Submission to Queensland's *Strategic Review of Queensland's human rights and anti-discrimination framework*

27 October 2026

1. Introduction

The Eros Association Incorporated (Eros) welcomes the opportunity to contribute to this critical review into the *Anti-Discrimination Act 1991* (QLD) (ADA). Eros is Australia's industry association for adult product retailers and wholesalers, media and entertainment. We advocate for comprehensive anti-discrimination protections for lawful occupations, including adult retail and sex work. Our submission proposes an additional protected attributes (expanding coverage to "profession, trade, occupation or calling").

QLD's current Act fails to protect adult industry business owners and workers from systemic discrimination in banking, finance, accommodation, healthcare, and digital services. This discrimination conflicts with Australia's international human rights commitments[1] and undermines the state's decriminalisation of sex work since 2024[2] and the legal operation of our members' businesses.

When adult retail workers get denied financial and insurance services because of their occupation, or sex workers face threats of sexual violence from clients, the ADA has failed. Work cannot be both lawful and unprotected.

[1] *International Covenant on Civil and Political Rights,* opened for signature 16 December 1966, 999 UNTS 171 (entered into force 23 March 1976) art.5(1) ('*ICCPR*').

[2] The *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024* (QLD) commenced in 2024.

Our members are proud of the inclusivity of Australia's adult retail industry. The people working in our industry are from all walks of life, reflecting the diversity of our customers and clients. Irrespective of your gender, disability or cultural background, if you are eighteen years of age or older you are welcome in our members' stores, venues and services. Our members don't discriminate and yet they face discrimination in their professional and personal lives because of the industry they work in. We therefore support the overall aim of this review to ensure the ADA is modern, practical and responsive.

2. Occupation as a Protected Attribute

2.1 The case for "profession, trade, occupation"

Thousands of people work lawfully in Queensland's sex industry businesses, adult product retailers and strip clubs. The ADA's current protected attribute of 'sex work activity', designed to protect sex workers, is a welcome legislative reform for sex workers who face high levels of sigma and discrimination.

However, there are many people working in the sex industry or adult industry who are not sex workers and are therefore not protected by this attribute. Sex industry occupations other than 'sex worker include:

- Adult product retailers & wholesalers;
- Escort agency drivers;
- Brothel/escort agency managers;
- Brothel/escort agency owners;
- Strip club managers.

This workers/staff in the above occupations are therefore vulnerable to:

> **financial exclusion:** banks/payment processors denying services
>
> **residential and commercial tenancy refusals:** landlords rejecting business owners in commercial leases; rejecting individuals (business owners and employees) in residential leases and accommodation

In 2020, one-third (33%) of Eros members reported discrimination in financial services, superannuation, and/or insurance in the previous 12-months.[3]

2.2 Interstate Models

ACT: *Discrimination Act 1991* (ACT) (s7(1)(p)) explicitly covers "profession, trade, occupation or calling."

Victoria: *Equal Opportunity Act 2010* (Vic) (s6(la)) explicitly covers "profession, trade, or occupation."

[3] Eros Association, *Financial Discrimination Update* (Report, 2020) https://eros.org.au/wp-content/uploads/2025/04/Financial-Discrimination-Update-1.pdf

2.3 Brothel Manager Successfully uses 'Occupation' Attribute

There is evidence that the protected attribute of 'profession, trade or occupation' is working. In Victoria, where the attribute has been in force since 2022[4], the only successful case brought to a tribunal was not a sex worker. It was a brothel manager who successfully sued a Victorian Government agency alleging unlawful discrimination on the basis of her occupation as a brothel manager. The brothel manager obtained a declaration from the Victorian Civil and Administrative Tribunal that the direct discrimination she experienced was unlawful, with the tribunal awarding her $5000 in damages for hurt and humiliation.[5]

A second Victorian case involved a sex worker alleging unlawful direct and indirect discrimination on the part of a financial service provider. The case culminated in a one-day hearing in September 2026. At the time of writing, a decision in that case is still pending.[6]

3. Key Recommendation

Insert an additional protected attribute of 'profession, trade or occupation' into the *Anti-Discrimination Act 1991* (QLD).

4. Conclusion

The adult industry seeks equality—not special rights. The Eros Association thanks you for your consideration and welcomes the opportunity to discuss these matters with your further.

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[4] See Part 5, Section 34 of the *Sex Work Decriminalisation Act 2022* (Vic).
[5] Hwang v Registrar of Business Licencing Authority [2024] VCAT 71
[6] *Roberts v Tyro Payments* (Victorian Civil and Administrative Tribunal, H174/2025, commenced 29 May 2025).