Demand for prostitution

It is sometimes claimed that more liberal environments for prostitution, such as under decriminalised or legalised models, fosters demand for sexual services. A recent study of demand across Australian jurisdictions has tested this claim (C. Rissel, et. al., “Decriminalization of Sex Work Is Not Associated with More Men Paying for Sex: Results from the Second Australian Study of Health and Relationships”, *Sexuality Research and Social Policy*, Vol 13, No. 1, March 2016). Whilst sex work is not illegal in any Australian jurisdiction, certain activities associated with it are criminalised. The regulation of the sex industry is the responsibility of the states and territories and there is no nationally consistent approach so that what is illegal will vary between jurisdictions. Some jurisdictions are more prohibitionist than others. Whilst New South Wales (NSW) has a decriminalised model, Queensland and Victoria have opted for legalisation (although, only of brothels in Queensland), and brothels are prohibited in Western Australia (WA), South Australia (SA), and Tasmania.

The study grouped the states and territories into three categories. NSW and the Australian Capital Territory were categorised as having decriimanised sex work. Queensland, Victoria, and the Northern Territory were categorised as having licensing schemes. Whilst sex work in WA, SA, and Tasmania was categorised as being criminalised.

8074 men were interviewed by telephone about whether they had ever paid for sex and in the last 12 months. It was found that: “Overall, 2.2% of the men reported paying for sex in the past year – a proportion that was not statistically different by state or territory”.

The study did not support claims that decriminalisation or legalisation of the sex industry fosters demand for sexual services. The authors found that:

- The legal status of sex work in Australian states and territories was not associated with the proportion of men paying for sex. Only the men’s relationship status – not having a regular partner or not living with a regular partner – predicted paying for sex. Living with a regular partner reduced the odds of these men paying for sex more than tenfold compared to not having a regular partner.

Responding to enquiries from clients about services

Section 93(1) of the *Prostitution Act 1999* states that: “A person must not publish an advertisement for prostitution that describes the services offered”. This is reflected by the prohibition on describing services in the *Guidelines for prostitution advertising*.

From time to time, the PLA receives queries from sex workers who are under a misapprehension that the prohibition on describing services extends to responding to queries from clients or potential clients. The prohibition applies only to advertising. Advertisements by their nature are unsolicited, whereas a response to a query about services is clearly solicited, and does not constitute advertising.

In responding to an enquiry from a client, a sex worker can describe the services that they offer as well as those that they do not offer. Negotiation over services is central to sex work and it would be nonsensical to prevent sex workers from talking to clients about the range of services that they may provide.

Illicit substances

Illicit substances must not be brought to or used at brothel premises by sex workers, staff or clients. It is the responsibility of brothel management to ensure that this does not occur.

Drug affected persons pose a risk both to themselves and others. Impaired judgement and sex work are not a good combination. It is important that sex workers remain in control at all times. Drug affected sex workers are at greater
Risk control measures at brothels might include strategies to identify and deal with drug affected clients; a zero tolerance policy for sex workers, staff and clients; physical barriers and safe areas; and relevant staff training.

Acting licensees

Section 33 of the Prostitution Act prescribes a mechanism by which an approved manager can become an acting licensee of a brothel in the event of the death of a licensee, or if a licensee becomes incapable of discharging their duties because of physical or mental incapacity. An approved manager may apply to the PLA for authorisation to act as licensee of the brothel. The PLA may authorise the approved manager to act as licensee for a specified period.

Any application to act as licensee of a brothel should be accompanied by relevant documentary evidence, such as a death certificate, or advice from the licensee's treating physician that they are physically or mentally incapable of discharging their duties as licensee. The application should also state the period that the approved manager is seeking to be appointed as acting licensee. The PLA can only authorise a person to act as licensee for a period of no more than six months, but this period may be extended if the PLA is satisfied it is reasonable in the circumstances.

Only an approved manager authorised by the PLA to act as licensee may describe themselves as “acting licensee”. Under no circumstances should an approved manager hold themselves out as “acting licensee” unless they have been duly authorised by the PLA.

Changes in information

When a person applies to the PLA for a brothel licence or an approved manager’s certificate they must supply a range of information. Sections 20 and 45 of the Prostitution Act oblige licence and certificate holders to advise the PLA, in writing, of any change in information, within 10 days of becoming aware of the change. For example, a change in the ownership of the brothel premises, a change in residential or postal address, or a change in criminal history. The PLA sends various documents to licensees and managers throughout the year, necessitating a current postal address for each person. An easy way to advise of a change in information is by sending an email to plaadmin@iprimus.com.au.

2016 PLA meeting dates

The PLA Board generally meets on the first Monday of each month. Meeting dates for the remainder of 2016 are: 6 June, 4 July, 15 August, 5 September, 10 October, 7 November, and 5 December. Whilst current at the time of printing, these dates are tentative and subject to change without notice.

Vacancies for approved manager positions

Pryana Rose: We are seeking an approved manager for casual/part-time shifts, which will mainly be weekend and night shifts. You must be motivated and reliable and possess excellent communication skills. We are situated half way between Brisbane and the Gold Coast. Please email me at info@pryanarose.com.au.

Deviations: We would look to expand our management team in Toowoomba with the addition of a new team player. We seek a friendly, outgoing, honest, fun character to join us on a part-time basis. If you think you might be the right fit, please call us on 07 4613 1133 or email info@deviations.com.au.

Asian Star: Part-time/casual manager required for a brothel at Coopers Plains. Must be honest, reliable, friendly, and already hold an approved manager’s certificate. Work experience preferred. Great conditions and good bonus system, friendly team. Please ring Carly on 0422023351 for an interview.

Ding Ding 83: A casual approved manager position has become available at a brothel in Rocklea. The ideal candidate must have work experience and hold a current approved manager’s certificate. Must be reliable, honest, friendly, multi-tasking and flexible with working hours. Please contact Simon on 0420 857 618 for a confidential discussion (more info at dingding83.com.au).

Luvasian: Gold Coast brothel is seeking full-time/part-time approved manager, preferably living on Gold Coast. Various shifts are available. Flexible with working hours, honest, friendly manner, and multi-tasking are preferable. Please call Cheryl on 0412174588 for details.

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 plaadmin@iprimus.com.au.