



Choice v Access

A Touching Base NSW Workshop resource and handout

How does the right that individual sex workers have to decline a client, sit with the right of people with disability to access commercial sexual services without experiencing discrimination on the basis of their disability?

This discussion paper grew from discussions arising from ACCSEX, a moderated online chat room. The ACCSEX Committee is a community development project based in Melbourne, Australia, made up of people with disabilities and interested organisations who work together to address issues of access, training and research in sexuality, disability and human relationships.

The e-group has been set up to improve communications among people involved with the group. To start sending messages to ACCSEX, simply send email to accsex@egroups.com

George Taleporos wrote:

The email below that I received from Saul, was prompted by YET ANOTHER discussion that took place at the Feb Accsex Forum (boy did we cover some ground that day!) and that is touched on briefly in the Notes. It relates to the right of sex workers to refuse to service a client with a disability versus the right of people with disabilities to not be discriminated against by sex service providers.

I feel that Saul puts forward a very reasonable and convincing argument and would like you all to hear it. As he correctly points out, no one should be forced to have sex with someone they don't want to have sex with.

I am still wondering, however, what responsibilities do the managers of brothels have in relation to the Disability Discrimination Act? How do we all feel if disability discrimination is accepted in relation to the provision of sexual services - I, for one, am a little concerned. The thought of a person with a disability taking the chance and courage to seek out a sexual service and to then be refused because of their disability disturbs me a great deal. It would certainly have a devastating effect on that person's self esteem.

It is one reason for which it is so important that we work hard to educate the sex industry, as we are through TOUCHING BASE, with a training program for sex workers, so that such an incident should never happen.

Here is Saul's email and I invite your thoughts too.

Saul Wrote:

On another, much more sensitive issue, that I only bring up here briefly to let you know I'm giving it some thought - is the issue of the right of any individual sex workers to refuse any clients they don't want to supply intimate services too.

*To attempt to force anyone - regardless of their occupation, to have sex or intimate contact with someone they don't want to, regardless of the individuals personal reasons -(stated or otherwise), is sexual abuse - period.
Every sex worker has the right to deny or limit the services they provide to any potential client.*

I realise that it was possibly in the context of larger scale brothels, that this issue came up at your meeting - and I'm not sure how it would be best to approach getting owners to take up the issue of trying to ensure they have members of staff available who are able to willingly work with people with a disability.

But I do believe in this context, that ideas of litigation are best approached as an absolute last resort, as it will possibly end up causing more hostility than hospitality, from within the Industry.

Certainly Anti- Discrimination litigation would not be a valid option in pursuing the services of any particular individual worker, self-employed or working in a brothel or other establishment.

For example, as a gay men, it is unrealistic for me to insist a straight male sex worker should provide services to me, because if he doesn't he is discriminating against me on the basis of my gender. When it comes to sex - we're talking preferences. Everyone has got them, and has a right to lead their life according to them.

Less experienced, younger, or casual/part-time workers, are perhaps less likely to have had the opportunities to work through any number of a range of stigmas potentially inherited from society, including age-ism, weight-ism, racism and of course able-elite-ism.

Personally, if I don't like the tone of someone's voice - ie: my initial perception of their attitudes towards me - personally or professionally, I simply won't allow them to book a session with me.

Or if I detect a person has been drinking - I'll probably turn them away.

I also occasionally exercise the right to end a session, if I find myself unbearably uncomfortable at the thought of continuing being in the company of that client - for whatever reason.

This is one of the ways I maintain my integrity as a human, who happens to be a sex worker.

Cheers

Saul

S. G. responded with:

I normally don't answer to some of these but I felt compelled to. I have been to a brothel several times and I only once was I ever refused, the only reason I was refused is because they were unsure on what my disability limitations were and they were scared of helping or hurting me to much. In my opinion they have every right to refuse you.

But we have to be careful here because in some establishments (not including brothels) they have signs stating that the establishment can refuse you and not tell you a reason. However with brothels this still may be the case, and we as disabled persons may trip ourselves up and be worse off... I agree some sort of explanation should be given to the disabled person or to the carer (if one is present) so as not to offend. If I am told I cannot be seen to, I would be only too pleased to ask why. My point is use discrimination as a last resort, there must be other reasons that we need to know.

B.M. had this to say:

I think this is a fascinating discussion as the more the sex industry (brothels) moves into licensing, etc. the closer it gets to laws protecting service user rights, Anti-Discrimination Act, Disability Discrimination Act, etc. I agree with George T and am equally concerned if services are allowed to discriminate, sometimes, when it suits them. On the other hand Saul's points are well argued and make sense.

I guess that saying to sex worker you have to service anyone who rocks up is not only problematic for the sexworker (sexual assault) but also could be a very unsatisfactory and expensive experience for the client if the sexworker really doesn't want to be with them. Discrimination I guess is judged on why the service is being turned down. If it is because someone is drunk, violent or angry that makes sense, but someone's body shape, physical ability etc surely couldn't be reasonable grounds for denying service.

Is there currently a difference between private and brothel workers, in terms of right to choose?

This one has got me quite puzzled. Thanks for stimulating the old grey matter hope everyone is well,

B. M.

Hi Saul, with regard to your question... just of the top of my head...

On a practical level and considering the special needs of both groups, individual sex workers and people with disability, I suggest that business transactions are most likely to be successful on a referral, personal negotiation basis. I would not like to see people in a predominantly female service industry be forced to provide a sexual service for what is predominantly a male clientele - ever.

Erica Red,
Private Worker and Rights Activist
