

## **Submission regarding the Queensland Anti-Discrimination Act review**

To whom it may concern,

I'm a Brisbane resident who is motivated to improve legal protections for sex workers against discrimination.

Sex workers experience discrimination regardless of whether sex work itself is legal or not. Effective anti-discrimination protections are important even with possible future decriminalisation. Limiting anti-discrimination protection to only those undertaking 'lawful' sexual activity, results in denying this protection to some sex workers. Given that many sex worker safety strategies are deemed illegal, this creates a deterrent to working safely, since working safely could void anti-discrimination protection. Further, this also deters reporting of discrimination for fear of prosecution. I advocate changing the attribute of 'lawful sexual activity' to both 'sex work' and 'sex worker'.

Further revision to the act is also required, since discrimination is currently permitted against sex workers undertaking 'work involving the care or instruction of minors'. This presents a view that being a sex worker makes someone a risk to those being cared for or instructed, a view which is fallacious and sustains negative social stigma. I support repealing the work with children exemption. This repeal would not compromise the safety of children, since screening is undertaken under Queensland's blue card system.

Sex workers experience safety risks, housing insecurity and unnecessary additional cost through an exemption in the current act. This exemption allows accommodation to be denied or otherwise provided inequitably to sex workers, by all types of accommodation providers. Attempted justifications for this discrimination arise from inaccurate negative stereotypes of sex workers. This exemption should be removed.

Social stigma around sex work often makes privacy and anonymity critically important to many sex workers. This relates to legitimate fear of harm - both physical and psychological - to the sex worker, their family and their social interactions. These concerns can extend through the conciliation, tribunal, and indeed any part of a complaint process. Therefore, a representative body must be allowed to make a complaint on behalf of affected people. This must also apply through all parts of a complaint process, in order to preserve the health and safety of sex workers through anonymity. In order to remove deterrents to entering a complaint process, the

procedure to establish anonymity needs to be clear, simple and not require re-application at any stage.

Criminal records relating to sex work can result in discrimination through poorer dealings with authorities, licensing and screening processes. Such criminal records may have resulted from past corruption or entrapment processes. Consider framing these records as irrelevant.

Sex workers regularly experience financial discrimination in many forms, such as difficult or denied access to superannuation, income protection and other insurance, banking facilities, merchant facilities and other financial services. This presents a misconceived attitude that sex work is not legitimate work. Sex workers and their associates require anti-discrimination protection to address this unfair treatment.

Sections 119 and 120 of the Act ought to be adjusted to incorporate 'sex work' and 'sex workers' as eligible contexts from which to engage in sexual harassment claims. To make it clear and accessible to those seeking support, consider including example scenarios that are relevant to sex workers.

I appreciate your consideration of the above letter and am willing to engage with requests for further details if required.

Kind regards,

Alistair Witt