



Speech by

Grace Grace

MEMBER FOR BRISBANE CENTRAL

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PROSTITUTION AND OTHER ACTS AMENDMENT BILL

Ms GRACE (Brisbane Central—ALP) (7.37 pm): I rise to support the Prostitution and Other Acts Amendment Bill 2009, which I believe delivers some worthwhile amendments demonstrating the Bligh government's ongoing commitment to prostitution law reform for the state and, indeed, my electorate of Brisbane Central, which does have its share of prostitution activity. I am pleased that this bill delivers on the recommendations of the CMC review into regulating outcall prostitution, which was conducted in October 2006. The bill enshrines in legislation the outcomes of the review of outcall prostitution from licensed brothels and independent escort agencies. It also part regulates the social escort industry and creates further disincentives for the conduct of any unlawful prostitution business. The government is committed to implementing the recommendations as outlined in the 2006 CMC report, but more importantly ensuring that legalised prostitution in Queensland is not undermined by illegal activity.

I support the main aspects of this bill—in particular, the insertion of a new section 8B in the Child Employment Act which fundamentally bans the employment of a child as a social escort. I believe that protection of young people from this industry is paramount and that a child should not be providing social companionship to adults identified to operate in this area.

In addition, I fully support a major amendment contained in this bill which creates a framework to part regulate the social escort industry by restricting how they advertise and by creating offences for social escorts who conduct an illegal prostitution business. In doing so, this government acknowledges that currently advertisements for escorts are presented to publishers as 'social' escorts, but potential clients of the sex industry clearly understand them to be for sexual services. This government recognises that organisations or individuals who claim to provide social companionship only, and thereby avoid the requirements applicable to prostitution advertisements, have an obligation to make the nature of their service clear to the readership and potential clients.

This bill will overcome this deficiency by including a provision that requires advertising for social escorts to include the words 'non-sexual' or 'sexual services are not provided'. Additionally, all escort advertisements circulated in Queensland will be regulated. Also, any advertisement outside of Queensland which offers a service in Queensland will be similarly regulated, and I think that loophole definitely needed to be closed.

This bill will include a similar provision to that provided in section 93, 'Advertising prostitution', to provide that a person must not publish an advertisement for social escort services that is not in the approved form. 'Advertisement' includes a notice, sign and circular and matter that is not in writing but which conveys a message because of the form or context in which it appears. To 'publish' an advertisement or statement means to publish in any way and includes publishing in a newspaper or periodical and by a notice, sign or circular and broadcast by radio or television or in a film or video recording. I think we pretty well have covered the field when it comes to the form of advertising that this industry undertakes.

This bill will provide that, where an advertisement for social escort services has been published for or relating to a business, the person who was carrying on the business at the time the advertisement was

published shall be taken to have published the advertisement, unless of course the court is satisfied to the contrary. The government acknowledges the difficulty of a prosecution linking individual sex workers to the owners or organisers of an illegal prostitution business. This bill will make the person carrying on the illegal prostitution business liable for the publication of any advertisement that infringes the restrictions we propose. The new provision will provide consistency within the act between brothel licensees and persons carrying on the business of prostitution.

This government recognises the need to deter illegal prostitution providers masquerading as social escort services. Accordingly, the bill increases the existing penalties for prostitution advertising to 10 times the cost of placing the advertisement or commercial cost of establishing the website where the cost of placing the advertisement or establishing the website is greater than \$1,000. However, where there is no evidence of cost or the cost is less than \$1,000, the person will be liable to a maximum penalty of 70 units, which is equivalent to \$7,000.

This is a vast difference to what currently occurs in Queensland where there are no restrictions in the way social escort providers advertise their businesses. Hopefully we will see an end to large provocative style advertisements both in print and on the internet which masquerade as social escort services but, indeed, are providing sexual prostitution services. This bill now ensures that social escort services comply with the same advertising restrictions as legal prostitution providers, removing any advantage to either sector. I also support the amendments which will empower the Prostitution Licensing Authority to issue guidelines and approve advertising for social escort services in the same manner as advertising for prostitution providers. I think this is definitely a step in the right direction.

In addition, I support other provisions contained in this bill which aim to tighten the operations of illegal prostitution businesses using sham arrangements such as using various premises to conduct their business and in some cases making it very difficult for police to prosecute illegal operators. Increased penalties for sham business arrangements, as well as introducing added protection for sole operator prostitutes, also make good sense. To improve the safety and welfare of sole operators, the bill will allow for the employment of a driver and message taker, and this is in addition to the currently allowed employment of a bodyguard. Like any other worker, sex workers also deserve to work in a safe and healthy workplace. In the interests of improved public health and safe sex practices, condoms and other safe sex materials will not be evidence of an offence under provisions contained in this bill. So clearly it is all about ensuring that wherever sex workers are operating it is a healthy and safe area.

I believe this bill strikes a good balance between strict regulation and the need to address social factors that arise from prostitution. I commend the bill to the House.