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Womens Safety and Justice Taskforce  
GPO Box 149 BRISBANE QLD 4001  
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## **Respect Inc Submission "Legislating Against Coercive Control"**

Respect Inc is the state-wide sex worker organisation in Queensland. Our organisation provides a comprehensive health promotion and peer education program for sex workers. Respect Inc has offices and sex worker drop-in spaces in Cairns, Brisbane, Townsville and the Gold Coast and provides regional outreach in other locations.

Respect Inc engages with sex workers in Queensland, some of whom have or are experiencing coercive control. Our State Coordinator attended the focus group meeting on this topic in June 2021. The 13 options presented in the discussion paper are extensive and detailed, and it is clear much work has gone into the process to get it to this point.

### Current non-legislative responses to coercive control:

Community-controlled health organisations are a very important part of the process to assist those who are experiencing coercive control. Unfortunately front line services are under-resourced, and often can only open from 9 - 5pm (Monday-Friday). This is a barrier to a person taking action if or when they are experiencing coercive control.

Unfortunately, sex work is not regarded as a legitimate profession in Queensland, due in part to many areas of the law making the activities relating to sex work illegal. Decriminalisation is a legislative response to this shortfall and will improve general access for sex workers to all aspects of justice.

Finally, as the Women's Safety and Justice Taskforce are painfully aware, there are not enough beds, short or long term, for people who are experiencing domestic violence, even when the person is clearly at risk of physical harm. Community, government and QPS attitudes towards intimate violence are in deficit. Victim blaming is common. And yet, when the person is trying to escape there are few or no options. Coercive control does not come with physical symptoms - as such it is taken even less seriously. There is a huge problem with misogyny, homophobia, transphobia and whorephobia in this nation. These social attitudes and resulting discrimination play a major part in creating barriers for those trying to escape or remedy coercive control in their lives outside of the criminal justice system.

### Legislating against Coercive Control

As a non-government community agency, we have observed that the QPS does not take advantage of our referral work. Our staff are engaging with sex workers who are experiencing a range of crimes being committed against them; however, when we do police referrals the process stumbles. Lack of police training, and sex workers being enthusiastically threatened with criminal charges when they try to report crimes, is the major barrier. No

legislative response to coercive control will be effective for sex workers unless it is accompanied with culture change within QPS and the decriminalisation of sex work in Queensland.

### Options for Reform

#### Options which stood out as practical for our community:

- Option 4, adding coercive control to the torture definition via 'cruelty'. This would also capture elder abuse and thus ensure broad coverage of the types of situations within which coercive control occurs.

#### Options which raise concern for our community:

- Options 11, 12 and 13, which all discuss methods of monitoring and registration, do not sit well with the sex worker community. This type of state control, while appearing practical on paper, is easily avoided by those defendants who can afford good legal representation, which results in an over-representation of people from marginalised backgrounds, and Aboriginal and Torres Strait Islander people who are more heavily targeted by police. Respect Inc observe that this problem is compounded for sex workers who are also Aboriginal and/or Torres Strait Islander people, sex workers living with chronic mental health issues, HIV positive sex workers and trans women sex workers.
- The inclusion of Expert Evidence and Jury Directions is seriously concerning to Respect Inc. In our experience there are far too many 'experts' prepared to deny our agency, resulting in sex workers being extremely marginalised in court proceedings. If special experts were invited to give advice to the court about sex work, it should be sex workers ourselves, from our community organisations. We are accountable and responsible and know the harms that come from prejudice of the nature that sex workers experience in court.

In conclusion, while sex workers support the efforts of the Women's Safety and Justice Taskforce, a legislation-only focus does not address the barriers we experience when trying to address situations of coercive control for ourselves or our peers. Lack of crisis beds, lack of short and long term housing for survivors, discrimination and targetting by police, criminal laws that are used against us by QPS all too often, and prejudice in the court systems are all barriers to accessing solutions written in legislation.

Thank you for considering our submission to this process.



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