



Speech by

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PROSTITUTION AMENDMENT BILL

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (10.45 p.m.): Members of this parliament are debating a bill that is going to lower the standards of a very contentious piece of legislation that was brought into this House in 1999, the Prostitution Bill. To refer to the history of prostitution and the legalisation of it within Queensland, I go back to the early nineties—to 1992—when the Goss government brought in a minimal system of prostitution called the legalised single operator. I have no doubt that, as contentious as it was at the time, it was an attempt by the Goss government to recognise that prostitution does occur. We all know that. We all admit that. But the Goss government wanted to introduce a legalised system into Queensland that would be a minimal system that might, in its view, satisfy many people from both sides of politics who did not want to see a massive proliferation of prostitution—legal and illegal—in Queensland but at the same time would recognise the problems that occurred in trying to police, monitor and manage the illegal prostitution industry in Queensland. There is no doubt that the system that was introduced at that time provided Queensland with what I have often described as the minimal system of prostitution in this state.

In 1999, when the Beattie Labor government introduced the Prostitution Bill, it added to the system of legal single operator prostitution in this state, and the illegal system that also flourished, another additional layer of prostitution, the so-called boutique brothels. What it has done in that process and what it will do in that process is make prostitution in Queensland more available, more accessible and more acceptable to the public. It will create a feeling within the public that the government supports it through the more obvious brothels compared to the single operator system. So Queensland then will have the absolute maximum of availability of prostitution through the legal single operator system introduced by the Goss government and, on top of that, the second tier of the Beattie boutique brothel system as well as the illegal and degrading street prostitution that occurs all the time regardless of whether or not we have legalised prostitution.

Those are the plain facts of the matter in this state, and that was why we opposed the Prostitution Bill in 1999—because it was adding an additional second level of legalised prostitution to this state, making it more available, more acceptable and more accessible. Associated with it, of course—and what happens everywhere in the world no matter what type of spin one tries to put on prostitution and no matter where it is in the world—are the elements of drugs, money laundering, pimps, standover merchants and blackmail. People can say whatever they like, and the Premier can put whatever spin on this that he likes—that we are going to have beautiful, lovely, delightful people running the brothels in Queensland under the toughest laws in the world. However, the facts of life are that the only people who want to apply for and be associated with brothels—and always will be associated with them—will be associated with drugs.

There are three very contentious issues that have been introduced with this new legislation. Not content with having introduced the brothels, and along with the associated increases in availability and accessibility, the extra risks of crime, health problems and abuse of young women and leaving it as it was despite the opposition that was mounted to it, this government has deliberately set out in this bill to reduce the standard of those applicants who apply to run boutique brothels. They have set out to put in place an Independent Assessor—a heavy, if you like—who can force councils to accept brothels in their areas even though they may want to go through the system and the legitimate process of the Planning and Environment Court. In addition, this bill makes some adjustments to the definitions and descriptions of industrial areas.

A less desirable sort of person will now be allowed to run brothels in Queensland. This government is taking away any vestige of objection from the local governments that represent the people in the towns, suburbs and districts of this state. It is removing any right of objection and appeal of a local government when it wants to legitimately fight on behalf of the people it represents to keep a brothel out of a town, a suburb or an industrial area.

People speak flippantly about putting brothels into industrial areas and think that is okay because it is an industrial area. But think of the people in those industrial areas who do not want a brothel there, who do not want it next door. Think of the wives or girlfriends who do not particularly want to drop their husbands or boyfriends off at work in an industrial because a brothel is in the same street. People have legitimate and fair concerns and objections to the location of brothels in industrial areas, even though some people think that is the only place they can be located, to try and keep them out of sight and out of mind.

The most hypocritical thing about the legislation before the House today is the lowering of the standards for applicants. It puts the lie to the spin the Premier put on the brothel legislation when it was introduced, that these were going to be the toughest laws in Australia or in the world. The member for Toowoomba North quoted from the speech the Premier made recently in Toowoomba and put the Premier's spin on it: 'We've got the toughest laws around.' Tonight we are 'untoughening' those laws to allow people who have previously been convicted of illegal prostitution and running illegal brothels to make application and be accepted.

I wonder how the members of the Queensland Police Service who have investigated and policed those tough and difficult areas of illegal prostitution and brothels feel about this legislation. They have carried out their duties and now, after all their work, the Beattie Labor government turns around and pats those people on the back and allows them to get involved in brothels where they can make a motser.

This is some of the most hypocritical legislation I have ever seen introduced into this parliament, and I wonder why. If the government were genuine in its claim that it has valid reasons for introducing brothels and that it wants to set a standard, why on earth would it turn around and say, 'We're not getting enough brothels in the state; we need to lower the bar; we need to allow in a lesser type, a person who has been convicted of breaking the law; we need to have them'—as I think the member for Gympie stated—'because they are the right types; we need people with experience of breaking the law; we need people with experience of flouting the law; we need people who have been investigated and charged by the police; they are the sort of people we need to run a brothel.'

Mr Seeney: That's almost what the minister said.

Mr HORAN: That is exactly what we have been saying for years: those are the sorts of people who run brothels and hang around brothels and launder money and provide back-up finance, who organise, manage and 'heavy' the establishments. That is the sort of element that gets involved in running brothels. The government is not going to get—as the Premier would try to have us believe—the father of the year from Queensland to run those brothels; it is going to get ex-criminals. No doubt the government is hoping that they will come forward in droves, because that is the sort of person that this legislation will attract. The previous legislation did not attract those low types of people who had broken the law. The government said it had these so-called tough laws and now it seems to be disappointed.

Our shadow minister spoke about what the modus operandi is behind all of this. Isn't the minister satisfied or happy that there is a relatively low level of application for brothels in the state? Does he want a higher level? Does he have a target, a number? Does he want to have one in every town in every regional area, or does he want a whole proliferation or areas of them in the capital city? What is the problem? What is the problem if the fact is that he has got people without a criminal record only who have been applying for the brothels? What is the problem that only one has been licensed so far and another six are in the pipeline? What is the problem with that? Wasn't that what the minister set out to do, to say that he was going to have these so-called brothels which were the best in the world, which were run by people of the highest standard and which were free of crime and disease? Why is he doing it? This is one of the most bizarre pieces of legislation we have ever seen come into the House. This legislation absolutely knocks out of the ring all those pious arguments the government has been making over the past couple of years, all that drivel that the member for Toowoomba North spoke before that was a quote from the Premier's speech. He stands up and deliberately misleads the people every time he says that this is about getting rid of street prostitution. He never, ever said that the brothel legislation was about adding another level of prostitution to Queensland on top of the existing legalised single operator system and on top of the illegal system which has always existed here and exists everywhere else.

In fact, in Melbourne the government has put in place a special task force to look at legalising street prostitution. Despite the fact that they have got all their legalised brothels, despite the fact they have got all their legalised single operators, they have got all the streetwalker problems that continue to exist and always will exist and always will have to be managed and investigated by the police to the

best of their ability. Melbourne has this problem with the streetwalkers despite the legalised brothels that have been operating for years and years.

The opposition challenges the minister and poses this question: why on earth did he have to bring this legislation in here to try and increase the number of brothels? Isn't he satisfied that he had systems in place that kept the level of applicants to a so-called decent level—applicants who did not have a criminal background? This puts the absolute lie to all those hypocritical statements that he wants the toughest level of brothel laws in Australia because tonight when, by force of his dangerous majority, he forces this through, he will be reducing those standards and getting back to the common denominator that is associated with all the brothels in the world of crime, of ex-criminals, of people who have been assisting prostitutes and running brothels and drug running, money laundering and all the rest of it. It will be there.

People stand here and say that this is necessary. I wonder why they do not stand up for their community. If they want to acquiesce and let everything that many of them do believe is not right but is wrong in their hearts, if they want to acquiesce and say, 'Oh it's there; let it happen; let it flourish; let there be more of it,' what sort of a standard is that? How do they represent their people? How do they try and say, 'Well, it's not good; it's bad, but we want to try and limit it.' But no, they are taking the view: 'Let's have as much of it as we can; let's make it easy for people to get in; let's have more of it, as much as we can possibly have.' I think they are doing a great disservice to the people whom they represent.

One of the major thrusts of this legislation is the way in which it so disgracefully takes away the legitimate rights of local government to act conscientiously on behalf of its own people. This is typical of the arrogance and the jackboot attitude of this Beattie government with its dangerous majority. It wants to trample over the little people, it wants to trample over local government—it wants to trample over everybody who wants to stand up to it, even if they are decent people.

During this debate I have heard some of the sneering, leering comments of members who have had a go at people whom they say are righteous and all the rest of it. Why do they not have a bit of respect for people who hold that view? Why do they not have a bit of respect for people who are decent and have a bit of courage, in a difficult situation, to stand up? Those people might want to hold a rally. They might have the courage to stand up and vote for something at their local council. They do not deserve to be denigrated and knocked for having those sorts of attitudes.

This legislation is going to knock out any vestige of rights that councils had in the process of determining industrial areas in which brothels could be located. It might have been a nuisance to the Labor government that many councils in Queensland were opposed to the prostitution legislation. And many were, because at the urban local government conference that was held a couple of years ago in Mackay, those councils voted against the introduction of the brothels legislation. At the annual conference of the Local Government Association of Queensland at the Gold Coast, it voted against the introduction of brothels. Many, many councils in Queensland have actively fought against having brothels in their areas. They know that it is going to be difficult for them, because the government has a majority and is riding over the top of them and saying, 'You have no say. We are going to tell you that you are going to get a Beattie brothel in your area if an applicant is approved. And now we are going to lower the bar for the applicants, anyway.' That was the councils only way in which could fight against what they honestly and sincerely believed was right to fight against. Now, the government is going to take away that right.

As the shadow minister said, the government has never done this to developers—people who want to set up a quarry or any other thing. This is a deliberate attempt to put in a heavy, to shoehorn the councils out of the way and put through applications in a timely fashion so that the government can get more brothels in Queensland. The government is not happy that not many brothel applications have been approved. For some bizarre reason, the government wants to make it easier for people to apply for a brothel licence. It wants to have the criminal element to be able to apply for those licences. It wants to take the councils out of the approval process. It wants to remove from the equation any council that stands in the government's way so that it can force brothels to be located in any area, even if the people of that area do not want them. The government has no regard for people's attitudes and for those people who want to stand up and fight on behalf of their local communities. To further force these extra brothels on Queensland, the government has defined 'industrial area' in terms of whether it is an impact assessable area or whether it is a code assessable area. Once again, this will involve the Independent Assessor—or the heavy—who will lever the council out of the way, make a decision, and the government will be satisfied that it has been able to achieve what it wants.

I do not know how hard some members of the Labor Party fought against this in caucus. I am not going to name members, but I know that some members opposite were distressed about the original bill. I have no doubt that they fought against it in caucus and they lost. But I cannot understand how even those in the Labor Party who supported the original Prostitution Bill and the introduction of legalised brothels could in all conscience allow for amendments to be introduced that allow former

criminals to run brothels that may be located in their area and that that may be opposed by substantial numbers of people in their area. How in all conscience could those members allow this amendment to force local councils—elected by people in their electorates—out of the way, to take away their legitimate rights to fight on particular issues, no matter how hard that fight is?

This is one of the greatest examples of the trampling over of people's rights that we have ever seen. It shows a blatant disregard for the fact that people in our society have different views. Some people say, 'Prostitution occurs anyway. Why not have it.' Other people say, 'It is not right to increase the different levels and availability of prostitution by adding the brothel system to the legalised single operator system that exists already.' But surely, all of those people are entitled to the process of their local government. At the end of the day, if they go through that process and the Planning and Environment Court supports the applicant in its decision, at least they have had a fair fight and an opportunity to fight this legislation and fight for what they believe. Instead, we are seeing this dictatorial approach. It is an absolute shame that those members opposite who did not want this could not get a majority in their caucus to overthrow these disgraceful amendments that have been introduced, which have hit the rights of local councils and which are pushing this bizarre agenda of the Labor government to increase the number of brothels in the state. They are not happy with the slow and cautious progress that is happening now. They want a proliferation of brothels.

We wonder what the government's target is. We wonder how many brothels the government wants. Obviously, the government is not happy that one brothel has been permitted and six are in the pipeline. So how many will the government be happy with? Will we come back here in another couple of years, as the shadow minister said, and find that the government wants to try to find some lower part of human life that can allow for even lower levels of humanity to make application for these brothel licences?

Tonight's debate is about a lowering of the standard of applicants. It is about taking away the legitimate, genuine rights of local governments to be able to pursue their rights of objection and their rights to decide whether or not a brothel should be located in their areas. Those councils that already do not have the right of veto, as do shires of 25,000 or fewer, are now going to have even more of their rights taken away from them. It is an absolute disgrace. The government should be ashamed of itself.

Time expired.
