

## Issue 140 – May 2019

## Payment plans

### Original documents

Brothel licence condition 3.1 requires that the licensee or an approved manager must sight **the original** of an acceptable form of identification proving that a sex worker is at least 18 years of age.

Under licence condition 4.4, the licensee or an approved manager must obtain proof, in the form of a current document of medical examination from a clinician (e.g. sexual health check certificate of attendance), that a sex worker had been medically examined or tested to ascertain if the worker was infective with a sexually transmissible infection (STI). Licence condition 4.5 requires that **the original** document must be sighted and a copy retained.

In both cases, it is clearly stated that an original document is required. This means that photographs, screenshots, scanned documents or photocopies must not be accepted as proof because they are prone to being altered and forged. **Acceptance of any document that is not an original will be considered a breach of the relevant licence condition and may result in action being taken against the offending licensee or approved manager.**

Under the *Prostitution Act 1999*, there are no circumstances in which new or renewal brothel licence or approved manager's certificate applications are eligible for payment plans.

For annual returns, payment plans are available due to **financial hardship caused by exceptional circumstances** (defined in the Act as unforeseen circumstances that adversely affect the brothel premises). Financial hardship in isolation is insufficient. The financial hardship must be a result of exceptional circumstances, as defined by the Act. Examples may be a fire or a natural disaster (such as flooding) that affects the brothel premises. This means that **payment plans are not routinely available but only in the rarest of circumstances.**

### Human trafficking

Human trafficking is the physical movement of people across and within borders through deceptive means, force or coercion, for the purpose of exploitation. Trafficking is a gross violation of human rights and forms of exploitation suffered by victims include slavery, servitude, forced labour, debt bondage, and forced marriage. Whilst the focus often tends to be on the sex industry, victims are also trafficked in agriculture, construction, factories, hospitality, and domestic work. As the

Australian Government Interdepartmental Committee on Human Trafficking and Slavery said in its eighth report (from 1 July 2015 to 30 June 2016):

These crimes reduce human beings to mere commodities to be traded or exploited for personal gain ... and are amongst the most egregious of crimes contained in the *Criminal Code Act 1995* (Cth) (Criminal Code). (p. iii)

Australia's "geographic isolation, strong migration controls, and high degree of regulation, compliance and enforcement" are considered by the Interdepartmental Committee to limit opportunities for and discourage these types of offences (p. 4). Nonetheless, Australia is a destination country. Historically, the majority of trafficking cases identified in Australia have involved women from Asia (such as Thailand, Malaysia, the Philippines, and Korea) who have been exploited in the sex industry but in more recent years victims have been increasingly identified in other industries and for forced marriage.

Due to its clandestine nature, the extent of human trafficking and associated offences is contested. According to the Australian Institute of Criminology (AIC) (*Statistical Bulletin 16*, February 2019):

Between 2004 and 2017, 841 possible cases of human trafficking and slavery were reported to the Australian Federal Police, resulting in 350 victims being referred to the Support for

Trafficked People Program and 21 offenders being convicted. (p. 2)

However, reported crimes do not necessarily reflect their true extent. The AIC says that in addition to the clandestine nature of these offences, there is:

low reporting due to mistrust in authorities and fear of deportation, affected individuals not identifying as victims, and victims not being correctly identified as such by the professionals who encounter them. (p. 2)

Using a multiple systems estimation statistical technique (and advising that the findings should be treated with caution), the AIC has estimated that in the two years from 2015-16 to 2016-17, there were:

1,567 victims (including the 414 observed victims). Accounting for a five percent margin of error, the number of actual victims is between 1,342 and 1,897. The results indicate that 26 percent of victims are being detected, with a lower estimate of 20 percent and an upper estimate of 30 percent. This equates to a ratio of 1:4. That is, there are estimated to be four undetected victims for every detected victim in Australia. (p. 6)

There are a range of possible indicators of human trafficking. People who have been trafficked may:

- not be in possession of their passports or other identity documents, as those documents are being held by someone else
- not know their home or work address or know where exactly they are
- have little or no money or possessions
- have their money held and/or controlled by somebody else

- be servicing a large debt to another person
- have had their travel to Australia paid for by others
- have been recruited through false promises as to the nature or conditions of the work
- have had unprotected or violent sex with clients
- be or feel unable to refuse to do certain things with clients (e.g. unprotected sex)
- live at their workplace
- move frequently between workplaces
- have their movements restricted or monitored by another person
- be escorted by someone on trips away from their work/home
- work excessively long or unusual hours and have very few days off
- show signs of having been abused sexually or physically
- have post-traumatic stress or psychological disorders
- be frightened of or intimidated by someone
- have restricted contact with their family and friends
- have received threats in respect of themselves or their families
- have received threats of deportation or police action
- be in poor health and/or lack proper health care.

If you suspect someone might be a victim of human trafficking you can get help by calling the Australian Federal Police on 131AFP (131 237) or email [AOCC-Client-Liaison@afp.gov.au](mailto:AOCC-Client-Liaison@afp.gov.au).

## 2019 PLA meeting dates

The PLA Board generally meets on the first Monday of each month. Meeting dates for the remainder of 2019 are: 3 June, 1 July, 5 August, 2 September, 14 October, 4 November, and 2 December. *Whilst current at the time of printing, these dates are tentative and subject to change without notice.*

## Vacancies for approved manager positions

**Utopia in Paradise:** Looking for a full-time approved manager to join our team. Please email your resume to [utopiainparadise@outlook.com](mailto:utopiainparadise@outlook.com).

**Sky Angel:** Approved manager required for this Sumner Park brothel. Please call Michael on 3376 3316 for details.

**Cleo's on Nile:** Woolloongabba brothel seeking an approved manager. We are after someone friendly, customer focused, reliable and able to multitask. We offer a variety of shifts and great income. Please email resume to [manager@cleosonnile.com.au](mailto:manager@cleosonnile.com.au) or please call Trish for a personal chat on 0481063091.

**Club 26:** Approved manager required to join our team on a casual basis. Our Logan (Crestmead) brothel is seeking someone experienced, honest and friendly. Please email your application and resume to [26club26@gmail.com](mailto:26club26@gmail.com).

**Please note that approved manager advertisements may be submitted at any time for inclusion in the next available edition of the newsletter. They should be emailed to [pladmin@iprimus.com.au](mailto:pladmin@iprimus.com.au).**