workplaces discriminate against sex workers working in roles with children. Sex workers are mums, dads, aunts etc and do not pose a risk of harm to children based on our work. This law should be repealed. (Q47)

I support Respect being able to represent sex workers in cases of discrimination in the tribunal and conciliations. Many sex workers are unable to risk being outed by individually making a complaint. It is also not appropriate that sex worker should have to carry the burden of proving discrimination and putting in the immense amount of emotional energy to address discrimination in services, health care settings and shops, QPS, banks, etc. (Q16)

Several years ago I contacted the ADCQ in order to make a complaint of discrimination but after reading the information on the website and speaking to your office I was not prepared to continue with the complaint because it would have meant I had to meet with representatives from the newspaper who discriminated against me to try to come to an agreement and they would have my legal name. As an individual complaining against a large company, who regularly run stigmatising/vilifying articles on sex work, I felt like it was not a safe option. It also felt unfair that I had to do the work to stop a large company discriminating. The newspapers are all charging sex workers more than other advertisers all the time, which

amounts to thousands of people impacted, I would like to see a process where the Commission can force them to stop discriminating against a group of people. It felt unsafe to take this on as an individual when they would just send staff or lawyers.

A major factor in deciding not to report a number of the times I was discriminated against was the lack of ability to protect my identity. I was told the Commissioner could make a decision about it but I think all people whose safety is at risk from their work experience being known should not have to give a legal name. (Q18)

I do not have a criminal record for sex work but I am aware of many sex workers who do. The laws in Queensland are clearly wrong and out of step with a community that thinks sex work is already legal. No government can defend laws that remove sex workers ability to work safely, in fact this is probably not in line with human rights laws. Laws in other parts of Australia have been updated and hopefully Queensland will follow suit. Sex workers with criminal records should be prevented from discrimination for these charges. (Q30)

Thank you for the opportunity to provide my opinion on these matters that are very important to me.

Many thanks,

