

7 October 2019

Dr Jennifer Buckley  
Committee Secretary  
Economic Policy Scrutiny Committee  
Legislative Assembly of the Northern Territory  
GPO Box 3721  
DARWIN NT 0801

Email: [EPSC@nt.gov.au](mailto:EPSC@nt.gov.au)

Dear Dr Buckley

**RE: INQUIRY INTO THE SEX INDUSTRY BILL 2019**

Thank you for the opportunity to make a submission to the Economic Scrutiny Committee on these reforms.

The progression of these reforms for the safety and human rights of sex workers and transparency in the regulation of the sex industry is welcome. I will not address the NT *Anti-Discrimination Act 1992* reforms even though they would be complementary, to further protect sex workers and former sex workers from discrimination and stigma in the NT community, a protection currently in place in Queensland, ACT and Tasmanian.

I am pleased to see that the Bill reflects the calls by industry and many stakeholders to decriminalize the sex industry in the Northern Territory, in particular removing the police from the role of registering and then monitoring sex workers and other unworkable aspects of the current legislation.

The objects of the Bill at Clause 3 are very clear, in particular Clause 3(e):

**Objects of Act**

The objects of this Act are:

- (a) to decriminalise sex work and legalise contracts in relation to sex work; and

- (b) to enhance sex worker, client and public health and safety through:
  - (i) applying the *Public and Environmental Health Act 2011* to operators of sex services businesses; and
  - (ii) allowing sex workers to work together and employ support staff; and
  - (iii) providing a mechanism to ensure the suitability of operators of sex services businesses; and
- (c) to prohibit exploitation of sex workers and enshrining the right of sex workers to refuse to perform sex work; and
- (d) to prohibit the use of children for and in sex work; and
- (e) **to enable the sex industry to operate in accordance with the laws of the Territory and the Commonwealth as they apply to all individuals and businesses generally, including laws governing employment, occupational health and safety, workers compensation and rehabilitation, planning, taxation and discrimination.**

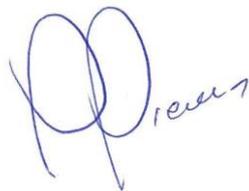
However to achieve the aim of object 3(e) the Bill requires further refinement. In particular the current clauses dealing with advertising. Advertising employment for workers does not meet expectations of what would be contained in either an employment advertisement or in the advertising for services and remains very much what would be expected in a highly regulated stigmatised industry.

Further, an area that is commendable is Clause 26 of the Bill which provides for the destruction of records created under the current legislation. However to destigmatize and move forward, the legislation should incorporate a regime to expunge criminal records for sex workers for offences related to the criminal model.

Additional consideration is also necessary of the certification process proposed, to ensure that if it is necessary at all, it is comparable to other business regulation and a purpose consistent with object 3(e) and is not a carry over from the old model of regulation.

I thank you for an opportunity to make this submission.

Yours sincerely,

A handwritten signature in blue ink, consisting of two large, overlapping loops followed by the name 'Sally' written in a cursive style.

Sally Sievers

Anti-Discrimination Commissioner  
Northern Territory Anti-Discrimination Commission