

Dear [MP's Name],

As a member of your electorate and local community, and as a sex worker, I am writing to urge your support for legislative measures to protect myself and my colleagues in NSW from criminalisation and discrimination.

Whilst NSW has been widely recognised and applauded as a world leader following the almost complete decriminalisation of the sex industry during the 1990s, the truth is that this process will not be complete until , *Part 3, ss 14 to 21 of the Summary Offences Act 1988 (NSW)* is repealed in its entirety. There is plentiful evidence demonstrating that decriminalisation benefits both sex workers and the general public, but the positive intentions of this regulatory model are routinely undermined by the continued criminalisation of some aspects of the sex industry. Other Australian jurisdictions including the Northern Territory and Victoria have already achieved these modern and comprehensive models of full decriminalisation of sex work, and we hope that NSW can follow suit and retain its reputation for taking a progressive, health and human rights-centred approach to sex industry legislation.

This outdated and rarely utilised legislation contradicts other more recent legislation and has dangerous implications for NSW sex workers and their families. Whilst this collection of offences remain in place, some of the most vulnerable sex workers in NSW are still subject to criminalisation.

I am aware that significant misinformation has been circulating regarding repeal of part 3 of the Summary Offences Act, and would like the opportunity to address and rectify these misunderstandings;

- **The decriminalisation of street based sex work and soliciting will not lead to an increase in number of street based sex workers - specifically outside of schools, churches, hospitals, or similar place.** The offence of obscene exposure is addressed in section 5 of the *Summary Offences Act 1988 (NSW)*. It states that 'a person shall not, in or within view from a public place or a school, wilfully and obscenely expose his or her person'.

In addition to this, there is data from New Zealand, where street based sex work has been decriminalised for over 20 years, that clearly shows a decrease in the number of street based sex workers. These numbers have consistently gone down as technology such as online advertising platforms have advanced, and as sex workers move into working privately or in brothels. The sex workers who do continue to work outside choose to operate in established popular areas where street based sex work already occurs, and with discretion as a priority. It is not a financially viable business choice for a street based sex worker to solicit outside of a church, school, hospital, or similar place. While these offences are in place, excessive policing occurs which incidentally inhibits the best practice health objectives of decriminalisation; such as street based sex workers not carrying condoms out of fear they will be used as evidence.

- **Decriminalising the advertising of sex industry businesses or employment opportunities would not de-regulate the NSW sex industry or lead to obscene advertisements.** The same regulations that apply to all other advertising already apply to the sex industry. This includes oversight by local councils, the Australian Association of National Advertisers, and the Australian Media and Communications Authority. Sex industry businesses popularly choose to use discreet signage as that is generally the preference of the clientele.
- **Clauses relating to receiving financial support from a sex worker primarily impact upon and potentially criminalise the adult family members of sex workers.** Adult children who are living at home whilst completing tertiary study, partners who are unable to work due to disability, or the parents of sex workers who may be financially dependent on the worker are the individuals who are criminalised by laws related to living off the earnings of prostitution. These provisions were originally framed as ‘anti-pimping-protections. In reality, “pimping” does not occur in decriminalised environments where sex industry workplaces are routinely accessed by a range of regulatory authorities, as well as health and other support services, because it is almost impossible to hide. Sex workers are better protected against financial abuse by coercive control legislation.

These criminal laws, as well as the discrimination that NSW sex workers continue to face on a daily basis impedes our access to our fundamental rights, safety and justice. NSW sex workers are also frequently subject to vilification - the harmful stereotypes employed against us by the media and anti-sex work organisations increase our risk of experiencing violence. In addition to the detrimental impacts on our physical well-being, the consequences for our mental and emotional well-being are devastating. Altogether, the criminalisation and lack of basic protections available to NSW sex workers infringe upon our access to basic human rights.

There are currently two ways in which you can show your support for sex workers and their families, friends and other allies within your electorate:

1. Support Alex Greenwich’s *Equality Legislation Amendment (LGBTIQA+) Bill*, and raise these important issues in your party room.
2. Contact SWOP NSW for more information – policy@swop.org.au (The Sex Workers Outreach Project is a peer-based non-government organisation that has been working for over 35 years to promote the same access to health, safety, human rights and workplace protections for sex workers as is available to other Australian workers, and maintains the highest level of direct contact with NSW sex workers of any agency.)

Yours Sincerely,

[Your Name]