

corporate governance

The Prostitution Licensing Authority

Membership

The Prostitution Act prescribes the membership of the PLA, which must include:

- The chair – an independent, respected member of the community nominated by the Premier
- The commissioner of police, or a police officer of at least the rank of superintendent nominated by the commissioner
- The chairperson, or the assistant commissioner, crime, of the CMC
- A doctor who has at least five years' experience in community health
- A lawyer who has been admitted for at least five years and has knowledge of or experience in administrative law, company law or criminal law
- A senior representative of the Local Government Association of Queensland (LGAO).

Role

The PLA decides applications for brothel licences and managers' certificates. In addition, the PLA is responsible for:

- Monitoring the provision of prostitution through licensed brothels
- Conducting probity investigations into licence and certificate applicants
- Conducting disciplinary inquiries in relation to licensees and approved managers
- Disciplining licensees and managers
- Receiving complaints about prostitution
- Liaising with the police service with a view to assisting the police service
- Liaising with local authorities
- Collecting fees under the Prostitution Act
- Informing relevant government departments and agencies about possible offences that are detected while carrying out its functions
- Informing the PAC about issues and trends relevant to its functions
- Approving advertising for prostitution
- Maintaining a licence and certificate register
- Providing support to the Independent Assessor
- Assisting the CMC with its review of the Prostitution Act.

Members

The current members of the PLA were appointed by Governor-in-Council for varying terms. All members of the PLA will conclude their term of appointment in May 2004.

Mr Bill Carter QC, Chair



Mr Carter graduated as a lawyer from the University of Queensland in 1959, was appointed to the District Court of Queensland in 1980 and to the Supreme Court in 1983. Since leaving the Supreme Court, Mr Carter has served in several high profile public positions, including serving as the Chair of the Commissions of Inquiry into Police and Drugs (1996–97), Operation Trident (1992–93) and Townsville Psychiatric Unit (Ward 10b) (1990–91). Mr Carter was reappointed for a further two years.

Assistant Commissioner John McDonnell



Mr McDonnell is the current and inaugural head of the Ethical Standards Command in the QPS, and has served with the Service since he joined in the early 1960s. Among his many appointments within the QPS, Mr McDonnell has served with the United Nations Peacekeeping Force in Cyprus, the Fitzgerald Implementation Unit and was the Director of Operations, CJC. He was awarded the Australian Police Medal in January 1994. Mr McDonnell is appointed as an officer of at least the rank of superintendent and has been nominated by the Police Commissioner as his representative. Mr McDonnell was appointed for four years.

Mr John Callanan



Mr Callanan is the Assistant Commissioner, Crime, of the CMC. He is involved in a range of responsibilities and functions at the senior executive level of the CMC and the management and coordination of investigations into paedophilia, major crime and organised crime. Prior to his appointment as Assistant Crime Commissioner of the Queensland Crime Commission, and later Assistant Commissioner, Crime, of the CMC, Mr Callanan had over 20 years' experience in the criminal justice system as a Crown Prosecutor, as a Barrister in private practice on the Prosecutions Task Force and for the Office of Special Prosecutor. He was also Counsel for the Fitzgerald Inquiry. Mr Callanan was appointed for two years.

Mr Lance Pollard



Mr Pollard is a solicitor in private practice and is currently a partner with Bennett and Philp. He has had extensive experience in the areas of commercial litigation, corporate and personal insolvency, debt recovery, administrative law, trade practices law and company law. He is appointed to the PLA as a lawyer who has been admitted for at least five years and who has knowledge and experience in administrative law, company law or criminal law as per legislation. Mr Pollard was appointed for four years.



Dr Ian Wilkey

Dr Wilkey was the Medical Superintendent of Royal Brisbane Hospital and has previously held Medical Officer positions within the Queensland and Papua New Guinea health systems, including as a Director of the Laboratory of Microbiology and Pathology and the Director-General of Health and Medical Services.

Dr Wilkey is appointed as a medical practitioner who has at least five years' experience in community health as per legislation and his appointment was for four years.



Cr Ann Bennison

Cr Bennison is the Brisbane City Councillor for Enoggera Ward and an Executive Member and Treasurer for the LGAQ. Cr Bennison has represented Enoggera Ward since 1994, before which she was a trade union official with the Australian Bank Employees Union and the Queensland Teachers' Union. Cr Bennison was appointed as a senior representative of the LGAQ as required by the legislation and her appointment was for two years and five months.



Mr Tim Carmody SC

Mr Carmody was appointed the Queensland Crime Commissioner in 1997 and in that role served as a member of the PLA as per legislation between May 2000 and December 2001. The Queensland Crime Commission merged with the CMC on 1 January 2002, at which time Mr Carmody ceased as a member of the PLA.

Meetings

The PLA held 11 ordinary monthly meetings over the financial year 2001–02. In addition, 12 special meetings were held to address specific issues (see special meetings below).

Table 1: Attendance at meetings of the PLA

Name	Number of meetings attended (n=11)
W Carter (Chair)	11
T Carmody ¹	5
J Callanan ²	3
J McDonnell	11
A Bennison ³	4
L Pollard	11
I Wilkey	11

¹ Mr Carmody ceased as a member of the PLA in December 2001.

² Mr Callanan commenced membership of the PLA in April 2002.

³ Cr Bennison commenced membership of the PLA in December 2001.

Remuneration

The chair and members of the PLA were paid, as determined by the Governor-in-Council, \$49,271 during the financial year 2001–02.

Special meetings

The Advertising Subcommittee was convened to consider the question of advertising approval and to establish a brothel advertising policy. The subcommittee drafted a brothel advertising policy and procedure for consideration of the PLA.

The Code of Practice Subcommittee was convened to consider the Interim Code of Practice for Licensed Brothels. The subcommittee comprised two members of the PLA, two members of the PAC and PLA staff. The subcommittee discussed the requirements of a code of practice.

A subcommittee was formed to review and rewrite the standard brothel licence conditions attached to brothel licences. The subcommittee compiled new standard brothel licence conditions for consideration of the PLA.

The Prostitution Advisory Council

The Prostitution Act established the PAC, which reports to a ministerial committee comprising the Ministers administering the following legislation:

- The Prostitution Act
- The *Family Services Act 1987*
- The *Health Act 1937*
- The *Liquor Act 1992*.

An Annual Report about the operations of the PAC will be submitted to the ministerial committee as required by section 122 of the Prostitution Act.

Membership

The PAC comprises 11 individuals from various backgrounds. The Prostitution Act requires that the membership of the Council include men and women, some of whom fulfil the following characteristics:

- A person who represents sex workers in Queensland
- A person who has experience as a sexual health care doctor or social worker with sex workers
- A person who has knowledge of relevant issues for marginalised or disadvantaged young people
- A person who is representative of religious or community interests.

Role

The PAC is responsible for:

- Advising the ministerial committee on issues related to the regulation of prostitution in Queensland
- Monitoring the operation of the Prostitution Act
- Liaising with the PLA, the QPS and other agencies to assist them in carrying out their functions
- Referring matters it considers appropriate for investigation to an agency of government or any other entity for investigation
- Promoting and coordinating programs that:
 - ❖ Promote sexual health care
 - ❖ Help prostitutes to leave prostitution
 - ❖ Divert minors and other vulnerable persons from prostitution, especially opportunistic prostitution
 - ❖ Raise awareness in sex workers, judicial officers, police, community workers and the community about issues relating to prostitution
- Promoting the dissemination of information about:
 - ❖ The dangers inherent in prostitution
 - ❖ Security measures to improve the personal safety of sex workers
- Coordinating the development of codes of practice for licensed brothels, if appropriate.

Meetings

During the financial year 2001–02, the PAC held nine monthly meetings and several special meetings to consider specific issues.

Remuneration

The Chair and members of the PAC were paid \$30,446 during the financial year 2001–02, as determined by the Governor-in-Council. Payment of fees to PAC members was funded from the PLA budget.

PLA Strategic Plan

The PLA Strategic Plan 2001–04 was reviewed and approved by the PLA and will replace the existing Strategic Plan that became effective late in 2001. The reviewed Strategic Plan retains the existing five goals for the PLA, these being:

1. To ensure an efficient and effective brothel licensing system to regulate prostitution in Queensland.
2. To ensure licensed brothels are operating to best practice standards.
3. To inform the public about prostitution in Queensland.
4. To maintain strategic liaisons with key agencies.
5. To provide a safe, fair and productive workplace at the PLA.

The Strategic Plan outlines those initiatives that will give effect to the five goals, for example:

- Finalise a Probity Investigation Policy and Procedures Manual
- Establish a statewide compliance program to monitor the operations of licensed brothels and brothel advertising¹
- Establish a data collection and monitoring program to assist in determining the effectiveness of the legislation
- Consult with and inform stakeholders about the Prostitution Act and its implications
- Implement human resource management practices which value the contribution of all staff.

Ethical conduct

High ethical standards are critical to the work of the PLA. To achieve a high standard of ethical conduct among staff, the PLA has:

- Established a Code of Conduct early in 2001 to guide staff in understanding the ethical objectives of the PLA and expected behaviour of staff members
- Developed a Finance and Administration Manual to oversee the financial and administrative operations of the PLA and to provide clear direction for staff working in these areas
- Introduced a staff induction process and an induction package which includes a personal copy of the Code of Conduct
- Implemented a staff training program that included a two-day module on ethical decision-making. The training session was based on the Code of Conduct and other legislative standards for staff
- Reviewed and enhanced probity checks as part of the staff recruitment process.

¹ Compliance officers will also contribute to probity processing of brothel licence and manager's certificate applications.


Risk management

Following an approach by the Chair of the PLA, the then CJC conducted a risk review of the PLA. Two risk assessment workshops were carried out at the offices of the PLA during July 2001 in which all staff participated. The aim of the risk review was to identify vulnerabilities and to reduce or avoid corruption risks. The review included an assessment of all policies and procedures under development or in place at the PLA and an assessment of areas such as property, computers and information, personnel, health and safety, reputation and image, liability and risk aversion. A report on the risk review was furnished to the PLA in September 2001 and the PLA has addressed all 43 recommendations for control improvements.

With the establishment of the Protective Security Manual in September 2001, the PLA established an Information Security Steering Committee (ISSC). The ISSC is responsible for conducting an annual risk assessment, in conjunction with the QPS, of threats to the security of premises, staff, property and information at the PLA. From the risk assessment, the ISSC prepares an annual report to the PLA with any recommendations to address identified risks. The ISSC comprises the Registrar of the PLA, the Senior Policy and Research Officer (PLA), the Finance and Administration Officer (PLA) and an officer from the CMC. The ISSC is responsible for monitoring the Protective Security Manual.

Protection of personal information

In accordance with the requirements of Information Standard 42, the PLA has developed and established a Privacy Plan which documents arrangements within the PLA that will ensure the responsible and accountable collection and management of personal information. The aim of the Privacy Plan is to protect all forms of personal information from being lost, misused or inappropriately modified or disclosed. The Privacy Plan was approved by the PLA in May 2002 and will be posted on the PLA website. The Privacy Plan will be fully implemented by December 2002.

A black and white photograph of a tree-lined street. The trees are in the foreground and middle ground, with their trunks and branches visible. The street is paved and has shadows cast across it. In the background, a car is blurred, suggesting motion. The overall scene is a quiet, urban setting.

"Cassie"
aged 53 years

"I have thought about starting up a licensed brothel of my own because I would like to see good working conditions for the workers. I haven't done so because of the money required to set one up."