



Anti-Discrimination Commission Queensland Lawful Sexual Activity

The Queensland *Anti-Discrimination Act 1991* (the Act) has been amended. One of the changes involves lawful sexual activity, which, under the Act, has been re-defined to mean a person's status as a lawfully employed sex worker (whether or not self-employed).

What is lawful sex work?

Generally speaking it is lawful sex work where a person:

- Works as a sole operator, who visits clients or works out of their own home, and doesn't work with or employ any staff, except for licensed security guards; or
- Works in a licensed brothel.

For more information and advice about this, please contact the Prostitution Licensing Authority on 3109 4900, or SQWISI on 3844 4565.

What does this mean for me?

It will be unlawful to treat you unfairly because of your lawful sexual activity in certain areas such as:

- Work - including when you apply for jobs, or your conditions at work. You're also covered whether you work full-time, casually or part-time.
- renting or buying property
- education - going to university or college, or enrolling for a course
- goods and services - buying things in shops or hotels, or using the services of professionals or tradespeople, applying for credit or a loan
- dealing with insurance or superannuation agencies
- using, or trying to use state or local government services

For you to lodge a complaint under the Act, you need to show you have been treated less fairly than someone else because of your lawful sexual activity in an area covered by the Act.

For example: a real estate agent refuses you private accommodation when she/he becomes aware of your occupation, or a bank refuses to give you credit facilities when your occupation becomes known. This is despite your stable financial record, and seems to be because of your lawful sexual activity.

So, how do I go about making a complaint to you?

Confidential information is available on our 1300 130 670 line.

If you want to make a complaint, it must:

- be in writing (complaint forms are available by phoning the number above, calling into the nearest office, or from our website on www.adcq.qld.gov.au)
- be lodged within 12 months of the discrimination happening
- have enough information in it to show that the Act has been breached – the discrimination must be because of your lawful sexual activity, and needs to give enough detail about it for us to be able to make an assessment. This is important – we can always ask you for more information, but it's much easier if it's all there to start with.

You might also want to think about dealing with the behaviour without making a complaint to this Commission. You could try talking to the person or the group you think is discriminating against you. You might want to contact your own organisation such as SQWISI and get some support. However, you can lodge a complaint with the Commission without doing any of this - the choice is yours.

What happens then?

We'll assess your complaint and see whether it falls within the Act. We might also conduct some other investigation, or ask people for more information. We will probably call a meeting between you and the person named in your complaint, where you'll all have a chance to discuss the issues in the complaint, and to come to some sort of settlement.

This meeting is private, informal and run by the person handling your complaint. If your concerns aren't resolved here, the complaint may be referred to the Anti-Discrimination Tribunal, where a public hearing will be conducted, and a decision made based on the evidence presented. You can also choose not to refer to the Tribunal.

What else do I need to know?

The Commission runs information sessions about the Act. You might want to call one of our offices to arrange a talk.

You might also want to check one of our offices or the website.

Please contact one of our offices for more information, and please feel free to copy this leaflet and give it to a friend. We're keen to spread the message that it's against the law to discriminate against people on the basis of lawful sexual activity.

This information is intended as a guide only. It is not a substitute for legal advice. For more information [contact the Commission](#) on 1300 130 670 statewide or Teletypewriter 1300 130 680 statewide.

Version September 2003

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