



www.respectqld.org.au

info@respectqld.org.au

ABN 47 552 535 661

Certificate of Incorporation IA37574

15 August 2025

NSW Law Reform Commission
Locked Bag 5000
Parramatta NSW 2124
nsw-lrc@dcj.nsw.gov.au

To the NSW Law Reform Commission,

Thank you for the opportunity to present our Submission on Consultation Paper 24—Review of the *Anti-Discrimination Act 1977* (NSW): Unlawful conduct.

Respect Inc is the state-wide sex worker organisation in Queensland and has been providing a comprehensive health promotion and peer education program for Queensland sex workers for over 17 years. Respect Inc has offices and sex worker drop-in spaces in Cairns, Brisbane and the Gold Coast and provides regional outreach in other locations throughout Queensland. Our submission is informed by the lived experiences of sex workers and the extensive consultation undertaken when Queensland reviewed its anti-discrimination protections and ultimately included the attribute 'sex work activity'. Sex workers often travel regionally, interstate and internationally for work so legislation changes in other jurisdictions are particularly relevant for our community.

The *Anti-Discrimination Act 1977* (NSW) ('ADA') is long overdue for revision as it has failed to adequately protect sex workers in NSW from discrimination, vilification and harassment. The ADA is not only out of alignment with anti-discrimination protections in neighbouring jurisdictions like Queensland and Victoria, but it sits in stark contrast to the once trail-blazing legislative changes that brought partial decriminalisation to NSW (a world first) over 30 years ago.

We have not had the capacity to respond exhaustively to each question and have instead focused our answers on the most acute issues sex workers are experiencing. We have had the opportunity to read and endorse the joint submission made by Scarlet Alliance and the Sex Worker Outreach Project NSW (SWOP NSW), which provides more detailed feedback on the Consultation Paper.

We look forward to engaging with the next stage of the ADA Review and would like to reiterate how important it is for our community that sex workers are protected from discrimination and vilification by a new attribute 'sex work activity', and that barriers to accessing redress including the comparator test are removed. Changes to the ADA will not be complete without the introduction of representative complaints, and pseudonymous complaints.

Allowing peer-based organisations like SWOP NSW to make complaints on behalf of sex workers in NSW is vital. We know that permitting sex workers to make a complaint without using their legal name would increase the number of reports made and reinforce the protections created by introducing the new protected attribute of 'sex work activity'.

Sincerely,

Carly Nichol

Chief Executive Officer

Executive Summary

The *Anti-Discrimination Act 1977* (NSW), ('the ADA'), is out of step with best practice anti-discrimination protections both nationally and internationally and must be reformed. The ADA undermines the partial decriminalisation of sex work in NSW and has failed to keep up with the protections available to sex workers in other parts of the country such as Queensland.

Sex workers experience extremely high levels of discrimination, and reporting of discrimination is very low.¹ This submission is informed by consultations, workshops and online discussions held by Respect Inc during reform of Queensland's anti-discrimination legislation, and a survey by DecrimQLD of 204 sex workers on experiences of discrimination and barriers to reporting. In the survey, 72.5% of participants had experienced discrimination and a further 14.2% were unsure if what they had experienced would be considered discrimination. This scale of discrimination points to widespread and normalised unfavourable treatment of sex workers across many areas of life. Survey participants provided detailed examples in the areas of goods and services provision, healthcare settings, accommodation, banking, superannuation and insurance, education, work, police and administration of state laws and programs, as well as sexual harassment and vilification. Queensland sex workers travel to other jurisdictions for work, including to New South Wales. Anecdotal evidence suggests sex workers also experience high levels of discrimination in New South Wales.

Recommendations

It is our submission that the ADA be reformed and we make the following recommendations:

Recommendation 1: That the ADA state that direct discrimination occurs when a person treats, or proposes to treat, another person unfavourably because of a protected attribute.

Recommendation 2: That the ADA state that indirect discrimination occurs when a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of causing a disadvantage to person/s with an attribute, and that requirement is not reasonable.

¹ Respect Inc & DecrimQLD, Synopsis 1: Unprotected & Under-reported
<https://respectqld.org.au/wp-content/uploads/Synopsis-1-ADA.pdf>

Recommendation 3: (past and presumed attributes): That the ADA includes that both direct and indirect discrimination may be based on:

- a protected attribute that a person has had in the past
- a protected attribute that a person is presumed to have.

Recommendation 4: That the ADA be restructured to outline:

1. What discrimination is prohibited (definition of discrimination).
2. Who is protected from discrimination (list of protected attributes).
3. What situations people are protected from discrimination in (prohibited areas of discrimination).

All protected attributes should be protected from both direct and indirect discrimination in every prohibited area.

Recommendation 5: That the ADA prohibit discrimination based on 'one or more protected attributes, or the combined effect of two or more attributes'.

Recommendation 6: That the ADA state that:

- **Direct discrimination** occurs when a person treats, or proposes to treat, another person unfavourably because of a protected attribute.
- **Indirect discrimination** occurs when a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of causing disadvantage to person/s with an attribute, and that requirement is not reasonable.

Recommendation 7: That the ADA include that both direct and indirect discrimination may be based on:

- a protected attribute that a person has had in the past.
- a protected attribute that a person is presumed to have.

Recommendation 8: That the ADA include a protected attribute of '***personal association with a person with a protected attribute***'.

Recommendation 9: That the ADA include a protected attribute of '***sex work activity***'. The new attribute should be defined as:

'Sex work activity' means the provision of the following services for payment or reward:

- (i) services that involve the person participating in a sexual activity with another person;
- (ii) services that involve the use or display of the person's body for the sexual arousal or gratification of another person.

'Sex worker' means a person who engages, has previously engaged, or who is thought to engage in sex work activity.

This attribute should be protected from direct discrimination, and vilification. There should be no specific exceptions for the attribute of 'sex work activity'.

Recommendation 10: That the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life including work.

Recommendation 11: That the ADA repeal the exception for small businesses or small partnerships.

Recommendation 12: That the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life including education.

Recommendation 13: that the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life, including the provision of goods and services.

Recommendation 14: that the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life, including accommodation.

Recommendation 15: That the ADA specifically prohibit discrimination in the area of '**government functions and the administration of laws**'.

Recommendation 16: That the ADA:

- repeal the exception permitting discrimination by any 'act or practice of a body established to propagate religion'.
- repeal the exception permitting discrimination by aged care providers.
- repeal the exception permitting discrimination by faith-based adoption services.

- repeal all provisions permitting private educational authorities to discriminate in the areas of work and education.
- not include any exceptions for the sex worker attribute.

Recommendation 17: That the ADA:

- expand the test for vilification to state that vilification may include incitement of hate or conduct that is 'reasonably likely to offend, insult, humiliate, intimidate or ridicule a person with a protected attribute'.
- explicitly state that a 'public act' includes public online conduct, broadcasting and public conduct that is visible from private land.
- expand anti-vilification protections to all protected attributes, including sex work activity.

Recommendation 18: That the ADA include a general prohibition against sexual harassment.

3. Tests for Discrimination

Question 3.1: Direct discrimination

Question 3.2: The comparative disproportionate impact test

Extensive consultation done by Respect Inc shows that sex workers experience high levels of discrimination and that reporting of discrimination is incredibly low. The current 'comparator test' is complicated, outdated and has proven to be inadequate in providing sufficient protection from discrimination for sex workers or other marginalised communities.

We suggest the comparator test be replaced with a test that instead focuses on 'unfair treatment' rather than treatment in comparison with another person. This test should allow for the inclusion of future discrimination where the harm has not yet occurred but is going to happen.

We know that the comparator test has failed to protect sex workers experiencing discrimination, and there are several cases that demonstrate this in Queensland. In *Payne v APN News & Media* (2015) the sex worker's unfavourable treatment would have required comparison with a non-sex worker advertising in the 'personals' section, even though the only profession advertising in that section were sex workers. In *Dovedeen Pty Ltd v GK* (2013) a Queensland sex worker was thrown out of a motel and the subsequent application of the comparator test took up much of the judicial discussion. Both cases highlight the inadequacy of the comparator test in practice. This type of discrimination against sex workers in Queensland is now unlawful. We submit that the comparator test is insufficient and must be replaced. We note that the *Building Belonging* Report from the Queensland review of the Anti-discrimination Act recommended removal of the comparator²:

The current approach is complex, technical and should be simplified, and in particular the requirement to establish a comparator should be removed.

The inclusion of a comparator makes it unfeasible to argue discrimination based on combined grounds.

Given the limitations identified with other potential approaches, the unfavourable treatment approach is preferred.

² Queensland Human Rights Commission, *Building belonging: Review of Queensland's Anti-Discrimination Act 1991* p. 95 (July 2022).
https://www.qhrc.qld.gov.au/_data/assets/pdf_file/0012/40224/QHRC-Building-Belonging.WCAG.pdf.

Recommendation 1: That the ADA state that:

Direct discrimination occurs when a person treats, or proposes to treat, another person unfavourably because of a protected attribute.

Question 3.3: Indirect discrimination and inability to comply

Question 3.4: Indirect discrimination and the reasonableness standard

The 'inability to comply' element is unnecessary, confusing and creates barriers to accessing redress for people experiencing discrimination. On one hand, anyone who complies with the treatment is unlikely to be accessing the ADA, and on the other hand the test could be interpreted literally and leave out genuine cases of discrimination. For example, sex workers may not wish to use their legal name for reasons of privacy when accessing certain services. If the service requires their legal name then the sex worker is unlikely to participate and loses access to the support. The sex worker may not satisfy the 'not able to comply' test in this circumstance because they are technically able to use their legal name but the risk or cost to their safety is not taken into account in this requirement, which is where the indirect discrimination occurs.

Recommendation 2: That the ADA state that:

Indirect discrimination occurs when a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of causing a disadvantage to a person with an attribute, and that requirement is not reasonable.

Question 3.5: Indirect discrimination based on a characteristic

Recommendation 3 (past and presumed attributes): That the ADA includes that both direct and indirect discrimination may be based on:

- a protected attribute that a person has had in the past.
- a protected attribute that a person is presumed to have.

Question 3.7: Direct and indirect discrimination

Recommendation 4: That the ADA be restructured to outline:

1. What discrimination is prohibited (definition of discrimination).
2. Who is protected from discrimination (list of protected attributes).
3. What situations people are protected from discrimination in (prohibited areas of discrimination).

All protected attributes should be protected from both direct and indirect discrimination in every prohibited area, unless a legitimate and reasonable exception applies.

Question 3.8: Intersectional discrimination

The protections in the ADA do not adequately represent how discrimination occurs in the real world. Sex workers experience extremely high rates of discrimination and often for more than one attribute. This creates a compounding effect and further marginalises the most vulnerable members of the sex work community. Sex workers intersect with many other communities including the LGBTIQ+ community, Aboriginal and Torres Strait Islander peoples, people living with HIV, people with disability, people who use drugs, people of all ages, racial, cultural and educational backgrounds, and members of most religions.

In a recent survey of sex workers in Queensland, participants described a wide range of circumstances under which discrimination was experienced, with some listing as many as six different attributes in one response and many stressing the continuous and oppressive nature of the discrimination faced.

In Queensland, there has been a long legacy of police targeting Asian sex workers, irrespective of the sex worker's actual nationality, ethnicity or visa status. Australian citizens of Asian ethnicity or appearance were targeted by police who incorrectly assumed that all Asian sex workers are working illegally. This harmful stereotype is often portrayed in the media and reinforced by police and Border Force despite having no evidentiary substance. Sex workers who are transgender, Aboriginal or Torres Strait Islander, living with HIV, drug users or street based are also particularly visible and vulnerable to discrimination due to persistent, harmful, incorrect stereotypes. We submit that the ADA must include intersectional discrimination in order to adequately protect NSW sex workers.

Recommendation 5: That the ADA prohibit discrimination based on 'one or more protected attributes, or the combined effect of two or more attributes'.

Question 3.9: Intended future discrimination

The ADA must protect sex workers against future instances of discrimination. We should not have to wait until the harm has occurred to qualify for redress. Including future discrimination within the tests for both direct and indirect discrimination would act as a preventative measure and bring NSW in line with best practice discrimination protections available to marginalised communities including sex workers in other jurisdictions.

Sex workers regularly receive notice of intended future discrimination and currently have no options under the ADA. Accommodation providers and non-sex work workplaces often state that sex workers are not welcome in their policies and advertisements. Sex workers should be able to make complaints about this conduct on behalf of sex workers under the ADA before harm has occurred. We know that once sex workers experience discrimination, the percentage willing to make a complaint is very low, and introducing these changes could remedy that.

Recommendation 6: That the ADA state that:

- **Direct discrimination** occurs when a person treats, or proposes to treat, another person unfavourably because of a protected attribute.
- **Indirect discrimination** occurs when a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of causing disadvantage to person/s with an attribute, and that requirement is not reasonable.

4. Discrimination: Protected Attributes

Question 4.9: Extending existing protections

Due to the high level of stigma associated with sex work, discrimination experienced by our community often occurs regardless of whether we are still doing sex work or not. We see examples of this regularly where a sex worker who is no longer doing sex work experiences discrimination within new career opportunities due to information about their past as a sex worker being discovered.

The stigma of sex work and resulting discrimination does not only affect sex workers or people assumed to be doing sex work but also our friends, relatives, partners and close

associates. An unfortunately common example of this is where sex worker's children experience discrimination at school due to their parent's sex work activity. We recommend these people be protected from discrimination by the ADA also with their own protected attribute.

Recommendation 7: That the ADA include that both direct and indirect discrimination may be based on:

- a protected attribute that a person has had in the past.
- a protected attribute that a person is presumed to have.

Recommendation 8: That the ADA include a protected attribute of '*personal association with a person with a protected attribute*'.

5. Discrimination: Potential New Protected Attributes

Question 5.2: Potential new attributes

It is undeniable that sex workers experience high levels of discrimination and warrant inclusion under a specific and clear attribute that is supported by a definition covering all sex workers. While there are multiple opinions on the best attribute and definition it is critical that sex workers' experiences are considered in this decision. SWOP NSW and Scarlet Alliance are best placed to inform the development of the most appropriate attribute and definition for New South Wales.

'Lawful sexual activity' is ineffective

Prior to decriminalisation in August 2024, Queensland listed 'lawful sexual activity' as a protected attribute in the *Anti-Discrimination Act 1991* (Qld). 'Lawful sexual activity' failed to provide clear direction as to who was covered by the attribute and what activities were protected from unlawful discrimination to the Queensland community, services and institutions as well as to the Human Rights Commission, QCAT and the courts. This was demonstrated by the lengthy legal debates over the attribute and definition that have ensued in each case heard by the tribunal and the confusion among lawyers, sex workers and services as to rights and responsibilities. The lack of effectiveness of this attribute led us to state in our submission to the Queensland process that 'lawful sexual activity' is severely limited, to such a degree that it is wholly ineffective in the majority of cases. Courts have

determined the attribute as only covering the 'status' of being a lawful sex worker and not the activity of the work itself. It is also limited to covering only individuals who undertake 'lawful sex work...'

Sex work activity: Preferred attribute

In Queensland we supported the introduction of 'sex work activity' as a more effective replacement as the previous attribute was proven to be ineffective in providing protection for sex workers and left out some of the most vulnerable members of our community.

We support SWOP NSW and Scarlet Alliance in recommending 'sex work activity' as a new protected attribute in the ADA.

Sex work activity should be defined to include all sex workers, regardless of the sector of the industry of their work. This includes, but is not limited to, sex workers who work in person, online, are street based or work opportunistically. It is important that all sex workers be protected under a clearly defined attribute that covers both their status and practical engagement in sex work.

Occupation, trade, profession, or calling: Lack of evidence

The Scarlet Alliance Briefing Paper: Anti-Discrimination & Vilification Protections For Sex Workers in Australia states: 'There is a common misconception that attributes 'occupation', 'trade', 'profession', or 'calling', and 'lawful sexual activity' provide redress for sex workers.' We agree with this assertion as there is no evidence to demonstrate the effectiveness of this approach or that a protection generally for a range of other work is necessary. We are also concerned that our experience in Queensland, where protection for sex workers was previously embedded under a broad attribute, resulted in a lack of awareness in the community that discrimination against sex workers was unlawful.

We do not recommend any exceptions to sex work activity as a protected attribute.

Recommendation 9: That the ADA include a protected attribute of '**sex work activity**'.

The new attribute should be defined as:

'**Sex work activity**' means the provision of the following services for payment or reward:

- (i) services that involve the person participating in a sexual activity with another person;

(ii) services that involve the use or display of the person's body for the sexual arousal or gratification of another person.

'**Sex worker**' means a person who engages, has previously engaged, or who is thought to engage in sex work activity.

This attribute should be protected from direct discrimination, and vilification. There should be no specific exceptions for the attribute of 'sex work activity'.

6. Discrimination: Areas of Public Life

Question 6.1: Discrimination at work: Coverage

Sex workers working in another profession report being susceptible to discrimination when it becomes known they are also a sex worker or they were previously a sex worker. There is no evidence to suggest current or previous sex work has any impact on non-sex work work. There have been numerous cases in Queensland when this type of discrimination at work has resulted in sustained harassment, discrimination³, sacking or humiliation resulting in the person feeling they have no option but to resign.

Recommendation 10: That the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life including work.

Question 6.2: Discrimination in work: Exceptions

Respect Inc regularly receives reports of sex workers experiencing discrimination at non-sex work workplaces. We recommend the repeal of the current exception for small businesses or partnerships as it is too broad and would mean thousands of businesses remain lawfully able to discriminate against sex workers. We do not support any exceptions that allow discrimination against sex work activity in the area of work.

Recommendation 11: That the ADA repeal the exception for small businesses or small partnerships.

³ Herald Sun, 'Sex work allowed for teacher: Anti-Discrimination Commissioner Susan Booth', 8 November 2005. https://scarletalliance.org.au/news_item-2005-11-08-0932/

Question 6.3: Discrimination in education

Sex workers are routinely discriminated against in education settings. Respect Inc receives reports from sex workers who have experienced discrimination, exclusion and sometimes expulsion from TAFE, university and private educational colleges for their sex work activity, which is often disclosed without the sex worker's consent. Academics and students who are 'out' in universities have also reported high levels of discrimination. We do not support any exceptions relating to sex work activity and education.

Recommendation 12: That the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life including education.

Question 6.4: The provision of goods and services: Coverage

In 2024 the UNSW Stigma Indicators Monitoring Project found that 37% of health care workers self-reported likely negative behaviour toward sex workers. This statistic is not a surprise to us as we know sex workers experience discrimination based on their sex work activity regularly from financial institutions, medical practitioners, health professionals, mental health services and many other providers of goods and services. Sex workers report being asked to leave, having accounts closed or blocked and being charged higher fees due to their sex work activity.

Some examples of intersectional discrimination described by our Queensland survey participants include:

- Participant 50 said, 'I have been judged, looked down on, harassed, assaulted, bullied, denied care, ignored, the list goes on'.
- Participant 48 said, 'A doctor who I told had the receptionist call to cancel my follow up appointment and told me to see another doctor at the practice or go elsewhere'.
- Participant 65 said, 'Have been to health care that has blamed all [my] issues on sex work and not been able to give bone marrow to someone due to being a sex worker'.

Sex workers reported feeling highly discriminated against in interactions with doctors and other health professionals. Some discrimination was moralistic (practitioners refusing to engage) or paternalistic (being told that it would affect their mental or other health).

Recommendation 13: That the ADA prohibit discrimination based on ‘**sex work activity**’ in all currently recognised areas of public life including the provision of goods and services.

Question 6.7: Discrimination in accommodation: Coverage

Sex workers face chronic and systematic discrimination and precarity in housing and accommodation in NSW. This discrimination and precarity can create its own cascade of additional obstacles, cause a direct risk to our safety, and be experienced as intersectional marginalisation. Examples of discrimination faced by sex workers in housing and accommodation in Queensland include:

- direct and brazen discrimination by real estate agents and relators,
- being evicted from public housing,
- being evicted and harassed by strata management,
- being denied crisis housing,
- being forcibly removed from hotels or motels in the middle of the night in rural areas,
- being charged extra, and
- facing demands for sex or immediate and unfair eviction.

We support discrimination protections for sex workers in the area of accommodation. We do not support any specific exception that allows discrimination against sex workers in the area of accommodation. Queensland sex workers endured the impact of an exception that made accommodation discrimination lawful. The outcome was widespread over-charging, evictions and harassment.⁴ Queensland repealed the exception because it normalised widespread discrimination against sex workers. Sex workers deserve fair and safe access to temporary accommodation and housing. Normal remedies for noise complaints, use of buildings, etc. will continue to apply to sex workers in the same way as any business or resident.

Sex workers experience discrimination in securing accommodation; whether that be entering into residential leases or seeking a mortgage to purchase a home. This is often the case even for sex workers on high incomes, as they are unable to provide the documents that landlords or institutions require and they are unable to demonstrate that their work is secure

⁴ Eden Gillespie, "Forced to move home": discrimination of Queensland sex workers needs to end, say advocates', *The Guardian* (20 April 2022). <https://www.theguardian.com/australia-news/2022/apr/20/forced-to-move-home-discrimination-of-queensland-sex-workers-needs-to-end-say-advocates>.

and ongoing. As it stands, landlords and real estate agents can and do discriminate against sex workers, exposing them to a higher risk of homelessness.

Recommendation 14: that the ADA prohibit discrimination based on '**sex work activity**' in all currently recognised areas of public life including accommodation.

Question 6.12: Additional areas of public life

The government should have to comply with its own laws. Sex workers face discrimination, exclusion and stigma when accessing or interacting with essential services such as Public Housing, Local Government and Planning, police, Border Force and Corrective Services. In many cases, the discriminatory or stigmatising conduct is due to individual or organisational practice rather than required by policy or legislation. NSW government agencies and authorities must be subject to anti-discrimination law.

Recommendation 15: That the ADA specifically prohibit discrimination in the area of '**government functions and the administration of laws**'.

7. Wider Exceptions

Respect Inc does not support any exceptions to discrimination against the protected attribute of 'sex work activity'. Sex workers report experiencing discrimination from religious or faith-based organisations as well as from different educational institutions. Sex workers have experienced being excluded from studying after being 'outed', and sex workers working at educational institutions have reported experiencing discrimination including and up to being fired once their sex work activity is discovered by their employer.

Respect Inc recommends the narrowing of exceptions to discrimination currently available in the ADA. To widen the exceptions would undermine the purpose of protections made available to marginalised communities in NSW.

Respect Inc often assists vulnerable sex workers in accessing crisis accommodation and other essential services including education, other types of housing and support services. Often these services are delivered by faith-based organisations and either directly or

indirectly discriminate against sex workers and/or sex work activity. Examples of this include women being told they cannot be offered a place in a homeless shelter because of the risk they will undertake sex work there. We agree with Scarlet Alliance and SWOP NSW that any organisation receiving public funding in NSW should not be permitted to discriminate against sex workers.

Recommendation 16: That the ADA:

- repeal the exception permitting discrimination by any ‘act or practice of a body established to propagate religion’.
- repeal the exception permitting discrimination by aged care providers.
- repeal the exception permitting discrimination by faith-based adoption services.
- repeal all provisions permitting private educational authorities to discriminate in the areas of work and education.
- not include any exceptions for the sex worker attribute.

8. Civil Protections Against Vilification

We know that sex workers experience high levels of vilification from not only the general public but also regularly online and in the media. It is unacceptable in 2025 for a marginalised community to be lawfully vilified in such ways so often. The ADA does not currently provide any protection against vilification for sex workers. We recommend ‘sex work activity’ (as defined above) be included as a protected attribute against vilification.

The current test for vilification is also too difficult to prove, which creates barriers for access to justice for sex workers. We recommend NSW expand the current test to include the ‘harm-based’ test as well. The definition of ‘public act’ must also be expanded to explicitly state that public online conduct, broadcasting and public conduct visible from private land is included in the definition. Respect Inc does not support any exceptions to vilification against sex workers.

Recommendation 17: That the ADA:

- expand the test for vilification to state that vilification may include incitement of hate or conduct that is 'reasonably likely to offend, insult, humiliate, intimidate or ridicule a person with a protected attribute'.
- explicitly state that a 'public act' includes public online conduct, broadcasting and public conduct that is visible from private land.
- expand anti-vilification protections to all protected attributes.

9. Harassment

Sexual harassment is an important issue for sex workers. It is incorrectly assumed that just because sexual content is present in sex work workplaces (due to the nature of the industry) that sexual harassment is 'part of the job'. Harassment is as unacceptable in our workplaces as any other workplace. Sex workers must have access to sexual harassment protections in order to truly access their workplace and human rights made available through decriminalisation.

Recommendation 18: That the ADA include a general prohibition against sexual harassment.