

Issue 25 – May 2008

Advertising Guidelines to commence in May

The PLA's Guidelines about the approved form for advertisements for prostitution will commence on 30 May 2008. Following that date, except in a very limited range of instances, the PLA will no longer be responsible for approving prostitution advertising.

Section 93(2) of the *Prostitution Act 1999* stipulates that a person must not publish an advertisement for prostitution that is not in the approved form. All advertisements which comply with the Guidelines will be in the approved form. All advertisements for prostitution published in Queensland, including those for interstate brothels and sex workers, must comply with the Guidelines. The guidelines apply equally to advertisers and publishers.

It is the responsibility of advertisers and publishers to self-assess proposed advertisements against the Guidelines in order to determine if they are in the approved form for publication. Following 30 May 2008, any advertisement submitted to the PLA which does not require the express approval of the PLA (as specified in the Guidelines), will be returned to the submitter with the message that they are responsible for self-assessing the proposed advertisement under the Guidelines in order to determine if it is in the approved form. The PLA will be available to provide advice on the application of the Guidelines during the transition.

Copies of the Guidelines may be obtained by contacting the PLA, or from the website www.pla.qld.gov.au.

Prostitution law reform secured in WA

Previous editions of *In Touch* have referred to the Western Australian Government's ongoing attempts to secure reform of the state's prostitution laws. Last month, the WA Parliament passed legislation to regulate the state's sex industry. Once the new laws take effect, it will no longer be illegal to manage a brothel or to live off the earnings of prostitution. Street walking will remain an offence under the new laws.

Highlights of the new laws include:

- a person must hold an operator's certificate in order to operate a sexual service business;
- a person must hold a manager's certificate in order to manage a sexual service business;
- there are no registration requirements for individual sex workers or for a small owner-operated business (a sexual service business in which not more than two sex workers work and where each of them has full control over his or her individual earnings);
- requiring the use of prophylactics during commercial sexual acts;
- prohibiting certain commercial sexual acts if a person has a prescribed infection or virus;
- restrictions on the advertising of commercial sexual acts;

- a provision that a person may, at any time, refuse to take part in, or to continue to take part in, a commercial sexual act; and
- a requirement that sex workers at a sexual service business must be at least 18 years of age.

Employee entitlements

The February edition of *In Touch* contained a reminder to brothel licensees that they are subject to a range of industrial relations obligations. Despite this, the PLA continues to receive complaints from approved managers who have not received their appropriate entitlements, including pay. The PLA takes a dim view of this. It expects licensees to comply with any legal obligations.

Licensees should be aware that in the case of unpaid wages, the Industrial Magistrates Court has at times found in favour of applicants and ordered the payment of unpaid wages as well as imposing a pecuniary penalty.

Employees are reminded that they have a number of options to recover unpaid wages and entitlements. Further information is available from Wageline: www.wageline.qld.gov.au or by telephoning 1300 369 945.

Sexual health certificates

A Queensland doctor has been investigated by the Medical Board of Queensland for issuing sexual health certificates to a sex worker without conducting a physical examination for visible signs of sexually transmitted infections. The PLA was recently advised that the doctor concerned has surrendered his registration and accordingly the Medical Board has resolved to take no further action.

In December last year, PLA compliance officers conducted an audit at a licensed brothel and discovered that pathology results for a sex worker had been accepted by the licensees in lieu of an appropriate sexual health certificate. The matter was referred to the Prostitution Enforcement Taskforce of the Queensland Police Service (QPS) and the licensees were subsequently charged with one count of operation of a brothel in contravention of a brothel licence. The licensees pleaded guilty in the local Magistrates Court and were convicted and each fined \$750.

This should serve as a timely reminder that brothel licence condition 22 requires that licensees must ensure sex workers hold a current sexual health certificate of attendance issued by Queensland Health (or a similar jurisdiction). A licensee or manager is required to sight each original sexual health certificate and to retain, for a period of one year, a photocopy of the original sexual health certificates endorsed by the licensee or manager who sighted the original for all sex workers working at the brothel.

It has come to the attention of the PLA that some sex workers at licensed brothels are using a different name in the sign-on register to that used in their sexual health certificates. This is not a practice that the PLA encourages. In particular, licensees and managers should make a record of the different names, so that they can be easily cross-referenced. For example, if a

sex worker uses the name "Veronica" in the sign-on register, but has a sexual health certificate in the name of "Penelope", it should be recorded that Veronica and Penelope are one and the same person. This record may be scrutinised by compliance officers or the QPS.

World Vision's 'Don't Trade Lives' campaign

Staff of the PLA recently attended a World Vision event, addressed by the Reverend Tim Costello and Professor David Batstone, in relation to the insidious phenomenon of global human trafficking. World Vision cites estimates that 27 million people globally are in forced labour, bonded labour, forced child labour, and sexual servitude.

World Vision has launched the 'Don't Trade Lives' campaign to combat this trade. Further information can be obtained from www.donttradelives.com.au.

Do you have any suggestions for future *In Touch* articles?

The PLA is always keen to receive suggestions about articles for future editions of *In Touch*. If there is something that you would particularly like to see covered please let us know by emailing your suggestion to pladmin@iprimus.com.au.

2008 PLA meeting dates

The PLA Board meets on the first Monday of each month. Meeting dates for the remainder of 2008 are: 2 June, 7 July, 4 August, 1 September, 6 October, 3 November, and 1 December. *Whilst current at the time of printing, these dates are tentative and subject to change without notice.*

Vacancies for Approved Manager Positions

Club 7 on Enterprise: Mackay. Looking for a sea change? Seeking an approved manager for immediate start. Excellent working conditions and remuneration. Please contact 07 4952 6767 or 0418526767 for details.

AABS 180: 180 Abbotsford Rd, Bowen Hills. A position exists for a part-time/full-time approved manager. Come join a great team. Please contact 3852 2057 for details.

Cleo's on Nile: 12 Nile St, Woolloongabba. Seeking approved manager. The friendliest and most beautiful bordello in Brisbane. Flexible hours with great conditions. Contact Sharren or Lyn on 3393 1678 or admin@cleosonnile.com.

The Oasis at Sumner Park: Approved managers/receptionists required. Immediate start. Excellent conditions. Please phone Nick on 07 3715 5155 for a confidential interview.

Please note that approved manager advertisements may be submitted at any time for inclusion in the next edition of the newsletter. They should be emailed to pladmin@iprimus.com.au