

EXPLANATORY MEMORANDUM

POLICE ACT AMENDMENT (PROHIBITION OF STREET PROSTITUTION) BILL 1999 (No. E82)

(Introduced by Mrs Roberts, MLA)

The Bill makes it an offence to accost another person, or to solicit or loiter, in streets or thoroughfares for the purpose of offering or procuring commercial sexual services. Where the offence involves accosting a child for such purposes the Bill provides for a custodial sentence.

Clause 1 cites the Bill's short title.

Clause 2 provides for commencement on Assent.

Clause 3 identifies the *Police Act 1892* as the principal Act.

Clause 4 amends the principal Act by inserting new section 65A subsections (1), (2) and (3) as follows —

subsection (1) prohibits any person from accosting another person, or soliciting or loitering, in a street or thoroughfare (as those terms are defined in section 2 of the principal Act) for the purpose of offering or procuring commercial sexual services (ie selling or buying sexual services for monetary or material reward) irrespective of whether such reward is paid to the prostitute concerned or a third party.

penalty for breach is \$ 2 000;

subsection (2) prohibits any person from accosting any child (as defined in section 1 of *The Criminal Code* — ie a person who has not reached the age of 18 years) in a street or thoroughfare for the purpose of offering or procuring commercial sexual services. penalty for breach is 2 years imprisonment; and

subsection (3) defines certain terms for the purposes of new section 65A including "child", "commercial sexual services", "prostitute", "sexual services", "street" and "thoroughfare".