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**STANDING COMMITTEE ON JUSTICE  
AND  
COMMUNITY SAFETY**

**REVIEW OF THE *PROSTITUTION ACT 1992***

**SUBMISSION BY THE ACT GOVERNMENT**

**Introduction**

1. The *Prostitution Act 1992* (Prostitution Act) in its current form reflects a progressive and socially responsible approach to regulation of the commercial sex industry in the Territory, which the ACT Government wishes to continue, and to improve on. While the Act is almost 20 years old and would benefit from being brought up to date, it is considered to be generally appropriate, and broad revision at this time is not proposed.
2. The Registrar of Brothels and Escort Agencies maintains a register of licensed sex workers and brothels, but the Prostitution Act does not provide for the:
  - appointment of inspectors to investigate compliance;
  - issuing of compliance notices (for example, a Prohibition Notice prohibiting trade until a business complies with a Regulation; or
  - prosecution by the Registrar of non-registered brothels or sex workers.
3. Consequently, there is little capacity to link registration of brothels to the health and safety of industry workers and their clients.
4. The Registrar refers complaints about unregistered brothels to ACT Policing, who can use enforcement strategies such as advising brothel owners of registration requirements, or drafting a brief of evidence for the Director of Public Prosecutions (DPP) recommending prosecution under the Prostitution Act.
5. There are also many stakeholders in the ACT community who support legalised commercial sex services, particularly the maintenance of a register of brothels and escort agencies. However, some stakeholders have expressed reservations about a register, arguing that it may result in driving sex workers 'underground' rather than bringing them into a safe, regulated environment.

6. The approach to the legal status of commercial sex services varies significantly between jurisdictions nationally and internationally. The ACT, Western Australia and Queensland are all currently reviewing their sex work laws.
7. The Government's position on the operation of the Prostitution Act is that, overall, the Act and the agencies responsible for its administration have significantly raised the level of protection of the health and safety of sex workers in the ACT and their clients.
8. The Government makes a number of recommendations to the Committee, relating to the amendment of the Prostitution Act, which are summarised at the end of this submission.
9. The Government notes that ACT Policing intends to make a separate submission to the Committee, and recognises that agency's crucial operational role in relation to law enforcement in this area.

### **Terms of Reference**

10. On 19 October 2010, Attorney General, Mr Simon Corbell MLA, presented a motion to the Legislative Assembly to refer a review of the operation of the *Prostitution Act 1992* to the Standing Committee on Justice and Community Safety (Standing Committee).

11. The Attorney General proposed the following Terms of Reference for the review:

1. The Committee will inquire into, and report on, the operation of the *Prostitution Act 1992*.
2. In undertaking its inquiry, the Committee will have regard to:
  - a) possible regulation of commercially operated brothels to ensure that all sex workers are over the age of 18 years;
  - b) options for ensuring that appropriate proof of identity and age is produced before a person is permitted to work in a commercially operated brothel;
  - c) the desirability of commercially operated brothels being required to maintain records of workers and of relevant proof of age documents; and
  - d) any other relevant matters.

12. On 28 October 2010, the Legislative Assembly passed a resolution setting out the amended Terms of Reference of the review, as follows:

That this Assembly refers to the Standing Committee on Justice and Community Safety a review into the operation of the *Prostitution Act 1992* for inquiry and report to the Assembly by the end of 2011. In reviewing the operation of the Act the Committee will have regard to a range of issues including but not limited to:

- 1) the form and operation of the Act;

- 2) the regulation, enforcement and monitoring of commercially operated brothels;
  - 3) identifying regulatory options, including the desirability of requiring commercially operated brothels to maintain records of workers and relevant proof of age, to ensure that all sex workers are over the age of 18 years;
  - 4) the adequacy of, and compliance with, occupational health and safety requirements for sex workers;
  - 5) any links with criminal activity;
  - 6) the extent to which unlicensed operators exist within the ACT; and
  - 7) any other relevant matter.
13. The Chair of the Standing Committee, Mrs Vicki Dunne MLA, has invited the Attorney General to make a submission to the inquiry.

### **History of the *Prostitution Act 1992***

14. In April of 1992, a former member of the Legislative Assembly, Mr Michael Moore, presented a Bill to regulate prostitution in the ACT in a substantially different form from that which is now reflected in the 1992 Prostitution Act.
15. In presenting the Prostitution Bill 1992, Mr Moore said:
- “The ... Prostitution Bill ‘A Bill for an Act to regulate certain aspects of prostitution’, looks particularly at limiting the brothels in the ACT to Fyshwick, Mitchell and Hume. It looks at the participation of minors and ensures that there is no participation of minors, and prevents soliciting in public places.”
16. Mr Moore had presented an earlier Prostitution Bill, on 16 October 1991. That Bill provided for a much more complex and highly regulatory system of licensing, overseen by a Board, similar to the Victorian system. That Bill lapsed on 14 February 1992, as a result of the general ACT election.
17. The second Moore Bill reflected a more feasible proposal which, in part at least, responded to the position put to him by the Labor Government.
18. The Government formally tabled its position on the 1992 Bill on 18 June 1992. On the basis of that position, the former Attorney General, the late Terry Connolly, in debating the Bill on 18 November 1992, proposed a number of amendments to the Bill. The primary focus of the proposed amendments was to remove outdated criminal laws which prohibited prostitution, replacing them with laws designed to protect the broader community in relation to health and other matters.
19. The amendments also focused on creating a register of brothels and escort agencies, stating that registration would not be a precondition of legal establishment, but it would be an offence to fail to provide information to be recorded in the register. Mr Connolly said:

“By this means the location of businesses can be known and the identity of persons owning and running the business can also be known. This information will facilitate the regulation of the industry and also enable the Assembly and the public to be satisfied that it is open and above board...The obligations of operators of brothels and escort agencies will include an obligation to take reasonable steps to ensure that persons infected with a sexually transmitted disease, an STD, do not work in the operator's business.”

20. The 1992 Bill, as amended, was passed with support across the Assembly. At that time, other jurisdictions had taken varying approaches to regulation of the sex industry. Victoria had adopted a highly regulated licensing system, which was cumbersome. Other States moved to a general approach of not recognising or regulating the industry, which did not address public health issues.
21. The regulatory performance of Government agencies in this area since passage of the Prostitution Act has been generally satisfactory, but there are some important experiences that should be noted.
22. A few years ago, a sex worker from interstate provided unprotected sexual services to another man in the ACT. The sex worker knew that he was infected with HIV at the time he provided the services. The Australian Sex Workers' Association submitted that this case supported the removal of section 25 of the Act – the offence of providing or receiving sexual services knowing that you are infected – because sex workers who are aware of the offence are reluctant to undergo regular testing, for fear of revealing their health status.
23. In September 2008, a 17-year old person died in a Canberra brothel from an overdose of drugs. This raised concerns about the oversight of employment of sex workers, particularly as it is an offence to employ a person under the age of 18 to provide sexual services. It is understood that, in this case, the young person had provided a false identity to the owner of the brothel.

### **Human Rights Jurisdiction**

24. A significant development in the Territory since the Act was passed has been the adoption of a formal human rights framework. Some stakeholders within the human rights sphere have argued that the prohibition of prostitution is contrary to the *Human Rights Act 2004*.
25. The ACT has a proud history in the protection and promotion of human rights, being the first jurisdiction in Australia to enact a legislative bill of rights in the form of our Human Rights Act which commenced in 2004.

26. The ACT Government is committed to the protection of human rights for all individuals in the ACT. There is an internationally recognised link between the sex industry and labour trafficking involving the unlawful exploitation of people – women and children in particular. Such sexual exploitation of women and children against their will is a serious breach of human rights and must be addressed by governments at every level.
27. In general, Federal laws criminalise 'trafficking' (migration) of sex workers (with or without consent) and 'sex slavery'. The Government is committed to measures to prevent sex slavery from occurring in the ACT .
28. The Government supports making it compulsory for all brothels in the ACT to have multilingual signs on display in prominent places, clearly stating that slavery is a serious crime.
29. Signs would also clearly state that the use of 'contracts' to force women and girls into prostitution may be a form of slavery, and that help is available by contacting the police.
30. Implementation of this measure will require amendment to the Prostitution Act to provide this obligation and vest appropriate compliance and enforcement powers in the Office of Regulatory Services and ACT Policing.
31. This Inquiry is an opportunity to examine the most appropriate means of conveying to sex workers the Government's position on sex slavery.

#### **Responsibility for administering the Prostitution Act**

32. Operationally, the Prostitution Act falls within the regulatory responsibility of the Office of Regulatory Services (ORS), which includes the Registrar of Brothels and Escort Agencies. As at 10 February 2011, the number of registrations (by category) was:
 

• Commercial operators	11
• Brothel & escort sole traders	14
33. The ORS has no inspection or enforcement powers under the Prostitution Act; only its more general powers under the *Work Safety Act 2008*. Some concerns have been expressed about the powers of ORS to ensure a high level of compliance with the Prostitution Act. However, if the commercial sex industry is to be treated as any other industry, this appears unnecessary. While there are risks inherent to the commercial sex industry, the same may be said of many other commercial activities that are not specifically regulated.
34. ACT Policing performs the enforcement role under the Prostitution Act in relation to sex workers and brothels, but its powers are generally not specific to the

industry. The powers of entry and search are similar those held by ACT Policing in relation to other commercial enterprises.

35. In relation to the Prostitution Act, there are some specific events that the Government has considerable concern about, not because the various regulatory agencies have failed to operate in the most effective manner possible in the circumstances, but because there may be opportunities to reform the law in this area to better protect licensees, employees, young people, migrants, visitors and clients of the sex industry.

#### 2009 ORS Workcover compliance audit

36. Health and safety issues relating to the commercial sex industry are governed by the *Work Safety (ACT Code of Practice for the Sexual Services Industry) Code of Practice 2010* (Code of Practice). The Code is enforced by ORS Workcover (now WorkSafe ACT) formerly under the *Occupational Health and Safety Act 1989* and now under the *Work Safety Act 2008*.
37. The Code seeks to ensure high levels of workplace health and safety, including in the areas of:
- the cleanliness of workplaces;
  - the inspection of commercial sex services workplaces to ensure compliance with the Prostitution Act;
  - the provision of information relating to sexually transmitted diseases to people employed at commercial sex services workplaces and to clients; and
  - safeguarding the health of sex workers and their clients.
38. In September and October 2009, ORS Workcover conducted an unannounced inspection program of brothels in the ACT with a view to engaging with the industry, providing educational support and, where necessary, taking enforcement action to ensure compliance with the requirements of the *Occupational Health and Safety Act 1989* and, as of 1 October 2009, the *Work Safety Act 2008*.
39. A total of 13 brothels were identified from a list of registered brothels, and 10 brothels were inspected. Of the three remaining licensed premises, one had closed and two were not inspected due to their hours of operation. Brothel operators were not given any advance warning of these inspections.

40. The majority of brothels rated well within the occupational health and safety framework. However, three Prohibition Notices and one Improvement Notice were issued to three licensed premises. Issues covered in the notices included trip hazards, fire safety, worker induction and electrical maintenance. Some more serious matters were also identified requiring temporary closure of premises for cleaning and air quality testing.
41. Considering that these were the first work safety inspections of areas with high risk, as they are a recent campaign for the industry, the high level of compliance found was a positive result for the Territory.

#### 2010 WorkSafe ACT inspections

42. During 2010, WorkSafe ACT (formerly ORS Workcover) conducted nine unannounced brothel inspections as a follow up to the 2009 audit. WorkSafe ACT inspectors noted a high level of compliance with the Code of Practice in the majority of premises.
43. A small number of brothels were identified as having minor work safety hazards, such as a lack of cleanliness, lack of material safety data sheets for laundry and kitchen products, and fire extinguisher mounting issues. In these cases, WorkSafe ACT inspectors worked with brothel owners to achieve a high level of compliance.

#### Sex workers and health

44. Sex workers form a priority group in the context of public health policy. The *Second National Sexually Transmissible Infections Strategy 2010-2013* lists sex workers as a priority population "because of their significantly higher number of sexual encounters than other community members" (p.17).
45. In addition, the Government notes that sex workers have played an important role in the partnership that has been effective in containing increases in HIV and other STIs in the community. For example, sex workers have made an important contribution to public health outcomes by referring clients with possible STIs for a sexual health check-up.

#### **Perceptions of the commercial sex industry**

46. Sex work is not a criminal activity in the ACT. However, the Government notes that sex work remains a stigmatised and misunderstood occupation in much of the public discourse in relation to the sex work industry. This stigmatisation has a number of consequences:
- the experience of stigma and discrimination is known to be a detrimental indicator for health and wellbeing; and

- stigma and discrimination can also act as significant inhibitors to accessing services and participating in public health programs that benefit themselves and others.
47. As a related issue, stigma and discrimination can also deflect attention from the need to apply ordinary principles of employee protection, safe workplace practices, and other standards appropriate to commercial activity to the businesses and workplaces which provide commercial sex services.
  48. The Government notes that the *Second National Sexually Transmissible Infections Strategy 2010-2013*, addresses stigma for sex workers under "Priority action areas", and states that "Support for safe work practices and cultural change to reduce stigma and discrimination towards sex workers are other important features of health promotion intervention".(p.24)
  49. There is thus a national policy intention to take appropriate steps to reduce stigma and discrimination and to ensure that industry appropriate regulation of workplaces and employment arrangements are extended to commercial sex services. Some of these steps may be taken in other legislative and administrative areas, but it is important that the Prostitution Act is consistent with this approach.
  50. The Government recommends that pejorative terms be avoided in the wording of the Prostitution Act. In particular, the terms "prostitute" and "prostitution" can be value laden and are not appropriate for use in the 2011 context. They should be replaced in the Prostitution Act by "sex worker" and "sex work" or "commercial sex services" respectively. This would also require amendment to the title of the Prostitution Act.
  51. The Government notes that Victoria's *Prostitution Control Act 1994* was reviewed in 2010 to update language throughout the Act, and its title was changed to the *Sex Work Act 1994* (see the *Consumer Affairs Legislation Amendment Act 2010 (Vic)*).

### **Health and safety for sex workers**

52. The Government also notes that the fourth term of reference of the inquiry requires the Committee to have regard to "*the adequacy of, and compliance with, occupational health and safety requirements for sex workers.*"
53. Sex work is a valid occupational choice and therefore deserves recognition of personal and occupational health, safety and welfare rights in the same manner that they are recognised in other occupations. As workers in a legal occupation, sex workers are entitled to a workplace that meets appropriate occupational health and safety standards. The Government believes that the inquiry into the Act should therefore consider it in conjunction with the Code of



Practice – the *Work Safety (ACT Code of Practice for the Sexual Services Industry) Code of Practice 2010*.

54. One specific area that should be addressed in this context is the use of prophylactics, required to be used under section 27 of the Act. The Code of Practice is vague as to the implementation of section 27. It states that items such as condoms, dams and latex gloves shall be provided free of charge, but it is not clear who should bear the cost. The Government's view is that such items represent 'safety equipment', and therefore recommends that the Committee consider whether employers should be required to make these items freely available to workers. The requirement should probably be enshrined in legislation.

## **Public Health Issues**

### Reciprocal obligations

55. Sections 24 and 25 of the Prostitution Act provide:

#### **24 Infected persons**

Each operator and owner of a brothel or escort agency shall take reasonable steps to ensure that a prostitute does not provide commercial sexual services at the brothel or from the escort agency if the prostitute is infected with a sexually transmissible infection.

Maximum penalty: 100 penalty units, imprisonment for 1 year or both.

#### **25 Providing or receiving commercial sexual services if infected**

A person shall not, at a brothel or elsewhere, provide or receive commercial sexual services if the person knows, or could reasonably be expected to know, that he or she is infected with a sexually transmissible infection.

Maximum penalty: 50 penalty units, imprisonment for 6 months or both.

56. Sections 24 and 25 place obligations not only on sex workers, but also on their clients. This emphasis on reciprocal responsibility is in contrast to equivalent provisions in other jurisdictions. For example, it is an offence under section 25 for a *client* to seek a commercial sexual service "if the person knows, or could reasonably be expected to know, that he or she is infected with a sexually transmissible infection".
57. The Prostitution Act was initiated by a Private Member's Bill, and for that reason there is no explanatory statement to provide insight the Assembly's thinking at the time. The Government notes, however, an extract from Hansard from 18 November 1992. In moving amendments to the Bill, the then Attorney General stated:
- "We also propose to insert a new clause, clause 12A, imposing a safe sex obligation on individuals, clients and prostitutes because we believe that it is not only incumbent upon operators to have some responsibility in this area but also a matter ultimately of personal responsibility".

58. The Government supports this reciprocal responsibility as it promotes norms of behaviour consistent with treating the sex industry as an ordinary occupation within a regulated industry.
59. There is, however, a difference in approach between the current sections 24 and 25 of the Prostitution Act and section 21(1) of the *Public Health Regulation 2000* (Public Health Regulation). The latter criminalises some of the same activity as is criminalised by section 25 of the Prostitution Act but only where “reasonable precautions” (precautions taken on the advice of a doctor or authorised person) are not taken. There is no such exclusion of liability under sections 24 and 25 of the Prostitution Act.
60. It is accepted that the provisions of the Prostitution Act relate to regulating the provision of commercial sex services, whereas the Public Health Regulation provides for public health generally. However, the Prostitution Act provisions may not give appropriate recognition to government-supported and evidence-based methods of preventing STI transmission. It is generally agreed that consistent, correct use of condoms is an effective precaution in the prevention of STIs, including HIV, and much effort and money has been expended promoting this concept over several decades.
61. It may be argued that, in their present form, sections 24 and 25 of the Prostitution Act could have the effect of preventing a person with HIV from ever accessing the services of a sex worker or being employed in sex work, as HIV is a life-long, presently incurable STI.
62. It may be that the blanket approach in sections 24 and 25 of the Act arose from the fact that sex workers have more sexual contacts than most other members of the community. The Government is, however, not aware of any evidence to suggest that, particularly if proper precautions (as provided by section 21 of the Public Health Regulation) are taken, sex workers place members of the public at greater risk than other sexual contacts.
63. It has been argued that sections 24 and 25 are discriminatory under section 15 of the Commonwealth *Disability Discrimination Act 1992*. Section 15 provides that it is unlawful for an employer to discriminate against a person on the grounds of the person’s disability, in determining who should be offered employment, or in the terms or conditions on which employment is offered.
64. However, section 48 of the Commonwealth Act provides an exclusion in relation to health. It states that it is not unlawful for a person to discriminate against another person on the grounds of the person’s disability if the disability is an infectious disease and the discrimination is reasonably necessary to protect public health.

65. The ACT's *Discrimination Act 1991* contains similar provisions at sections 10 and 56 respectively.
66. Debate about the intended and actual effect of sections 24 and 25 reflects a difficult tension between the right to engage in lawful employment on one hand, and the protection of the community from health risk on the other.
67. Repeal of sections 24 and 25 of the Prostitution Act would remove a potential area of discrimination against sex workers with STIs. Supporters of this approach argue that sex workers maintain high standards of precautions against communication of STIs by, or to, commercial sex providers. There is little evidence to suggest otherwise.
68. While the probability of transmission of STIs by or to sex workers may be extremely low, the consequences of such transmission can be dire, and the risk to the community therefore very high.
69. The Government would welcome public views about how this aspect of public safety might be properly balanced with the rights of sex workers. It may be that sections 24 and 25 of the Prostitution Act could be amended so that no offence is committed if the requirements of the Public Health Regulation have been met. It is a question that should be examined.
70. It would also be appropriate to examine whether a further requirement of sections 24 and 25 should be that the infected person gives notice to the other person of their infection.

#### Barrier protection

71. Barrier protection, including the appropriate use of condoms, dams and lubricant, as required in section 27 of the Prostitution Act, is still the cornerstone of safe sex practice and the containment of STIs. The Government supports the retention of this provision and the current definition of 'prophylactics' provided in the Prostitution Act.

#### Frequency of sexual health testing

72. The Government is also concerned that any changes to the Prostitution Act do not impose additional regulatory requirements, such as an increase in the frequency of sexual health testing for sex workers. Findings from outreach sexual health testing at ACT brothels, conducted by the Canberra Sexual Health Centre over the past three years, indicate that sex workers have low rates of STIs and regularly seek testing for STIs as part of their health maintenance regime. Given that there are limited public health resources available in the ACT to test, diagnose and treat STIs, additional regulatory requirements for sex worker testing might have a negative impact on the

capacity of these services to work in higher priority areas. There is no evidence of a need to impose a higher requirement in this area.

### **Employment of minors**

73. The Government agrees that a level of regulation is appropriate in the Prostitution Act to prevent the employment of minors in the provision of commercial sex services. However, there is concern that the Prostitution Act could be used to provide a panacea for, or a complete regulation of, all of these issues. They may be better addressed in a holistic way in legislation respecting child protection and welfare. If these issues were to be addressed too extensively in the Prostitution Act, there is a risk of unintended consequences. In particular, excessive detail in drafting may lead to inconsistent policy and practice, poor regulation and enforcement, and gaps in coverage of the Act.

74. In this regard, the Government's view is that it would be helpful if some guidance were given to the industry, and to the courts, about what amounts to "reasonable steps" in section 22 of the Prostitution Act. Section 22 states:

**22 Age of child—burden of proof**

It is a defence to a prosecution under section 19 (2) or 20 if it is established that the defendant—

- (a) took reasonable steps to ascertain the age of the child concerned; and
- (b) believed on reasonable grounds that the child had attained 18 years of age.

75. However, it should be noted that the term "reasonable steps" is a phrase intended to ensure flexibility, so care must be taken when providing guidance on its meaning.

### Harmonisation of Work Health and Safety legislation and its impact on the ACT Sexual Services Code of Practice

76. The Code of Practice currently falls under the *Work Safety Act 2008*, as its purpose is to provide guidance to employers and brothel operators, sex workers and other employees within the sexual services industry in the ACT in relation to meeting appropriate occupational health and safety standards.

77. Currently, the Commonwealth and all States and Territories are responsible for enacting and enforcing their own work health and safety legislation. There have, however, been efforts in the past to make work health and safety regulations more consistent, through the development of National Standards and Codes of Practice.

78. This issue has been addressed through an intergovernmental agreement, with governments from all jurisdictions formally committing to the harmonisation of work health and safety laws.

79. In July 2008, the Council of Australian Governments (COAG) signed the *Intergovernmental Agreement for Regulatory and Operational Reform in OHS* (IGA). The IGA outlines the commitment of the Commonwealth, State and Territory governments to work together to develop and implement model work health and safety laws.
80. It is anticipated that the model Work Health and Safety Act will be adopted in all jurisdictions by December 2011.
81. The harmonisation of work safety legislation will impact on the Code of Practice, as the Code is a Disallowable Instrument governed by the *Work Safety Act 2008*.
82. The Code of Practice plays an important role in ensuring compliance with work health and safety laws, so it is vital that the Code be retained in the ACT. It would be beneficial to explore an effective means of maintaining the Code as an instrument under the Work Safety Act, while making appropriate reference to it in sex worker legislation.
83. In considering this, it should be kept in mind that the Prostitution Act promotes the recognition of sex workers in the same way workers in other occupations are recognised. It is not, in the Government's submission, appropriate to effectively 'set sex workers apart' by specifically applying the Code of Practice in the Prostitution Act.
84. The WorkSafe Commissioner has indicated that it may be possible to have the Code of Practice for the sex industry as an agreed industry standard under the national model work health and safety scheme.
85. WorkSafe ACT will continue to conduct unannounced brothel inspections as part of its ongoing compliance program.

## **Conclusion**

86. The enactment of the Prostitution Act in 1992 provided the ACT community with the means of ensuring that the commercial sex industry in the ACT operated in an open, safe and healthy environment.
87. Successive ACT governments have received a variety of submissions and recommendations from a wide range of stakeholders in relation to the commercial sex industry. There are many people in the ACT community who are strongly opposed to the legalisation of commercial sex services, believing that they should be prohibited. There are many who believe that the legislation is unduly restrictive, and denies sex workers the normal rights of people engaged in commercial activity.

88. The Government does not generally support changes to the Prostitution Act that would impose additional regulatory requirements, such as an increase in the frequency of sexual health testing for sex workers.
89. The Government believes that consideration should be given to a means of maintaining the *Work Safety (ACT Code of Practice for the Sexual Services Industry) Code of Practice 2010* as an instrument under the Work Safety Act, while making appropriate reference to it in sex worker legislation. In considering this, it should be kept in mind that the Prostitution Act promotes the recognition of sex workers in the same way workers in other occupations are recognised. It is not, in the Government's submission, necessary to specifically apply the Code of Practice in the Prostitution Act.
90. The Government believes that the current legal and regulatory environment continues to reflect a progressive and socially responsible approach to the commercial sex industry. It is appropriate to bring the Prostitution Act up to date, as it is now almost 20 years since its commencement.
91. The Government supports:
- a) removal of pejorative terms from the Act – for example, the word “prostitute” should be replaced with “sex worker”;
  - b) initiatives to ensure that labour trafficking in the ACT sex industry is eliminated;
  - c) amendments to the Prostitution Act to make it compulsory for all brothels in the ACT to have multilingual signs on display in prominent places, clearly stating that slavery is a serious crime;
  - d) measures to ensure, to the greatest extent possible, that underage people are not employed in the ACT sex industry;
  - e) consideration of the Prostitution Act in conjunction with the Code of Practice – the *Work Safety (ACT Code of Practice for the Sexual Services Industry) Code of Practice 2010*;
  - f) a requirement that employers make items such as condoms, dams and latex gloves freely available to workers,;
  - g) reviewing sections 24 and 25 of the *Prostitution Act 1991* in light of the requirements of section 21 of the *Public Health Regulation 2000*, with a view to maintaining an appropriate level of protection of sex workers and their clients from transmission of infection, while recognising the right of people to engage in commercial sex work in parity with other commercial activities; and
  - h) defining what amounts to “reasonable steps” for the purposes of section 22 of the Prostitution Act.