

Submission to the ACT Parliament Standing Committee on Justice and Community Safety
ACT Government Inquiry into Prostitution "Industry"

The death of Janine Cameron in September 2008 has starkly demonstrated that the current legislative and regulatory framework governing prostitution in the ACT, and the ACT Government's implementation of inspections, investigations, and prosecutions pursuant to that framework, have failed to protect the most vulnerable in our community and instead allowed gross exploitation for financial gain. It has also failed to discourage and prevent illegal prostitution activity in the ACT. The strong public impression based on media reporting is that there is no systematic or intentional inspection or enforcement of the current legal framework, reflecting both inadequate resourcing of this area of government responsibility and lack of political commitment to justice for the powerless.

This is completely unacceptable to the ACT community, and to anyone who pays any more than lip service to the notion of women's rights, protection of the vulnerable, and provision of viable pathways out of addictions, unemployment, child abuse and female sex-slave trafficking.

In these circumstances, ***no expansion of the territorial scope of prostitution can be remotely contemplated*** and any government pursuing this path will do so at risk of betraying its philosophical and social commitments.

Two initiatives are urgently required, namely:

- ***a thorough regulatory crackdown*** on the existing prostitution businesses, including significant tightening of laws and regulations, and a genuine and well-funded commitment by Government to enforce these laws, including:
 - as a licence condition, those owning and responsible for the operation of brothels to have no criminal convictions, no history of drug use or abuse, and no history of tax evasion or previous revocation of licence to run a brothel;
 - no underage (under 18) girls or boys whatsoever, no drug users or sellers, no sufferers of HIV/AIDS or notifiable STDs, and no persons on non-working visitor or tourist visas to be employed in a licensed brothel;
 - no underage person and no drug-dealing whatsoever to be permitted on brothel premises
 - monthly random police and licensing inspections to be conducted systematically of every licensed brothel, and every reported illegal brothel;
 - all employees to be subject to monthly health and identity checks to ensure no employee is underage, using drugs, an immigrant potentially working illegally as a sex slave in this trade, or infected with HIV/AIDS or a notifiable STD;
 - these conditions be stipulated in the terms of any licence, and any breach be automatic and prima facie grounds for revocation of the licence and criminal charges against the licensee;
 - any breach of licence terms require the full publication in the media of the name and photograph of the person concerned, and the precise reasons for termination of their licence (public shaming); and,
- ***a full independent judicial inquiry*** be undertaken into the abusive impact of the prostitution "industry" on boys and girls, including physical and emotional abuse, connections with criminal bodies and sex slave trafficking, interconnections with drug abuse and addiction, the effects with regard to breakdown of relationships and family structures, the ownership structures of the organisations which benefit from this trade in human misery, and evidence of corruption of government inspection and regulation bodies. The inquiry should also make recommendations on the development and funding of programs to assist prostitutes to escape the industry, and on closer collaboration with Federal authorities to strengthen migration law remedies to curb the introduction of sex slavery of girls from Asia and elsewhere into Australia.

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From where I sit, the strong impression is that our ACT Government and the bodies responsible for ensuring the application of the law and the protection of the vulnerable have failed in their responsibility to we, the people of the ACT, and need to work hard to regain our trust. When we find it possible to fund fireworks and cultural events to celebrate Canberra Day, it is a scandal that we cannot seemingly find either the political will, bureaucratic focus, or human and financial resources, to keep drug-addicted children and the deeply vulnerable of our society out of this "industry".

As a community, we have effectively allowed slavery and the economic and personal abuse of children and women to re-emerge in one of the richest and avowedly socially-conscious societies this earth has ever seen. As usual, those promoting such abuses would have you think that their personal financial interest in such outcomes should be overlooked together with the harm that they are inflicting and which we all as taxpayers need to cover later down the road. In fact, it is just as inexcusable as those who two centuries ago promoted slavery as a necessary social mechanism and the use of children in coal mines and chimney sweeping as legitimate employment.

Those promising some years ago that a well-regulated "sex industry" would remove all of these abuses have at best misled the community, and at worst knowingly lied.

Any failure by Government at this stage to act decisively against these abuses will be seen in the electorate as moral bankruptcy, and even an indicator that we need to start looking very closely at the likelihood that the "industry" has succeeded in corrupting relevant areas of our police force and Territorial administration.

I look forward to reading the Inquiry's report, including its conclusions as to why the ACT Government's administration of this area of law has let down our most vulnerable citizens so badly.

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