

Hello,

I am writing to submit my experiences with the current Victorian legislation concerning sex work. I am an independent sex worker based in New South Wales. I have worked in every state & territory of Australia, including often in Victoria. I have been a sex worker for 8 years, and have worked mostly privately as a full service worker, but also have experience working in a number of brothels and selling adult content online.

I am pleased to hear a review into the law is taking place, and I would like to strongly urge the Victorian government to consider full decriminalisation of sex work as the only option that supports the needs of sex workers, as we are key stakeholders in the legislation concerning the sex industry. The current licensing model in Victoria presents three major issues to me as a small business owner. Due to the laws I am not able to feel safe while doing my job, I do not feel I have access to justice, and I have to face stigma and discrimination, which affects my physical and mental health in a negative way:

The right to feel safe at work

This simply doesn't happen when you cannot control the space you are in. Being unable to offer incalls means I am often asked to go to people's homes in areas that may not be well-lit or populated, and I'm walking into a brand new space every time. With the rise of revenge porn, one of my biggest fears is that the client may have a recording device set up that I am unaware of. They may also have other people in the house/apartment, and there is nowhere for me to hide my valuables. From a business perspective, it is also incredibly impractical and financially ineffective to not have a base office space to work from.

In any intimate setting consent and communication are absolutely essential to the wellbeing of all participants. The inability to advertise with complete transparency (ie, not being able to list services) makes me feel like I am walking into a situation where things have not been made clear and the client and I may have different assumptions about what is going to occur, and that makes me feel unsafe.

Because of the mandatory testing laws, many clients make the assumption that I am free from infection and thus are more likely to push for unprotected services. This is of course a false sense of security for them, as testing only shows the results at the time of the test being taken, and it puts me in an unsafe position because the client is under the impression the risk is lower for them.

Access to justice

Because the current licensing model makes it incredibly difficult to run a business that is 100% compliant, I do not feel that I have access to justice when working in Victoria. If I were to be in a position where I was the victim of a crime while also breaking the laws of the licensing model, I would not feel that I could report the crime to police or get any kind of assistance. To add to this, the lack of a funded peer organisation in Victoria means that I would also have limited support from my peers.

As I am based in NSW, I am able to work there under a decriminalisation model. I recently had a concerning experience with a potential client (my first in 8 years in the industry) and was able to take this information to my local police station who were wonderful throughout the whole process and were able to protect me and obtain justice for me, before anything escalated to the point of causing me physical harm. Because of the stigma surrounding sex work, the client had assumed I would not have the access to justice that I did. What really concerns me is that had I been in Victoria, he would've been right. I would've had to handle a dangerous situation on my own.

Stigma and discrimination

The licensing system does not treat sex work as a normal job. It marks sex workers out as different from others as an individual and as a business. This makes me vulnerable as clients know this, and can make use of the discriminatory law to threaten or blackmail me. The current laws also discriminate against our clients, which affects our business. Without the ability to offer incalls, many of us insist on seeing clients in their hotel rooms, rather than their own residences (for the reasons outlined above). This means that people in lower socio-economic brackets are often unable to access our services, and this includes many people living with disabilities. It simply makes the service too expensive and does not allow us to work with the clients we would like to see.

The fact that it is against the law to offer services when infected with an STI such as HIV is incredibly discriminatory, particularly given the current treatments available reduce a person's viral load to undetectable levels which gives them effectively zero risk of transmitting the virus to a partner sexually. I was not aware of this law as I'm lucky enough to not be affected by it personally, but I came across it when putting together this letter, and I found it difficult to believe there is such discrimination openly sitting there in our law. Sex workers should not be subject to the criminalisation of HIV and STIs, nor should our use of prophylactics or testing schedule be mandated by law. Our bodies are our livelihoods. It is in our best interest to be healthy, as when we are not healthy we cannot earn an income. We do not need the law to tell us this.

As to how the full decriminalisation of sex work in Victoria would affect me personally:

1. I would feel like I could be completely transparent about the service that is taking place, allowing me to create a clear set of boundaries, and attract clients who are interested in what I am able to provide, making me safer.
2. I could work legally. It is next to impossible for me to work within the legal framework that currently exists in Victoria.
3. I would feel that if I were a victim of a crime that I could report it to the police.
4. I would be able to create and control my own work space.
5. I could have safety strategies like employing a driver or working with a friend.

Please listen to the voices of sex workers and fully decriminalise the adult industry in Victoria, for ALL sex workers; including but not limited to street based workers, migrants workers, and those living with HIV.

Kind Regards,
Jenna Love