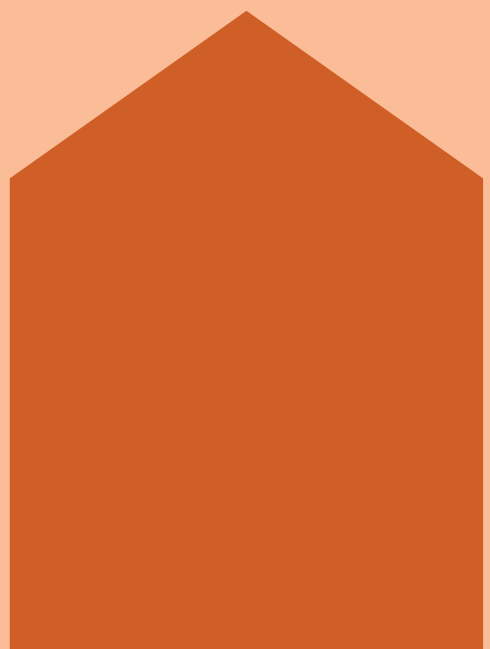


Southside Justice's Sex Worker Legal Program

18-month Impact Report

April 2024



Introduction & context

This report highlights the key achievements of Southside Justice's Sex Worker Legal Program (SWLP) during its initial 18 months of operation, from July 2022 to January 2024.

SWLP commenced as a state-wide service for all sex workers in Victoria, following a two-year grant of funding from the Victorian Government following the Sex Work Decriminalisation Act (2022). SWLP is Victoria's first funded, dedicated, free legal program for sex workers and one of just two legal programs for sex workers across Australia.

Southside Justice subsequently secured a three-year grant of funding from the Victorian Legal Services Board to further support the operation of the program. In its first 18 months, SWLP has:

- Provided sex workers across Victoria with legal advice and case work services
- Delivered training for the legal sector about decriminalisation and reducing stigma and discrimination
- Participated in multiple consultations about implementing decriminalisation
- Strengthened our partnership with Vixen, Victoria's peer sex worker organisation, including co-designing a three-year strategy for SWLP, a Monitoring, Evaluation and Learning Framework and service guidelines.
- Strengthened referral pathways and relationships with pro bono partners and community organisations.

After many years of harm caused by criminalisation, stigma and discrimination, and decades of sex worker advocacy and organising, Victoria has decriminalised sex work and introduced discrimination legal protections for sex workers. Legal reform is the crucial first step in recognising sex work as work, so that sex workers can advocate for their rights as workers and confidently participate in all aspects of community life.

Decriminalisation will bring about significant changes to the sex industry in Victoria. In this context, support services like SWLP exist to help ensure these changes are strongly grounded in a rights-based framework that promotes wellbeing, safety and inclusion for sex workers and the whole community.

What was delivered?

- 159 discreet services delivered (advice, information, supported referral)
- 30 ongoing case work files opened
- 67 people assisted, representing an 113% increase over 18 months
- Three online training sessions delivered to over 100 practitioners in the legal sector about sex work decriminalisation and reducing stigma and discrimination.

What was our impact?

SWLP is building trust with sex workers and our service users feel supported

Our data shows that Victorian sex workers are seeking our assistance at an increasing rate. This is encouraging data suggesting that the service's reputation and relationships are growing stronger, and that sex workers' awareness of their legal rights may be increasing.

The results of our SWLP's service user feedback survey show:

- 100% of respondents stated that they would recommend the service to other sex workers
- 100% of respondents agreed that they felt more confident than before about accessing legal help
- 100% of respondents felt welcome and safe accessing our service.

SWLP is helping make rights a reality – Lauren’s story

Lauren applied for a job which required a criminal history check. Lauren had prior convictions for street-based sex work offences. Lauren’s convictions were disclosed to her prospective employer in the criminal history check, even though they were spent convictions and should never have been disclosed. Lauren was unsuccessful in her job application.

Lauren approached SWLP for advice, unaware of law reform to decriminalise sex work in Victoria. In the years surrounding and since Lauren’s convictions, she had survived and escaped family violence. Lauren carried the weight of stigma and shame attached to many aspects of her personal history and story of survival, and she explained that having this period in her life brought up in a job application process was extremely upsetting. At the same time Lauren was also stressed about her financial position due to enforcement proceedings against her for unpaid fines incurred in her name by her abusive ex partner.

Over several appointments, a SWLP lawyer met with Lauren and provided advice and information about Victoria’s spent convictions scheme and sex work decriminalisation, as well as dealing with the fines. Lauren’s lawyer wrote to the provider of the criminal history check highlighting that they had unlawfully disclosed spent convictions.

Lauren’s lawyer sought a reissue of the criminal history check omitting the spent convictions, and advised Lauren about potential unlawful discrimination by an employer on the basis of her spent conviction and having been a sex worker, and the legal remedies available. Lauren’s lawyer also applied to Fines Victoria under the Family Violence Scheme resulting in over \$9000 of fines being cancelled.

With her fines cancelled, a corrected criminal history check, and an understanding that her convictions should not continue to impact her life going forward, Lauren chose to focus on continuing to seek employment. Lauren allowed Southside Justice to tell part of her story in a submission to government advocating for expungement of street-based sex work spent convictions.

Lauren told us that without her lawyer’s sense of empathy and compassion, she could not have otherwise engaged with a legal service to understand her position and her rights. Lauren told us, “I cannot thank you enough for all you have done for me ... it truly has changed my life.” Lauren’s partner reflected that it felt “like a weight had been lifted from Lauren’s shoulders”.

Lauren’s lawyer reflected that key legal reforms such as sex work decriminalisation and Victoria’s spent convictions scheme can have the greatest and most positive impact where the people most affected can access free, supportive and culturally safe legal services to make their rights a lived reality.

What have we learned?

Delivering the SWLP has brought to the surface a very diverse range of legal problems sex workers are dealing with including online image-based abuse, personal safety, discrimination, underpayment and contractual disputes, workplace health and safety.

We have needed to demonstrate significant flexibility to address community need and connect our service users with the right advice and support wherever possible.

The community we serve are even more diverse than the legal issues we are seeing, and we have reflected on how we can be as accessible, culturally safe and responsive as possible in that context.

In 2024, in response to feedback elicited through implementing our MEL framework, SWLP will focus on making our service more accessible by working with community to translate program information into key community languages.