

Mr Brian Lloyd
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Standing Committee on Justice and Community Safety
Inquiry into the operation of the Prostitution Act 1992
Legislative Assembly for the Australian Capital Territory
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 A.C.T. LEGISLATIVE ASSEMBLY COMMITTEE OFFICE	
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Dear Brian,

Inquiry into the operation of the Prostitution Act 1992

Thank you for the opportunity to make comment on the operation of the Prostitution Act 1992. I am a private worker based in the ACT who has been both supported by and adversely affected by the Act.

I am far from the stereotypical hooker, however I am average and typical of sex workers in Australia. That is, I am white, middleclass, well-educated, in my mid 40's, I don't use illegal drugs, have a mental illness, nor have I suffered from childhood sexual abuse. I have worked as a sex worker for 8 years and enjoy working even though I have many well paid and well respected career options. I declare my income to the ATO, pay taxes and do not wish to break the law in any way.

I have children, and for this reason alone, I choose to keep my sex worker status a secret to prevent my children from receiving any stigma and discrimination. It is in this way that the legalisation process in ACT has caused me unnecessary angst as I have been required to register as a sex worker. I would like to know *why* private workers should register. Why does my real name matter, especially as I am reassured that my information is private? The Act allows for public servants to peruse the register which puts me at great risk of having an Aunt, neighbour or friend accessing information about me in the course of their duties. If I was a home-based hairdresser, I would not need to be registered in any way. And like the home-based hairdresser, I run by business within the laws and principals of all home-based businesses. When I have sex with a client in the privacy of my home, I pose no risk to me, my client or the community.

I resent having to pay the same registration fee as a large brothel. I would like to know, what is in it for me to register as a sex worker? I pay my nurses registration every year and respect that a register of practising nurses ensures that the profession is controlled by a Board in exchange for this fee. I receive no professional indemnity or support from being on the register of sex workers and instead, suffer anxiety about being exposed and shamed.

I also resent being referred to as a prostitute. I don't feel that I am a person of ill repute. I welcome the opportunity for the Act to be reviewed so that this language can be changed. I am not a victim of a patriarchal society and I am not a 'prostituted woman'. I choose to exchange sex for money and I enjoy the sexual experiences that I have. I also receive emotional satisfaction from helping people with their sexual and emotional needs. I have several clients who attribute our relationship to preventing their suicides, disabled clients and men and women who have no other sensual outlets. I do not need to be rescued from my chosen profession and I can stop working at any time that I choose. And furthermore, every 'Ho' I know, says the same.

Recently, I suffered a sexual assault while working¹. Although non-violent, the assault happened only because I am a sex worker. I took comfort in the fact that I am registered and have legal rights and access to police assistance. As a normal citizen I already have those rights and my legal status as a sex worker only served to give me courage. The process of gaining police assistance led to other services and legal processes that have required my 'coming out' to at least 12 people. All of whom have acted toward me with dignity and respect however I suffer extreme anxiety in disclosing my work every time not only because of past bad experiences, but because of the risk of knowing these people in some other aspect of my life and thereby risking exposure. Added to this is the knowledge that my real name was connected to my working name and tabled in a court room and on files in at least 5 different organisations and departments. The stigma and discrimination that I have suffered because of my occupational choice is the real problem and not my legal status.

Another issue I have with the law for private workers is that I cannot have a friend to work with me. That means I have no peer support to learn new things, debrief after experiences or have someone to identify with. I feel geographically and socially isolated which does put me at increased risk. Allowing two workers to work together would not increase traffic unduly (do you really think that I am able to service more than 4 clients in one day?), or create increased noise levels – discretion is imperative. All home-based occupations are bound by laws, which mean there is no need to isolate and further attempt to regulate a business which includes sex.

I am not unique and I believe that most workers have similar attitudes about their work that I do. If there are underage workers that are at risk, then they do need to be supported and the laws about sex with minors adequately address this scenario. If there are migrants working illegally, it makes no difference what their occupation is. I have no knowledge of any criminal activity involved in brothels, but if the State attempts to over regulate a profession and criminalises normal adult behaviour, then criminal activity is likely. Almost all of the Prostitution Act 1992 is an example of over regulation as most activities listed as illegal, are also illegal in other settings. My own experience of being assaulted is a case in point – my occupation had nothing to do with the charges laid.

Occupational health and safety is of chief concern to anyone who is self-employed. I want to keep healthy and continue working so I am an expert in safer sex practises and I have regular sexual health screenings. I do not need to be governed by a law in this regard. The

¹ In 8 years of working, this was the only negative experience. One can't say the same about nursing, where I have been physically assaulted several times. The statistics about violence against sex workers show that while 25% of women are victims of sexual assault in their lives, 45% of sex workers are. However, 85% of sexual assaults against sex workers are perpetrated by someone other than a client and someone who knows that they are a sex worker. This is a further example of stigma being more dangerous than the profession.

prevalence of STIs among college students in the ACT is far more alarming but I've yet to hear a politician call for mandatory health screens of our youth.

Thanks again for the opportunity to contribute to debate about the sex industry. I have signed my real name to this submission and request that it be kept confidential.

Regards,


25 Feb 2011