

REVIEW OF BUSINESS

The work of the PLA comprises four main areas:

1. **Brothel licensing and monitoring**
2. **Advertising prostitution**
3. **Liaison and assistance**
4. **Corporate support.**

Each work area fulfils an aspect of the legislative framework and shows the PLA's progress towards implementation of the Prostitution Act. Each of the four work areas is described in the pages following.

1. Brothel licensing and monitoring

The core business of the PLA is to issue brothel licences and managers' certificates to suitable people and to monitor licensed brothels.

Key achievements for 2000–2001

- > The PLA licensing system has been established and is operational.
- > A review of the PLA licensing database has been conducted.
- > A risk assessment has been completed on the processing of applications.
- > Law reform proposals relating to prostitution have been developed.

Performance indicators

- > Number of brothel and certificate applications received and processed.
- > Number of complaints by police about information provided by the PLA.
- > Number of complaints by licence and certificate holders about PLA liaison.
- > Applications processed within the PLA and forwarded to the QPS within 60 days.
- > Number of certificates issued declaring prohibited brothels.

What is involved in issuing a brothel licence or manager's certificate?

When an individual applies for a brothel licence or a manager's certificate, the Prostitution Act requires a range of complex inquiries to be made.

The PLA must first be satisfied that an individual is eligible to apply for a licence. The individual applying must not:

- be a corporation, a minor or an insolvent under administration
- hold a licence or permit under the Liquor Act
- have been convicted of a disqualifying offence
- have had a licence, permit or certificate under the Prostitution Act or a corresponding law cancelled in the last three years.

In certain circumstances the PLA must automatically refuse the application. For example, the PLA would be required to refuse an application if:

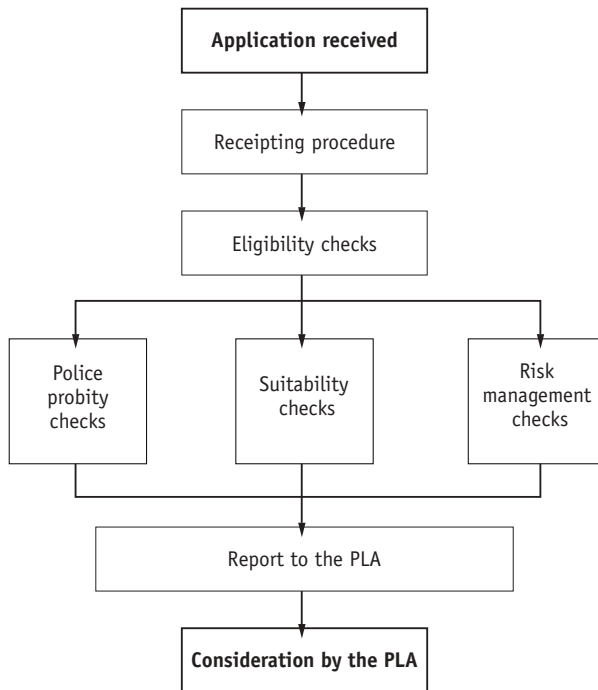
- the applicant had been convicted of an offence, the facts of which constitute the running of a brothel
- the applicant had an interest in another licensed brothel
- for a brothel application, the number of licensed brothels or adult entertainment permits in the locality where the proposed brothel will be situated would change the character of the locality into a 'red light district'.

Finally, and most importantly, the PLA must be satisfied that applicants are suitable people to hold a licence. The PLA is obliged to consider the applicant's reputation, having regard to their character, honesty and integrity. In particular, the PLA must consider whether applicants:

- have been convicted of an offence against the Prostitution Act or a corresponding law
- have been convicted of an indictable offence or charged with certain sexual offences
- can show that the business will be financially viable (brothel licence only)
- can show that sex workers will be safe while working at the brothel (brothel licence only)
- can show that the business structure is sufficiently transparent to enable all associates to be readily identified (brothel licence only)
- are an associate of a person convicted of a disqualifying offence or an indictable offence
- are an associate of a body corporate, an executive officer of which has been convicted of a disqualifying or an indictable offence
- have an associate who holds a licence or permit under the Liquor Act.

A process has been initiated that enables the collection of all relevant information for the PLA to decide whether a licence should be granted to an individual. The process involves the following key steps:

Figure 2: Application processing



How many licences and certificates have been granted?

The PLA has granted a brothel licence in respect of a premises at Bowen Hills.

To date, the PLA has received 22 applications from 20 individuals for brothel licences and managers' certificates. There were equal numbers of brothel licences and managers' certificates received. Table 2 explains the status of the 22 applications.

Table 2: Status report of brothel licence and managers' certificates received by the PLA

Status	Number of applications
Approved	1 brothel licence (3 applicants)
PLA disposed to refuse	2 brothel licences 1 manager's certificate
Withdrawn	1 brothel licence 3 managers' certificates
Under investigation	5 brothel licences 7 managers' certificates

Prohibited brothels

The Prostitution Act established a new procedure to enable a building to be declared a prohibited brothel. Any police officer, member of the PLA or an officer of the local authority may apply to a Magistrates Court for an order to declare a building an illegal brothel. After the declaration has been made, it must be published on two consecutive days in the local newspaper, displayed on the entrance to the building and served on the occupier or owner of the building. After publication of the declaration, any person found in the building, or entering or leaving the building, can be charged with a criminal offence, unless there is a lawful reason to be there.

Since the introduction of the Act, there have been nine prohibited brothel declarations initiated by the QPS. The QPS has reported that, due to the failure of one such application in the Magistrates Court, it has ceased making applications for prohibited brothels. The QPS has stated that legislative amendment of the Prostitution Act will be required before any further applications for prohibited brothels are made.

Applications for prohibited brothels have not been made by the PLA, or by an officer of a local authority.

Development applications for approved premises

While the PLA is responsible for issuing brothel licences to individuals, local authorities are responsible for deciding where brothels will be located. Individuals intending to establish a licensed brothel must apply to the local authority for approval to use a building for the purpose of running a licensed brothel. If the proposed brothel will be situated in an 'industrial area', the Integrated Planning Regulation 1998 directs the local authority to apply a set of conditions, which are listed in the Prostitution Regulation 2000. If the application meets these conditions, the local authority must approve the application. However, if the brothel is planned for an area that is not industrial, the local authority may use an impact assessment approach to decide whether the application should be approved. Impact assessment involves advertising that an individual intends to convert the building into a brothel and seeking any objections from the local community.

During the financial year 2000–2001, there were 18 applications made to local authorities for brothels in their area. Only six development applications were approved (refer to Table 3).

Table 3: Development applications to local authorities, 2000-2001

Location	Assessment	Date lodged
Local authority approvals		
Brisbane	Code	23-4-01
Gold Coast	Impact	8-9-00
Gold Coast	Code	9-3-01
Logan	Code	14-12-00
Townsville	Code	6-11-00
Cairns	Code	2-10-00
Local authority refusals		
Gold Coast	Code	17-8-00
Toowoomba	Code	2-3-01
Toowoomba	Code	19-3-01
Cairns	Code	13-11-00
Applicant withdrew the application		
Brisbane	Code	8-9-00
Brisbane	Code	13-9-00
Brisbane	Code	3-1-01
Cairns	Code	1-11-00
Application still in progress at 30 June 2001		
Gold Coast	Unsure	12-9-00
Gold Coast	Unsure	23-5-01
Gold Coast	Unsure	27-6-01
Noosa	Code	July, 2000

Under the Prostitution Act, towns with a population of less than 25,000 people are entitled to seek exemption from the obligation to consider development approval for brothels in their area. Towns that fall into this category must make application to the Minister for Police and obtain the approval of the Minister before they can automatically refuse applications for brothel premises. During the financial year 2000-2001 there were 102 towns or shires in Queensland that sought and obtained approval from the Minister for Police to automatically refuse development approval for brothels in their towns. These towns are listed in Table 4.

Table 4: Towns that have obtained approval from the Minister for Police for exemption from considering development applications for brothels

Date of request	Town or shire
11-04-00	Pittsworth
26-04-00	Talwood, Bungunya, Toobeah, Yelarbon
23-05-00	Gatton, Allora, Dalveen, Emu Vale, Karara, Leyburn, Maryvale, Mount Colliery, Pratten, Tannymorel, Warwick, Yangan
29-06-00	Wondai, Tingoora, Mondure, Hivesville, Proston, Durong
03-07-00	Moranbah, Clermont
13-07-00	Blackall
24-07-00	Burdekin Shire townships
24-07-00	Chinchilla Shire
24-07-00	Millmerran, Cecil Plains
25-07-00	Helidon, Withcott, Murphy's Creek, Thargomindah, Hungerford, Noccundra, Murgon
26-07-00	Stanthorpe, Wallangarra
27-07-00	Boonah, Kalbar, Aratula, Warrill View
03-08-00	Clifton, Nobby
04-08-00	Aramac, Muttaborra
09-08-00	Emerald
14-08-00	Dalby, Oakey, Cotswold Hills, Torrington, Glenvale, Westbrook, Wyreema, Cambooya, Southbrook, Biddeston, Aubigny, Mount Tyson, Jondaryan
16-08-00	Atherton, Tolga, Kairi, Tinaroo, Walkamin
22-08-00	Kingaroy, Coolabunia, Crawford, Kumbia, Memerambi, Wooroolin, Mareeba, Kuranda, Dimbulah, Mount Molloy, Chillagoe
24-08-00	Conondale, Witta, Maleny, Beerburum, Glass House Mountains, Beerwah, Landsborough, Mooloolah
5-10-00	Towns of the Southern Moreton Bay Islands (inclusive Macleay Island, Perupla Island, Russell Island, Lamb Island, Karragarra Island), Coochiemudlo Island, North Stradbroke Island
9-10-00	Inglewood, Texas
24-10-00	Capella, Tieri
9-11-00	Tara, Meandarra, Moonie, Glenmorgan, Westmar, Flinton

Projected activities for 2001–2002

- Negotiate the terms of a memorandum of understanding with the QPS for probity checking procedures.
- Negotiate the terms of a memorandum of understanding with the Liquor Licensing Division for access to information.
- Implement the recommendations of the licensing database review.
- Provide support to local government on the implementation of the Prostitution Act.
- Consider the development of an inspectorate to audit licensed brothels.
- Establish a monitoring strategy for the regulation of licensed brothels.
- Develop a formal disciplinary process for licensees and approved managers.
- Develop an efficient approval system for police entry to licensed brothels (refer to section 60 of the Prostitution Act).

2. Advertising prostitution

The PLA is responsible for approving advertising for prostitution.

Key achievements

- > Advertising guidelines for sole operators have been established.
- > Liaison has occurred with media in relation to appropriate advertising for newspapers.

Performance indicator

- > Number of advertising requests processed within 30 days.

The Prostitution Act establishes several offences relating to advertising. An offence is committed when a published advertisement for prostitution:

- describes the services offered
- is not in a form approved by the PLA
- is published through radio, television, film or video recording.

The PLA has established a broad policy for advertising for sole operators, and has approved a list of words that may be used by sole operators in their advertisements (the list of words is provided on the following page). Any advertisement that falls outside this broad policy, or uses words that are not on the approved word list, must be separately considered by the PLA for approval. All advertisements for licensed brothels must be individually submitted to the PLA for authorisation before they can be published.

The advertising policy has been distributed to all major newspapers in Queensland, to the Publication Bureau and to sex workers through the peak sex worker agency SQWISI. Since the establishment of the advertising policy, 100 advertisements for sole operators have been approved by the PLA.

All requests for advertising approval were considered well within 30 days of receiving the request.

Advertising policy for sole operators

An advertisement advertising the services of a sole operator for publication in print media, for example a newspaper or magazine, may include the following information only:

- the name of the person or business – provided that the name does not describe the services offered; and
- the address from which the business operates; and
- the telephone or contact details of the business.

An advertisement may also include approved line drawings or pencil renderings as well as a photograph of only the head and shoulders of the person offering the prostitution service.

Any other information intended to be included in the advertisement must have the prior approval of the PLA.

The advertisement must not be of a size greater than 5 cm in height and 7.2 cm in width or greater in area than the equivalent area constituted by those dimensions.

The advertisement may be in colour or black and white.

Approved words for sole operator advertising

100%	Exotic	Sensitive
passionate	Feminine	Sensual
Your bust size	Firm	Sexy
Adorable	Flexible	She-male
Adventurous	Foxy	Shy
Age	Fun	Silky
All class	Gay	Size – 8, 10 etc
All natural	Goddess	Slender
Alluring	Good looking	Slim
Athletic	Gorgeous	Sophisticated
Attentive	Gymnast	Spicy
Attractive	Heterosexual	Straight-acting
Baby-faced	Hot	Straight
Bisexual	Hot Blooded	Stunner
Blonde	Intelligent	Stunning
Bombshell	Kinky	Submissive
Bored	Kissable	Sultry
Breathhtaking	Knockout	Sweet
Brunette	Long hair	Tall
Bubbly	Long legs	Tantalising
Busty	Love goddess	Temptriss
Calendar Model	Luscious	The real
Centrefold	Lusty	Toned
Caring	Mature	Transgender
Cheeky	Mind blowing	Transsexual
Clean	Model	Ultimate
Coloured	Muscular	(as description of self)
Cross-dresser	Mysterious	Understanding
Cuddly	Naughty	Uninhibited
Cute	Obliging	Unique
Delectable	Open-minded	Up-market
Discreet	Original	(as description of self)
Down to earth	Passionate	Vivacious
Drug free	Penthouse Pet	Voluptuous
Early bird	Perfect	Wicked
Educated	Petite	Wild
Elegant	Pin-up	Young
Exceptional	Role Player	
Exciting	Seductive	

Projected activities for 2001–2002

- In conjunction with sole operators, review the advertising policy to assess its effectiveness.
- Liaise with the Prostitution Enforcement Taskforce, QPS, to establish an audit of advertising for prostitution to assess compliance with the advertising policy.

3. Liaison and assistance

The PLA has worked hard to liaise with and assist the Government and the community to implement the new framework for prostitution in Queensland. Some of the liaison functions of the PLA are required by the Prostitution Act. For example, the Act requires that the PLA:

1. liaise with the QPS with a view to assisting the service in carrying out its functions in relation to prostitution
2. receive complaints about prostitution
3. inform relevant government departments and agencies about possible offences that are detected while carrying out its functions
4. inform the PAC about issues and trends relevant to its functions.

Other mechanisms have been established by the PLA to ensure that the community is fully informed:

- The PLA liaises with the Liquor Licensing Division and with relevant government agencies interstate as part of the probity process.
- The PLA responds to inquiries from local authorities, members of the community and representatives of government agencies
- Meetings have been initiated with key stakeholders to communicate the role of the PLA and the intention of the legislation.

Key achievements

- > An education strategy on the role and function of the PLA and the PAC for key stakeholder groups has been implemented.
- > Negotiation has commenced with the CJC about its review of the Prostitution Act.
- > Monthly information updates provided to the PAC and CJC about key aspects of the Prostitution Act.
- > A complaint handling policy has been developed and implemented.
- > Systems have been established for recording complaints and inquiries to the PLA.

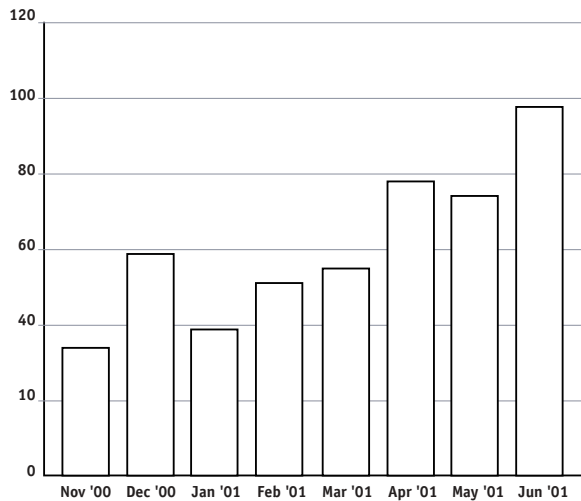
Performance indicators

- > Number of complaints received and resolved.
- > Percentage of complaints to the PLA about prostitution resolved within 30 days.
- > Number of meetings held with key stakeholders.
- > Satisfaction of LGAQ with liaison between the PLA and LGAQ/local authorities.
- > Satisfaction of the PAC with information and support provided by the PLA.
- > Satisfaction of SQWISI with liaison between the PLA and the sex industry.

Inquiries

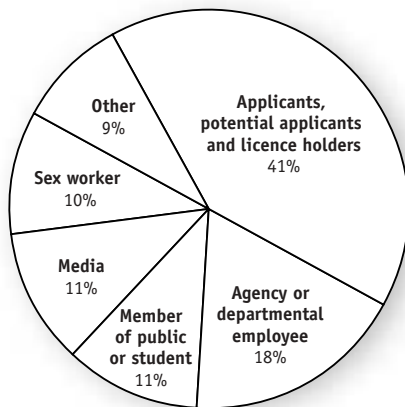
The office of the PLA responds to numerous inquiries, largely about the legal framework for prostitution in Queensland, and largely from licence and certificate applicants (see figures 3 to 5). A system for recording information about inquiries was established by the PLA in November 2000 and since then the PLA has responded to 487 inquiries.

Figure 3: Number of inquiries received by the PLA, November 2000 – June 2001



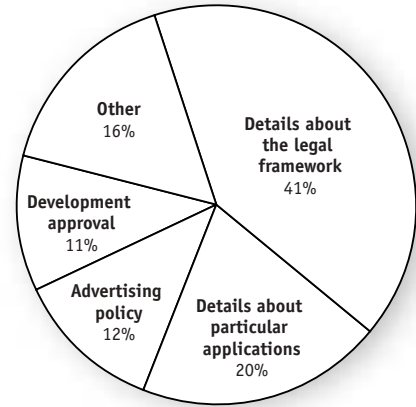
Note: Information was not collected between July and November 2000.

Figure 4: Source of inquiries to the PLA, November 2000 – June 2001



Note: Information was not collected between July and November 2000.

Figure 5: Nature of inquiries to the PLA, November 2000 – June 2001



Note: Information was not collected between July and November 2000.

Complaints

The PLA is required by legislation to receive complaints about prostitution. Over the financial year 2000–2001 the PLA received 37 complaints. The PLA complaint handling policy outlines several options for resolving complaints. Most of the 37 complaints made to the PLA were resolved by referring them to the QPS (see figure 9).

Extract from the PLA complaint handling policy

There are several options for taking action in response to a complaint and these are outlined below.

Referral to the PLA for investigation and consideration of disciplinary procedure

All complaints that involve a licensed brothel must be referred to the PLA for its consideration. After investigating complaints involving licensed brothels, the PLA may consider disciplinary action against a licence holder or some other appropriate action.

Referral to the QPS

The PLA does not have any capacity to investigate complaints about illegal prostitution or illegal advertising. The only option for complaints about illegal prostitution or illegal advertising for prostitution services is to refer the complaint to the QPS. Complaints can be referred to the QPS in their entirety, or without information identifying the complainant. The referral of identifying information about the complainant is a decision for the complainant to make.

Referral to another appropriate agency

Complainants can be referred to another agency. For example:

- Complaints about a sole operator may be referred to the local authority to check if the premises are registered as a small business
- Complaints about health issues relating to prostitution may be referred to Queensland Health
- Complaints about noise may be referred to the Environment Protection Authority
- Complaints about adult entertainment permits may be referred to the Liquor Licensing Division
- Complaints about development approval may be referred to the local authority.

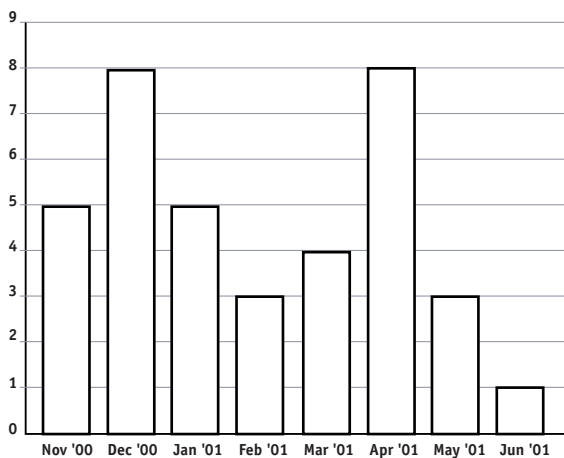
Advice provided to complainant

Sometimes a complaint about prostitution involves behaviour that is legitimate, or can be resolved by providing information about the prostitution laws in Queensland. In these cases, simple advice is provided to the complainant, and more detailed written material may be sent in the post.

No action

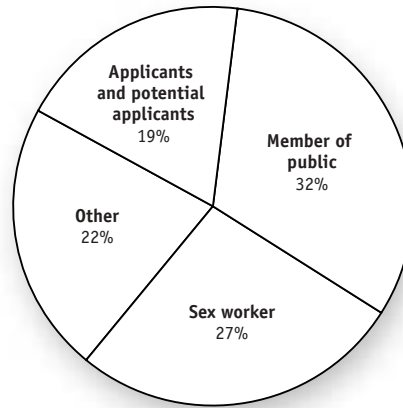
If none of these options are appropriate, no further action is possible.

Figure 6: Number of complaints received by the PLA, November 2000 – June 2001



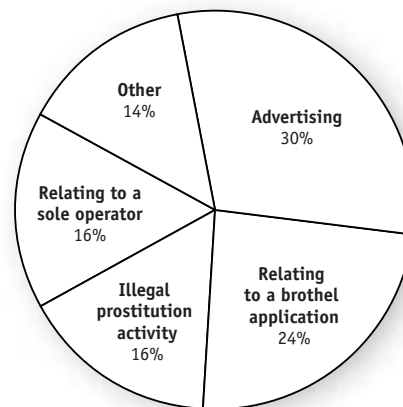
Note: Information was not collected between July and November 2000.

Figure 7: Source of complaints received by the PLA, November 2000 – June 2001



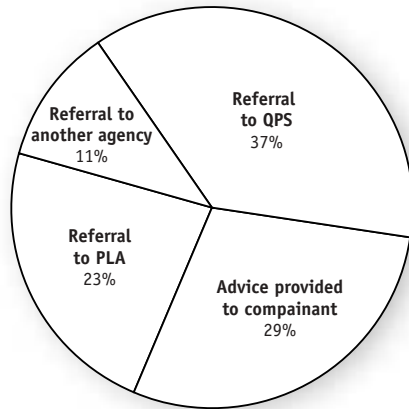
Note: Information was not collected between July and November 2000.

Figure 8: Nature of complaints received by the PLA, November 2000 – June 2001



Note: Information was not collected between July and November 2000.

Figure 9: Resolution of complaints by the PLA, November 2000 – June 2001



Note: Information was not collected between July and November 2000.

Meetings held

The PLA held meetings with a range of individuals and agencies, throughout Queensland, about the legal framework for prostitution (refer to Table 5). Some of these meetings involved brothel licence applicants or potential applicants, but the majority were meetings with the QPS, SQWISI, or local authorities.

Table 5: Meetings held by the PLA with external agencies, July 2000 to 4 April 2001

Agency	Number
QPS	27
Interstate and international agencies	14
SQWISI	12
Applicants and potential applicants	11
LGAQ and local authorities	10
CJC	8
Ministerial	7
Community groups	5
Media	3
Queensland Office of Gaming Regulation	3
Other agencies*	4
TOTAL	104

* Department of Industrial Relations, Australian Taxation Office, Liquor Licensing Division, Inter-agency Working Committee on Prostitution.

Projected activities for 2001–2002

- Develop a formal communication strategy for key stakeholders.

4. Corporate support

Due to its small size, the PLA outsources a range of corporate support services. The PLA has contracted the QPS to provide:

- Media liaison
- Assistance with recruitment and selection
- Payroll services
- Information technology support
- Workplace health and safety support
- Human resource management policies, including workplace health and safety and equal employment opportunity
- Library services
- Vehicle maintenance and repairs
- Purchasing of assets.

Key achievements

- > Administrative systems were established.
- > Security at the PLA office was upgraded.
- > A Service Level Agreement was established with the QPS to provide Information Technology support.

Performance indicators

- > Number of staff attending training programs.
- > Number of training programs attended by staff.
- > Satisfaction of staff with security arrangements.
- > Satisfaction of staff with support arrangements.

Administration

Establishment of office systems

The PLA has established all requisite office systems for the smooth operation of business. For example:

- A manual filing system has been established for brothel licence applications and administration.
- A mail register has been established and an incoming correspondence process has been implemented.
- Fortnightly staff meetings have been convened and are documented.
- Systems have been developed for recording all inquiries and complaints to the PLA and all meetings attended by PLA staff.
- A money handling process has been established.

Security

A number of critical security and safety concerns, identified early in the life of the PLA, required urgent attention. The predominant issues were associated with the protection of staff. State Government Security was engaged by the PLA to design, document, tender, supervise and commission a project to improve the protection of staff in the office. It is anticipated that the project will be completed in July 2001.

A number of other issues were identified in an audit conducted by the QPS. While these issues are not associated with security directly, they have very important implications for safety generally and will be pursued by the PLA when funding is secured.

Consultancies

The total expenditure on consultancies for the financial year totalled \$26,463 (see below).

Table 6: Consultants engaged by the PLA

Name of consultant	Description	Cost
Bowden Computer Placements	Information technology consultancy to review the communication business requirements of the PLA, the immediate business requirements of the database system and the future business requirements	\$22,013
Siggins Miller Consultants	Business planning for the PAC	\$4,200
Shine Company	Compile a brief for the design of a web site for the PLA	\$250

Finance

During the PLA's initial year of operation, the required financial policies and procedures were established to ensure the effective and efficient utilisation of the PLA's resources.

As the PLA did not have access to the SAP financial accounting system, the processing and payment of accounts was outsourced to the QPS under a corporate services agreement.

The Queensland Audit Office certified that the PLA's financial statements presented a true and fair view of its financial position, in accordance with prescribed accounting standards and other mandatory professional reporting requirements.

The PLA's audited Annual Financial Statements are included in this Annual Report and describe the financial position of the PLA as at 30 June 2001.

Information technology

Business requirements

The primary purpose of the PLA Licensing System is to provide a business-oriented solution that fully addresses the current and future needs of the PLA business unit. The existing system does not fully cater for these needs and a business analyst was contracted to identify a complete business solution.³

The current PLA Licensing Database was developed by the Information Systems Branch, QPS, to provide a system which would support application processing as prescribed in the Prostitution Act. The system was developed prior to staffing the office of the PLA, which meant that PLA staff were not able to provide input into the development of business requirements or rules for the system. The system was designed to capture data from the proposed application forms so the data could be utilised in the later production of documentation (for example, the brothel licence).

The current system provides for only some of the basic requirements as defined by the legislation, but does not cater for the current business needs of the PLA with respect to application processing (managing the probity task) and licence/certificate management. These deficiencies were the result of budget and time restrictions (the system was delivered for the commencement of PLA operations on 3 July 2000) and the original scope not including all business requirements.

A Gap Analysis was conducted to determine the critical business requirements not satisfied within the current system and to identify any future enhancements. The analysis identified two timeframes:

- critical – required within the next 6 months
- future – to be available in 12 months.

Commencement of these developments now depends on the provision of funding for the Standard Operating Environment (SOE)⁴, which will define the software products suitable for development. In the meantime, parallel and additional data are maintained in separate spreadsheets for more intelligent searching capabilities.

Communication requirements

The PLA's computing facilities were established with an SOE in line with the QPS standard desktop operating environment to enable QPS to provide computing support to the PLA. The Local Area Network is independent of any Wide Area Networks including CITEC, QPS networks and GovNet.

Currently there is a single computer that provides access to the Internet at the PLA office. This is a stand-alone PC that provides limited e-mail services and utilises an external Internet Service Provider. There is a continually increasing need for greater access to the Internet, particularly for probity and research capabilities. Network access to the Internet is critical.

The lack of a secure e-mail facility between the PLA, other government departments³ and members of the PLA and PAC restricts the type of information that can be transmitted electronically. This means that sensitive information and documentation has to be either hand-delivered or posted, resulting in time inefficiencies. Secure e-mail transmissions utilising encryption methods between identified accounts is required. Again, network access to the Internet is critical.

³ Report finalised November 2000

⁴ While the PLA currently has Apple Macintosh machines, the QPS has commenced roll-out to PCs. The QPS has advised that the PLA is not scheduled for roll-out to PCs until 2003.

⁵ Excluding QPS

Staffing overview

All six members of the PLA staff are located at the PLA office in Milton and are employed under the *Public Service Act 1996*.

Table 7: PLA staff establishment

Staff category	Number (F-T)	
	Female	Male
A07-S0	2	1
A04-6	2	0
A01-3	1	0
TOTAL	5	1

All but one of the PLA staff are female. Table 8 shows staff membership of the four equal employment opportunity (EEO) target groups.

Table 8: PLA staff membership of EEO target groups

EEO target group	Number of staff (N=6)
Women	5
Non-English-speaking background	1
Aboriginal or Torres Strait Islanders	0
People with a disability	0

Staff training and development

A number of training courses were attended by staff during the year, including training on Managing for Outcomes, the State purchasing policy, managing the front desk, and workshops on financial and annual reporting. All PLA staff attended a presentation about ethical conduct at the PLA, which outlined staff obligations under the PLA Code of Conduct. Altogether, 49 hours of training were undertaken by PLA staff.

Public interest disclosures

The *Whistleblowers Protection Act 1994* defines a public interest disclosure as a disclosure of information about:

- someone else's conduct
- maladministration
- negligent or improper management affecting public funds
- danger to public health or safety, or danger to the environment
- danger to a person with a disability.

There were no public interest disclosures made to the PLA during the financial year 2000–2001.

Freedom of information

Section 137 of the Prostitution Act states that the *Freedom of Information Act 1992* does not apply to any document given to or produced by the PLA under the Prostitution Act. This means that members of the public are not permitted access to any documents given to or produced by the PLA.

There were no applications made to the PLA under the Freedom of Information Act during the financial year 2000–2001.

Projected activities for 2001–2002

- Establish a staff induction program.
- Establish a risk management strategy.
- Develop a fraud control policy and an anti-corruption strategy for the PLA and PAC.
- Develop an information security management policy.
- Establish an electronic records management system.
- Review and update the PLA website.