

20 July, 2021

Dear Mr Callaghan

Independent review of the Banking Code of Practice: views of a male sex worker organisation

Working Man is a support and advocacy group for gay and bisexual male sex workers in Victoria. Founded in 2016, the group has 300 members who are all self-employed sex workers. Victoria legalises sex work, with self-employed sex workers able to operate legally if they register with the Victorian Government.

Working Man welcomes the independent review of the Banking Code of Practice and write to suggest ways the Code can ensure business banking is accessible and inclusive for lawfully operating self-employed sex workers and sex industry businesses. Five Australian states and territories have legalised or decriminalised sex work, and yet the ABA's members continue to deny lawfully operating sex workers access to basic banking services.

All types of business banking products can be refused by the ABA's members, including basic transaction banking accounts. Refusal to provide basic banking services is often not based on individually assessed risk, instead blanket denial of service is based on the occupation or industry which the small business belongs to. Chapter 13 of the Code does not refer to small businesses, thereby excluding small businesses from the benefits of the Code's inclusive and accessible banking provisions.

We have consulted with our members and include a quote from a member, whose views broadly represents most of our membership.

Fear of Moral Judgement

"I did not apply for a business bank account as I knew that the bank would make a moral evaluation of my occupation. I worried that the bank might ask too many questions, and I did not want to have a conversation about morals with them. I was certain I would be excluded."

Male sex worker and Working Man member

Our members commonly ask for assistance in applying for rental accommodation. Applications for rental properties are difficult and complex for sex workers who have no declared sex work income, as a result of lack of access to basic business banking services.

Clause 3 of the Scope of this review says the review will consider the extent to which the Code contributes to banking services being inclusive and accessible for small business customers. Given 'Chapter 13 Being Inclusive and Accessible' of the Code fails to even refer to small business, we don't believe the Code is inclusive or accessible to lawfully operating sex workers, who already experience stigma and discrimination in many aspects of their lives.

We would like the term 'small business' to be fully incorporated into the Code, particularly into 'Chapter 13 Being Inclusive and Accessible'. This will help address the banking exclusion which lawfully operating sex workers experience on the part of the ABA's member banks.

Yours sincerely

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on behalf of Working Man

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