

Human Services Inquiry
Productivity Commission
Locked Bag 2, Collins Street East
Melbourne VIC 8003

Productivity Commission Issues Paper – Human Services: Identifying sector for reform

To Whom It May Concern,

Thank you for the opportunity to provide feedback on the Productivity Commission Issues Paper, Human Services: Identifying sectors for reform.

The Sex Workers Outreach Project (SWOP) was established 25 years ago and is Australia's largest and longest established community-based sex worker organisation focused on HIV, STI and Hepatitis C prevention, education and health promotion for sex workers in NSW. A key element in the success of SWOP's work is the building of strategic, collaborative and multidisciplinary working relationships with sex workers, and other key health, government and non-government organisations, advocating for a holistic approach to the health services provided to sex workers.

From the perspective of a health service delivery organisation tasked with protecting the health and safety of NSW sex workers, SWOP's overall comment in relation to the issues paper and the terms of reference, is that the real marker of success is not simply the cost-effectiveness of service delivery, it's improved outcomes to the individual and to public health. To measure this, one must also take into account the public health cost savings netted when marginalised groups of individuals achieve the same health and safety outcomes as other Australians. While some cost savings may be netted by introducing competition to this sector, we question whether in the long run competition will improve individual outcomes, particular when that individual is from a marginalised or stigmatised group.

In the issues paper the Commission notes that there are services that might not be appropriate for competition and contestability. SWOP would contend that the majority of services for sex workers, and for other stigmatised groups, including people who use drugs, HIV positive people, people who are gender and sexuality diverse, and people who are experiencing mental illness, competition would not be appropriate. Stigma can be so significant to members of marginalised communities that the experience of being stigmatised by an essential service like health can have extremely poor outcomes for the individual, including them becoming resistant to seeking health care in the future.

The information below addresses specific sections and requests for information in the issues paper:

The Commission is seeking participants' views on what constitutes improved human services. Do the concepts of quality, equity, efficiency, responsiveness and accountability cover the most important attributes of human services? If these are the most important attributes, how should they be measured or assessed?

SWOP would argue that a significant issue that these concepts fail to cover is community buy-in. With marginalised and stigmatised groups, having all the other qualities the Commission lists is essentially useless if an organisation is not able to build and maintain trust with the people it is funded to assist. Services that are not peer-led are unlikely to be well received by marginalised groups, like sex workers, or people who use drugs, or people who are sexuality or gender diverse.

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Services might lose community buy-in by expanding to include different communities or cultural groups using a one-size fits all approach to the language they use. In SWOP's area of expertise, approaching Aboriginal and Torres Strait Islanders who do occasional sex work and calling them sex workers, particularly in a public place where other community members might overhear, would destroy trust, because it is not a culturally appropriate term for this community.

SWOP addresses community buy-in in our organisation by being having a diverse team that includes a dedicated Aboriginal and Torres Strait Islander Officer, a Transgender Officer, a Multicultural Team with members who are Thai, Chinese and Korean (the key community languages spoken by sex workers in NSW), and a Male Project Officer alongside our female Outreach Team members who service the bulk of the NSW industry. These dedicated positions allow us to have community buy-in across the full range of sex workers working across NSW, and allow us to produce culturally sensitive, in-language resources that are different for each culturally diverse, or gender diverse, group of sex workers.

We would suggest that should the Commission introduce competition into this sector, community buy-in needs to be measured. It's all very well to offer up a cheaper service to Government, but if the community won't use your service, tax payer dollars are being poorly spent.

The Commission is seeking information on which human services have these characteristics:

- *service recipients are willing and able to make decisions on their own behalf and, if not, another party could do so in the best interest of the recipient*
- *user-oriented, timely and accurate information to compare services and providers can be made available to users so they are able to exercise informed choice or, if not, this could be cost-effectively addressed*
- *service recipients (or their decision makers) have sufficient expertise to compare alternative services and providers or, if not, this barrier could be overcome*
- *outcomes experienced by a service recipient and their family and friends in past transactions can inform which service and provider they choose in the future.*

While many sex workers are well versed in assessing the relative merits of services they use, sex workers (just like other Australian workers) in the grips of major life difficulties from homelessness, to mental illness, to problematic drug use, to legal issues, to workplace bullying or disputes with their employers over labour conditions or wages, may not have the ability to make an informed service choice, or have the tools (physical, fiscal and emotional) to access the information they need for this to occur.

Much of SWOP's work revolves around connecting sex workers with mainstream services, particularly when they present with complex needs. Sometimes this is as simple as providing numbers for an accountant who won't look askance at a sex worker when they explain what they do in the course of completing a tax return. It might also include facilitating contact with services ranging from emergency housing that doesn't discriminate against transgender women, to reporting crime to NSW Police, to access to justice or legal representation, all the way to support when attending court.

One of the key drivers for sex workers wanting a SWOP referral is stigma the individual may have experienced when accessing services in the past. As well as dealing directly with sex workers, SWOP

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also works to counter stigma by training organisations that sex workers encounter in their day to day lives, including health organisations, GPs, Local Health District staff, Sexual Health Centres, Aboriginal Medical Services and NSW Police, improving their ability to interact with sex workers without stigmatising them.

When it comes to making an informed choice about organisations and services, organisational stigma against sex work or drug use, is not the type of information most organisations will have listed on their website. Some organisations are completely unaware that their services are stigmatising to sex workers or drug users, or people who are gender or sexuality diverse. However an organisation's ideological beliefs being incompatible with a marginalised community member's lifestyle choices or identity can result in the individual feeling unable, or being unwilling, to use that service.

By way of an example, in their recent 2016 Red Shield Appeal campaign, the Salvation Army stigmatised sex workers and used triggering language about self-harming, despite claiming to be an appropriate organisation to deliver a range of services to both sex workers, and individuals who self-harm. Through advocacy by SWOP, sex workers and mental health organisations, this campaign was pulled, though not before the Salvation Army had distributed it to the letterboxes of countless sex workers and people who self-harm across Australia¹.

For specific human services, the Commission is seeking information on the nature of service transactions based on these characteristics:

- *the nature of the relationship between the service user and the provider*
- *whether the service is used on a one-off, emergency or ongoing basis*
- *whether the service can be provided remotely*
- *the extent to which services to an individual can be unbundled*
- *whether there is a strong case for the provider to supply multiple services to an individual with complex needs.*

Competition is not highly compatible with the partnership approach that we currently use very effectively in the community sector. Many SWOP service users present with complex needs that are best solved using a partnership approach. By introducing competition into this sector, we fear that our ability to collaborate with other services to deliver the best health and safety outcomes to NSW sex workers will be reduced.

There are many reasons that a partnership approach is already successful in this sector. The first is that most services, including our own, run on a very small budget, so we're already keen not to double up on servicing users when we can collaborate and stretch our limited resources to reach even more people.

SWOP also collaborates with other services, say for example by taking a doctor specialising in wound care out on outreach to street-based sex work areas with us, to avoid overtaxing sex workers in the midst of their work day. Too many service visits from multiple services can mean sex workers get annoyed at the disruption, and as a result refuse to have any meaningful engagement. We don't believe that introducing competition will improve the outcomes for sex workers who are already serviced in a collaborative, time and cost efficient way that is responsive to the way they work.

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The Commission is seeking information on the supply characteristics of specific human services including:

- economies of scale and scope — in terms of costs and service quality — that may be lost by having a larger number of competing providers*
- the potential for service provision to be made more contestable because there is capability beyond an existing provider that could pose a credible threat to underperformance*
- whether there are barriers to providers responding to change, or new suppliers entering the market, that limit the scope for increased competition, contestability and user choice or, if they do, what could be done to address this*
- technological change that is making competition and user choice more viable factors affecting the nature and location of demand, such as geographic dispersion of users, the distribution of demand among different types of users, particularly disadvantaged and vulnerable users, and anticipated future changes in demand.*

As we mentioned in the previous section, most community service organisations like our own are very lean affairs. The process of competitive tendering favours larger organisations which have a room full of people already well-versed in tendering because it is their only job. However being good at tendering does not mean that these organisations are necessarily able to provide appropriate, non-stigmatising services able to address the complex needs of marginalised communities like sex workers, or people who use drugs. While SWOP acknowledge the work of our primary Government funder, NSW Health, who are already working to supporting small organisations like our own in improving our organisational capacity to successfully tender, we note this comes at a cost to both them and us.

Responding to change in the sector takes away our organisational time and attention away from our core mission: ensuring NSW sex workers experience optimal health, safety, wellbeing and are able to fully exercise their human rights. Being locked into fixed contracts to measure our success, can prevent our organisation from being as responsive and innovative as we need to be in a world where technology is changing things faster and faster.

SWOP believes the Commission will find that most parts of the community services sector who service marginalised communities already strive to be best-practice organisations dedicated to improve outcomes for their service users in the most cost-effective, collaborative way they can. As such competition and informed user choice are unlikely to improve individual outcomes for marginalised community members, or net meaningful savings for Government.

Should you require more information from SWOP, I can be contacted on _____ or by email:

Regards,

SWOP Chief Executive Officer

ⁱ SBS, Salvation Army pulls donation campaign over depiction of sex workers, 19 May, 2016.
<http://www.sbs.com.au/news/article/2016/05/19/salvation-army-pulls-donation-campaign-over-depiction-sex-workers>

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