



■ **Table 7:** Council approved brothel premises for which the PLA may be considering a brothel licence application or for which a brothel licence application has not yet been lodged.

Local authority	Address
Brisbane	1/9 Alton Street, Coopers Plains
*Rockhampton	17 Bush Crescent, Parkhurst
Townsville	28 Leyland Street, Garbutt
Cairns	5 Southgate Close, Woree

*A licence was granted to operate a licensed brothel at the premise. The licence was not issued and the applicant withdrew their application to operate a licensed brothel. The premise still has a change of use approval.

The Independent Assessor

The Office of the Independent Assessor was established in December 2001 to hear and decide appeals about local government decisions on development applications for brothels. During 2006-07 no appeals were lodged with the Independent Assessor.



Mr Stephen Keim SC

Stephen Keim is a barrister of 20 years' experience and has practised in Brisbane throughout that time. In addition to his professional work as a barrister, he serves in a number of positions including member of the Land Court and deputy chairperson of

the Land Tribunal. Mr Keim continues as a member of the Council of the Queensland University of Technology (QUT).

In December 2004 Mr Keim became a Senior Counsel for the State of Queensland.

Exempt Towns

The Act allows the local government of towns with a population of 25,000 or less to make an application to the Minister for Police for the right to refuse any development application for a brothel in their local government area. There are currently 204 towns in Queensland that have received approval from the Minister for Police to refuse development approval for a brothel (see appendix 1 for a full list of all towns who may refuse an application for development approval for a brothel).

Monitoring and Compliance

The Compliance Program

As part of its regulatory function the PLA implements a compliance program to monitor, review and make recommendations on the operational standards of licensed brothel in Queensland. This is achieved through a number of strategies which include:

- Provision of advice and guidance to applicant licensees with respect to development of policies, procedures and operational standards; and
- Ongoing monitoring of existing licensed brothels operations; and
- Activities for improvements to individual brothel operations or across the industry as a whole.

It is a priority of the PLA compliance program to ensure that the operations of licensed brothels are conducted in accordance with the highest standards, commensurate with community expectations and in accordance to Government legislation.

The legislative framework for compliance standards includes the Act, *Prostitution Regulation 2000*, brothel licence conditions and the Guidelines for the Operation of Licensed Brothels in Queensland. In addition proactive liaison with agencies administering other relevant legislative requirements ensures a whole of government approach for monitoring of the licensed industry.

The underpinning requirements of the PLA compliance program are largely articulated through the audit and

inspection of licensed brothels. These onsite activities include the examination of financial records, review of policies and procedures, assessment of facilities and security arrangements within the brothel, the examination of brothel records and the conducting of interviews with staff and sex workers. Auditing is characterised by a number of principals which makes it a reliable and effective method to support brothel management to maintain controls and improve performance.

Operational audits for each licensed brothel in Queensland have been completed and detailed reports of these audits have been provided to the PLA for their consideration. In the 2006-07 year PLA compliance officers undertook 195 compliance activities which included audits, inspections, interviews with prospective licensees as well as meetings with and referrals to, other government agencies. There were a total of 46 audits and inspections conducted and as a result, 98 recommendations for improvements were made.

The compliance unit is also responsible for the management of complaints, maintenance of the complaints data base and the referral of complaints to other relevant agencies. Complaints in relation to brothel operations are reviewed and evaluated using a risk-based approach. Dependent upon the risk, an unannounced or targeted inspection of a licensed brothel may be conducted.



Additional activities within the compliance program include, amongst other things:

- researching relevant prostitution related issues
- monitoring industry best practice
- analysing emergent and technical issues which may impact on the industry
- liaising with relevant government, non-government and industry organisations
- reviewing brothel policies and operational procedures
- developing information and educational resources
- assessing prostitution advertisements
- undertaking advertising surveillance.

The compliance program continues to liaise on a range of issues with key stakeholders including the DIR, QH and PETF.

■ **Table 8:** Operations of licensed brothels controlled through the compliance function of the PLA

	Elements	Outcomes
Harm minimisation and infectious disease control	Measures are in place to control the spread of infectious disease and harm minimisation principals are applied where appropriate	
	Infection control procedures are undertaken in the maintenance of the brothel	Infection controls are maintained to appropriate standards
	Promotion of safer sex practices	Clients and sex workers engage in safer sex practices
	Monitoring of sexual health checks for sex workers	Sex workers have undergone current sexual health assessment
	Monitoring of waste disposal protocols	Appropriate standards of practice are maintained for the disposal of clinical waste and sharps to achieve best practice
	Identification of emergent issues in relation to infectious disease control	Best practice and currency of knowledge is promoted and maintained
	Assessment of clients in relation to sexually transmissible infections or behaviour	Sex workers have control in relation to seeing clients
	Provision of prophylactics	Management of brothels support promotion of public health safer sex practices
Policies and procedures	Operational policies and procedures are developed, implemented and maintained to manage brothel operations	
	Business operations	Business records are maintained to required standards
	Employment of staff and engagement of sex workers	Appropriate industrial instruments and/or practices are adopted
	Workplace Health and Safety	Management understand their obligations under the <i>Workplace Health and Safety Act 1995</i>
	Sexual Health Management	Information and procedures are provided to promote sexual health of sex workers and clients
	Cleaning and sanitising procedures	Suitable and appropriate measures are undertaken for brothel facilities
Safety and security	Risks are identified, assessed and controlled for the brothel	
	Physical and procedural controls are identified, assessed, implemented and monitored for the brothel	Safety and security is maintained or enhanced for the brothel environs
	Physical and procedural controls are identified, assessed, implemented and monitored within working rooms	Measures are implemented to provide safety to workers from clients
Structure and amenities	Layout and facilities of the brothel are suitable for brothel operations.	
	Liaison with applicants	Planning of brothel is undertaken to meet requirements for amenities and structure



Future Developments for the Compliance Program

Contribute to relevant issues considered by the Interdepartmental Working Group on Prostitution.

Consideration of the development of a code of practice for workplace health and safety initiatives for the industry.

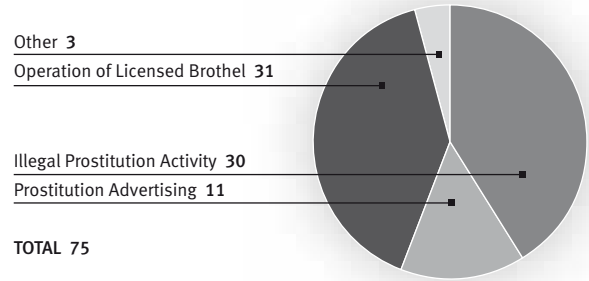
Development of a compliance resource kit to assist new licensees.

Consider the need for relevant workshops for managers of licensed brothels where appropriate.

Complaints

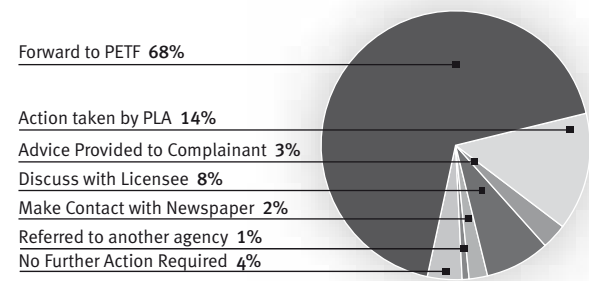
During 2006-07 the PLA received 75 complaints relating to prostitution. The majority of complaints were about licensed brothel operations and illegal prostitution activity (see figure 8).

■ Figure 8: Number and Type of Complaints



Most complaints were resolved by either the PLA itself or referral to the PETF, QPS, for investigation.

■ Figure 9: Resolution of Complaints



To assist in the management of complaints, a database is used to record and monitor all complaints received by the PLA.