

Issue 128 – April 2018

Indicators that more than a massage is available

There are some businesses, commonly referred to as “massage parlours”, that present as offering massage services but in reality are a front for unlawful prostitution services. “Unlawful prostitution” is defined under s. 229C of the Criminal Code as prostitution by two or more prostitutes, other than at a licensed brothel in accordance with the brothel licence for the brothel.

It is the nature of these unlawful businesses that they present to the public as providing massage services and it can be difficult to distinguish them from legitimate therapeutic massage clinics. The Prostitution Licensing Authority (PLA) occasionally hears of, or receives reports, of men who attended a venue expecting to receive a massage but were shocked or humiliated to be offered a sexual service.

There is no single determining indicator of an unlawful massage parlour but giveaways might be:

- the business is marketed to men
- it seems that only men attend the premises
- the workers are seductively dressed

- the business has tinted windows
- suggestive signage
- advertising that focuses on the age, ethnicity, sex and features of the workers
- operating at all hours of the day and night, seven days a week
- not holding out that they provide therapeutic or remedial massage
- asking clients to strip completely nude
- “no sexual services” signage (although this might also be genuine)
- no massage qualifications displayed.

Legitimate (non-sexual) massage providers are more likely to hold themselves out as providing therapeutic or remedial or sports massage or have a health focus.

Clients of unlawful prostitution venues can be charged. Under s. 229HC of the Criminal Code, a person who, without reasonable excuse, obtains prostitution through a business suspected on reasonable grounds of providing unlawful prostitution commits a crime. Under s. 229I of the Criminal Code, it is also a crime for a person who, without reasonable excuse, is found in, or leaving after having been in, a place suspected on reasonable grounds of being used for the purposes of prostitution by two or more prostitutes (there is an exemption for licensed

brothels provided that a child or person with an impairment of the mind is not present).

Late last year, police raided 12 Gold Coast and Logan massage businesses suspected of providing unlawful prostitution.

Prostitution law reform in the Northern Territory?

Escort agencies are legalised in the Northern Territory but brothels are unlawful. This is essentially the opposite of the system in Queensland. Sex workers that work for an escort agency in the Northern Territory are required to be registered with the police. Conversely, there is no system of sex worker registration in Queensland.

The Northern Territory Government has committed to prostitution law reform within its first term of government and changes are possible this year. The Attorney-General has been meeting with stakeholders and has said that: “[The] Government is working on legislative reforms to deliver a safer and more sustainable framework for sex workers”.

Annual returns & automatic cancellation

Whilst brothel licensees and approved managers are granted a three-year licence or certificate, they must give the PLA an annual return and annual fees on or before the anniversary date of the licence or certificate. Where annual fees are not paid in the required timeframe, it can lead to automatic suspension and then automatic cancellation of a licence or certificate.

It is important to be aware of the consequences of automatic cancellation. If a brothel licence or an approved manager's certificate is automatically cancelled, the holder will be ineligible under the *Prostitution Act 1999* to apply for a licence or certificate for a period of three years. This means that person would be excluded from being a brothel licensee or an approved manager during this period.

If a person is intending to allow their licence or certificate to be automatically cancelled, but think that they might want to re-enter the industry during the three-year ineligibility period, automatic cancellation (and its consequences) should be avoided. This means surrendering the licence or certificate to the PLA before or during the suspension period. This can be done by returning the licence or certificate to the PLA (in person or by post) accompanied by a letter stating that the licence or certificate is being surrendered.

Sex worker autonomy

Individual autonomy and freedom of choice are central to sex work. You must have freely chosen to engage in prostitution, without the application of duress or coercion. It is illegal to force a person to provide prostitution, such as by threatening, intimidating or harassing them or anyone else. It is up to you to choose whether or not to see a particular client. You must never be pressured or forced to see a client against your will. The particular services that are provided are a matter for negotiation between you and clients. If there is something that you feel uncomfortable doing, do not be afraid to say, "no". Remember, just like anyone else in the community, sex workers are entitled to withdraw consent at any time. Non-consensual sex is a crime.

For sex workers in licensed brothels, brothel licensees and approved managers are required to comply with a range of brothel licence conditions, including that:

- they observe your rights as an independent party, including not coercing, directing, bullying or unfairly penalising you
- you must not be compelled to perform introductions, to see a client, or to provide a particular service.

If someone is forcing you to provide prostitution against your will you can complain to the police. If you are concerned about the actions of a licensee or approved manager at a brothel, you should contact the PLA.

2018 PLA meeting dates

The PLA Board generally meets on the first Monday of each month. Meeting dates for the remainder of 2018 are: 14 May, 4 June, 2 July, 6 August, 3 September, 8 October, 5 November, 3 December. *Whilst current at the time of printing, these dates are tentative and subject to change without notice.*

Vacancies for approved manager positions

Platinum 175: Seeking FULL-TIME approved manager. Will be responsible for day-to-day management of the brothel including front of house queries, facilitating bookings, and in-house sales and promotion. A high level of commitment to customer service, excellent work ethic, reliability, and excellent communication skills are essential. We offer competitive pay and work/life balance. Please email resume with cover letter to manager@platinum175.com.au (attention Tania) or call 0400701898.

Club 26: Seeking a part-time casual manager to join our team to manage the day-to-day running of the brothel. You must be experienced, honest, reliable, client focused and able to multi-task. We are seeking someone who can work on a rotating roster over 7 days. Please email your resume to club26pinkpop@gmail.com or call 3803 1000.

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.