



Speech by

**Mr M. HORAN**

**MEMBER FOR TOOWOOMBA SOUTH**

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Hansard 1 December 1999

### **PROSTITUTION BILL**

**Mr HORAN** (Toowoomba South—NPA) (11.30 a.m.): Today is a very important day for the Queensland Parliament as we consider the Prostitution Bill. This is a Bill which is going to affect a great many communities, suburbs and towns throughout the State.

To summarise the Prostitution Bill in very simple terms, what it will deliver to this State is at least a doubling of prostitution, a doubling of crime associated with prostitution, a doubling of the degradation of women and a doubling of blackmail, drugs, standover tactics and exploitation of our young people and all those in our society who are vulnerable. The real question which all 89 members of this House have to ask ourselves is this: will this Bill make our electorates, our suburbs, our towns, our cities and our State a better place? We will have brothels added to the single-sex operators who have existed in this State since 1992. When we consider the associated problems and increased crime which come with increased access to prostitution, are we prepared to come into this Parliament and vote against this legislation? Will the introduction of this legislation lead to a better society in this State?

I believe it is essential that all honourable members reflect on why we are members of Parliament. We all come here, hopefully, to make our electorates and our State a better place. We all come here in the very first instance to represent our electorates. We come here to reflect community values. If we do not do that, we are selling out the people we represent.

I do not believe that the good, decent people we represent want to see a doubling in the availability and accessibility of legalised prostitution in Queensland. Queenslanders do not want to see an increase in the problems associated with the introduction of prostitution.

Most people are pragmatic enough and realistic enough to understand that prostitution is a serious problem. It has been around for centuries. This Bill takes the minimal scope of legalised prostitution which is already permitted in Queensland to the absolute maximum. This Bill will make the availability and accessibility of prostitution as full-on as possible.

I would like to give honourable members one example of how communities can be affected. Recently, the Toowoomba Chronicle carried an article about a farmer in Millmerran who sold his farm. For many years, the people of Millmerran have been hoping to get a power station. The people wanted a power station built in their area because it would bring with it the economic pluses such as jobs, apprenticeships and continuity of work. The people have been madly working to get a power station. But suddenly someone realised that there were going to be 1,200 men working on the site and came up with the idea that it would be a good place in which to start a brothel.

According to this legislation, that may not be possible because the population of the area falls short of the 25,000 threshold and, as a result, the local authority would have the right to veto such a proposal. However, I do not think that the good people of Millmerran ever thought that, as a result of their aspirations to get a power station, they would also get a brothel. I do not think that they ever thought that the men and women working on that project—men and women who have husbands, wives, fiances and girlfriends— would have the temptation of a brothel thrust upon them.

I do not think the people of Millmerran thought that the young women of the Darling Downs might be tempted to work in the brothel. I do not think the people realised that prostitutes could be imported from southern capitals, or elsewhere. This example aptly describes what will happen in various areas of Queensland as a result of the introduction of this legislation.

If this legislation is passed by the Parliament, every type of prostitution one could imagine will be introduced to Queensland. Queensland will become the prostitution capital of Australia, because we will have licensed single-sex operators as well as licensed boutique brothels. The boutique brothels will be allowed to have five rooms and a maximum of 10 staff at a time, taking into account shift work, etc. As a result, prostitution and associated crime will occur in every possible place where entrepreneurs want to run brothels, or where prostitutes want to work as single operators. People involved with organised crime will obviously become involved with the introduction of brothels.

Since 1992, prostitutes operating on a single basis from their own unit or house have been legal in Queensland. The Premier at the time, Wayne Goss, was realistic enough to realise that there were major problems associated with prostitution. He knew that prostitution was already here in Queensland. The question was how to deal with it in a regulated way so that it could be kept to a minimum.

Mr Goss understood that there were large groups in society who held strong and sincere beliefs that prostitution was wrong and that any attempt to maximise the availability of prostitution was also wrong. Mr Goss was not entirely successful, but he endeavoured to introduce a minimal system of prostitution. He also endeavoured to respect the views of Queensland citizens who were absolutely opposed to an open slather on prostitution.

Unfortunately, this Bill allows for an open slather on prostitution. We will probably have three systems of prostitution in Queensland, because the illegal street system, to which everyone is opposed, has always existed. For many years people have talked about jacking up the fines for prostitution and putting in place a greater police presence. We have to deal with the problem of illicit street prostitution by endeavouring to help the people involved. Very often, these people have severe drug habits, psychoses and various mental illnesses. These people are withdrawn into themselves and lead a very withdrawn type of life.

Regardless of what systems of prostitution are in place, every Government of the day will have to deal compassionately, humanely and strongly with the problem of street prostitution. The experience elsewhere in Australia has been that, as prostitution has been liberalised, there has been an increase in street prostitution. Various legislative measures have given prostitution some legitimacy and accessibility.

If this Bill is passed by the Parliament, we will see an increase in illegal prostitution. We will see an increase in the number of single operators—for reasons which I will describe later on. We will also see a multitude of boutique brothels being established because of their limited size. Instead of a town having one boutique brothel, it will probably have a brothel on either side of the town. There is even the probability in this legislation of having brothels on houseboats. So a town's rivers, creeks, marinas and canals will not be safe, because the legislation allows for floating buildings.

I referred to the two classes of prostitution, one class being the single operators. Some single operators operate purely on that basis, but behind a substantial amount of single operation lies organised crime. The single operation system has very limited regulation and very limited restriction because, basically, the prostitutes are operating from their own homes. So we are going to have a highly regulated brothel system and a lowly regulated single operator system. The single operator system is going to be the most attractive system to crime syndicates and various other organisations and associations—those organisations that buy a six-pack block of units and install an individual prostitute in each of those units, or groups, organisations and gangs that buy a house, split it in two, and put a prostitute in either portion of the house. Under this legislation, all of that is going to become more attractive to those people who want to be free of the regulatory arrangements. It would also be more attractive to the prostitutes who want to work in a freer regulatory arrangement.

So we are going to have a massive boost to prostitution in Queensland, not just because of the availability of the brothels but because of the competitiveness between the two systems and the fact that one system will appeal far more to those who are involved in crime and organised crime and those would-be organised crime operators. If this legislation is passed, we are going to attract to Queensland every sleazy entrepreneur; every opportunistic and potential brothel owner; every crime syndicate, big or small; every possible overseas organised crime group who wants to come to Australia; every vice king in Australia, big or small or would-be vice kings, will see this legislation as a bonanza and an opportunity; and every outlaw motorcycle gang involved in prostitution and drugs—everyone from the dark and sleazy side of life. They will be lining up for this bonanza. The floodgates will be open. As I have said over and over again, this Bill will take Queensland from a minimal situation to the absolute maximum situation.

**Mr Barton:** You should go to Amsterdam and see what the maximum situation is.

**Mr HORAN:** I take that interjection from the Minister, who states that I should go to Amsterdam. While he was in Amsterdam trying to see what was happening and making some investigations, here in Queensland, behind the Minister's back, the Premier was taking over. That particular week, the Premier adopted about four different stances and finally backed himself into a corner where he had no other option but to proceed with some of the rubbish and stupidity that is contained in this Bill. So regardless

of what the Minister found—if he found that prostitution and expanded prostitution was bad for Queensland—it was too late, because when he came back to Queensland from overseas, the dice had been thrown and the Premier had made decisions for him.

In Victoria, it has been shown that since the legislative arrangements were brought in, there has been a doubling of prostitution and a massive growth in the amount of illegal prostitution. Another side to this will be the huge additional workload for police. No-one will deny that a very substantial and large workload is on police in containing and managing the legal prostitution system that exists now and the illegal system that exists in its various forms, including streetwalking. When one looks through this Bill, one realises the huge increase in the amount of work that the police will have to undertake, such as the licence application examinations; the manager certificate applications; the entry to brothels and the closures; the additional requirements on licences; matters to do with minors; matters to do with liquor; matters to do with the number of rooms, the number of staff, and the number of prostitutes; and even the role of the Water Police in checking on the floating establishments. I have spoken to senior police who have confirmed to me that there will be a massive increase in the workload. All they see is more crime, more prostitution, more problems, and a reduction in the values that we hold in our society.

I want to keep driving home the points that I am making in my opening remarks. At the outset, I said that everybody here has to make up their minds as to whether this legislation will make their particular electorate, town, suburb or district a better place. Many people call for progressive reform. Often in the media we read and hear comments from people saying that we need reform. There seems to be this view in society that unless we are prepared to undertake what might be called reform, unless we are prepared to expand these things, make them more available and so on, then we are not doing a good job in Government or in Opposition. However, I say that we also need members of Parliament who are prepared to stand up and say "No". It takes just as much courage and just as much conviction and sincerity for the people whom we represent to say "No" as it does to take the easy way out and say, "Yes, we will just open the floodgates and let us have as much of it as we like." We represent decent people who strongly oppose prostitution. It would be nice to think that some people in this Parliament have the courage and conviction to stand up for those people. We should not be trampling over the views of those people and not taking any notice of them. Ultimately, standing up for the views of those people means that we represent them and vote for them.

As I have said before, we have to decide: is this better for our suburb? Is it right to put aside those particular opinions of people when we can make a decision in this House that can provide a minimal situation or a maximum situation? Are we going to have better places if we double the amount of prostitution, the number of prostitutes who operate, the hundreds more young women and young men who will be degraded and exploited by the expanded availability of prostitution? Will more people be lured into prostitution, be they prostitutes themselves or clients? Is that all going to make our society a better place? Through this Bill, Queensland will move from having a legal prostitution arrangement that we can describe accurately as being a minimal situation to a maximum situation. We are going to see people in industrial and commercial areas having brothels imposed upon them, whether they happen to believe in them or not, or whether they oppose them or not.

I want to refer to a number of comments, particularly by the Premier in his previous years in this Parliament. The PCJC, of which at the time the Premier was the chairman, travelled to Victoria to investigate what had occurred after the legalisation of prostitution in that State. That committee found that illegal practices in that industry had not been stamped out. During the committee's visit, it toured various brothels and spoke to prostitutes and police. As I said, at that time Mr Beattie was the committee chair. In 1991, he was quoted in the Courier-Mail as saying that prostitution laws had not been successful anywhere in the world. Mr Beattie also said that the Victorian regulation of prostitution had been a disastrous experiment. He stated further—

"You have to have some system of encouraging women out of prostitution."

That is important when we look at this Bill, because there is not a strong system to encourage women out of prostitution. There is the prostitution advisory council, which is part of this legislation. However, the previous coalition Government actually put in place a plan under the HELP scheme in the Fortitude Valley area to work with local community, youth and women's networks groups to assist these unfortunate people out of street prostitution. That is the sort of thing that we want rather than just another bureaucratic committee.

In the Courier-Mail on 2 April 1991, Mr Beattie further said that strong reasons would have to exist for brothels to be allowed in any area. In May 1991, the Australian reported that the PCJC found strong drug and criminal associations during examination of the Victorian system and that legalising brothels had not magically stamped out those particular problems. Mr Beattie further said that he was not so thrilled about legalised prostitution after the study tour to Victoria. He also said that the committee found that prostitution in Victoria was either being supported by drugs or the drug trade was

being supported by prostitution. On 3 May 1991, the Australian reported an important statement by Mr Beattie. In regard to licensees, he said—

"But if you're a crook you simply get an honest John like me to be a nominee and you have a private agreement with me where if I don't do what I'm told, I'm dead."

That is the nub of the problem that will always be faced in prostitution, whether it is legalised brothels or legalised single operators. Even with the heavy regulation that is endeavoured to be proposed in this legislation, the practical reality of life is that that is what will happen in the background. Mr Beattie went on further to say—

"If you decriminalise prostitution you get a whole baggage of other problems like drugs, crime, police corruption and AIDS."

In Victoria where decriminalisation of prostitution and legalisation of brothels has been tried and in place for some years, some 75% choose to work outside the legal system. It is argued that that is due to the greed of the brothel owners. Legalising brothels in Victoria has been a dismal failure.

This legislation does not have the support of the Queensland sectors of a number of churches. It does not have the support of the Anglican Archbishop, the Moderator of the Uniting Church, the Catholic Archbishop, the President of the Lutheran Church, the Salvation Army, the Baptist Union of Queensland, the Church of Jesus Christ of Latter-day Saints, the Assemblies of God, the Presbyterian Church, the Wesleyan Methodist Church, the Churches of Christ and the Australian Christian Coalition. Earlier I heard an interjection stating that nobody in this House from either side has any mortgage over morality. But everybody in this House has a responsibility to represent the people in the electorate to the best of our endeavours and in the best way that we can to reflect those community and family values that are held in our electorate.

The changes made to this legislation since the time it was draft legislation have changed the distance that brothels can be from schools, churches and so on to 200 metres in an endeavour to have an out of sight, out of mind arrangement. Government members are saying that the key issues that need to be addressed are the safety of women working in prostitution, drugs and crime problems and the impact on communities by the legalisation of additional prostitution and existing prostitution. On all those counts, this Bill fails. As I will say over and over again, the legislation provides for a massive increase in prostitution and all that goes with it.

Although endeavouring to provide a regulation that works, some aspects of this Bill will simply not work. For example, the legislation states that prostitutes must use a prophylactic—a condom—during sexual intercourse or oral sex. There is no way that that will ever be able to be enforced rigidly, other than through relying on the prostitute herself or himself. Naturally there will not be video cameras in the rooms. There is so much about this Bill and the second-reading speech of the Minister that says that there will be control of the drugs and of the way in which brothels are operated, but the reality of life is that that will be an impossibility.

The really concerning aspect of this Bill is the fact that the Freedom of Information Act does not apply to the Prostitution Licensing Authority. Apart from the register that the authority has to keep, all other matters going through the Prostitution Licensing Authority will be totally secret.

In addition to the opposition that has come from the churches, very substantial opposition has come from the Australian Family Association of Queensland. It has written to probably every member in this Parliament and put forward some very sensible and logical arguments. A large number of petitions have been tabled in this Parliament. The Australian Family Association strongly believes that this legislation will not work because it will not protect male or female prostitutes from drugs, sexually transmitted diseases, bashings or death. It will not reduce drug addiction. It will not stop under-age prostitution or recruitment of illegal immigrants. It also opens up further the potential for corruption, because many levels of different agencies will be involved in the regulation, even though a large chunk of the existing legal prostitution industry is subject to very minimal regulation. Mr Deputy Speaker, the Acting Secretary of the Townsville Branch of the Australian Family Association, Mr Bill Cameron, made the very simple point that if you legalise something, you get more of it—not less. That is what I am saying repeatedly. Logan City Councillor Peter Collins said—

"Premier Peter Beattie should trial this moral tragedy in his own electorate before imposing it on the rest of the state."

It has been reported that a former Victorian detective wants to open a brothel in Southport. He claims to be one of just scores of southern sex industry tsars who see the Gold Coast as a gold mine when these prostitution laws are changed. In the Fraser Coast Chronicle, Father Mike Donaldson from the Anglican Church at Hervey Bay said—

"Any application can expect to meet strong opposition from the city's clergy."

The prostitution law reform Bill has been condemned by the Logan City Council, a council that has taken a very strong and sincere view of what it is endeavouring to do for the City of Logan. That council

wants to promote Logan as a place for families and for opportunities for families and remove any stigma that may have come from the fact that it has had a lower socioeconomic environment and that housing has been cheaper there. It believes that those families who live in Logan and have lived in Logan have great potential. The legislation has been condemned by the Logan City Council. The member can argue when he gets up to speak.

**Mr MICKEL:** I rise to a point of order. It is not a position of the Logan City Council; it is a position of two councillors on the Logan City Council.

**Mr DEPUTY SPEAKER:** Order! There is no point of order.

**Mr HORAN:** On ABC radio, the Anglican Archbishop, Peter Hollingworth, said that this legislation—

"... involves exploitation of the human body and we cannot support it, we couldn't support any legislation."

Earlier we heard an interjection from the Police Minister about Amsterdam. While he was overseas inspecting Amsterdam, Mr Beattie first of all denied that there would be any changes. Then he said that there would not be any changes for at least a year. Then he claimed that there would be changes, but they would be Russell Cooper's suggestions. He went on to say finally that these are his own changes and that they would go to Cabinet tomorrow.

The decision to bring in this legislation was made on the run, and while the Minister was overseas, in order to grab media coverage. A properly conducted review would probably have found that serious problems were associated with any expanded legalisation of prostitution. However, the Minister did not have the chance to put any such finding or his thoughts before the Cabinet, because the Premier was committed to legalised brothels. Even before the Minister had stepped off the plane, the Premier had committed him to legalised brothels, regardless of what the Minister's investigations may or may not have shown.

Earlier I said that the Government should be looking at protecting the health and safety of the community, including sex workers. That will not happen, because we will have two systems. Under this Bill, there is still no way of subjecting sex workers to a regular regime of checks. As everybody knows, a sex worker is only as healthy as the previous client. There is no regime of monthly, weekly or daily checks. It is all just smoke and mirrors. The Bill threatens the licensee or the manager, which is impractical. This does not reflect community values at all. It does not minimise the impact of prostitution on the wider community. In fact, the impact of prostitution on the wider community will expand. The Bill does not implement any practical actions to assist sex workers to exit the industry by attacking some of the underlying causes of why people are working as prostitutes, particularly those who are in the unfortunate position of being streetwalkers. It fails on just about every count that we might care to look at.

I mentioned the secrecy of this Bill. Interestingly, the review of the legislation by the CJC that will have to take place in three years' time will look only at the effectiveness of the Act. We have to ask: what is meant by the "effectiveness" of the Act? Does it mean its effect on women, families, crime, towns and suburbs or the State of Queensland? The real problem with the review is that, when the CJC has completed its report, it will go to the Minister and to the Minister alone—no-one else. Any review of the Act is clouded in secrecy.

This Bill will also establish the Prostitution Licensing Authority, which will be responsible for all of the regulatory processes—the applications and so on. The Bill also establishes the Prostitution Advisory Council. As part of the arrangements for the Prostitution Licensing Authority there is a slush fund. Under this legislation, the Minister has the authority to give directions about payments from the fund, and there is no requirement for these directions to be reported, nor do reasons need to be given for them. The whole business is clouded in secrecy. I will be speaking about the fund in detail during the Committee stage. No doubt a substantial amount of money will be needed to run the additional bureaucracies of the Prostitution Licensing Authority and the Prostitution Advisory Council.

Interestingly, under this Bill there is heavy regulation of the Police Service, particularly with respect to their reasons for entering a licensed brothel. However, under this Bill employees of the Prostitution Licensing Authority will not be subject to the same stringent conditions that the members of the Police Service are subjected to. For example, the conditions are so stringent that, if a serious assault, a fire or some other emergency arises at a brothel, the police officers who respond will have to get written permission to enter the premises.

I wish to make some further comments about the dual system that Queensland will have as a result of this Bill. Schedule 4 of the Bill defines a brothel as premises made available for prostitution by two or more prostitutes at the premises. This definition then goes on to have serious effects on the further application of the Bill. A prostitute operating from a premises which he or she uses as a dwelling is not covered by this Bill. It is covered by the previous Bill of 1992 and its incorporation into the Criminal Code. At present, many brothels are run by organised crime; however, they involve single prostitutes

operating alone. The process is simple: buy a block of flats, install a prostitute in each who uses the flat as a dwelling, and there is no requirement for a brothel licence as each flat is a separate premises. "Premises" is not defined under this Bill and recourse must be had to case law or perhaps to the dictionary. But the premises certainly would not include a block of flats where each flat was used as a dwelling with a single prostitute operating alone. Each flat would constitute a separate premises and, as only one prostitute was operating from it, the "brothel" definition would not cover it.

Clauses 78 to 91 do not apply to a prostitute operating alone from a dwelling in which he or she resides. Provisions in the Bill relating to prohibited brothels do not apply to a single prostitute as she is not operating a brothel by virtue of the definition in Schedule 4. There are no police powers of entry for the private dwelling, as no offence is committed. The police powers section of the Bill does not apply to these prostitutes. Organised crime groups currently use private dwellings. They merely purchase a building, divide it into flats and install their prostitutes. They are unaffected by this Bill. These prostitutes can set up anywhere. They are not inhibited by the provisions of the Bill relating to where they can set up. In respect of a private dwelling operation, a single prostitute can set up anywhere. The only possible application of the Bill may come under clause 76, which covers unreasonable annoyance or disruption. But this could be easily sidestepped by organised crime groups by any number of methods.

The net effect of this Bill is that organised crime will be unaffected. These groups will be able to obtain more accessible sites than the other commercial operators. They will not be subject to any of the safeguards imposed on the others. Generally, they will be able to undercut the price of the others and there will be no increase in police powers in respect of the way in which they operate now. There is no regulation of the prostitute, which is another serious flaw in this Bill.

In summation, this Bill will have no effect on organised crime. Organised crime could come under the provisions of the Bill. However, because of the failure to register prostitutes, these groups would be able to subcontract their prostitutes to a brothel licensee, with the licensee taking a management fee off the top for every client's payment, and the rest going to the prostitute and through the door to organised crime. The licensed brothel is a good method for laundering money, as nobody will know how many clients are serviced. Drug money can be cleaned up by recycling it through licensed brothels. It is still difficult to see that organised crime groups will worry about associating themselves with a brothel licensee, as they will have the prime locations and be able to undercut the prices of the licensed brothels due to the lack of administrative costs and regulation.

A number of petitions have been brought into this House by me, the member for Toowoomba South, the member for Currumbin, the member for Moggill, the member for Townsville and the member for Caboolture. Thousands of people have gone to the trouble of signing those petitions. This House has to make sure that it takes notice of those petitions. I wish to refer to the overview of the Bill given by Alert Digest No. 14, which explains it very simply. The committee stated that the Bill expands the circumstances in which prostitution may legally be carried on. That is what we are all saying. It expands the availability and accessibility of legalised prostitution.

I seek leave to have three letters incorporated in Hansard. I have spoken to the Speaker and the Chief Hansard Reporter and provided them with a copy. They have agreed that these three letters be incorporated in Hansard.

Leave granted.

20 June 1999

The Hon. P D Beattie MLA  
Premier of Queensland  
Level 15, Executive Building  
100 George Street  
Brisbane QLD 4000

Dear Mr Beattie

As leaders of most of the major Christian churches in Queensland, we urge your government not to proceed with the proposal to legalise brothels in this state.

Legalisation of prostitution would greatly damage the sanctity of the family unit and further corrode community standards in this state.

Besides the fact that prostitution is contrary to the teachings of scripture, there are strong social reasons for retaining the existing sanctions against this evil and degrading practice. Among these are that prostitution brings an increase in sexual activity outside marriage and consequently an increase in family breakdown; it produces an inevitable escalation in the transmission of sexual diseases; and it debases all those involved in it. Various forms of criminality also grow and flourish around it. Another consideration is that legalising brothels would give prostitution a cloak of legitimacy that would entrap more young women and men by causing them to view it as an attractive employment option.

We understand the argument that the proponents of legalisation put that this should be seen as "a workplace health and safety issue". However, the existing law has been unfairly blamed for the deaths of five prostitutes

since 1992, as most, if not all, of these deaths were drug-related and most, if not all, of the victims were streetwalkers rather than single operators "working" from home.

As prostitution quite clearly is harmful to society and is an evil which should be contained, controlled and if possible reduced, the last thing your government should consider is broadening the existing legislation—for if you legalise something, quite clearly you will get more of it, not less! This is because the law is an educator and many people mistakenly believe that whatever is legal is also moral.

It is obvious that having legal brothels would not stop those who were underage, illegal migrants, drug users, or infected with STDs from working in illegal underground operations or on the streets.

Queensland should not make the same mistake as Victoria, which legalised brothels in 1995 and now has both a legal and an illegal industry working side by side. According to your government's Review of Prostitution Laws in Queensland Discussion Paper published in November 1998, there are now 138 legal and up to 50 illegal prostitution service providers in Victoria, compared with a total of 100 prior to legalisation—an 88% increase over three years! The evidence is clear that legalisation leads to a proliferation of prostitution, not its control or containment.

Although we recognise your government's desire to better control this immoral practice, legalising brothels is not the answer. We call on your government not to be railroaded by the current media campaign, but rather govern in the best interests of all Queenslanders by rejecting the present proposal to legalise brothels.

Yours faithfully

(sgd) John Bathersby  
MOST REV. JOHN BATHERSBY  
Catholic Archbishop of Brisbane

(sgd) Peter Hollingworth  
MOST REV. PETER HOLLINGWORTH  
Anglican Archbishop of Brisbane

(sgd) J. V. Vitale  
PASTOR JOHN VITALE  
State President, Lutheran Church

(sgd) P Lucas  
MAJOR PETER LUCAS  
Sth Qld Asst Div. Commander  
Salvation Army

(sgd) R Conwell  
REV. ROY CONWELL  
General Superintendent  
Baptist Union of Queensland

(sgd) Paul Wesener  
PRES. PAUL WESENER  
State (Diocese) President  
The Church of Jesus Christ of Latter-day Saints

(sgd) G Swenson  
REV. GARY SWENSON  
Acting State President  
Assemblies of God

(sgd) Gordon Dunkley  
MR GORDON DUNKLEY  
General Secretary  
Presbyterian Church of Queensland

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QUEENSLAND CHURCHES TOGETHER  
Old Bishopsbourne  
St Francis College  
Milton  
PO Box 2045  
Milton BC 4064

30th July 1999

The Hon. Peter Beattie MLA  
Premier of Queensland  
PO Box 185  
Brisbane Albert Street Qld 4002

Dear Premier

Thank you for affording some of us the opportunity of attending a briefing by the Acting Police Minister, the Hon. Paul Braddy MLA on your government's intended move to legalise some brothels by 1 July 2000.

Throughout that meeting, a question kept recurring which was not satisfactorily answered in our minds. The question was, "What has changed dramatically in the area of prostitution and its policing that requires an

action to legalise certain brothels in order to make prostitution a legitimate industry?" Furthermore, it was unclear how this would actually overcome the risks and abuses inherent in the practice of prostitution. We understood Mr Braddy's argument about the doctrine of the lesser of two evils, but could not see how the present proposals would diminish and effectively control existing evils.

The poll allegedly showing that 60% of Queenslanders agree with legalising brothels was based on a broad question which was unlikely to evoke further questions in the mind of any respondent as to the impact of legalised prostitution upon individuals, families and the society as a whole.

Many in our churches believe that if Queenslanders were more fully informed on all the ramifications and adverse consequences of legalising brothels, the major proportion of voters would opt for more stringent policing of prostitution, heavier penalties for "clients" and appropriate counselling for both female and male prostitutes. All this could be done without further legalising of prostitution.

We would respectfully request that your government explore further alternatives to legalising brothels (and, in fact, prostitution per se).

Yours faithfully

(sgd) Peter Hollingworth  
Most Revd Peter Hollingworth  
Archbishop of Brisbane (Anglican)

(sgd) D.A.A. Pitman  
Revd Dr David Pitman  
Moderator, Uniting Church in Australia (Qld Synod)

(sgd) John Bathersby  
Most Revd John Bathersby  
Archbishop of Brisbane (Catholic)

(sgd) J V Vitale  
Pastor John Vitale  
President Lutheran Church of Australia (Qld District)

This letter is endorsed by the following churches who are not currently members of Queensland Churches Together:

(sgd) D Jessop  
Lt Colonel Derrick Jessop  
Divisional Commander  
Salvation Army

(sgd) W Alcorn  
Rev Wayne Alcorn  
State President  
Assemblies of God in Australia  
(Queensland Conference)

(sgd) Gordon Dunkley  
Mr Gordon Dunkley  
General Secretary  
Presbyterian Church of Queensland

(sgd) Stan Baker  
Rev Stan Baker  
District Superintendent  
South Queensland District  
Wesleyan Methodist Church

(sgd) D Loder  
Rev Dr David Loder  
General Superintendent  
Baptist Union of Queensland

(sgd) P A Overton  
Rev Peter Overton  
Conference President  
Churches of Christ in Queensland

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KINGAROY CHRISTIAN OUTREACH CENTRE

PASTORS:- Roy & Bev Webb 12 Harris Rd KINGAROY QLD. 4610

The Hon Mr Robert Borbidge Parliament House BRISBANE QLD 4000

Dear Mr Borbidge

We are writing to you out of our deep concern about the damage which we are sure will be done by the new laws to allow the operation of legal brothels in Queensland. We have done some research about what has happened in some of the other states and Territories over this matter and find that where prostitution has

been legalised in Victoria and the ACT, illegal prostitution is no better but far worse. We realise the laws are extremely loose in the ACT, however in Victoria where they are much tougher the situation is very bad.

Following a formal deputation which 5 of us ministers on behalf of the Kingaroy minister Fraternal had with the Hon. Tom Barton at Kingaroy 14/11/99 in regard to this issue we applaud aspects of the new bill which seek to assist prostitutes who wish to escape from prostitution and measures to give police greater powers to deal with illegal prostitution as well as the prosecution and naming of clients caught seeking the services of prostitutes if this indeed is what will happen.

However we believe the minister has been poorly advised as he was under the impression that illegal prostitution was only a shadow (to use his words) of what it was in Victoria in the past since the brothels were legalised. Our information gained from the Age Newspaper of 1st, 2nd and 3rd of March and from ex-prostitutes reports is that it has increased greatly. They make it clear that the new prostitution laws that the Kennett Government brought in to clean up the mess that the Cai Government caused with their laws has left the state in a much bigger mess. I enclose excerpts from those sources.

Excerpt from the editorial from The Melbourne Age 3rd March

As The Age has reported over the past three days, and as the Attorney-General, Mrs Jan Wade, conceded yesterday, legalisation has not prevented the growth of a substantial illegal sex industry. The number of unlicensed brothels in Melbourne is estimated to have trebled in the past 12 months, with more than 100 known to be operating. Worse, some provisions of the law, such as the ban on proprietorship of more than one brothel and the ban on proprietorship by people with criminal records, are clearly being flouted. Worst of all, the hope that the existence of safe brothels would gradually overcome the lure of street prostitution has not been fulfilled.

Excerpts from P. 1 The Melbourne Age 1st March

Victoria Police say the growth in illegal massage parlors is out of control, with more than 100 now operating across Melbourne—a three-fold increase in the past 12 months ...

"I suppose there was this utopian view that legalising prostitution would minimise street and illegal prostitution." Chief inspector Ashby told the Age, "It clearly hasn't done that."

The proliferation contradicts Government assurances that the spread of illegal premises would be halted under the new prostitution laws.

Police also confirmed concerns about continuing criminal involvement and illegal activities in several legal brothels including "sex slavery"—illegal immigrants contracted to work in Australia by international crime organisations.

The Age is aware of three inner-city brothels where "contract girls" repaying a \$40,000 debt are working. The women are forced to work seven days a week and some do not use condoms ...

When the Attorney-General, Mrs Jan Wade, announced the Prostitution Control Act in 1994, she said it would halt the "uncontrolled spread of brothels".

About 12 were closed last year out of a total of 91 reported to police. Most simply re-opened in a different location.

From Sam's story (ex-prostitute in Adelaide) published in 'Light' Feb. 87

Sam speaks with authority against the private member's bill sponsored by Labor Legislative Councillor Ms Carolyn Pickles. "The bill would only increase prostitution if it were passed," she says. "That's what legal brothels have done in Victoria. There's so much more competition there now, girls are coming over here from Melbourne to get away from it."

It has got worse since then.

From Linda Coyle (ex-prostitute and ex-madam) published in 'Alive' Nov. 99

"I've had calls from Melbourne saying they desperately need my refuge there. Things have grown so bad since they legalised brothels in Victoria. Many more young girls are going into prostitution thinking it's legal and okay. They find out the truth too late!"

Linda said she was rejoicing over WA Premier Richard Court's decision to drop his government's draft bill to legalise brothels. She says the legalisation would have given even more opportunities for organised crime to take over the sex trade.

So much for the legalisation of prostitution cutting out the criminal element, it has only allowed it to become far worse. We are convinced that Queensland will have a similar increase in illegal brothels and illegal activities in legal brothels as well as an increase in the criminal element invading our state.

Mr Barton's adviser said that Victoria toughened their laws in June and that would improve the situation in Victoria. If the former is true I am very sceptical about them working since that is what they assured people would happen when the then Attorney-General, Jan Wade, 'improved' the law back in 1994.

We were told at the meeting with the minister that with the opening of legal brothels the greater powers given to the police mean they will be able to control illegal prostitution. If that is so why pass a bill allowing legal brothels just attack the illegal prostitution as it is now? If on the other hand they can only control illegal brothels by providing an outlet through legal brothels we fail to see how illegal brothels will not continue and escalate as they have done in Victoria despite tougher laws here. Drug addicts will not be allowed into legal brothels as prostitutes and will therefore do their utmost to operate illegally. Linda Coyle gave the figure of

over 80% of prostitutes who worked for her and other madams in Perth were on drugs and so that will be a lot of girls seeking to work illegally. If criminals can be kept out of legal brothels they will want to operate illegally as they do in Victoria. Many street prostitutes are underage girls and boys working to support their drug habit and they will still be there. Either illegal prostitution can be stopped with the tougher policing methods and so there is no need to legalise brothels or it can't be stopped even with the legal brothels. And so there is little point in this law as it will not do any of the things which the framers of the law want it to do, except maybe in legal brothels, unless it is just to satisfy the sex lobby. It will not even give the girls in legal brothels safety from attacks because the pimps who do most of the attacks will still be there under the cover of legality. Also there will still be many illegal prostitutes in danger and probably more of them than now if we follow the trend in Victoria as most likely we will. And as for making sure that there is safe sex how will the government do that? Will they have someone in each room checking or a video camera there all the time? Nor will the health checks do much good. Between each health check there is ample time for the prostitutes to become infected and pass it on to many of their clients and we know the HIV virus isn't detected for a number of days after being contracted anyway. So legal brothels really won't help there.

Probably the worst aspect of the law is that by legalising it the government is saying to many young people at risk that prostitution is legal and safe and therefore okay and they will end trapped in the system. Thus there will be a great increase in prostitution and the young lives destroyed by it. How can anyone encourage this to happen?

Thus our deepest concern is about the great increase in suffering that it will inflict on the greatly increased number of girls and boys that will be enticed into prostitution when brothels become legal both in the legal brothels and in the increase of illegal brothels that will occur if we follow what has happened elsewhere. The former madam's story, with which we are sending this letter and which we hope you will take the time to read, so clearly exposes the terrible suffering the prostitutes undergo, their hatred of men, which is a great stumbling block to them ever having a happy marriage, and the sense of entrapment they feel in the prostitution industry. Since her house of hope was opened in Perth Linda Coyle has had so many prostitutes contact her seeking help and sharing their stories of pain and suffering that had you heard them we cannot see how anyone could vote for such a disastrous law which will not relieve their pain and suffering nor, do we believe, prevent them being murdered.

It is quite significant that although Richard Court was intent on legalising Prostitution in Western Australia on the day after Linda Coyle's House of Hope was opened in Perth it was announced in the West Australian that he had decided not to proceed with his legal brothel bill.

Therefore, for the sake of the many who will become prostitutes through this law, for the many more families who will suffer when they discover their children or siblings caught up in prostitution, for the wives and families that will suffer because of the increased number of husbands who will use the services of prostitutes as brothels become legal, we would beg you to vote against this bill which on the surface may seem beneficial but which we believe will be disastrous to far more lives than are being damaged and destroyed now. It is the social impact of this legislation about which we are so concerned.

The time has come to make a stand and so we are trusting that you will vote against this bill even if you have to vote against your party policy. We are sure you will find much support in your electorate should you do so and we will be praying for you however you vote. We are looking forward to your reply to our letter.

God bless you,

(sgd) Bruce R. Jones  
Bruce R. Jones  
11 Kurtellen Cres.  
Kingaroy Qld 4610.

**Mr Barton** interjected.

**Mr HORAN:** The Minister mentioned that I did not seek leave from him.

**Mr Barton:** Would you like to provide them to me so that I can have a look at them?

**Mr HORAN:** Yes, I will provide them to the Minister. As the Minister is aware, the Minister has been absent through illness, so I saw the Speaker and Hansard as a matter of courtesy.

**Mr Barton:** I would still like to look at them now, thank you.

**Mr HORAN:** I am happy to show the Minister a copy. The first letter that has been incorporated is to the Premier from the leaders of the churches—the Catholic Archbishop of Brisbane, the Anglican Archbishop, the State President of the Lutheran Church, the South Queensland Assistant Divisional Commander of the Salvation Army, the General Superintendent of the Baptist Union of Queensland, the State President of the Church of Jesus Christ and Latter-Day Saints, the Acting State President of the Assemblies of God, and the General Secretary of the Presbyterian Church of Queensland. The letter will be incorporated, but the letter states—

"Dear Mr Beattie,

As leaders of most of the major Christian churches in Queensland, we urge your government not to proceed with the proposal to legalise brothels in this state.

Legalisation of prostitution would greatly damage the sanctity of the family unit and further corrode community standards in this state.

...

As prostitution quite clearly is harmful to society and is an evil which should be contained, controlled and if possible reduced, the last thing your government should consider is broadening the existing legislation—for if you legalise something, quite clearly you will get more of it, not less!

...

According to your government's Review of Prostitution Laws in Queensland Discussion Paper published in November 1998, there are now 138 legal and up to 50 illegal prostitution service providers in Victoria, compared with a total of 100 prior to legalisation—an 88% increase over three years! The evidence is clear that legalisation leads to a proliferation of prostitution, not its control or containment."

The second letter I have incorporated is from Queensland Churches Together—that is, the Anglican Archbishop of Brisbane, the Moderator of the Uniting Church in Australia, the Catholic Archbishop of Brisbane, the President of the Queensland District of the Lutheran Church, the Divisional Commander of the Salvation Army, the State President of the Assemblies of God in Australia, the General Secretary of the Presbyterian Church, the District Superintendent of the South Queensland District Wesleyan Methodist Church, the General Superintendent of the Baptist Union of Queensland and the Conference President of the Churches of Christ in Queensland. This letter is again to the Premier thanking him for the briefing by the Acting Police Minister. The letter states—

"Throughout that meeting, a question kept recurring which was not satisfactorily answered in our minds. The question was, 'What has changed dramatically in the area of prostitution and its policing that requires an action to legalise certain brothels in order to make prostitution a legitimate industry?' Furthermore, it was unclear how this would actually overcome the risks and abuses inherent in the practice of prostitution. We understood Mr Braddy's argument about the doctrine of the lesser of two evils, but could not see how the present proposals would diminish and effectively control existing evils.

The poll allegedly showing that 60% of Queenslanders agree with legalising brothels was based on a broad question which was unlikely to evoke further questions in the mind of any respondent as to the impact of legalised prostitution upon individuals, families and the society as a whole."

The third letter I have incorporated is from Pastors Roy and Bev Webb from the Christian Outreach Centre at Kingaroy, who wrote to the Leader of the Opposition. In their letter, they have provided information from the editorial in the Melbourne Age on 3 March. The editorial states—

"As the Age has reported over the past three days, and as the Attorney-General, Mrs Jan Wade, conceded yesterday, legislation has not prevented the growth of a substantial illegal sex industry. The number of unlicensed brothels in Melbourne is estimated to have trebled in the past 12 months, with more than 100 known to be operating. Worse, some provisions of the law, such as the ban on proprietorship of more than one brothel and the ban on proprietorship by people with criminal records, are clearly being flouted. Worst of all, the hope that the existence of safe brothels would gradually overcome the lure of street prostitution has not been fulfilled.

Victoria Police say the growth in illegal massage parlours is out of control, with more than 100 now operating across Melbourne—a three-fold increase in the past 12 months."

The article goes on to quote Chief Inspector Ashby. He says—

"I suppose there was this utopian view that legalising prostitution would minimise street and illegal prostitution ... It clearly hasn't done that."

The letter goes on to deal with a number of other issues.

The petitions I spoke of earlier have been received from well over 40 churches throughout the State. I again make the point that there is an onus and responsibility on this Parliament to reflect community views. I do not believe that we are doing that in any shape or form by providing for this massive expansion and increase in availability of and accessibility to legalised prostitution. We are moving from the existing minimal position to one of maximum provision.

I also want to go through some of the arguments that have been put forward and sent to members of this Parliament by the Australian Family Association, which states—

"The government's rationale for changes to the laws ... is that single operators are at risk but this rationale is negated because single operators ... will therefore still be at risk."

The association goes on to say that street prostitution is illegal now and that it can be acted upon now, so that nothing much will change anyway. That is the furphy. That is the spin this Government is trying to put on this whole issue. It is saying that this legislation will get rid of streetwalkers. We would all like to see that, but this legislation will not do that. This legislation is going to bring about a greater amount of prostitution and a legitimacy and knowledge of prostitution. With that, each different aspect of prostitution will increase, as it has in other areas of the nation where the floodgates have been opened.

The Australian Family Association recognises that the problem of prostitution cannot be solved in a simplistic way because there will always be people who want to avail themselves to sex for sale. While there is that demand, there will be those people who want to sell their bodies or those people who want to organise that. We all realise that. The point we keep making is that, by doubling its availability, we are not going to solve the problem. The Australian Family Association go on to say that we will never stamp out prostitution entirely but, if brothels are legalised, this Bill is going to make prostitution out to be another form of employment.

This legislation will not achieve anything, because street soliciting is illegal now. It will remain illegal. Unless something massive, practical and pragmatic is done about street soliciting, and constantly done about it, the situation will not change. What the coalition Government did with the introduction of the HELP pilot scheme in Fortitude Valley was something positive and pragmatic and the sort of thing that would have helped those people. This legislation is going to do nothing to stop organised crime, especially those from down south. It will do nothing to reduce drug addiction. The situation is that it is not going to stop under-age prostitution. It is not going to stop the recruiting of illegal immigrants. It is not going to stop the opportunistic male and female prostitution that occurs around the parks, streets and towns. It is going to open up other levels of agency operation through the different bureaucracies being established. The potential for corruption remains.

Illegal brothels operate now in Queensland. Because the new legislation will be so expensive in terms of licence fees and so restrictive and prescriptive in terms of regulations, those brothels will be unable to comply with the laws and so will continue to operate illegally. New illegal brothels will mushroom, as happened in other States when prostitution laws were liberalised.

A number of other questions regarding this law have been sent around to members of Parliament by the Australian Family Association. Earlier I mentioned the situation in Victoria and the expansion of legal and illegal prostitution services. An example of the sorts of questions put to members of this Parliament and the Premier is—

"As prostitutes who were underage, illegal immigrants, drug users or infected with STDs would not be able to 'work' in a legal brothel, isn't it true that under ... proposed regulated system illegal underground brothels and streetwalkers would remain a problem?"

The Goss Government legislation has been blamed for the deaths of five prostitutes since 1992. Most, if not all, of these deaths were drug related and most, if not all, of the victims were, tragically, streetwalkers as opposed to single operators working from home. It is a highly dangerous occupation, regardless of the laws that are in place. I think all of us in this House will support anything that can provide some degree of safety to the people involved in prostitution.

We have had the Premier trying to say that we will have the best little brothels in Australia, run by people of good character. Nobody in this House believes it. To see that we only have to look at the legislation and the lengths to which it goes—we will be debating this when we consider the clauses in detail—in trying to keep people with criminal backgrounds from becoming licensees. We are not going to get the businessman of the year or the father of the year applying to run these brothels. Prostitution is not a nice or pleasant business. It is a very unsavoury business. It is associated on the fringe with crime, drugs, standover and blackmail. You name it, it is associated with prostitution. That is what we will be introducing into our State.

One other very important aspect is the degradation of women. There will be hundreds more women—and men—involved in prostitution as a result of this Bill. It just makes it far more available. These women are mostly from unfortunate circumstances. They may be short of money or drug addicted or have a range of other problems. There are all sorts of reasons they tragically get entrapped into the business of prostitution. Any prostitute will say that it is the most devastating thing that has happened in their life, that it is a trap, that it is hard to get out of, that they are often forced to stay. They often get involved in drug habits. I think the tragic aspect of this particular Bill is that there is little regard for women.

The Prostitution Advisory Council is supposedly charged with developing programs to assist women out of the industry. It is almost hypocritical, because far more women will need those sorts of services than now. Prostitution is a degrading and perverse practice and I applaud those people who have said that they oppose this Bill and they oppose prostitution because of the way it will further degrade women in our society.

This Bill provides that councils that have a population of 25,000 or more are not able to stop a brothel application if it is approved by the Prostitution Licensing Authority. There are at least 23 cities in Queensland in which councils, even if they are vehemently opposed to having brothels in their towns, will not be able to do a thing to prevent it. Under this legislation, even in towns that have fewer than 25,000 people an application will proceed if the Minister agrees with a decision by the licensing authority that there should be a brothel in that town. That issue will be addressed when we consider the clauses in detail.

The councils that have a population of 25,000 or more are the likes of Beaudesert, Brisbane, Bundaberg, Caboolture, Cairns, Caloundra and Gympie, as part of the Cooloola area. Further councils are Gladstone, Gold Coast, Hervey Bay and Ipswich. Yeppoon is right on the fringe, with 24,000 people as part of the shire of Livingstone. There is also Logan, Mackay, Nambour, Maryborough, Noosa and Mount Isa, which has about 23,000. Strathpine, as part of the Shire of Pine Rivers, has 112,000 people. There is also Redcliffe, Cleveland, Rockhampton, Thuringowa, Toowoomba and Townsville. If an application is approved, regardless of whether they want a brothel in their area, all of these cities will have it forced on them.

**Mr Sullivan:** They are there already, and you know it.

**Mr HORAN:** I am talking about expansion. I have said it again and again. Prostitution is currently legal in Queensland through the single operator system, which is a minimal system. This Bill is taking Queensland from a minimal system to one which includes brothels. It provides for the absolute maximum availability and accessibility.

Even if those cities and their councils do not want a brothel in their town—even if they are diametrically opposed to it—it will be forced upon them. Not only will it be forced upon them, but it will be forced upon people in commercial and industrial areas. I think a lot of people who run businesses who operate out of commercial or industrial estates will be appalled to think that they are targeted for the venue for the brothels. It will not matter if they have a philosophical opposition to increased prostitution and brothels. It can be put into their industrial estate. It might in fact be someone with a panel beating shop, an office equipment supply store, a transport operation or whatever. Regardless of their beliefs, their council will be powerless to stop the placement of a brothel in a premise next to them if it is approved by the Prostitution Licensing Authority.

When the Premier of Queensland brought out a media release at the time of making the announcement that he would have brothels in Queensland and was developing legislation towards it was about the only time the Premier was prepared to say that prostitution is already legal in Queensland and has been under both coalition and Labor Governments. That was about the only time he publicly admitted that there is a legal single operator system in Queensland. It is a system which has its problems but it is a system which the previous Goss Labor Government was endeavouring to put in place so that it minimised the amount of prostitution that is available for Queensland. This Beattie Labor Government is taking that to the absolute limits.

In the short time remaining I will refer to some of the submissions that have been made in relation to the Prostitution Bill. I refer particularly to the very good submission by the divisional commander of the Salvation Army and the senior pastor of the Northside Christian Family Church. I thought one of the important statements was—

"The best government social policy can aim for is a legislative system which mirrors the responsibility, respect and care instructed from parent to child, protecting from harm and providing clear directions towards a fulfilling life for its citizens."

They go on to say—

"The legalisation of prostitution has no benefits to the general community and in fact will provide legislative encouragement for the reduction in the quality of life for all participants who may follow this direction of legislative endorsement."

There was a further response to the discussion paper from the Logan City Council in December 1998 and a further response from the Australian Christian Coalition, both of which put forward some very strong arguments.

I have come to the end of my allotted time of 60 minutes, and I want to finish in the same way as I started. Governments are elected to reflect community values. None of us has a particular mortgage on moral values, but we do have a responsibility to stand up for the people and the organisations in our electorates. On every point that members wish to consider, this Bill is delivering to Queensland a lesser society. The Beattie Government stands condemned for its attempt to do that and for its attempt to cover up the fact that what it is actually doing is providing a huge expansion of the availability and the accessibility of prostitution.

Time expired.