



Speech by

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PROSTITUTION AMENDMENT BILL

Ms MALE (Glass House—ALP) (10.24 p.m.): I rise in support of this bill. It offers practical solutions to the roadblocks—some intentional, others unintentional—which have prevented the current prostitution laws from working as effectively as planned. They are sensible suggestions from the Police Minister to enhance the efficiency of the Prostitution Act 1999. The moralists on the opposite side of the House have pinned on their badges of high indignation and have again predicted doom and gloom from this legislation. When the current prostitution laws were enacted, the ultra Right and the ultra righteous predicted a huge backlash against the Beattie government in the 2001 state election. I want to take a moment to review the coalition's performance on prostitution—and I do not mean Trevor Perrett—before I go into the individual amendments.

Just to put a misconception to rest, several times over the past two sittings it has been said to me, 'How would you know? You've only been here for five minutes.' Let me tell opposition members that I was in Police Minister Braddy's office in the early 1990s when the prostitution laws first went through the House. I cannot tell the House how many opposition members ranted and raved in their typical hypocritical and scaremongering style. It is interesting to note that only one opposition member who spoke in the original debate is still in the House today. But I digress.

In 1996, the then Police Minister was the hapless and accident-prone Russell Cooper. Back then, Russell pledged to overhaul the prostitution laws and set about it with the usual Cooper gusto. He said it was time for people to take their heads out of the sand about prostitution, but he did not count on the ostriches in his own party. He commissioned research into the sex trade and the public's opinion on prostitution and enlisted Sir Robert Sparkes to head a high-level committee to look into the laws. Everything seemed to be travelling well, until Russell came up against the high moralists in the Borbidge government like the member for Toowoomba South and the member for Gregory. This was in late 1997 and, with an election in the wind, Russell was running out of time and was getting just a tad frantic. He made regular statements to the media at the time, and so did Sir Robert Sparkes.

Russell said he wanted to improve safety and security for sex workers. Russell said he wanted a model which would encourage sex workers to work in safe environments rather than as streetwalkers or single sex workers. Russell said he wanted to work with SQWISI and others associated with the sex trade to establish a workable model. Russell said he wanted to minimise the impact of prostitution on the public and tackle the illegal sex trade. Sound familiar? Commentators at the time came to the conclusion that Russell wanted a model of small brothels under strict guidelines away from the general public, which is similar to the member for Gregory's comments in 1992 when he said—

The government should consider zoning that trade in commercial areas.

But it seemed Russell was fighting a losing battle with time and his cabinet colleagues—the aforementioned ostriches. Russell's performance at the time was akin to the performance of a fan dancer: every time he would reveal something on prostitution, he was hastily forced to cover up.

Speculation was rife and it drew responses from Russell like, 'No, that's not what I meant,' and 'No, we won't be liberalising the prostitution laws.' Russell was increasingly frustrated and, at one stage, was publicly rebuked when he revealed contents of a cabinet submission on prostitution before it had been considered by cabinet. It was subsequently dropped off the cabinet list by 'Schoolmaster' Borbidge and poor old Russell had to start again at the bottom of the sandpit. At the time, and just like

a fan dancer, there was a lot of frantic waving from Russell but nothing was revealed. In the process, there was lots of titillation but punters still went away frustrated and disappointed with Russell's performance. Time caught up with Russell and, three months out from the 1998 election, Borbidge gagged debate on prostitution. Besides, Russell had other things to worry about—like Brendon Abbott and hefty legal bills from the Carruthers and Connolly-Ryan inquiries.

The election was called and what followed was history as the newly installed Beattie Labor government set about fulfilling its election promise to overhaul the prostitution laws. The first Beattie government, under Police Minister Tom Barton, picked up the work done by Russell Cooper and produced the Prostitution Act 1999. The reality is that the Prostitution Act 1999 was a carefully considered, widely consulted and comprehensive piece of legislation aimed at ensuring the safety of legal sex workers and clamping down on the illegal sex trade. It took into account the public's views on prostitution and, despite the vocal minority against the laws, it was largely successful in its aims. However, with any wide-ranging piece of legislation there were bound to be some technical hitches and unexpected scenarios. One of those unexpected scenarios was the utter intransigence and self-righteousness from some councils, and that was despite gaining the full support of the Local Government Association of Queensland before the legislation was introduced.

The single-minded, blinkered views expressed by some councillors over prostitution were the worst case of nimbyism I have seen for years. In their haste to trample the high moral ground they have obstructed sensible, practical laws designed to improve the health and wellbeing of people in our society.

During the debate on prostitution in 1997 and 1998, Sir Robert Sparkes made a comment which I agree with. His comment also spoke volumes about the pressure he must have been feeling at the time from his own side of politics and the religious crusaders. Sir Robert indicated that those who most vehemently opposed the prostitution industry were the most likely users of its services.

The proposal to introduce an Independent Assessor for contentious prostitution planning approvals is a sensible suggestion for those councils who refuse to take on their responsibilities in a fair and equitable manner. The establishment of the Independent Assessor also negates disputes going to the Planning and Environment Court. This will save money and allow the court to make the decisions for which it was established.

As the Police Minister mentioned in his second reading speech, the lack of definition of an industrial area has led to interpretations which did not follow the aims of the Prostitution Bill 1999. In fact, the first case to go before the Planning and Environment Court regarding an application for a brothel on a Gold Coast industrial estate is a good case in point. The court decided that since there was within 200 metres of the proposed brothel site a carpet factory with a retail premises which may be frequented by children with their parents on Saturday mornings the application should be refused. It was a stupid decision which did not uphold the aims and intentions of the Prostitution Act 1999 and which coloured all other decisions to come from the Planning and Environment Court. Clearly, defining an industrial area should stop confusion and also close a loophole for those squeamish and nervous councillors who cannot see commonsense for their own prejudices.

I now come to the most deliberately misinterpreted amendment in the bill. I refer of course to the provision allowing people with previous prostitution convictions to apply for a brothel licence. It does not mean that criminals will be rife among the legal prostitution trade. These applicants will be subject to the same exhaustive tests of a suitable person as presently exist. It simply gives the Prostitution Licensing Authority some leeway to consider these applications. If they do not meet the PLA's stringent standards, they will not get a licence.

Former Supreme Court Judge Bill Carter has staked his reputation as a fair and even-handed person on this provision, and I would rather trust his judgment on this matter than the ravings of the National Party. What monumental ravings there have been about prostitution! Honourable members would remember that the National Party predicted that the current laws would bring a brothel to our street corners and put a prostitute in the building next door. I visit a lot of buildings and corner stores in the Glass House electorate, from Caboolture to Maleny, and I cannot say that I have bumped into too many prostitutes. I know that most of the store owners are struggling with the complexity and cost of the GST, but I do not think any of them have resorted to hiring callgirls to make ends meet.

The hypocritical Liberal Party also weighed into the debate, with the member for Moggill saying that the current prostitution laws would mean that a brothel would be 'coming to a suburb near you'. I can say that the number of legal brothels in Queensland is less than the number of state Liberal members, which is actually saying quite a lot. As a Labor state government, we are not too upset by that scenario. I cannot say what is more unsavoury: the Queensland Liberal Party or prostitution. I suppose in the end it is all the same: you turn a few tricks for your own advancement.

That comment probably strikes at the heart of why a lot of people have so much difficulty with prostitution reform. To my mind it is not a likeable trade but, unfortunately, it is a fact of life. We as a

government have to be sensible and deal with the issues surrounding prostitution. The members opposite may want to ignore these issues and keep the blinkers on, but that does no-one any good. The bill before us continues the Beattie government's determination to deal with the difficult issues, no matter how unpleasant they are to genteel society. We offer solutions to problems. The opposition offers rhetoric and no substance. The hollow men and women on the other side of the House should follow Russell Cooper's earlier advice. They should pull their heads out of the sand and support this bill. I commend the bill to the House.
