

## Issue 149 – March 2020

### Framework to address Sexual Violence

Last month, the Prostitution Licensing Authority (PLA) distributed the Queensland Government's *Prevent. Support. Believe. Queensland's Framework to address Sexual Violence* (the Framework) to all brothel licensees and approved managers, along with a cover letter from the Chair, Mr Walter Tutt. The Framework sets out a vision for a Queensland where everyone lives free of the fear, threat or experience of sexual violence. Women and girls are most at risk of sexual violence, with sex workers at higher risk.

Brothel licensees and approved managers are in a unique position to contribute to the Framework's vision by seeking to achieve a workplace that is free of the fear, threat or experience of sexual violence. Fundamentally, all workers have the right to feel safe at work and to work in an environment that is free of violence of any form.

The PLA has encouraged licensees and managers to think about their approach to preventing and responding to sexual violence at brothels, especially what further action they could take. Conversations with sex workers, clients and others are fundamental to this. In particular, they should be seeking the ideas and

input of those who may be impacted by sexual violence - this means sex workers.

The PLA expects licensees and managers to actively support the autonomy, freedom of choice and bodily integrity of sex workers, such as their absolute right of refusal of any client without the need to provide a justification.

The Framework and more information about sexual violence is available from the Department of Child Safety, Youth and Women website: [www.csyw.qld.gov.au/violence-prevention/sexual-violence-prevention/sexual-violence-prevention-framework](http://www.csyw.qld.gov.au/violence-prevention/sexual-violence-prevention/sexual-violence-prevention-framework)

### Myths about sex work and sexual violence

There are a range of myths about sex work and sexual violence that are perpetuated by the pervasive stigma of sex work and related dehumanising attitudes and which normalise sexual violence. These toxic myths should be called out and corrected whenever it is safe.

Myth: It is impossible to rape a sex worker.  
Fact: Anyone can be raped. If a person has not consented to a sexual act it is a crime. Just because a person happens to sell sex does not mean that they are always open and available for sex with anyone. Sex workers choose whom they will have sex with, the conditions under

which they will have sex, and the nature of the acts and interaction.

Myth: Sex workers are asking to be raped. Fact: No one asks to be raped. This is a form of victim blaming, along the same lines as, "she was asking for it because she was wearing a short skirt" or "she shouldn't have been walking alone in that area at night". A person's occupation is never an excuse for sexual violence. All workers have the right to feel safe at work and not be violated.

Myth: If I pay a person for sex I can do whatever I want. Fact: Commercial sexual encounters are carefully negotiated. The sex worker and client agree on those services that will be provided and the price and other terms. Any activities outside of those negotiated are non-consensual and a crime. As the Sex Workers Outreach Project (SWOP) of New South Wales (NSW) stated at p. 7 of their July 2018 Submission to the NSW Law Reform Commission Review of consent in relation to sexual offences: "Consent for one set of sexual activities does not automatically entail consent for another set of activities. To be valid, consent must be ongoing and communicative."

Myth: Sex workers sell their bodies. Fact: Sex work is a commercial transaction. Sex workers sell sexual services. The myth that sex workers sell their body is particularly dangerous because

if someone thinks they are purchasing access to another person's body, they also think that entitles them to do whatever they want.

Myth: Sex workers cannot change their mind.

Fact: Just like any other member of the community, sex workers are entitled to withdraw consent at any time and for any reason.

Payment for sexual services in no way means that consent cannot be withdrawn. Sex workers can end a service at any time for any reason or renegotiate the services that will be provided.

Myth: Violence is part of the job. Fact: Sex workers provide commercial sexual services.

The idea that violence is part of the job is a convenient rationalisation. No one should have to put up with violence at work. Like every other community member, sex workers are entitled to feel and be safe and secure at work.

Myth: Sex workers experience less trauma from sexual violence than other members of the community. Fact: Whilst people have different tolerances, thresholds and resilience and respond to and are impacted differently by incidents of sexual violence, it can have serious life long and damaging consequences for survivors and their families. The idea that a person's occupation influences the level of trauma experienced is nonsense. Sex workers are members of the community and they experience the same reactions to incidents of sexual violence as other members of the community. To argue that there is a lesser impact on them because of the nature of their work is wrong and inherently dehumanising. As SWOP said at p. 6 of their submission: "The seriousness of the crime of sexual assault is

diminished when there is a hierarchy of people who have been assaulted."

The following Statewide sexual violence support services can provide victims with immediate and ongoing support:

- 13 HEALTH - 13 43 25 84
- Statewide Sexual Assault Helpline - 1800 010 120
- 1800RESPECT - 1800 737 732
- DVConnect - 1800 811 811.

If this article has raised issues for you, help is available 24 hours a day by contacting Lifeline on 13 11 14.

### **Annual returns & automatic cancellation**

Brothel licensees and approved managers are granted a licence or certificate for a term of three years unless it is sooner surrendered, suspended or cancelled. They must give the PLA an annual return and annual fees on or before the anniversary date of the licence or certificate. Where annual fees are not paid in the required timeframe, it can lead to automatic suspension and then automatic cancellation of a licence or certificate.

It is important to be aware of the consequences of automatic cancellation. If a brothel licence or an approved manager's certificate is automatically cancelled, the holder will be ineligible under the *Prostitution Act 1999* to apply for another licence or certificate for a period of three years. This means that person

would be excluded from owning or managing a brothel during this period.

If a person is intending to allow their licence or certificate to be automatically cancelled, but think that they might want to re-enter the industry during the three-year ineligibility period, automatic cancellation (and its consequences) can be avoided by surrendering the licence or certificate to the PLA before or during the suspension period. This can be done by returning the licence or certificate to the PLA (in person or by post) accompanied by a letter stating that the licence or certificate is being surrendered.

### **2020 PLA meeting dates**

The PLA Board generally meets on the first Monday of each month. Meeting dates for the remainder of 2020 are: 6 April, 1 June, 6 July, 3 August, 7 September, 12 October, 2 November and 7 December. *Whilst current at the time of printing, these dates are tentative and subject to change without notice.*

### **Vacancies for approved manager positions**

Nil advised.

**Please note that approved manager advertisements may be submitted at any time for inclusion in the next available edition of the newsletter. They should be emailed to [plaadmin@iprimus.com.au](mailto:plaadmin@iprimus.com.au).**