

To the Committee,

I am an independent sex worker in the Northern Territory, my working name is Sienna Charles. I've not been here long, only since May this year, but I have worked in numerous other states and under many different laws, including decriminalisation in NSW. The current legal model here in the Northern Territory is unworkable. I was a minor part of the move to amend the Prostitution Act, now the Sex Work Act, in the ACT. To address the points upon which you are required to report:

**A) whether the Assembly should pass the Bill**

I wholeheartedly support the passing of the Sex Industry Bill 2019. This would be an incredibly progressive step forward for the NT, a territory that has proven their tolerance and forward thinking with several laws that have made marginalised populations feel more equal. There are several really critical reasons why this Bill should be passed:

1. This Bill will give sex workers access to workplace health and safety, something which has been unlawfully withheld thus far. I deserve to feel safe when I am doing my job, and I deserve to have a government authority with which I can file complaints if my workplace is deemed unsafe, just like every other working Territorian.
2. If I am hurt at work, I deserve access to worker's compensation, just like anyone else with a legal job in the NT.
3. If a crime is committed upon me or in my presence, I deserve to be able to report that crime to the police, without fear of legal repercussion myself.
4. Police should not be the regulators of a legal industry; we should be treated like any other business and referred to public health, OHS, and other such laws to regulate us.

**B) whether the Assembly should amend the Bill**

I do have some suggestions for amendments, having discussed this Bill in its entirety with my peers.

1. Advertising restrictions for operators of sex work establishments are unnecessary (15.1 on the Bill). Parlour managers should be able to advertise positions open for workers just like any other business, and should be subject only to the normal restrictions on all ads regarding language and decency. It is important for people to have the ability to be transparent, and thus make sure that all workers are safe. In the hearing of the bill, the exact quote was "we wish to *fully decriminalise* sex work" -- it is not full decriminalisation if parlour operators are not allowed the same freedoms as the operators of all other businesses with regards to job advertising. We are holding you to those words, and making such an amendment would make the NT a global leader in sex work law reform.
2. Spent convictions need to be removed, and the line about spent convictions needs to be put back into the 2019 Bill.
3. Further amendments are not recommended by our peer organisation, Scarlet Alliance. I would like to pointedly note that decriminalisation is *not* licensing or registration, and we do not want a model where workers are required to register as workers which could actively harm our safety.

**C) whether the Bill has sufficient regard to the rights and liberties of individuals**

Thanks to the hard work of SWOP, SWRG, parliamentarians, and Scarlet Alliance, this Bill is extremely thorough, and myself and other members of the SWRG have found it to be compatible with human rights. Removing the current structure improves the lives of everyone from the workers themselves, to the patrons, partners, families, friends, and service providers of sex workers. This will have a net positive effect on the local community, and provide protections for a group of people who are marginalised and need it most. It recognises an individual's right to choose their employment, and their right to be safe in that employment, which is in line with our commitment to the ICESCR. It is also in line with what many international human rights organisations recommend,

including Amnesty International. Making the sex industry more transparent will assist law enforcement with identifying and stopping severe human rights violations like trafficking and forced labour, as more of us will be inclined to report it without fearing repercussion.

#### **D) whether the Bill has sufficient regard to the institution of Parliament**

This Bill is only a small amendment to existing laws, but will have a powerful effect on the sex industry and community. It allows for us to operate in a safe and transparent fashion, which will in turn allow for more cooperation with law enforcement, and more contribution by sex workers to the local economy in the form of increased tourism and tax income. When the sex industry is forced to operate in secrecy, we cannot operate within existing legal framework and must instead attempt to only use best practice, which is not safe. If anything, Parliament would want the local sex industry to be as transparent as possible to keep their constituents safe, and to avoid any unpleasant surprises.

As to how this Bill will affect me personally:

1. I will be able to spend less money on overheads. Instead of being forced to either operate illegally, or work out of an expensive hotel who can kick me out without repercussion, I can now work from my home or another premises that I own/lease. This will mean that I can control my own workspace, and I don't need to rely upon the hotel's ignorance or tolerance. It is well known that there are several hotels that will remove you from the premises if they find out that you are working as an independent sex worker, despite that being the only way for us to provide a space from which to work for clients who cannot have us come to their home. It is completely legal for them to discriminate against us in this way.
2. I will be able to work in the same space as another worker; this will both reduce my overheads and increase my safety by having someone in the next room who can call for assistance if needed.
3. I will be able to hire a driver, PA, or security if I wish to do so to improve my working conditions.
4. If I am burnt out from managing my own business, I can choose to work shifts for an establishment/agency and not fear that the working conditions will be hostile. Managers will be held to account for not providing adequate safety, PPE, and friendly environments for their employees under the workplace laws that employees of all other companies benefit from.
5. My partner will be less stressed when I go to work, as he will know that I am protected under the law and can easily report any assault, theft, or other crimes to the police without fearing prosecution myself for doing the things that make me safer.
6. I will be able to openly support the local economy and invite friends to work here and clients to holiday here without feeling responsible for their lack of safe working conditions.

I have had to be nervous of the local operations who "run the show" as it were, because no other establishments could safely operate, and the owners of those operations were actively out to sabotage the local independent workers. I have had friends who came up from interstate to work for said operations confide in me that they dealt with open racism and discrimination from the management with no possibility of redress. I have been outraged that the management has dictated that their employees must take on additional responsibilities with no extra pay, or they will not be given shifts -- this is a situation that would have consequences for management if sex workers were protected by workplace laws. I have personally shared apartments with other workers and feared that if anything were to happen, that we would not feel safe reporting it to law enforcement.

Further changes I would like to see include changing the business act to allow sex workers to work from home without restriction, and changing the planning act to allow sex industry businesses to integrate with the wider community. Regarding the latter, it is interesting to note that many establishments have been operating illegally for as long as 17 years... And many are less than 300m

from churches and schools, with neither feeling any negative effects or even noticing their presence. I would also like some transparency on where any information kept on sex workers is going -- past registration information needs to be destroyed, and any information that was shared nationally needs to have permission revoked.

The introduction of this Bill will not only be a world first in terms of full decriminalisation (NZ and NSW have some amendments to make before theirs is 100% discrimination free), it will also be the first step into helping a constantly marginalised occupation come out into the light and shed the constant stigma and discrimination that effects everything from our future employment to our healthcare. This is the age of lifting up marginalised people, make sure you're on the right side of history.

**PERMISSION GIVEN FOR PUBLIC VIEWING OF THIS SUBMISSION.**

**YES, I WOULD LIKE TO BE A PART OF THE VERBAL SUBMISSION FOR THIS BILL.**