

Issue 158 – December 2020

Season's greetings from the PLA

The Prostitution Licensing Authority extends its best wishes to all its stakeholders for a peaceful and happy festive season, spent in the company of family and friends, and for a healthy and prosperous 2021.

Closure of Office of PLA over Christmas & New Year period

The Office of the PLA will be closed from Thursday 24 December 2020 to Friday 1 January 2021 (inclusive) over the Christmas and New Year period. The office will reopen on Monday 4 January 2021.

Change of portfolio for the PLA

Under a Machinery of Government change of 12 November 2020, the PLA has moved from the portfolio of the Minister for Police and Corrective Services to the portfolio of the Attorney-General and Minister for Justice, the Honourable Shannon Fentiman MP. The Attorney-General has assumed ministerial responsibility for the *Prostitution Act 1999* and consequently the PLA. The structure and functions of the PLA have not changed.

Fire safety

In the early hours of the morning on 10 November 2020, the Gold Coast brothel, Silks on Upton, was burnt down. Fortunately, the brothel was closed and unoccupied at the time so that no one was harmed.

The PLA extends its sympathies to the licensee, approved managers and workers of the brothel.

This is a timely reminder that an owner of, or a business or person, that is occupying or managing a building in Queensland has a legal obligation to ensure the safety of any person in that building in the event of a fire or other emergency. They must provide:

- clear evacuation routes
- fire evacuation planning and instruction
- maintenance of fire safety installations.

Further information is available from Queensland Fire and Emergency Services:
www.qfes.qld.gov.au/buildingsafety/Pages/owner-occupier.aspx.

New approved manager's certificate application forms

The following PLA forms have been revised and updated to make them more 'user friendly' by reducing and simplifying the information that must be supplied to the PLA by applicants and approved managers:

- Approved Manager's Certificate Application
- Annual Return Certificate
- Approved Manager's Certificate Renewal Application.

The forms are available from the PLA website:
www.pla.qld.gov.au/.

Sex work stigma and discrimination

Sex workers routinely mention that one of the biggest issues they experience is the pervasive stigma of their work and the impact this can have on their welfare. A recent study has explored the impact of stigma on the mental health of sex workers - C. Treloar, Z. Stardust, E. Cama and J. Kim, "Rethinking the relationship between sex work, mental health and stigma: a qualitative study of sex workers in Australia", *Social Science & Medicine* 268 (2021) 113468.

According to the study: "The stigma associated with sex work had a significant impact on mental health" (p. 4). Anticipating negative reactions, it was common for participants in the study to avoid disclosing their work to others "in most aspects of life", including family and non-sex worker friends (p. 4). They "described being constantly vigilant in their interactions, trying to remember what they had told to whom, as well as a growing sense of 'worthlessness' that their true experiences and stories could not be shared publicly" (p. 4). They thought it would be beneficial to their mental health if they could talk about their work without fear of stigma and discrimination. Avoidance and a need to maintain privacy and boundaries contributed to feelings of isolation. The study states that this, "emphasises the importance of peer support in providing spaces of solace for sex workers to debrief, recover and recoup within the safety of sex worker value systems" (p. 4).

Participants managed their mental health “through self-care activities and occasional access to mental health services” (p. 5). However, the latter tended to be a negative experience because:

- sex workers were attributed with a lack of agency because of their mental health issues
- sex work was assumed “as the only cause and the root cause of mental health issues” (p. 5) and the obvious solution was to exit sex work
- the overwhelming focus was on sex work, to a degree that was considered “voyeuristic” (p. 5).

The study noted that the flexibility of sex work was beneficial in workers managing their mental health. As one participant said: “Sex work is something that they can pick up and put down, they don’t have to walk into an office and work with people nine-to-five. They find that the people are more sort of amenable to their times of being more unwell than other times and if they need to take time out or they feel they get a bit more support. So those people who live with mental ill health, but sex work is something that they feel has provided for them like no other job could.”

The paper is available here:

www.sciencedirect.com/science/article/pii/S0277953620306870.

Stigma can often be accompanied by discrimination. In Queensland under the *Anti-Discrimination Act 1991*, it is unlawful to discriminate against a person because of their lawful sexual activity. Lawful sexual activity means a person’s status as a **lawful sex worker** (i.e. a sole operator sex worker or a sex worker at a licensed brothel). According to the Queensland Human Rights Commission, *Fact Sheet: Discrimination on the basis of lawful sexual activity*:

Discrimination on the basis of lawful sexual activity is treating a person less favourably because they are a

lawful sex worker, than someone who is not a lawful sex worker, in similar circumstances.

For example, a bank manager refused a loan to a sex worker to buy a unit, even though he met the financial and other criteria for the loan.

It is also unlawful to discriminate against a person because of their association with or relation to a person identified on the basis of their lawful sexual activity - such as a friend, family member or co-worker.

For example, a school refused to enrol a child because the child’s mother works as a self-employed [sole operator] sex worker.

It doesn’t matter if the person doesn’t mean to discriminate, or whether they think they are being discriminatory or not. It also doesn’t matter if their beliefs or assumptions about the person or people they are discriminating against are correct or not. Under the Act, someone’s motive for discriminating is irrelevant.

The Fact Sheet also says that:

Discrimination on the basis of lawful sexual activity is unlawful in all aspects of work, including recruitment, terms and conditions on which a job is offered, employment benefits, training, transfers, promotion and dismissal.

It is also unlawful when a person is:

- a customer in a shop or restaurant,
- a student at school or university (if it is by the educator),
- looking for accommodation,
- applying for credit, insurance or a loan, or
- when dealing with tradespeople, businesses or State or local government.

Examples of discrimination on the basis of lawful sexual activity include:

A sex worker who tried to purchase goods from a grocery store was refused service and derogatory comments were made about sex workers.

A student’s tertiary enrolment was cancelled when it became known that she was a lawful sex worker.

There is a specific exemption relating to lawful sex work and accommodation that will be used or is being used for sex work. According to the Fact Sheet:

An accommodation provider may refuse to supply accommodation to someone if they believe they intend to use the accommodation for sex work. Someone using or planning to use accommodation for sex work can also be evicted or otherwise treated unfavourably (for example, charged a higher rate for cleaning). The exemption only applies if the property is being used or will be used for sex work, not solely on the basis that the occupant is a sex worker themselves.

The Fact Sheet is available here:

www.qhrc.qld.gov.au/resources/fact-sheets.

A person that has experienced discrimination on the basis of lawful sexual activity may be able to make a complaint to the Queensland Human Rights Commission. Information about lodging a complaint is available here: www.qhrc.qld.gov.au/complaints.

2021 PLA meeting dates

The PLA generally meets on the third Monday of each month. Meeting dates for 2021 are: 15 February, 15 March, 19 April, 17 May, 21 June, 19 July, 16 August, 20 September, 18 October, 15 November, and 13 December. *Whilst current at the time of printing, these dates are tentative and subject to change without notice.*

Vacancies for approved manager positions

Lush: Sunshine Coast brothel seeking permanent/part time approved manager. Will be responsible for day-to-day management of the brothel including front of house client queries, facilitating bookings, and in-house sales and promotion. A high level of commitment to customer service, excellent work ethic, reliability, and excellent communication skills are essential. We offer competitive pay and work/life balance. Please email resume with cover letter to admin@lushmarcoola.com.au (attention Karon).

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 pladmin@iprimus.com.au.