

Submission to the Queensland Anti-Discrimination Act (ADA) Review

Written by Dr Wendell Rosevear and Dr Neil Simmons from Stonewall Medical Centre

Stonewall Medical Centre supports changes to the ADA in order to strengthen protection of sex workers. These changes are needed to reduce the discrimination and vilification which is experienced by this group.

I refer to 8 key changes which are recommended by Respect Queensland, the peak body responsible for the welfare of sex workers in Queensland. Our organization supports the changes which they recommend and which are summarized them below:

- The definition of 'lawful sexual activity' should be changed to 'sex work' and 'sex worker'. The present definition of 'lawful sexual activity' is ambiguous and waters down the protection afforded to sex workers.
- The work with children exemption must be repealed. This exemption is discriminatory and unnecessary due to the Blue Care System in Queensland. The Blue Card system was designed to protect children but has become a "De facto" screening tool to stop some people working with adults and is used outside the scope of protecting children.
- The sex worker accommodation exemption must be repealed. This is another discriminatory exemption.
- A representative body should be able to make a complaint on behalf of an affected person both in the conciliation and tribunal process. This is because being 'outed' as a sex worker is a significant barrier to making a complaint to the Queensland Human Rights Commission.
- Other barriers to sex workers making a complaint should also be reduced e.g. the anonymity of the sex worker must be protected, and financial barriers should be reduced.
- The Queensland Human Rights Commission should be able to take action where discrimination is occurring repeatedly or systemically and an individual is unable to progress the claim themselves.
- Sex workers need protection from discrimination on the basis of their sex work criminal records. Some of these criminal records are the result of corrupt police convictions during the pre-Fitzgerald era and others are the result of police entrapment.
- There should be no exemptions in relation to sex workers accessing insurance and superannuation and sex workers should be protected from financial discrimination.
- Inclusion of sex work and sex workers in the section of the ADA on sexual harassment. Sexual harassment is a very real issue for sex workers.
- We are of the view that lawful sexual activity is any mutually chosen activity between consenting adults independent of whether it is in or out of a relationship or whether there is exchange of money or other advantage.

- We believe that Health, Safety, Respect and Consent should be the underpinning Principles underlying any laws about Sex Workers, not Prejudice of one person deciding the morals of another.
- We have witnessed a number of Patients who identify being targeted by Entrapment of the Qld Police.
 - one foreign student was doing massage to survive. He said the Police asked for a “Double Massage with a happy ending”. He identified that he was a sole operator, compliant with the law. He says the police arrived and asked for the Double massage. He reaffirmed being a sole operator. They said they’d come back when he had two. On return they arrested both men. They pled “guilty” to avoid a criminal record and being deported from the Country that has a big Education Industry.
 - Another patient was rebuilding her life after a Murder sentence and couldn’t get employment. She set up a Beauty and Massage Service. Again she Identifies that the Police repeatedly asked for a “Double Massage with a Happy Ending”. She repeatedly refused. In exasperation she suggest they try the lady down the road. She says they the Wired the lady down the road and asked her for coffee seeking evidence of Collusion in Sex Work.
 - ██████████ was a sole operator on the Gold Coast. An undercover Police woman said it was her “Fanatasy to have sex with two men”. He said he was a Sole Operator.

When he knocked on her door of her Jupiters Casino Room, he was asked “where is the second man?” He called his brother up from the bar. The police in the second room then arrested both of them.

I ask “ which was the immoral act: the provision of an honest service or the telling of a lie?”. I don’t believe it is responsible use of Public money to rent hotel rooms to entrap sex workers.

Saftey is a very high priority.

As sole sex workers can non hire security, receptionist, drivers or work under one roof with another worker it makes them vulnerable.

I have had sex worker patients strangled and another man was raped with a broom. No one deserves that preventable act.

Decreasing stigma is vital for fostering testing and sexually transmitted disease prevention also.

We collectively have a duty of care to foster Safety in our society and it starts with respecting all people and all choices.

Thanks for being open to a safer, respectful Society. Dr. Wendell Rosevear, Dr. Neil Simmons and the Collective Stonewall Medical Centre Team (Of eight Doctors and staff)