



Queensland
Government

**Prostitution
Licensing Authority**

27 March 2020

Mr Aart Brons
Brothel licensee
Northern Belle
aart.brons@outlook.com

Dear Mr Brons

I refer to your emails of 5, 6, 8, 10, 11, 12, 13, 14 and 17 March 2020, relating to the regulation of the sex industry in Queensland. I acknowledge that you are a long-term brothel licensee in Cairns and appreciate your continued interest in the regulation of sex work in Queensland.

Due to ongoing communication with brothel licensees over many years, including their attendance at meetings of the Prostitution Licensing Authority, the Authority is well aware of stakeholder concerns about aspects of the brothel licensing framework and the extent and impact of unlawful prostitution operators. The Authority values this stakeholder input and it has been communicated consistently to successive governments and informed proposals by the Authority for amendments to the *Prostitution Act 1999* that have been submitted to them. The Authority has also been active in making the Queensland Police Service aware of stakeholder concerns about unlawful prostitution, which has resulted in action being taken against these operators, particularly in recent months with successful closures of some illegal brothels.

In October 2019 the Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice, said that she intends to refer the development of an appropriate regulatory framework for the sex industry to the Queensland Law Reform Commission (QLRC). The following month, the Attorney-General said that the referral would occur as part of the future program of work of the QLRC. She mentioned the three referrals already before the QLRC and said that there would be consultation with the QLRC about the timing of future work and the terms of reference. Referral to the QLRC will provide an opportunity for all voices to be heard, including stakeholders such as yourself and other brothel licensees, so that the regulatory framework for the sex industry is evidence-based, informed by expert advice, and appropriate for Queensland.

The Authority is aware that Respect Inc is leading a campaign for the decriminalisation of the sex industry in Queensland. You have specifically queried the stance of the Prostitution Licensing Authority on this issue. The Authority is responsible for the regulation of licensed brothels and does not have a position on decriminalisation. Ultimately, the appropriate regulatory framework for the sex industry is a matter for determination by the Executive of the Government. Decriminalisation is just one of a range of matters that would be expected to be considered by the QLRC, once a referral occurs. Whatever the outcome of any law reform, one would expect that a proper regulatory framework would be put in place.

In the meantime, the Attorney-General has said that the Government will continue to monitor the effectiveness of the current regulatory approach to the sex industry. The Authority will also continue to take account of stakeholder input in its regulation of the licensed sector.

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Specifically regarding your landline telephone proposal, the position of the Authority is unchanged. It does not consider that your proposal would be effective in combating unlawful prostitution and would have a detrimental impact on sole operator sex workers. In this regard, I refer you to relevant correspondence of 15 May 2017, sent to you by Mr James Sullivan, Chief of Staff to the Attorney-General (attached), in which he informs you that your proposal is not supported by the Government.

Please be advised that the Authority cannot take the matter any further and sees no point in continuing to correspond with you on these matters, all of which have been fully ventilated with you over many years.

If and when further developments arise you will be fully informed along with all other licensees.

Yours faithfully

A handwritten signature in black ink, appearing to read "Walter H Tutt", written over a horizontal line.

**WALTER H TUTT
CHAIR**



Office of the Attorney-General and Minister for Justice
Minister for Training and Skills

e-mailed

15 MAY 2017

In reply please quote: 562201/1, 3667797

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15 MAY 2017

Mr Aart Brons
Manager@northernbelle.com.au

Dear Mr Brons

Thank you for your email dated 19 February 2017 regarding your proposed amendment to the *Prostitution Act 1999* (the Act). The Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice and Minister for Training and Skills, has asked me to respond on her behalf.

You have proposed that the Act be amended to require that any prostitution advertising includes only a Queensland landline telephone number and included a petition signed by representatives from 12 licensed brothels. From the range of attachments provided, it is evident that you have been pursuing this matter over a number of years. I understand that you have put your proposal to the Prostitution Licensing Authority (PLA) on a number of occasions and have each time been informed that it is not supported by the PLA. I also understand from your attachments that you put this proposal to the former Attorney-General, Mr Jarrod Bleijie MP, and he informed you it was not supported by the PLA.

Your proposal requires careful consideration of its impact on the lawful sex industry, which includes sole operator sex workers. On balance, your proposal is likely to have a negative impact on sole operator sex workers. Sole operator sex workers, unlike licensed brothels, are not restricted to operating from a fixed location and may perform outcalls. Sole operator sex workers, unlike licensed brothels, are also prohibited from utilising the services of a receptionist. One of the advantages of mobile telephones is their portability. A second advantage is that unlike landline telephones, mobile telephones may be used to send and receive text messages. Accordingly, the portability and functionality of mobile telephones means that they are a valuable tool for sex workers. The requirement that it be a Queensland landline telephone number would also be incompatible with the ability of interstate sole operator sex workers to provide services in Queensland.

Your proposal also conflicts with advances in telecommunications technology and consequent altered usage patterns by the community. There has been an increasing trend for persons only to have a mobile telephone, with no landline telephone. The Australian Communications and Media Authority has reported that in December 2014 nearly one-third (29%) of adult Australians were mobile-only telephone users, without a landline telephone at home. It is reasonable to assume that this trend has continued in the intervening years so that an even larger percentage of adult Australians would today be mobile-only telephone users. All things considered, the Government does not support your proposal and will not be amending the Act in the manner you have suggested.

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I understand that the broader context of your proposal is the impact of unlawful prostitution operators on the viability of your lawful business. As you would be aware, it is the Queensland Police Service (QPS) that is responsible for combating illegal prostitution in the state. The PLA is aware of the concerns of brothel licensees about the impact of illegal operators on their business. The PLA *Annual Report 2015-16* refers to a range of factors which explain the size of the licensed sector of the sex industry, including competition with illegal operators. The membership of the PLA includes a senior QPS officer, Assistant Commissioner Paul Stewart. From time to time, the PLA communicates licensed brothel sector concerns about the illegal sector of the sex industry to the QPS. However, the PLA has no influence over the priority that QPS gives to combating unlawful prostitution, as it is an operational matter for that organisation.

I encourage you and other licensed brothel operators to bring any evidence of illegal prostitution activities to the attention of the QPS. The more and detailed intelligence they have about these enterprises, the greater their ability to respond to stakeholder concerns by taking action against them.

Thank you for your interest in the regulation of prostitution in Queensland.

I trust this information is of assistance.

Yours sincerely



JAMES SULLIVAN
Chief of Staff