

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

PROSTITUTION AMENDMENT BILL 2007

Third Reading

MR J.A. MCGINTY (Fremantle - Attorney General) [7.15 pm]: I move -

That the bill be now read a third time.

DR J.M. WOOLLARD (Alfred Cove) [7.15 pm]: I am very disappointed in the Attorney General because he has allowed this bill to go to the third reading when he is well aware that it will lead to the further degradation of women. More girls and women will become slaves in our society. The Prostitution Amendment Bill 2007 promotes the business interests and profits of pimps who abuse women and see women abused. It is dishonest of this government to say that this bill will give women a choice. What kind of choice is it when women want to leave prostitution but there is nowhere for them to go and so they continue to be sexually abused? Women in prostitution really are denied every civil right that we like to think that people in society have. They are denied those rights in every imaginable way. That is why I have said in this place that this bill is the worst piece of legislation I have seen come into this Parliament. It means that women and girls will be attracted to and coerced and deceived into working in these brothels that the government will now legalise. These women and girls will be subject to torture, cruelty and repeated rape because this is what happens when women are bought and sold for sex. I guess that is why I have been so disappointed in the women in this government who have sat there and not said anything. I apologise: the member for Girrawheen did and I congratulate her. Sorry, a member has just reminded me that it was not the member for Girrawheen but the member for Wanneroo. It was not the member for Girrawheen; she did not say anything and she is not doing anything to help women in this area. She is allowing more girls and women to go into this area when she knows that they will be raped, tortured, abused, suffer from psychological damage, and be enticed to carry on their activities through taking drugs and then, because of the drugs, be forced to suffer further assaults.

What choice will these women have? Statistics reveal that the majority of girls and women who become prostitutes are not from stable backgrounds; rather, they are girls and women who, through a lack of family and social support, are enticed into prostitution after being told that they can earn big dollars. They are not told that they will be repeatedly raped, that their bodies will be tortured and that they will be subject to such horrific experiences that they will probably turn to drugs within a matter of months as a means of escape. Of course, once they start taking drugs, they are more dependent on the industry. Women have the freedom to choose whether to become prostitutes; however, once they start taking drugs, they become more enslaved by the industry. This bill represents one of the worst extremes of a master and servant situation. Who is promoting this bill? It is being promoted by a Labor government that has traditionally supported employees and women's rights. This bill shows that, once again, members of the Labor Party are hypocrites. This bill will harm and degrade women. If this bill goes through this and the upper house in its current form, ministers and government backbenchers should hang their heads in shame. When the Attorney General set up his committee, which comprised the member for Perth, Hon Sue Ellery and Hon Giz Watson, he told it what he wanted from it.

We know that other options are available. Indeed, some countries are now considering ways of helping women leave the terrible industry of prostitution. They are trying to help the women who are being assaulted, who have no freedom of choice and who have become sex slaves. They are putting together programs to help these women. What is this government doing? It is not helping women. It has done nothing to help women leave the prostitution industry. The only help available to prostitutes is through the various churches. Certainly, no government funds have been committed to help prostitutes leave the industry. Other governments have allocated funds to help women leave the prostitution industry, but this government is looking to build up the industry. It is allowing for the further degradation of girls and women. When a woman is raped, it is said that her person is stolen. When a prostitute is raped, her person is not only stolen - it is sold. This government is saying that it is okay for pimps to sell women and to allow them to be degraded and abused.

Many people in the community are unhappy with the government's decision to push this bill through Parliament. The government has gagged the debate on this bill. I am sure that there will be a big backlash against the government at the next election. Legislation in other states prohibits brothels from being located in residential areas. This government's legislation does not do that. Therefore, it is possible that our children will pass brothels on their way to school and to the shops.

The member for Perth has just come into the chamber. During earlier debate on this bill, I provided statistics on sex trafficking. The member for Perth is quite happy to speak up about gay rights. However, what about women's rights? Again, government members are being hypocritical. Where is this government coming from? What this bill will do to the fabric of our society is terrible. This bill is saying that it is okay to abuse women and for women to be trafficked for sex. However, that is not okay. A rally has been organised for this Thursday.

Extract from Hansard

[ASSEMBLY - Tuesday, 13 November 2007]

p6987c-6997a

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

I hope that the day will not be too hot and that you, Mr Acting Speaker (Mr M.J. Cowper), will meet with the people who will be pleading with the government to throw this bill in the bin and burn it. The government should not be promoting legislation that will destroy the lives of many girls and women.

This bill has been rushed through this house, with very few government backbenchers, particularly female government backbenchers, making a contribution. I have supported the notion that there should be more women in politics. However, we should not have the type of women who support this type of legislation going through Parliament, who say that it is okay for women to be abused and who think it is okay for women to become slaves. Once women become prostitutes, they do not have any freedom of choice. The government is not helping women get out of prostitution. We know what happens to prostitutes. Although I have cited statistics relating to diseases, physical violence and mental illness in the prostitution industry, the government has chosen to ignore them and to block its ears.

I have been working with many women's groups. This is a women's issue. Ninety per cent of prostitutes are women. Women's groups are very unhappy that this government is opening the door for girls and women in Western Australia to think that prostitution is an acceptable occupation. It is not an acceptable occupation. What occupation allows people's bodies to be sold and abused? This government says that it looks after workers. How about looking after women? It is certainly not looking after women. I have been very disappointed by it.

I am very disappointed with Hon Sue Ellery and Hon Giz Watson. When they looked at the bill, they did not look carefully at the issue of sex trafficking. They also did not look at the Swedish model. Results now show that the Swedish model is successful. Under the Swedish model, it is the pimps and the people who use and abuse women who are taken to account. Support structures are being put in place in Sweden to help prostituted women get out of that business. That is what we should be doing here, rather than saying that the abuse of women and sex trafficking are okay. I mentioned the countries from which women are trafficked for sex. Research shows that when brothels are legalised, more sex trafficking occurs. We also know that the legalisation of brothels in other places has not put an end to illegal brothels. We will still have illegal brothels in WA. What has happened in other countries will happen here. There will be an expansion in the number of girls and women who will become slaves in illegal brothels and who will be abused physically and psychologically and who will become addicted to drugs. We are going to see this in both the legal brothels and the illegal brothels. I am just so disappointed - I am disgusted - that this legislation, which will take away the rights of girls and women to live a normal life, will be passed. It is going to damage those women and girls for life.

As I said earlier, a rally will be held on Thursday, starting at Wesley Church at 12 noon and moving to the steps of Parliament House at one o'clock. The Attorney General has been invited to attend. I hope he comes. I cannot guarantee what will happen to him if he does come, because so many people are very unhappy with him at the moment. I certainly would not like any harm to come to him. All the women with whom I have been meeting are sensible. I would like to try to persuade the Attorney General that he has made a big mistake and that this is not the right thing to do in WA. He keeps talking about a bill of rights. How can he talk about a bill of rights when he knows that this legislation is going to take away the rights of girls and women who work in brothels? The Attorney General has just come into the chamber. That is why I said that it is dishonest of this government, and especially the Attorney General, to say that this legislation will give people freedom of choice. It will not give them freedom of choice; it will take away their rights as human beings. It will put them in a work situation in which they will be told by pimps what to do, who to do it with and how to do it. People do not go into prostitution by choice. Girls and women work in this area because they have nothing else. What kind of rights is the Attorney General giving them? The only rights that this legislation will provide will be those that will allow pimps and men to sell the bodies of women and girls for sex. We should not be allowing girls and women to have their bodies sold for sex or to be repeatedly raped and tortured. Many of those women and girls are addicted to drugs so that they can get by from one day to the next. What kind of rights are they? How can the Attorney General even talk about a bill of rights when he will be taking away the rights of the girls and women in Western Australia who work in this area?

We know that as soon as prostitution is legalised in WA, people in other countries will traffic more women to WA. There will be an increase in sex trafficking to WA. Sex trafficking is already going on in WA. I have already put on record that the federal government has provided something like \$52 million to try to cut back on sex trafficking. The federal government made two commitments, firstly of more than \$20 million and then of \$30 million. We know that sex trafficking is on the increase in the other states that have legalised brothels, so why is this government following suit? Why is the Attorney General not saying, "Okay, the committee didn't look at the Swedish model. Maybe if the research is showing that that model is successful, we should leave this bill on the table and look at that model."

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We should think about what this bill is going to do, maybe not to the Attorney General's daughter but maybe to his granddaughter. The Minister for Police may have granddaughters one day as well. He would not want them to work in this area. He would not want his wife to work in this area. He would not want his son's girlfriends to work in this area. He would not want his son to take a girl out for dinner and to then hear a few days later from someone that he had bumped into her down at the local brothel. That is what this bill will do. The bill says that it is okay to have legal brothels in which women will be treated as slaves and will have no civil rights. Prostituted women are repeatedly abused. During the debate I have tried to put statistics on the record for the Attorney General, but he has not been interested in the statistics. I have tried to make him see that this is a women's issue. This bill is going to lead to the degradation of women in society. It is going to lead to women going into prostitution. Research from overseas has shown that the number of women who want to get out of prostitution ranges from 70 per cent to 90 per cent in some areas. It is not freedom of choice when we know that women want to leave this area of work.

Certain comments were made by some members during the debate. For instance, the member for Peel said that a friend of his worked with people with disabilities and that this legislation was going to be good for people with disabilities. I know, Mr Acting Speaker! There is absolutely no excuse whatsoever that makes it acceptable for women to be abused. There is no excuse. Men do not have the right to abuse women's bodies. The member for Peel said that we should allow this. If we asked disabled people whether they would like to have a normal loving relationship, they would say yes. To use women for sex is degrading.

This bill should not have been presented to this house in its current form. The Attorney General claims that he is concerned about people's rights. If the Attorney General wants to do something about people's rights, he should look at women's rights. He should look at what this bill will do to our community. This bill is giving the wrong message to our community. This bill is certainly not accepted in my community. My community has had some experience with brothels, and it has been very unhappy with that experience. I have spoken to people on my local council. They cannot believe where this government is coming from. They say, "Well, if we object to having a brothel in our community, the matter will just go to SAT, and it will overrule us, because of this legislation." We all know that is what will happen. This bill will be just a rubber stamp to allow pimps to continue to abuse women. This bill will allow pimps to continue to make money out of women being abused, out of women being raped, out of women being brutalised, out of women suffering from mental illness, and out of women turning to drugs to escape the reality of their working situation. This bill will make it even more difficult for women to get out of that situation. What about the children of the women who are working in this area? The government has said that it will not allow children to work as prostitutes. However, what does it do for the lives of these children when their mothers are addicted to drugs, when their mothers suffer mental illness, and when their mothers sustain bruises and all sorts of terrible physical complaints because of the rape that takes place in these brothels? What kind of family situation is that for these children?

What is this government saying in this bill? This government is saying that it is okay to abuse women and to treat women as servants. Obviously, some members of this government have not seen the movie *Amazing Grace*. I thought we had stamped out slavery. Prostitution is the slavery of women. That is because the women who work as prostitutes are not able to leave that industry. Once women get into that industry, they get in deeper and deeper because of the drugs. This government is doing nothing to help women get out of that industry. This bill should be thrown out. This government should put together a committee of people who want women and girls to be protected and to be given rights that are equal to - not fewer than - the rights that are given to men. Remember, 90 per cent of prostitutes are women. It is predominantly women and girls who are abused in this industry. The members of the committee should predominantly be women. The only member on the government side who should be on that committee is the member for Wanneroo, the Deputy Speaker, because she is the only woman on that side who has had the gumption to stand up in this house and speak on behalf of women. Why is it that some people just cannot see what is happening in this bill? Why has the government not given its members a conscience vote on this bill? We know why the government has not given its members a conscience vote on this bill. It is because not all government members support the Attorney General's bill. Some government members do not want women to be raped and victimised. Some government members believe that all women and girls should have the right not to be enticed and controlled by pimps in a brothel, but to look forward to a positive future. The Attorney General knows that had he given his backbenchers the opportunity to vote on this bill, they would have said no way, minister; we are not supporting this bill. The Attorney General was too frightened to do that. Who is the Attorney General hoping to get votes from at the next election because of this bill? The only people from whom the Attorney General will be getting votes are the pimps who are making money out of women being abused. The pimps are the only people who will benefit from this bill. Women will not benefit from this bill. Families will not benefit from this bill. Families whose daughters go into this industry will not benefit from this bill. Local communities will not benefit from this bill, because they know what these prostituted girls and women go through. People do not expect prostitution to be taking place in their

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

communities in the twenty-first century. Slavery was abolished two or three centuries ago. I will not be supporting this bill. I ask the Attorney General to withdraw this bill.

MR G.M. CASTRILLI (Bunbury) [7.48 pm]: I also oppose the Prostitution Amendment Bill 2007. I support many of the things the member for Alfred Cove has said. This is a very sad and sorry time for Western Australia. We can mark down this month as the time when this Labor government legalised an illegal act by removing the convictions and penalties for this act in sections 190 and 191 of the Criminal Code. We can mark down this month as the time when this Labor government condoned and legalised the abuse of women. We can mark down this month as the time when this Labor government enabled the proliferation of prostitution and brothels in our towns and our cities, and, even more disturbing, in our residential suburbs. This Labor government has legitimised organised criminals, and the whole gamut of what comes under the umbrella of organised crime, by allowing these people to operate brothels as legitimate business people. This Labor government has legitimised the activities of people who make money out of the abuse and misery of mainly women - but obviously also men - because of the sad circumstances that they find themselves in. Of course, this government has said that it does not think that will be the case, because it has put in place certain safeguards to protect women. Two of those safeguards are found in proposed sections 13A and 13B in clause 14 of the bill. Those proposed sections provide that a person who has entered into a contract to take part in a commercial sex act may, at any time, refuse to take part in a commercial sex act. They provide also that a person who refuses to work as a sex worker will not lose any of his or her workers' compensation entitlements. What are the organised criminals who are operating brothels going to say about that? They will say, "Come in. Let's sit down and have a chat. You're a bit tired. Yes, we agree that looking after your health is more important than whether we're making money, so you can have some time off and go on workers' compensation." We all know that will be a joke.

Under proposed part 3A, division 8, "Planning and development controls", proposed section 21X provides for approvals for existing well-managed places. A person who has been operating an illegal brothel that has been well managed can apply for a certificate. A person who is granted a certificate is supposed to be a fit and proper person. Even though a person may have conducted an illegal operation under the old act, that person could still be deemed to be fit and proper. During consideration in detail I asked the Attorney General whether it was correct that anybody who had broken the law could be granted a certificate as being a fit and proper person. The Attorney General said that yes, they could.

We all know that in practice there will be no controls; that nobody will check on what is going on; and that if they do check and find that all is not right, they will not be able to do anything about it anyway. As for law enforcement, we cannot control the Mr Bigs of this world now. How does the Attorney General think we will control organised crime running brothels? It defies belief. The idea that only fit and proper persons will be able to run brothels must be the biggest joke going around. When this legislation is enacted, there will be a proliferation of legal and illegal brothels throughout this state. In the "Prostitution Law Reform for Western Australia: Report of the Prostitution Law Reform Working Group" of January 2007, the second paragraph on page 13 reads -

A pragmatic approach was adopted by the Working Group in looking at a decriminalised model. While recognising the complex social, political, moral and public health implications of commercial sex work, the Working Group makes no value judgment about the sex industry. The Working Group acknowledges the negative aspects of the industry including the potential for drug use and the involvement of organised crime. The Working Group also recognises the vulnerability of sex workers and the potential harm to persons in the industry and supports protections, in legislation, regulations and codes to address these concerns.

That says it all to me. References to putting in place legislation and regulations to address these concerns are all very well on paper, but all members of this house know that the practical application will make those references a joke. Prostitution will not be able to be controlled and it will run amok. That is my opinion. I could be wrong and I hope I am wrong, but I do not think I am wrong, because experience from time immemorial has taught us that that will happen, if nothing else. We have seen the statistics from other states that show that numbers of legal and illegal brothels increased after those states introduced legislation. Those statistics were quoted over and over again during the second reading debate and during consideration in detail.

The Labor government has introduced this really terrible bill through which it will legitimise the sex trade. The government will condone trafficking in women. It will be responsible for condoning involvement in prostitution, the exploitation of women and violence against women. Who will profit out of the misery of these people and the state that they find themselves in? It will be organised crime. I do not want this to happen. I do not want any brothels in any suburbs or in the City of Bunbury. The prostitution law reform report to which I referred earlier has a list of local governments that have been contacted for comment. Reference is made on page 42 to

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

submissions being sought from stakeholders, and among them is the City of Bunbury. I note with interest that the City of Bunbury did not make any submission at all to this so-called working group. I find that totally disappointing. The feedback I have had is that the state government will tell people what to do anyway and what is the point of making a submission. There is every point in making a submission. Local government will lose control of this matter and have no say in planning matters related to it.

This day in 2007 is a sad and sorry day for Western Australia. It is a very sad and sorry day for women and for the communities of Western Australia. I will say no more because I have said all I need to say. I wanted to make my feelings absolutely clear and to place on record what I think of this bill.

DR G.G. JACOBS (Roe) [7.58 pm]: I endorse everything the member for Bunbury has said. I am bitterly disappointed today on various counts. I am bitterly disappointed that the Attorney General reads a book as though he is not listening. Although I have heard him say that he has maybe heard all this during the second reading debate, we have a democratic process that entails a third reading debate.

During this third reading debate I will document various reasons for my bitter disappointment. I am bitterly disappointed because the Attorney General persists in bringing legislation into the house that I would deem to be part of social engineering. I think of all the other good work that he could be doing for this state. In my home town a lost man with mental illness walks the streets because he has no appropriate accommodation and he has no person to mentor him and look after him. I see people, as no doubt the Attorney General does, who cannot find accommodation and who have not got a roof over their head. I see people who cannot get an operation. I see people who cannot get admitted to hospital for treatment. I see communities that cannot get basic services. The Attorney General may say that this is overstating it, but if the state government is to be relevant in the twenty-first century, why do government members such as the Attorney General not concentrate on significant issues in this state? Of all the issues, he has picked on what I describe as a minority issue of social engineering with dire consequences. I do not see people rallying in the streets saying, "Give us a prostitution bill, decriminalise it and take out sections 190 and 191 of the Criminal Code." I suggest that the only rally the Attorney General will see will be the one on the front steps of Parliament House on Thursday, when he will see a rally of people saying, "We don't want this because this promotes the use and abuse of women."

As a medical practitioner before coming to this place, I often had the privilege of learning what prostitution means to women, and it was a shocking revelation. Does the Attorney General not have enough on his plate? He is also the Minister for Health. Is that portfolio not big enough, with all the glaring problems that he cannot attend to, some of which I have described? The Attorney General has now picked on a minority issue of social engineering that will remove the sections of the Criminal Code related to prostitution, as though that is a wholesome, useful and important thing to do for the state. It disappoints me that he has all those things to do, yet we are spending an inordinately long time discussing this matter in this place. There is nothing wholesome about this bill, which will rename the Prostitution Act the Sexual Services Act. In the great euphemistic world that we live in, it makes it sound a bit like a lawnmowing service or a supermarket or some other community service; it makes it sound respectable!

I am disappointed by members on the other side of the chamber. I heard not a peep from the women on the government benches. I thought that someone opposite would have stood up for women. We have heard a lot about equal opportunity and discrimination against women in the past. We have heard a litany of issues. We have heard that women are second-rate citizens, have been discriminated against throughout history and have not been given equal opportunities in work and sport - in every facet of the community. However, when we discuss prostitution, there is not a peep out of the women opposite. Every time I look at them, they are looking down at their notebooks or they are creating some nebulous stuff on their computers. They do not want to face this issue. I believe they know that this is not wholesome; it is not right. This bill is about the use and abuse of women. There is no other term for it. We cannot make it sound like something that it is not. Women are involved. The women opposite are not involved. They have not seemed to say anything. As I have said, in my experience as a medical practitioner I had the privilege to learn about what it means to women to be caught up in prostitution, but I was also shocked by it.

There is almost a feeling from members on the other side of the house that there are happy women engaged in prostitution, that they are engaged in conduct by which they can make a living and which is respectable, and that they want to be there. I suggest that they are trapped in prostitution, and they are trapped because of their economic and social circumstances. In a very short time they can become trapped in a drug-addiction web that catches them. They are involved in prostitution not because they want to be, but because they cannot exit the industry. We use great terminology when we speak about lots of issues in this place, but I have one example for members. Where in the bill is reference made to helping women who are trapped? We could call it an exit strategy in this euphemistic world. Where is the exit strategy for women who are trapped in prostitution? There is no exit strategy. Essentially, under this bill we are desperately trying to make respectable that which is not

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

wholesome. Members can say anything they like, but they will not make this practice respectable. They might say that that is moralistic. I suggest that this bill will make a major amendment that will continue to entrap women in prostitution.

I am bitterly disappointed for another reason. We talk a lot about human rights. A draft Human Rights Bill 2007 is floating around the community and may float into this place in the next little while. A process of community consultation is underway in Western Australia. I have been to one of the community consultation sessions on the draft Human Rights Bill 2007. It is a very interesting bill and I will share with members just one aspect of it. Clause 8 in part 2 of the bill is headed "Torture, cruelty etc., protection from". When I was at school I was told that "etc" was out of bounds, because "etc" indicates that people know what they are talking about. However, if they actually knew what they were talking about, they would not use "etc"; they would say whatever they wanted to say. The clause states -

A person must not -

- (a) be tortured; or
- (b) be treated or punished in a cruel, inhuman or degrading way; . . .

The bill before us will perpetuate treating or punishing women in a cruel, inhuman or degrading way. I hope that not one person in this place would suggest that engaging women for paid sexual favours is not degrading. It must fulfil the description of degrading. A consultation process is taking place throughout Western Australia on this draft Human Rights Bill 2007. We can all go along and talk to Fred Chaney, who is conducting the consultation process. I must say he is conducting it in a very fair way and in a setting that allows the exchange of information and opinion. One day this draft Human Rights Bill will float into this place. The Prostitution Amendment Bill, which will amend the Prostitution Act to rename it the Sexual Services Act, will go to the other place and if there is as much spine on the government side there as there is in this place to stand up for women, it will probably pass through that place. A few weeks or months later it will float the draft Human Rights Bill 2007 just to make us in this state Parliament of Western Australia look complicit and absolutely compromised. How will we look then when we read clause 8(b) of the draft Human Rights Bill, which states that a person must not be treated or punished in a cruel, inhuman or degrading way? Members may say that prostitution is not degrading. Is the prostitution of women and men and paying for sex generally not degrading? I would love to hear someone on the government side try to tell me something different; that somehow if we as the governing institution in this state pass this bill, that does not fulfil the criterion of "degrading" and therefore does not compromise this draft Human Rights Bill.

Dr J.M. Woollard: What about the member for Central Kimberley-Pilbara?

Dr G.G. JACOBS: Yes; I must say that in recent times the member for Central Kimberley-Pilbara has crusaded for wholesome legislation in this place.

Mr T.G. Stephens: I have a strong sense that you are trying to get me into trouble!

Dr G.G. JACOBS: The member for Central Kimberley-Pilbara has crusaded on all issues - the advance health care directive or living wills legislation, the surrogacy issue and human reproductive technology, and he has stood up for the wholesome things that I know he believes in. I know it is in his heart; we know it is in his heart. However, this legislation really disappoints us on this side, as it is we on this side, as with other legislation, who do not have an ally in this place from the government side.

There are other reasons that I am bitterly disappointed with this bill. It is trying to create a respectable system. The member for Alfred Cove alluded to, and I recommend to members, the film *Amazing Grace* about William Wilberforce standing up for people caught in the slave trade. He stood up against slavery for years and years - about 14, I think - and was resisted by vested interests.

Mr G.M. Castrilli interjected.

Dr G.G. JACOBS: At every turn; I thank the member for Bunbury.

The slave trade was neither respectable nor wholesome; it was degrading. Government members must recognise that. I am no William Wilberforce and the parallel ends there, but the subject matter of the film in the 1700s is similar to the issue that we are dealing with in the twenty-first century. There are women in a trade.

Dr J.M. Woollard: In a slave trade.

Dr G.G. JACOBS: They are enslaved. Members may say that they are happy women and they are in it by choice. I have not met a woman who is in this trade by choice. Even if she was, she would probably be in it by

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

choice for one week until she was snared, and she would be snared by all the associated drug addiction, drug trafficking and drug trade issues.

It therefore disappoints me that we are trying to create something respectable out of something that is truly degrading. There were people in the 1700s during William Wilberforce's time who were similarly entrapped in the slave trade; a slave trade from which they could not break free.

I am bitterly disappointed in the way this bill has got here. How did we get to so-called prostitution law reform in this place? The bill was created and carefully engineered as a template and introduced into this place to make respectable something that is not wholesome. It came from a hand-picked group that, as the member for Alfred Cove alluded to, had no balance in this place. It came into this place from a report titled "Prostitution Law Reform for Western Australia: Report of the Prostitution Law Reform Working Group: January 2007". Just to show that the report was not balanced, the prostitution law reform working group comprised six members: Sue Ellery, MLC, John Hyde, MLA, Giz Watson, MLC, and essentially the manager of the sexual health and blood-borne virus program of the Department of Health, someone from the organised crime division -

[Quorum formed.]

Dr G.G. JACOBS: As I was saying, there are many reasons that I am bitterly disappointed with this Prostitution Amendment Bill. It was a carefully engineered template from people on the prostitution law reform working group who were carefully engineered to produce an answer that the minister was looking for so that it would pave the way for this prostitution bill. As I said, that working group had no balance politically to get fair and valid results. As the member for Bunbury has also said, despite all the misgivings and concerns, the answer was going to be the one that was needed for this legislation to proceed. That is how we got to this stage. That is how this prostitution bill is before us.

Despite all the complex social, political, moral and public health implications - there were some little problems along the way - and the implications of commercial sex work, the working group made no value judgement and just pushed on anyway. It had all these social, political, moral and public health misgivings, but it did not worry about them; it just pushed on anyway. The working group even said that it acknowledged the negative aspects. Members on this side of the house are aware that those negative aspects of the industry include the potential for drug use - the member for Alfred Cove talked about that a lot and gave us an insight into that issue - and the involvement of organised crime. All those negative aspects of the Prostitution Amendment Bill - that is, the social, political, moral and public health aspects - were starting to stack up. There was also the association with drug use and the involvement of organised crime. However, despite that, the working group said that it would push ahead anyway.

Here is another one: the working group recognised the vulnerability of sex workers. It recognised the vulnerability of women to be used and abused, but it pushed on anyway. If that was not enough, there was the potential harm to persons in the industry. It does not get any better. In fact, it gets worse. Despite the social, political, moral and public health issues, as well as the drug use issues, the involvement of organised crime, the potential of harm to persons in the industry and the vulnerability of sex workers, the working group said, "We'll push on anyway and we'll have a prostitution reform bill. We'll take out sections 190 and 191 of the Criminal Code, and everything will be fine and it will be respectable." There was not a whimper from one woman on the other side - not a whimper! That is what bitterly disappoints me.

Another aspect that bitterly disappoints me is that it is almost as though the state government has recognised that it is too hard for it to administer this system. Therefore, what has the government done? It has sidestepped the issue and pushed it over to local government, because it knows how difficult it is going to be to administer the legislation. I suggest to the member for Bunbury that this will be an abject and total headache for councils.

Mr G.M. Castrilli: Member, they'll be applying for a home occupation licence soon.

Dr G.G. JACOBS: Absolutely. It will be an administrative nightmare. The state government introduced the bill. Mr Acting Speaker, is there an opportunity to extend my time? No. I can see the Acting Speaker nodding with relief, and I can hear the minister laughing with relief. However, this is a serious matter, and I am disappointed because this law will be a significant nightmare for local governments to administer to prevent the proliferation of brothels in residential areas, and therefore to prevent the exposure of our community and our children to this proliferation.

I am disappointed that there has not been a balanced approach by the government. I am disappointed that the government has not, as the member for Alfred Cove has done, considered all the issues; that is, the public health issues, the social issues and the vulnerability of sex workers, as if the vulnerability of sex workers is something new. The working group recognised that women are entrapped and enslaved in prostitution and are vulnerable, yet it still went ahead. I suggest that the government is not responding to a groundswell of opinion. There is not

a groundswell of support for this reform; there is no feeling out there in the community for this reform. If members opposite would like to gauge the reaction, I suggest that the only rally they will see will be the one on Thursday. They certainly have not seen people rallying in the streets for prostitution reform - a reform that makes an issue that is unwholesome into something respectable. Members opposite can say that that is moralistic; they can say what they like. However, the government's own working group - it was not our group; it had nothing to do with us - was unbalanced. It was an engineered template and an engineered result. Even that working group recognised "the potential harm" to women and "the vulnerability of sex workers" in its statement and summary. However, despite that, the working group still went ahead.

It really disappoints me that in a few months, probably when we come back after the break, what will be toddled into this place will be a human rights bill 2007. The government will stand and say, "We're standing up for people's human rights." However, when we get to clause 8, we will find that what we have done today is endorse the degradation, use and abuse of women.

MR C.J. BARNETT (Cottesloe) [8.27 pm]: I will make a few very brief comments on the third reading debate on the Prostitution Amendment Bill 2007. I had plenty to say during the second reading debate, and I stand by what I said. However, there has been a very pleasant function in the courtyard this evening for the centenary of the Pastoralists and Graziers Association. The Minister for Planning and Infrastructure made a very good, witty, light speech. I compliment her on that. A number of the people out there - many of them have been in the pastoral industry for a long time - and their parents and their families are the pioneers of Western Australia. They are good, hardworking, decent people. A number of them said to me, as I am sure they said to other members, "What are you doing in Parliament today? What's the agenda?" Do members know what I had to say? I said, "We spent the first part of the day debating a bill to ban a nuclear power station for which there is no proposal in Western Australia, and we're now debating a bill to legalise brothels." Can members imagine the reaction, particularly of the women there, when they heard that that was what their Parliament was doing? These are tough, hardworking, decent Western Australians. They are great Western Australians - pioneers of this state. Members should just think about what we are doing. That is what this Parliament is doing. It is inadequate. We are failing the community of Western Australia if this is the sort of trivial issue or misplaced priority that we spend our time on. The Minister for Planning and Infrastructure referred to this issue. These people face serious issues, such as the tenure of their pastoral leases, the management of the rangelands, wild dogs, stock levels and the like. Why is this Parliament not talking about the management of the rangelands, which comprises some 30 per cent of Western Australia?

Mr G. Snook: Because the government does not care.

Mr C.J. BARNETT: The member for Moore is right. What is Parliament debating tonight? It is debating the banning of a nuclear power station, for which no-one has a proposal, and the legalisation of brothels. That is our contribution to Western Australia tonight.

As members would be aware, Hon Kim Beazley Sr passed away a few weeks ago. He was a fine man who was a minister in a federal Labor government. I knew Kim Beazley Sr, although not that well, because he and his wife were my constituents. When I was first elected to Parliament in 1990, he wrote me a delightful letter - despite the fact that we were on the opposite sides of the political fence - outlining his views about the way I should tackle my parliamentary career. I am sure that he would be disappointed with my performance. I often saw him in my electorate and when I did, I always chatted with him. He was a very fine Australian. When he passed away, many articles were written about him. One such article was an obituary written by Hon Bob Pearce, a former Labor minister for education and the environment. Bob Pearce was a minister when I first became a member of Parliament. In that obituary Bob Pearce recorded a comment made by Kim Beazley Sr at a state Labor Party conference in 1970. I will read the comment made by Kim Beazley Sr, who - I am sure all members would agree - is one of the heroes of the Western Australian Labor movement. He was a man for whom I had great respect. The obituary written by Bob Pearce reads -

For example at a state party conference in 1970, with a program that included legalising abortion and adoption for gay couples, he said: -

That is, Kim Beazley Sr -

"When I joined the Labor Party, it contained the cream of the working class. But as I look about me now all I see are the dregs of the middle class. And what I want to know is when you middle-class perverts are going to stop using the Labor Party as a spiritual spittoon."

That is what one of the Labor Party's heroes said about the Australian Labor Party 37 years ago. What has changed? What is Parliament debating today? We are debating the legalisation of brothels in the suburbs and towns of Western Australia. This government is failing the community of Western Australia. Today the government has hopelessly failed this Parliament and the Western Australian community. It is not addressing

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

the issues that matter to Western Australia. Rather, it is focusing on the legalising of brothels and the banning of nuclear power stations for which there are no proposals. This is an appalling and weak government, and one that will not tackle the issues that matter to this state.

I have written to the eight or nine local governments that are either fully or partially in my electorate. Since writing to each of those councils to express my views and the Liberal Party's views about this bill - I also expressed disappointment about the position that the Western Australian Local Government Association had seemed to take on this issue - I have run into many councillors at various functions. They have told me that they are starting to realise how powerless they will be to prevent legalised brothels being established in their suburbs and towns. How is this legislation contributing to the betterment of Western Australia? I would be delighted if a member of the government could tell me how this bill is furthering the welfare of this state, its standard and its reputation. Members opposite may not realise - I have not read the report that came out today - that Western Australia is getting a hammering in the media. Does the government realise what it is putting this state through? Although the government is not entirely to blame, Western Australia is being ridiculed. Western Australia is the absolute laughing stock of Australia. With all due respect to local governments - I do not mean to offend them - at best the Labor government is behaving as a low to mid-level poor performing local government. The Labor Party was given the responsibility of transforming the state into one of the great economies of the Asia-Pacific region. What is it doing? It is legalising brothels and banning nuclear power stations for which there are no proposals. What sort of message is that sending to the community? The Labor Party in government should get real and start doing its job, otherwise it should give up. It is hopeless.

MS S.E. WALKER (Nedlands) [8.35 pm]: I will spend a few minutes reiterating what I have already said about the Prostitution Amendment Bill 2007. Given the way that it treats women, this bill is the most regressive bill that has come before this Parliament. I have already said that I am disappointed with Hon Giz Watson, who is a woman and who has the power in the upper house. Let us face it - the Greens (WA) have the power in the upper house. As far as I am concerned, they have done the dirty on my electorate because of their stance on the Sunset Hospital site issue. The Greens party is sitting back like a big black spider waiting for that issue to be debated again. On the subject of women in WA and the Prostitution Amendment Bill, the Greens have done the dirty. I will not go through the reasons that I do not support the bill. It is full of chicanery. In the report tabled today in the Legislative Council by the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations, it was recommended that the Legislative Council impose no penalty against Hon Giz Watson for her unauthorised disclosure of the deliberations of the Standing Committee on Estimates and Financial Operations. She has been found to have been in contempt of Parliament. She was one of the members of the Attorney General's committee on prostitution. I am not green; I am not pink in the centre and green on the outside. However, I was of the opinion that Giz Watson was someone on whom people could rely. I no longer think that. I would say that to her quite openly; indeed, she must know how I feel because of her stance on Sunset and because she is not upfront with the community I represent. There is the issue of the logging of native forests. The Underwood Avenue bushland is the latest issue on the board for my electorate.

Point of Order

Mr R.C. KUCERA: There is a tradition in this and the other place that we address members properly. Hon Giz Watson is a member of Parliament and should be addressed as such.

The ACTING SPEAKER (Mr P.B. Watson): That is a good point. I ask the member for Nedlands to call Hon Giz Watson by her correct title.

Debate Resumed

Ms S.E. WALKER: I am sorry. Did I not use the term "honourable"? I do not see anything honourable in the report, frankly, but I take the point. Hon Giz Watson and the member for Alfred Cove have both said that the word "honourable" should not be used to address members of Parliament. Perhaps Hon Giz Watson will now forgo that title. My point is this: the Attorney General's ministerial committee was contrived because it was directed to have a certain outcome. This bill will pass in the upper house because of Hon Giz Watson and Hon Paul Llewellyn. Deals and more deals are being done in Western Australia among political parties and politicians. It is disappointing and disillusioning to find out these things. I expect more from members of Parliament. I am severely disappointed. What sort of member of Parliament allows a bill like this to pass through Parliament without saying anything? Members are saying nothing because they want to keep their jobs. That is what it is all about. Government members like being members of Parliament, so they have refrained from saying anything to ensure that they get preselection at the next election. I would rather not be a member of Parliament, frankly. I am disappointed. I do not know whether we can stop the bill going through the upper house. Certainly, Hon Giz Watson and Hon Paul Llewellyn will be voting for it. That deal has been done.

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

Frankly, I find it sickening. It is a shame that the members who should be standing up to vote in a particular way are not doing so. I do not know how they sleep at night.

Mr C.J. Barnett: Do you think it's interesting the way the Greens have campaigned for women over the years - all this equality - but when it comes to the crunch, they're useless?

Dr J.M. Woollard interjected.

Ms S.E. WALKER: Actually, I have found the Greens useless.

The ACTING SPEAKER (Mr P.B. Watson): Members, can we just get back to the bill, please?

Ms S.E. WALKER: The bill is about the Greens, because the Greens will vote it through in the other place.

Dr J.M. Woollard: Are the Greens selling out women?

The ACTING SPEAKER: The member for Nedlands is talking, and I think the member for Alfred Cove is on the same side as her, so why is she interjecting when the member for Nedlands is trying to make a point?

Ms S.E. WALKER: I have actually lobbed another matter onto the member for Cottesloe now, because I have quite a few things happening in my electorate, but we have sort of worked together on the Underwood Avenue Bushland issue that is on at the moment - it has reappeared. Where are the Greens on that? Where is Giz Watson? She is the local upper house member. Where are these people when something needs to be done? Doing deals; doing numbers. I say to my electorate and to the people of Western Australia that they are poorly served by this Parliament and this government on this bill. The men and women on the left have failed to stand up for them in this Parliament, because they are scared about their jobs. They have failed to stand up on behalf of the women in the community on this bill, and I think it is a disgrace. Therefore, I will vote against the bill.

MR P.D. OMODEI (Warren-Blackwood - Leader of the Opposition) [8.42 pm]: I rise to make my contribution to the third reading of the Prostitution Amendment Bill 2007 and to indicate my disgust and disappointment. I believe today is a sad day for Western Australia in that we have a government that does not care about the safety or the lives of young women and young men regarding prostitution in this state. We have seen the government proceed with this bill; and we have seen members on the other side be precluded from making any comments on this bill - a bill that is fundamentally important to the future of young women, young men and families in this state. It is a sad day indeed that the government should prostitute the lives of young men and women. This government will go down in history as the government which legalised prostitution and which enabled brothels to be located in our suburbs close to families and communities. It will be recognised as the government that created a career path for young men and young women in prostitution. That is what this government is doing.

Another matter that is of grave concern to me is the pressure that has been applied to local government. I must say that I am disappointed in the position that has been taken by local government. I do not think local councils realise the impact that this bill will have on their municipalities, particularly when a local council decides not to allow brothels in its community. The fact is that the appeal process will ensure that in the end the state government's planning policy will prevail; that is, to allow brothels in communities around the state. Therefore, what we see in this legislation is a government that has legitimised an activity that was illegal. It has legitimised a situation in which people who were once regarded as criminals, such as bikies, drug dealers and others involved with organised crime, will now be regarded as legitimate business men and women. In anybody's language and in anybody's mind that would have to be anathema to any normal person.

The really grave problem that I see is that the government has imposed itself on members, particularly women members, of the Labor Party. On this side of the house, we know that there are a number of Labor women who do not like this legislation. They do not like women being put into a position in which they will be abused - physically, mentally and in a range of ways that have all been described over and over again during this debate. We know that women in the Labor Party have chosen to ignore public sentiment on this matter, particularly amongst those Christian groups that are concerned about the sanctity of human life and are fighting against the abuse of women, whether it is trading in women or trading in prostitution. I have been in this place for almost 20 years, and it would have to be one of the saddest moments that I have had in this Parliament to see a government that will put in place laws that will make prostitution legitimate. This government will allow brothels to be set up in our suburbs. I can just see the caption now: "Vote for the Labor Party: the party that brought prostitution to your backyard and your street". That is what this government has done and I think all government members stand condemned as a result. I challenge members opposite, particularly the women members of the Labor Party, to have at least one ounce of courage and stand up for themselves, because I can tell them that if they stood up for women and their rights and ensured that women were made safe and that prostitution would not be a career path for young women in this state, they would be elected as Independents in

Mr Jim McGinty; Dr Janet Woollard; Mr John Castrilli; Dr Graham Jacobs; Mr Colin Barnett; Ms Sue Walker;
Mr Bob Kucera; Acting Speaker; Mr Paul Omodei

their electorates. They would be elected if they stood up for the people and families in their communities, and if they stood against what drugs do to young women.

It has been said before and I will say it again: we know that most young women who go into prostitution do so to support a drug habit, and those who do not have a drug habit on the way in certainly finish up with a drug habit. Therefore, all this bill will do is feed the dregs of our society. It will feed those organised criminals and other people who traffic in women. I believe that the Labor Party has made a grave error in this state and we will see the ramifications of what this government will put in place as time goes by. I find it absolutely unbelievable that the government would consider making what was once an illegal activity legal; that the government would make what was regarded as criminals and criminal behaviour into legitimate businesspeople and legitimate behaviour. The Mr Bigs of organised crime, the motorcycle gangs and those people who want to start up new brothels in this state will be rubbing their hands with glee. For members opposite, many of whom I know are of Christian backgrounds, to absolutely fly in the face of the opinion and the concern of Christian communities in this state is absolutely disgraceful, and they should all hang their heads in shame.

Debate adjourned, on motion by **Mr G. Snook**.