

PROSTITUTION BILL 2011

754. Mrs L.M. HARVEY to the Attorney General:

My question is to the Attorney General —

Mr P.B. Watson: Preamble!

Mrs L.M. HARVEY: The member for Albany might actually enjoy this question.

Mr P.B. Watson: I didn't want you to think I'd lost my touch!

The SPEAKER: Thank you, member!

Mrs L.M. HARVEY: I note with satisfaction today that the Liberal–National government has delivered on another one of our election commitments in bringing the Prostitution Bill 2011 to the house. Will the Attorney General advise the house on what this bill will mean for my constituents in Scarborough?

Mr C.C. PORTER replied:

I thank the member for her question. The bill has taken sometime to draft and is a complicated piece of legislation. Our 100-day promise was to not allow the bill that the former government had passed through Parliament to become law, which is exactly what we did in 100 days. Had that bill become law, a microbrothel of one or two prostitutes who had decided to set up business next to any one of our own homes or our constituents' homes would have been perfectly lawful under the Labor bill. However, that Labor bill will never be proclaimed. We now have a replacement option and a preferred option in front of us for how this state can manage the very difficult problem of prostitution.

At the 2008 election we said that the state government would take responsibility for this issue, we would not permit any form of brothel to operate in the suburban residential areas of Western Australia and, in consultation with local government, we would have a very firmly regulated system by which a small limited number of appropriately situated prostitution businesses were permitted. That was the undertaking. That was our election policy. This bill makes good on that policy, and this side of the house was elected to government running with that policy. There is an expectation by the people of Western Australia that brothels will not be permitted and that proper law enforcement and a proper bill will prevent brothels operating in suburban areas. At least on that point I think the shadow Attorney General agrees with this side of the house. Last year I well recall the shadow Attorney General managing to locate a suburban residential brothel, and he stood in front of it for the purpose of speaking to Channel 10, Channel 2 and Channel 9. When speaking to Channel 10, he said, "There's a brothel operating, as you can see, behind me, and it's right next door to residential premises. This is exactly what the Premier promised would not be tolerated under a Liberal government." When speaking to Channel 2, he said, "Behind me you can see a brothel operating right next door to residencies and no laws have been introduced." When speaking to Channel 9, he said, "I'm calling upon the Liberal government to introduce these laws this month or be known as phoneys on this issue." Here are the laws.

Mr P. Papalia: What date was that?

Mr C.C. PORTER: That was March last year. The opposition called on these laws to be introduced and now they are being introduced. In fact, they did take a long time to draft because it is a complicated issue. I went to a number of community forums in a range of electorates. I recall one distinctly; I think it was in the electorate of the member for Victoria Park. There were probably about 80 to 100 people there. It was quite typical of these community forums.

Mr B.S. Wyatt: You said 50, but go on.

Mr C.C. PORTER: I am pretty sure there were more than that, from my recollection. About a quarter of them were from religious groups and about a quarter were from sex industry groups. When we explained the direction that we were headed—we made sure they sat on different sides of the room—the religious groups wanted less in terms of the direction we were going and the sex industry groups wanted more. You should read their submissions, Mr Speaker; they could curl your eyebrows. The other half of the meeting was made up of just average constituents from in and around the Victoria Park area. Many of them spoke. What they said almost to a person was that they did not really care much about the two competing views they had just heard but that there was a brothel operating on their street near to their homes and they wanted a bill that ensures that when they ring up the police, they do something about it. This is that bill.

Today the Commissioner of Police said —

One of the major complaints around prostitution is that we have a lot of micro-brothels operating in the suburbs and it's not technically an offence if the person's not living off the earnings.

He went on to say —

So this has become over the years a local government problem.

People will ring us or local government and say there's people turning up in the middle of the night, they're waking them up, they're parking their cars, some of them are drunk, can you do something about it?

There's not much we can do about it under the current arrangements. The proposed arrangements will put it squarely back in the hands of police and we can take action against the operators.

That is what the police commissioner said today. The submitters in a very long consultation process, particularly local government, recognise that this bill is the answer to getting prostitution out of the suburbs. I say to the Leader of the Opposition that the City of Belmont strongly agreed that in the case of prostitution, the licensing of prostitutes and the enforcement of that aspect by the police is necessary to ensure that prostitution is not incorrectly pushed onto local government. The City of Rockingham said that the regulatory approach of the proposed legislation is supported. Prohibiting brothels and prostitution within residential areas was unequivocally supported. The Town of Victoria Park said that overall the draft bill is a welcome proposal that will effectively control the location of a prostitution business, and in particular will prohibit such a business in residential areas.

The choice is now clear: the people who live in our constituencies would prefer not to live next door to a brothel. The government is producing a piece of legislation that will ensure that they can live in their homes and enjoy their amenities.