

The Co-ordinator - Prostitution Control Bill
C/-Minister for Police & Emergency Services
13th Floor Dumas House
2 Havelock Street
West Perth WA 6005

14th February 2003

Dear Sir/Madam,

I am writing on behalf of the Scarlet Alliance which is the Australian National peak body of Sex Worker Projects. Formed in 1989 it represents Australian state based sex worker community based organizations at a national level. Through its objectives, policies and programs Scarlet Alliance aims to achieve equality, social, legal, political, cultural, health and economic justice for past and present workers in the sex industry.

It is within this context that we are providing a formal submission to seek input into framing the Western Australian sex industry legislation as it is our members who must work under legislation that may adversely affect their occupational health and safety.

We urge the Western Australian government to consider the experiences of other Australian jurisdictions that have enacted sex industry reform and in seeking to control/regulate the sex industry have implemented systems that have jeopardized the health and safety of sex workers.

Western Australia has the opportunity to follow in the footsteps of other states which utilised a decriminalisation model in order to realise best case outcomes in the health and safety of sex workers and the broader Western Australian community. Under decriminalisation sex industry premises have been shown to comply 100% with business and planning laws. Decriminalisation facilitates complete compliance by the sex industry in accordance with planning and other regulations.

We would appreciate further involvement in the process and look forward to workable legislation that reflects the interests of both sex workers and the broader community.

Yours sincerely,

Janelle Fawkes
President,
Scarlet Alliance

Maria McMahon
Vice President,
Scarlet Alliance

PROSTITUTION CONTROL BILL 2002 (WA)

Scarlet Alliance submission in response to the 'Green Bill':

Executive Summary

Scarlet Alliance oppose the Prostitution Control Bill 2002 and recommend instead that a decriminalisation model be adopted to regulate the Western Australian sex industry.

We believe that the problems with this draft could have been avoided if a community consultation approached had been followed. Including consultation with sex workers, sex worker organisations and Scarlet Alliance.

It has been extremely difficult to comment on a bill which is as complex and written in language not accessible to the majority of people.

It appears that the goal of the legislation is not to maximise sex workers occupational health and safety but to over regulate the industry in a manner that has been tried in other jurisdictions in the world and failed;

This draft is over regulatory which means that compliance will be difficult and will create a two-tiered system of legal and illegal workers;

We believe the policing and other resources that will have to be applied will be a great burden on the community for a victimless crime;

The goal of legislation should be to support an industry that has previously operated illegally and assist them to operate legally;

The scope and powers of the Board are too broad and this model can not be supported;

The penalties are out of proportion with other legislation;

This model is unworkable and only large businesses will be able to operate – hence pushing out smaller operators.