

Key Issues for Sex Workers in Australia: Our 2022 Agenda



Background

In November 2021, Scarlet Alliance held our annual National Forum where sex workers, sex worker peer organisations, and peer educators from across Australia came together for three days of panel discussions, workshops, skill-shares, presentations. Our Forum tracks the progress of the work of our sex worker organisations for the previous year and sets our agendas for the year to come. Session topics included financial discrimination, LGBTIQ+ issues, experiences of migrant and Aboriginal and Torres Strait Islanders, COVID-19, sex worker health, and whorephobia.

The event also provided a forum for us to provide updates to our community on key and emerging issues for sex workers. This is one of the most significant opportunities for our members and the wider sex worker community to drive the work of Scarlet Alliance and our members. This briefing paper sets out some of the priority areas for action and will sit alongside our strategic plan to inform our responsive and proactive work in 2022.

The continuation of criminalisation's legacy

At the time of writing, some or all aspects of sex work remain criminalised across the majority of Australian jurisdictions. Our community welcomes government action to decriminalise sex work in both Victoria and Queensland, and continues to advocate for the benefits of the full decriminalisation of sex work in every state and territory. Criminalisation of sex work is a long-standing burden and barrier for sex workers, and is a keystone of improving the lives of sex workers across the continent.

Regardless of sex work's legal status, our community continues to face widespread discrimination and stigma. This affects our safety, access to justice and self-determination. Stigma also negatively impacts our mental, physical and social wellbeing. National and jurisdictional work to progress anti-discrimination and vilification protections for sex workers is a necessary part of ensuring that gains in sex work law reform are able to be fully experienced by members of our community.

5 ESSENTIAL ACTIONS

The five essential actions to ensure good health outcomes for sex workers, including low rates of BBVs/ STIs, are:

- 1.** Addressing legal and policy barriers to accessing justice, safety and equity, including decriminalisation, anti-discrimination and vilification protections, and consent law reform
- 2.** Addressing the burden of financial discrimination and de-banking, and digital marginalisation and deplatforming experienced by sex workers
- 3.** Ensuring ongoing engagement of sex worker peer organisations in maintaining low rates of BBVs and STIs among sex workers through the refresh of the National BBV and STI strategies
- 4.** Continuing to grow our community development and engagement projects, including peer educator training, campaign platforms, and peer-only networks
- 5.** Resourcing increased representation and participation of sex workers living with disabilities, Aboriginal and Torres Strait Islander sex workers and trans and gender diverse sex workers

KEY POLICY CAMPAIGNS

Anti-discrimination and vilification protections

The lack of available anti-discrimination and vilification protections for sex workers remains a key barrier to equitable access to the full suite of human rights available to other members of the community. Experiences of discrimination and stigma were shared throughout National Forum, and particular focus was given to experiences of financial discrimination and digital marginalisation. Other experiences of housing and healthcare discrimination continue to impact sex workers across Australia.

Digital rights

Sex workers continue to be targeted for content and account removal and deplatforming by mainstream digital platforms and services and the laws that regulate them. We mounted a strong response to the *Online Safety Act 2021* and must continue to work to damage-control the impacts of the legislation as it's implemented in 2022. Sex workers are currently seeing the loss of services enabling online work - an essential survival strategy for many sex workers during the pandemic - and the scapegoating of sex workers and our content for online harms. We must continue to challenge further threats to sex worker digital citizenship.

Non-payment for services

Due to misunderstandings and stereotypes about consent and sex work, when a client does not pay for our services, this is often classified as fraud rather than sexual assault. National Forum showed that member organisations and individual sex workers currently provide the most useful support for sex workers who have experienced non-payment. Support was expressed to advocate for further reforms to Australian consent laws, so that non-payment is clearly understood as sexual assault.

Lack of access to financial services

De-banking and other forms of discrimination from the financial services sector require urgent attention. As sex workers, we find ourselves unable to secure essential business infrastructure. We are stigmatised and unfairly classified as 'high risk' businesses when attempting to procure merchant services, loans, and other financial services. This, coupled with a move for restrictions on cash transactions, including through the *Currency (Restrictions on the Use of Cash) Bill 2019*, continue to narrow our options for trading, putting our livelihoods at risk and failing to acknowledge that sex work is work.

Privacy

Concerns around the erosion of the right to privacy were identified by sex workers. We note that the culture created by COVID-19 contact tracing and proof of vaccination can have damaging impacts on sex worker privacy, and have seen this materialise through requirements for sex workers to provide documents containing our legal details to managers and operators. Moves towards erosions of digital privacy and security through threats to encryption and the upcoming *Social Media (Anti-Trolling) Bill 2021* are of great concern to sex workers, who require control over our own online and IRL privacy to protect our safety at work.

COVID-19

Responding to COVID-19 is an ongoing health, labour and political issue for Australian sex workers. The pandemic shed further light on inequalities relating to job security, welfare and healthcare access, and the ongoing and inaccurate 'vectors of disease' stigma that has accompanied sex work for so long. Even in places where sex work is decriminalised, the work of sex work is poorly understood by governments, leading to misguided decision-making on issues like workplace closures and other public health measures. Asserting ourselves as part of the community response to COVID-19 - rather than a threat to it - was consuming work that pulled resources away from our community in crisis.



KEY COMMUNITY DEVELOPMENT WORK

Health promotion

Sex workers are named as a priority population in the National BBV and STI Strategies, the most recent iteration of which acknowledge the importance of decriminalising sex work in the national response to BBVs and STIs. The newest iteration of the Strategies will encompass a longer time period. Our members have acknowledged the importance of continuing to progress policy agendas that support sex workers' access to health services, and to continuing to protect the gains made in the sex worker BBV and STI response through enabling active and vibrant sex worker peer organisations to continue their work maintaining low rates of BBV and STI transmission among sex workers.

In 2021, Scarlet Alliance and our member organisations began coordinating a national health promotion project to respond to the health trends in our community. Our consultation phase revealed key barriers to accessing appropriate sexual health care, including criminalisation of sex work and of STIs and BBVs, mandatory BBV and STI testing, discrimination and stigma in accessing health services, and the ongoing impacts of COVID-19 on available services.

As we build a body of evidence on the impacts of stigma on sex workers' access to healthcare through our involvement with the [Sex Work Stigma Research Collaboration](#) with the Centre for Social Research in Health, we confirm what sex workers have always known from experience: that taking meaningful action against stigma must be a high priority in sex worker health promotion work.

Online community-building

Sex workers are regularly deplatformed, shadowbanned and placed on continual 'community guidelines' cautions in online spaces. This has led to a de-centralisation of the online spaces we have used to advocate, share information, and network with peers. Our membership expressed support for new online avenues for sex workers to connect with each other, share information and engage in advocacy in sex worker-only online spaces, particularly those that are autonomously owned or on platforms that are sex worker-inclusive.

Peer education

Scarlet Alliance is currently reviewing and updating our national online peer educator training project to improve its content and renew its relevance in the community. The program focuses on community development, peer education, and best practice for sex worker peer educators. We received community feedback about how to make the project more accessible to sex workers of all backgrounds and facilitate different avenues for sex workers to get involved in peer education. A key aspect of this discussion was acknowledging that peer education occurs in a range of contexts and at differing levels of formality. This will inform the development of new training modules, including a practitioner training component that supports sex worker peer educators to deliver training to professionals in the health and social services sectors.

Representation and resourcing

During National Forum, our membership called for more representation and funding for sex workers with disability, Aboriginal and Torres Strait Islander sex workers and trans and gender diverse sex workers. Support was expressed for the formation of new advisory mechanisms, development and maintenance of peer spaces for specific groups within our community, and the development of resources tailored for each. These discussions acknowledge that more space, resourcing and funding needs to be given to sex workers who experience compounding stigma due to our intersecting identities.

