

PROSTITUTION AMENDMENT BILL 2007*Second Reading*

Resumed from 25 September.

MS J.A. RADISICH (Swan Hills - Parliamentary Secretary) [12.29 pm]: For some unknown reason, many men on the opposition benches seemed to be very excited about the fact that I would be speaking on this legislation. I am not quite sure why that is but for the past three days I have been strongly encouraged to put my views on the record about this matter, and I am more than happy to do so. This bill proposes minimalist decriminalisation in the prostitution industry. It will license new brothels and it has the objective of improving working conditions for people involved in the industry, both male and female, to improve their health and safety standards and to provide these people with workers' compensation coverage, which does not apply to them right now. There are a number of valid reasons this legislation is worthy of support.

That is a little summary of the bill, but what has the debate been about? It is a debate that interests me, and something that I want to flesh out a little in my presentation today. I think the debate in this chamber has turned into something of a slur on women by most men in the Liberal Party, and that disappoints me. These so-called Liberals are not really Liberals at all. I think they are just garden-variety conservatives. It is probably about time the Liberal Party in Australia changed its name in fact to the conservative party. Clearly, they are happy to go along, not change anything, not address any of the hard issues and keep their heads in the sand. This entire debate has been one big comedy to many men on the opposition benches, and that is disappointing. On the one hand they say that prostitution is a serious matter and on the other hand the debate has turned into one filled with sexual innuendo. Frankly, this is not the place for that kind of debate. This is a serious debate about the prostitution industry. Of course, we all know that that is about sex, but we are not 12 years old, and we can probably raise the level of debate to something above that base level.

Mr C.J. Barnett: There has been no sexual innuendo from people on this side. We have challenged women on the Labor side to stand up for women against exploitation - a fair call, I would have thought.

Ms J.A. RADISICH: I refer to the fact that there has been an excessive amount of sexual innuendo in this debate coming from many men on the Liberal benches. I would like to repeat, for the record, because I am not sure that Hansard gets them all, some of the comments that have been made, which I think are entirely unnecessary in the context of this debate. One member was asked by the Acting Speaker at the time to withdraw a comment, and what we heard from the opposition was, "Is that what you did when you were with a prostitute?" I do not think that is acceptable. Another member was asked if a member on our side of the house got a discount on his visit to a prostitute. Another Liberal member said to a minister, "Are you trying to prostitute yourself?"

Point of Order

Mr C.J. BARNETT: If the member for Swan Hills wishes to impugn members on either side of this house, she can try to do that, but she has a responsibility to name the member and quote from *Hansard*, not to come in here and simply make up things or give her interpretation of what she may or may not have heard in the corridors or around the chamber.

Mr J.A. McGinty: That is not a point of order, and you know it.

Mr C.J. BARNETT: It is a matter of propriety and decency in debate.

The DEPUTY SPEAKER: There is no point of order.

Debate Resumed

Ms J.A. RADISICH: A point of order was just raised, and it was suggested I should be naming members who have made some of the comments that I just repeated. I will not do that and would not contemplate doing so because this debate should not be personal. I am systematically pointing out just how personal this debate has been made by many members opposite. I, for one, will not go down that path. How about what members of the opposition have said to me personally? This is something I will put also on the record. Male members of the opposition have said to me, "You look good enough to work in the prostitution industry," and that if I were to take up employment as a prostitute, I would make a profit. I was asked: will I give them a rise when I deliver my speech and will I wear my studded outfit when I give my speech on prostitution! I ask you, Madam Deputy Speaker, are these comments appropriate? They say that I need to speak on this bill because I am a woman. I say that I need to speak on this bill because, like my 57 colleagues in this chamber, I am a member of Parliament, and I have an obligation as an elected representative to comment in this place on legislation of importance and that is what I am doing today.

There have been lots of what I would characterise as threats, maybe overt and maybe veiled. However, on many occasions over the past couple of days and, in fact, the week before, members from the opposition were running around like chooks with their heads cut off saying to members of the government, "We want to get you on the

record; we can't wait for you to speak; we'll photocopy your speech and distribute it throughout your electorate." Congratulations, they can do that with any speech that any of us make in this chamber at any time. Frankly, I encourage members opposite to do so. I, for one, would support more members of the community knowing exactly what goes on in this place and the positions taken and commentary made by members. If there is any way to promote the matters we discuss in this place, we should do that because that can only enhance our democracy. I have touched a little on what I perceive to be the veiled threats that have been exchanged between the sides in this place. Although the Liberal opposition talks about the standover men involved in the prostitution industry, I would say that there are a few standover men involved in the Liberal Party in Western Australia. They not only stand over their own colleagues on the Liberal benches, but also they have a go at us on the government benches.

Dr K.D. Hames: You talk about prostitution. What about who said what to whom?

Mr J.C. Kobelke: You've got them rattled, member.

Mr C.J. Barnett: Why don't you stand up and defend women from exploitation? That would be interesting.

Ms J.A. RADISICH: It is funny - Liberal members have been trying specifically to goad women members into speaking on this issue. Many women on this side have addressed the issue as certainly have members on the other side. Why are not Liberal Party members encouraging all members to have their say? Why are they focusing on women MPs and trying to somehow turn the Prostitution Amendment Bill into a women's issue.

Dr J.M. Woollard: It is a women's issue -

The DEPUTY SPEAKER: Order, member for Alfred Cove.

Ms J.A. RADISICH: Some people may say that, but I say that this is a community issue, not a women's issue because we can talk about -

Several members interjected.

Mr M.P. Murray: Member for Cottesloe; you're weak; you've got no guts.

The DEPUTY SPEAKER: I call the member for Collie-Wellington to order. I do not believe that contribution was parliamentary.

Ms J.A. RADISICH: The term "hypocrite" has been bandied around the chamber since I have been on my feet. The Liberal Party has turned a serious debate on prostitution legislation into a salacious debate about sex.

Dr J.M. Woollard interjected.

The DEPUTY SPEAKER: Order, member for Alfred Cove!

Ms J.A. RADISICH: You should have seen, madam Deputy Speaker, the glint in one member's eye when he asked my colleague the member for Maylands whether she knew how many men a prostitute would sleep with in one day. These kinds of questions, whilst valid, need to be put in the context of what this bill seeks to do to protect the health and safety of people working in this industry.

Dr J.M. Woollard interjected.

The DEPUTY SPEAKER: I think the member for Alfred Cove knows the difference between seeking an interjection in an appropriate manner and contributing in an unparliamentary way, which she has just done. She is called to order for the first time.

Ms J.A. RADISICH: I will not allow my commitment to women and to women's rights to be belittled by a bunch of jokers on the Liberal Party benches. We have seen their crocodile tears during the debate and their righteous vitriolic speeches which, frankly, are disingenuous when we juxtapose them with their comments, which are based on sexual innuendo and nothing more. Where is the talk from the opposition about the clients? They have been putting down women who work in the profession but where is the discussion about the men who participate - the men who create the demand for these services? These are the people to whom we should be saying, "All right, why aren't we obtaining client lists?" I would have thought that if this -

Mr D.F. Barron-Sullivan: You agree with the Swedish system then?

Ms J.A. RADISICH: No; I do not agree with it, but despite all the propaganda from members opposite and their comments about how devastating prostitution is, they have not put forward any alternatives for diminishing the demand for these services. This government is taking a responsible approach to properly regulating the industry so that we can protect the health and safety of people involved as much as is possible and to make a practical and realistic assessment of this industry.

Point of Order

Dr J.M. WOOLLARD: I believe that the member has just misled Parliament because many members on this side have said that the government should look at the Swedish model.

The DEPUTY SPEAKER: That is not a point of order.

Debate Resumed

Ms J.A. RADISICH: People are turning this into a women's issue. Perhaps it is more of a men's issue than anything else. I have talked about the massive demand that exists within -

Dr K.D. Hames: It would be if it wasn't women who were going to be worse off.

Ms J.A. RADISICH: This legislation will not result in a single woman being worse off.

Mr C.J. Barnett: Look at the evidence - the glaring evidence across Australia and Europe. There's been a massive growth in prostitution.

The DEPUTY SPEAKER: Member for Cottesloe!

Ms J.A. RADISICH: The opposition has come up with data - which may or may not have been manipulated - about the proliferation of brothels. Frankly, we already have many brothels in this town. They are illegal and that has not worked. We need a system that makes more sense.

Mr C.J. Barnett: So more legal and more illegal brothels - that's your solution? That's what's happening.

Ms J.A. RADISICH: I do not think that will happen, so that is where we can agree to disagree. I have expressed the fact that I will support the bill on the basis that the minimalist decriminalisation model is fundamentally about licensing these particular brothels with the objective of improving working conditions for the people involved. It neither encourages people to be involved nor condones people's involvement. It certainly does not condone people who access these services, but neither does it judge them. People can do what they want to do, but the government needs to ensure that women who find themselves in this industry are protected as far as possible. Sometimes women are involved in the industry by choice, but probably most often are not. The government also has to ensure, through various government departments - be it the Department of Health, the Department for Community Development, or the Women's Policy Office - that it encourages women to pursue any and all other employment options as far as possible, and funds strategies to encourage women to exit the industry. Frankly, as long as there are men on earth, there will be a demand for these services. I would have thought that the free-market Liberals opposite would understand a bit about supply and demand, but apparently that is not the case. As I said, the government does not condone prostitution. I do not believe that this legislation promotes in any way the exploitation of women; in fact it does the opposite. It attempts to protect women who are otherwise unprotected. It recognises reality and is a way forward.

MR J.A. MCGINTY (Fremantle - Attorney General) [12.42 pm]: I must say that many aspects of this debate have been personally disappointing. A number of members have quite properly turned their minds to the issues and raised a number of valid considerations, some of which will be attended to during consideration in detail. However, the contributions of many other members could frankly best be described as emotional claptrap.

Mr C.J. Barnett: Did you listen to them all? Did you read the debates from yesterday?

Mr J.A. MCGINTY: Yes, and I must say that the debate did not reach any great heights yesterday; that is my impression, having had the opportunity to have a look at the debate as it transpired. I do not often say that about debates in this house, but this was one that did not reach any great heights, perhaps understandably, given the level of emotion surrounding what is, for most people, a difficult issue. It is an issue that has proved very difficult to deal with over many decades, starting with the Nagle royal commission in 1975, when for the first time the police policy of containment was revealed to the general public through that royal commission -

Dr J.M. Woollard interjected.

The DEPUTY SPEAKER: Order, member for Alfred Cove!

Mr J.A. MCGINTY: - into prostitution in this state. Since the 1975 royal commission, which recommended the policy of containment, we have had - at an official level rather than a secretive level, which existed prior to that date, when the police containment policy was not generally known to the community - an express endorsement of the impossibility of being able to adopt a policy of prohibition in this state. That is the reality; it is perhaps an unpleasant reality, but it is nonetheless the reality that underpins the Prostitution Amendment Bill. The impossibility of prohibition has been acknowledged for decades in Western Australia, whether in Hay Street in Kalgoorlie, Roe Street in Perth, or the various brothels - 38 that we know of - that currently exist around the state.

The matter was further dealt with in 1990, when an eminent member of the community, a leader in the Uniting Church and former matron at Ngala early parenting centre, Beryl Grant, held a public consultation process and brought recommendations to the government on how to deal with the difficult issue of prostitution. Miss Grant's recommendations are substantially similar to the provisions contained in this bill, which recognises the impossibility of prohibition and the necessity for regulation of the industry in the public interest. There were some minor changes made in the detail of how that was to be achieved, but those were the recommendations made in 1990. During the course of the 1990s - I have not been privy to the details, although I have had discussions with people involved in the Nagle royal commission and have had some discussions with Beryl

Grant about the work she did 1990 - I understand that Muriel Patterson, on behalf of the then Liberal government, conducted something of a study into prostitution and made somewhat similar recommendations. I am not privy to those recommendations, but that work was done by Muriel Patterson, an upper house conservative member of Parliament during the 1990s. There were also a number of public statements from government ministers during the course of the 1990s. The Court Liberal government indicated that it would tackle the vexed issue of brothels and prostitution, but the matter ultimately proved too hard to deal with. In 2003 the Western Australian police royal commission recommended action along the lines of what we now have -

Dr J.M. Woollard: They wanted legal parameters. They didn't suggest that it had to be legalised. They wanted to work within legal parameters.

Mr J.A. McGINTY: In fact, the recommendation was for an endorsement of the Prostitution Control Bill 1998, which was then before Parliament, having been introduced by the then Minister for Police and Emergency Services, and which provided for recognition that brothels should be legalised and regulated. That was the nature of the police royal commission recommendation, only -

Mr R.C. Kucera: Oliver Dixon talked about that in his reports back in the 1970s after the first inquiry into prostitution.

Mr J.A. McGINTY: He did.

Mr R.C. Kucera: Backed up by Muriel Patterson.

Dr J.M. Woollard: Labor Party slave trade!

Mr J.A. McGINTY: No, the member for Yokine is quite correct. A series of eminent people have been involved in this issue; there have been two royal commissions and a number of inquiries by members of Parliament and eminent members of the community, and all of them have come to essentially the same general conclusion, which is that the issue must be dealt with. It is not acceptable, from a variety of points of view, to have a situation in which elements of prostitution are unlawful; that is, the running of a brothel, whether it be living off the earnings of prostitution or managing a premises for the purposes of prostitution, both of which are Criminal Code offences in this state. The general view has been that in the public interest those elements should be repealed and replaced by a regulatory regime. The government has sought to realise the inevitability of -

Ms S.E. Walker interjected.

The DEPUTY SPEAKER: Order, member for Nedlands!

Mr J.A. McGINTY: Members might be interested to know - in fact, I think members are aware - that during the 1990s, under the policy of containment, prostitution in Western Australia flourished; it went out and multiplied. There was an enormous growth in the number of prostitutes working in the sex industry in Western Australia -

Dr E. Constable: Is that going to happen again?

Mr J.A. McGINTY: I would not have thought so, but let us face this -

Mr M.J. Cowper: That's the experience in Victoria.

Mr J.A. McGINTY: Let me tell members what happened during the course of the 1990s. I quote from a briefing note from Western Australia Police on a bill that was being prepared by the Liberal government in 1998. It states -

Since 1977 there have been a number of reviews and reports into prostitution. Most significantly, there was the Report of the Community Panel on Prostitution 1990/91 under the Chairmanship of Ms Beryl Grant OBE. The report involved wide community participation through written submissions and interviews with key stakeholders.

Between 1990/91 and 1998, the issues and concerns remain the same.

What is different, -

This is critical -

is that the 1990/91 Report estimated that there were 400-500 people working in prostitution, approximately 200 in brothels and the remainder as escorts or individuals working from home. It is now estimated -

This is 1998 -

that over 3000 are involved in prostitution.

During the course of the 1990s, in the eight years from 1991 to 1998, the number of people involved in prostitution increased from 500 to 3 000.

Dr E. Constable: What was the main reason for that?

Mr J.A. McGINTY: I do not know.

Dr E. Constable: Do you think it could be drugs?

Mr J.A. McGINTY: I do not know. I just simply observed that that is in the report, which was tabled on 12 May 1999. The police reported that the number of prostitutes during the 1990s, when the policy of containment was in existence, rose from 500 to 3 000 in a very short time. That is their observation. I have no way of checking the veracity of that. I am simply stating that this report from the police, which is a tabled paper of this Parliament, reports that that is what occurred under the existing policy of turning a blind eye to something that is essentially an illegal activity.

Mr M.J. Cowper: Is there an indication in the report to say how many brothels existed then? Are you saying that there are currently 38 known brothels in Western Australia? Is it the case that more prostitutes are working from brothels, or was there a proliferation in the private or freelance operators?

Mr J.A. McGINTY: That is the only part that this report refers to.

Mr M.J. Cowper: That would give us an indication of whether it was drug related.

Mr J.A. McGINTY: All it indicates is what I have read out. I cannot elaborate on that. At that stage the containment policy was the formal police policy. The Commissioner of Police abandoned that policy in 2000. The policy of containment did not contain prostitution. The number of people working in the sex industry in this state mushroomed.

Dr E. Constable: It doesn't matter whether there was a mushrooming when there was a policy of containment or not.

Mr J.A. McGINTY: It just happened that the containment policy was in place at that time. The containment policy was dropped in 2000.

Dr E. Constable: Since then it has mushroomed, surely.

Mr J.A. McGINTY: The member says "surely". I have not received any figures to say that the number is now greater than 3 000. There is a suggestion that the figure is less than that today.

Mr C.J. Barnett: The reported figure is 1 800.

Mr J.A. McGINTY: That is right. That figure is contained in the "Report of the Prostitution Law Reform Working Group" of January this year. I make the point that the unregulated prostitution industry - other than for the containment policy - blossomed in this state in the 1990s. To do nothing would fail to provide the regulation that could stem the increase in the number of prostitutes working in the sex industry in this state.

Dr E. Constable: Is it going to be unregulated again when this legislation is passed?

Mr J.A. McGINTY: No.

Ms S.E. Walker: Why not?

Mr J.A. McGINTY: The point of this legislation is this, and to put it very bluntly: it is to accept the reality rather than try to pretend, as have the Leader of the Opposition and the member for Hillarys, that if they were in government, they would behave completely differently from when they were in government and that they would shut down the industry or look at prosecuting men and various options similar to that. Frankly, that is the sort of thing that oppositions say but do not mean.

Dr E. Constable: So if you were in opposition, you would be saying that too?

Mr J.A. McGINTY: No, that is what they say when they are in opposition. Our view is that the industry should be regulated. The regulation comes in essentially four forms. We accept the need to regulate this industry and we accept that it is not going to go away. That is the history of prostitution in Western Australia. Let us be real about the debate. There are four areas in which this legislation provides for greater regulation. Firstly, the health provisions contained in this legislation are stronger than those that already exist. This legislation is a step forward to attempt to deal with the health effects of the sex industry. It provides for the greater regulation of the health aspects of the sex industry.

Dr E. Constable: Can I just -

Mr J.A. McGINTY: Just let me finish these four points. The first point is that the legislation contains stronger provisions to protect the health of not only the prostitutes who are engaged in the industry, but also their clients and therefore the health of members of the community. Secondly, the overwhelmingly compelling argument is that it removes the occasion of police corruption. That is a recommendation of the police royal commission. That has been a constant theme of the need for prostitution law reform, because the police are in an impossible position of having to turn a blind eye to what they know is an illegal activity. Initially, they turned a blind eye under the containment policy and then they ignored the law in this respect. Royal commissions into corruption in New South Wales and Queensland have invariably found a connection between the police turning a blind eye to the law, which they are required to enforce, and corruption. This will, for the first time, put us in a position

whereby the police will not be exposed to corruption of this type. Thirdly, the legislation contains stronger protections for children because it strengthens the provisions to keep children and underage people totally away from brothels. Fourthly, also for the first time, we will give local government the ability to control the location of brothels. They are the four areas of regulation that this legislation relates to. That is why I say that we are far better off by regulating and controlling those four issues as part of the sexual services industry in this state.

Dr E. Constable: Can I ask for a point of clarification? On the health issue, which I think is extremely important, I can see how the health issues are beneficial to women who are working in brothels, but I don't see how there is anything in the legislation to protect women who will work as individuals, or their clients for that matter.

Mr J.A. McGINTY: This legislation relates to brothels. That is what we are dealing with in this legislation. We are not dealing, for instance, with streetwalkers, because they were dealt with quite appropriately and adequately in the Prostitution Act 2000. This legislation relates to brothels. I think the member has acknowledged by what she has just said that this is a step forward for the sexual health of people who are engaged in the sex industry.

Dr E. Constable: I am concerned about individual women working as prostitutes.

Mr J.A. McGINTY: This legislation does not deal with that.

Dr E. Constable: It abandons them. We are abandoning them in this legislation.

Mr J.A. McGINTY: The member is using evocative language when it is not necessary. The member said that we have abandoned them. How are they currently regulated? They are not, so there is no change. That scarcely represents abandonment.

Dr E. Constable: Surely if you are to reform this so-called industry, you would look at that rather large group of women and try to do something to protect them too.

Mr J.A. McGINTY: This legislation has never purported to deal with every aspect of the sex industry. It deals with brothels.

Dr E. Constable: Why shouldn't an individual be licensed or certified in some way?

Mr J.A. McGINTY: That is an argument for another day. This legislation deals with brothels.

Dr E. Constable: Why don't you do it now? Why don't you consider those women worthy of protecting?

Mr J.A. McGINTY: The simple answer is that we are dealing with what is in this legislation. This matter is about the government having the sufficient strength to regulate an industry that has been called on to be regulated for decades and that no government has had the political strength to deal with. That is the reason I say that I am somewhat disappointed with most, but not all, members' contributions to this debate. Many members have been unable to come to grips with a way to deal with this problem. That is what the community wants us to do as legislators. For that reason, I commend the bill to the house.

Question put and a division taken with the following result -

Ayes (26)

Mr P.W. Andrews	Ms A.J.G. MacTiernan	Mr A.P. O'Gorman	Mr T.G. Stephens
Dr J.M. Edwards	Mr J.A. McGinty	Mr P. Papalia	Mr D.A. Templeman
Mrs J. Hughes	Mr M. McGowan	Mr J.R. Quigley	Mr P.B. Watson
Mr J.N. Hyde	Ms S.M. McHale	Ms M.M. Quirk	Mr M.P. Whitely
Mr J.C. Kobelke	Mr A.D. McRae	Ms J.A. Radisich	Mr S.R. Hill (<i>Teller</i>)
Mr R.C. Kucera	Mrs C.A. Martin	Mr E.S. Ripper	
Mr F.M. Logan	Mr M.P. Murray	Mrs M.H. Roberts	

Noes (20)

Mr C.J. Barnett	Mr M.J. Cowper	Mr J.E. McGrath	Dr S.C. Thomas
Mr D.F. Barron-Sullivan	Mr J.H.D. Day	Mr P.D. Omodei	Mr M.W. Trenorden
Mr M.J. Birney	Ms K. Hodson-Thomas	Mr D.T. Redman	Ms S.E. Walker
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr A.J. Simpson	Dr J.M. Woollard
Dr E. Constable	Mr R.F. Johnson	Mr G. Snook	Mr T.R. Sprigg (<i>Teller</i>)

Pair

Mr B.S. Wyatt

Mr B.J. Grylls

Question thus passed.

Bill read a second time.

*Consideration in Detail***Clause 1: Short title -**

Ms S.E. WALKER: I find it very strange that the government and the Attorney General have yet again brought in a bill that is really quite faulty. In the bill the government is seeking to rename a prostitute a sex worker. A prostitute will become a sex worker. The bill also refers to a commercial sexual act. I will move an amendment to the short title to delete the word "*Prostitution*" and substitute "*Commercial Sexual Use*". In that way the bill will become the commercial sexual use bill. I say that because I find it really rather odd that the government would seek to rename a prostitute a sex worker but not rename the client a sex worker user. The Attorney General has not bothered to amend the title of the bill. The women will continue to be stigmatised. It is all about the women or the young men; it is not necessarily women, but 90 per cent of prostitutes are women. The stigma attaches to the people who are prepared to do a sexual act or take part in or enter into a contract for a commercial sexual service. Let us say what the bill is. It is about this government legalising commercial sexual acts. I think the bill should reflect what it is about. It is about this government legislating to make it normal for sex to be paid for in the community and for people to make contracts for commercial sexual acts. I move -

Page 2, line 3 - To delete "*Prostitution*" and substitute -

Commercial Sexual Use

I think the Attorney General has a copy of the amendment. Last night when I spoke on the bill, I said that I had gone through the bill and the act. I find it strange that section 4, which refers to prostitution and its meaning under the act, states -

When this Act refers to prostitution it means prostitution . . .

Under this bill, it will now read -

When this Act refers to a commercial sexual act it means a sexual act . . .

The section goes on to say -

. . . in which payment is consideration for the sexual stimulation of a person ("**the client**") by means of physical contact between the client and another person ("**the prostitute**"), -

However, that reference to prostitute will now be changed to sex worker -

or between either of them and anything controlled by or emanating from the other, and it is irrelevant whether payment is in money or any other form.

The bill is all about commercial sexual services and commercial sexual use. The Attorney General should perhaps explain whether this is his usual slipshod way of introducing legislation into the Assembly. Why does the bill make changes to the use of the term "prostitute" in the act, but it will still be called the Prostitution Act? I hope that he will accept my amendment, because this is what he is legislating for in the state. He is elevating a sex act to the norm in the community. He is saying that it can be commercialised, and that is fine. Let us say it how it is. Let us stop terming it "prostitution". Two people or more are involved in these acts and money is paid or there is some other form of payment. That is what this bill is about.

Mr R.F. JOHNSON: I support the comments of my colleague the member for Nedlands, the shadow Attorney General. This is probably not the appropriate title of the bill. Unfortunately, I was not in the chamber at the start of the debate on this clause, so I did not catch every word she said. We could choose from a range of titles rather than this one. We could call it the decriminalisation of sleazy brothels bill or the proliferation of prostitution in WA bill. Those sorts of titles would be more appropriate. This title almost gives some sort of respect to this industry. It almost gives the appearance to the outside world that the government is trying to curb prostitution, illegal brothels and some of the dreadful acts that go on in some brothels. We know that when this bill is passed by this house, and probably by the Parliament in general, apart from the legal brothels that will exist, there will be four times as many illegal brothels. Members have said many times during this debate, and the member for Alfred Cove has pointed out, that a lot of women have to tolerate dreadful deviant acts simply because they are dictated to by their pimps, and the people who are making the bulk of the money out of this trade. I would say that this is not the appropriate title for the bill. I am not going to make a big song and dance about this, because in the end the government will have its way, but we will have our say. That is exactly what I am doing at the moment.

The Attorney General has not been as honest as he should have been with the people of Western Australia about the bill now before the house. He has not clearly enunciated the fact that if there is a problem with a brothel, and nobody had made a complaint before 12 September last year, someone making a complaint now has no chance. For instance, I am aware of a brothel being opened in the City of Wanneroo prior to that date, but if anybody made a complaint after 12 September last year, it does not stand for anything. Complaints do not come only from residents in adjoining residential properties. As I understand it, the government's idea is that, where

possible, brothels will be located in commercial areas. However, this policy pays no regard to the people who have to work in those commercial areas that might adjoin, abut or be in the close vicinity of the brothels that the government is allowing to operate legally in future. Those people have just as much concern as people in residential streets.

The fact that the Attorney General has no concern about this is reflected in the title that he gave this bill - the Prostitution Amendment Bill 2007. The Attorney General has introduced a bill that is the complete opposite to the legislation he wants to amend. The Prostitution Act 2000 states quite clearly that it is absolutely illegal to run a brothel or to live off the immoral earnings of a prostitute. It clearly states that. This bill does not amend that act; it completely reverses it. It is wrong for the Attorney General to call this legislation an amending bill. He should have brought in a new bill with a new title along the lines of "McGinty's Law", providing for sleaze everywhere. The government does not mind so long as it makes some money out of the licences. The Attorney General can call this bill whatever he likes, but this is the wrong title for this bill. I am sure that the Attorney General will not change the title. Although my colleague the member for Nedlands has put forward an amendment, I doubt whether the government will accept it. However any amendment will be better than what is currently before the house, because this is a distortion of the truth. The government says it is amending an act, when it is not amending the act; it is completely reversing it.

Mr J.A. McGINTY: There is a very simple explanation for the title of this bill. The current legislation is the Prostitution Act 2000. We are amending that act.

Mr R.F. Johnson: That is not your act.

Mr J.A. McGINTY: It is the Parliament's act. The Parliament is amending it.

Mr R.F. Johnson: It is gazetted under the Minister for Police.

Mr J.A. McGINTY: That is another issue. The Prostitution Act is what we are amending, and therefore the short title is the Prostitution Amendment Bill. There is nothing more to it than that. I think that a proper title of the legislation ultimately should be that proposed by the member for Churchlands. She has proposed an amendment that I intend to agree with, which will see the title changed. However, at the moment, we are dealing with an amendment to the Prostitution Act. Therefore, this bill is properly called the Prostitution Amendment Bill. If we then change the title of the act we are amending - which comes up in clause 4, not clause 1 - then, if the amendment of the member for Churchlands is successful, that act will be referred to as the Sex Services Act.

Dr E. Constable: I thought that if you agreed with it, it would be successful.

Mr J.A. McGINTY: I think that is right.

Dr E. Constable: I thought you could count more quickly than that. You said "if it is successful".

Mr J.A. McGINTY: It has not been successful as yet, but assuming it is, clause 4 of this bill will change the title of the legislation dealing with prostitution, brothels, sexual services, or whatever members want to refer to it as. We have no real argument about what the ultimate title should be. We do have a bit of an argument. I think the member for Nedlands has proposed an alternative form of words.

Ms S.E. Walker: Or a better one.

Mr J.A. McGINTY: Perhaps we can discuss that in a bit more detail, but clause 4 deals with the title of the existing legislation. This title is appropriate at the present stage of the debate, because we are in fact debating an amendment to the Prostitution Act.

Dr J.M. WOOLLARD: I prefer the amendment of the member for Nedlands to that of the member for Churchlands. If the title is to be "Sex Services Act", it should be "Sex Abuse Services Act", because this bill is about demeaning women. It is about the exploitation and abuse of women. The member for Nedlands should have moved to call it the "Commercial Sexual Abuse Act", rather than "Sexual Use Act" because those of us who have done our homework on this bill have spoken to prostitutes and madams and heard the horrific stories of what those women are exposed to and have read about how, since prostitution has been legalised in Victoria, the number of illegal and legal prostitutes has risen, and have read about the drug trafficking of women. The Attorney General sits there, hypocrite that he is, and talks about equality. Where is the equality in this bill? The Prostitution Amendment Bill is not about amending the Prostitution Act; it is about making it okay to abuse women. These amendments completely change the intent of the principal act. The legislation will now say that it is okay to abuse women in the community, and to make a trade in women. It gives no protection. The Attorney General, in his second reading speech, talked about -

The ACTING SPEAKER (Mrs J. Hughes): Member, can I remind you that we are talking about clause 1? This is not an opportunity to have another second reading debate.

Dr J.M. WOOLLARD: The member for Nedlands has suggested that this bill be entitled "Commercial Sexual Use Bill". Although I think that title is probably more appropriate than the "Prostitution Amendment Bill", I feel

that the member has missed out on a major factor; namely, the abuse that goes on in this industry and the lack of support for getting women out of the industry. With this title, the bill is basically saying that it is okay to abuse and exploit women. I am not able to support this title. The member for Nedlands should modify her proposed title to "Commercial Sexual Abuse Bill". However, it should also include the words "Labor Party". I do not think it should be the Prostitution Amendment Bill at all. It should be entitled the "Labor Party Commercial Sexual Abuse Bill". It was supported only by members of the Labor Party. During the division on the second reading I watched to see which members were in the house. Every female member of the Labor Party came in to support this bill, as did the member for Central Kimberley-Pilbara, who has religious values, and always speaks on those values. The church does not support the abuse of women.

The ACTING SPEAKER: Member, I will bring you back to the clause.

Dr J.M. WOOLLARD: Back to the clause. This bill should not be called the Prostitution Amendment Bill. With the changes being made, I think that title should include the words "Labor Party", so that people in the community realise that this current Labor government will cause further exploitation, trafficking, and abuse of women. Having spoken to prostitutes, I think that the title should contain the words "Labor Party", and "abuse" because that is what the prostitutes suffer on a daily basis as a result of the acts that they have to undertake. The prostitutes are exploited by men, and this bill offers no protection to those women.

Ms S.E. WALKER: Perhaps the Attorney General was right; I did not quite get the wording right in putting forward "Commercial Sexual Use" as the new short title for the Prostitution Amendment Bill 2007. After listening to members on our side of the house, particularly the member for Hillarys, the shadow Minister for Police and Emergency Services, I think that instead of deleting "Prostitution" and inserting "Commercial Sexual Use", I should have said that "Decriminalisation of the Living Off the Commercial Sexual Services of Young People" be inserted into the bill's title.

The ACTING SPEAKER: Is the member seeking to withdraw this amendment?

Ms S.E. WALKER: Not at all; I am talking to my amendment. I am responding to what the Attorney General said about my amendment and the fact that he said that the bill title should be "Commercial Sexual Services". That is a glossing over in my view, and the member for Hillarys prompted me to rethink the bill's title. The Prostitution Amendment Bill 2007 is about the decriminalisation of the living off the commercial sexual services of young people. That is what this bill is about. That is what the Labor Party is doing; it is making it okay for other people in the community to live off the commercial sexual services of young men and women.

The ACTING SPEAKER: Can the member please clarify for the Chair whether she is speaking against her own amendment?

Ms S.E. WALKER: I am just foreshadowing it. I will not withdraw my amendment; I will divide on it.

The ACTING SPEAKER: Therefore, the question will currently stand as "the words to be deleted be deleted".

Ms S.E. WALKER: I do not agree with keeping the word "Prostitution" in the bill title; yes.

Dr G.G. JACOBS: I support the member for Nedlands' amendment to call the Prostitution Amendment Bill 2007, which will become an act, what it is about. Very often in this place we do not say what bills are about. In this case, the bill will be quite different from the original act. It is almost as if we have done a 180-degree turn. Describing this bill as an amendment to the original act implies that the bill does not change much and that it simply amends the act. I believe that we are not saying what the bill is about so that people do not know what it is about. Therefore, we are passing this bill by stealth, if members like. By calling it the Prostitution Amendment Bill, which will become the Prostitution Amendment Act, we are implying to people that we are not changing much. However, we are changing a heck of a lot; in fact, we are decriminalising the industry, if members will accept that term. This is not a minor change; it is a major change. For that reason, we should call the bill what it is. As members, such as the member for Hillarys, have said, we could use lots of other titles to describe what the bill actually does; however, it is called the Prostitution Amendment Bill so that it implies that we are not changing much. This bill is being passed almost by stealth or deception, because the title does not say what the bill will do and the community does not really understand what the bill will do in the state of Western Australia.

The inclusion of "Commercial Sexual Use" in the bill title will describe what it is about. As we will see when we move through this legislation today, we often redefine certain titles and topics. Therefore, I support the member for Nedlands' amendment.

Dr J.M. WOOLLARD: As the member for Roe pointed out, the title of the Prostitution Amendment Bill 2007 does not reflect the monster that this bill will unleash within our community and our suburbs. It will lead to the establishment of commercial sex centres - brothels - within every suburb, and I repeat that as those of us who have spoken to these prostitutes and madams know, it is not about sex services. People probably think of sex services as an activity that a healthy married couple would undertake. This bill is not about healthy sex; it is not

supporting healthy sex. Has the Attorney General spoken to the prostitutes? Has he heard their horror stories about what they have to go through? Has he spoken to them? I am sure he has visited them. However, the Attorney General has children - grandchildren, I believe.

The ACTING SPEAKER: I bring the member back to the clause.

Dr J.M. WOOLLARD: I am sorry, Madam Acting Speaker, it is just that the more I look at this proposed title, "Commercial Sexual Use", the more I see that that is what this bill will do. This bill will lead to a proliferation of commercial sex centres - I suppose we probably will not need to call them brothels anymore. Maybe when we come to the part of the bill that deals with brothels, they should probably be renamed commercial sex centres. However, they should be called commercial drug and abuse centres because that is what happens; the prostitutes who work in brothels are fed drugs. The prostitutes are fed drugs, which they take so that they can divorce themselves from the activities they are forced to be involved in. The bill's title should not just be "Commercial Sexual Use"; it should be "Commercial Drug and Sexual Use" because the clients, as the Attorney General calls the men who degrade these women, will be taking drugs with them. In Victoria, the brothels have menus for drugs; the prostitutes can pick out which drugs they would like to take. Therefore, the bill title should not be only "Commercial Sexual Use", because these brothels are also drug havens. We already have problems in our mental health system, and this bill will increase the incidence of those problems. That is only the prostitutes who survive; it does not include the ones who commit suicide because of the activities they are forced to become involved in. I think "Commercial Drug and Sexual Abuse" really needs to be in the bill's title, so that people realise it is about drug abuse and sexual abuse.

I think the member for Nedlands' amendment is an improvement on the bill's title, because a lot of people in the community, particularly women, feel very sorry for women who have become involved in prostitution, and they would like to help those women get out of that area. This bill will not do that. This bill will result in a proliferation of brothels and, with that, the trafficking of women, the degradation of women and the exploitation of women. Therefore, this is not the Prostitution Amendment Bill; this is a commercial drug and sexual abuse bill. We will see it happening in all our suburbs.

Mr M.W. TRENORDEN: Whether we talk about this now or during consideration of clause 4 is not really the point, but I was going to move an amendment to call the bill the "Commercial Sex Act" because that is really what we are talking about.

Mr J.A. McGinty: Can I just interrupt the member there, briefly? Could you, the member for Churchlands and the member for Nedlands come to some agreement between themselves, because it seems to me that you have all reached a variance on a theme and are talking about the same thing.

Mr M.W. TRENORDEN: The title could be a couple of miles long. I actually want to talk about the intent of the title more than the title itself.

This may not seem relevant, but I argue very strongly that it is. In October 1991, when the Treasurer was the Minister for Disability Services, he brought into this house a list of terms in which a dead person was described as a life-impaired person and a policeman was a morally impaired person.

Several members interjected.

Mr M.W. TRENORDEN: This is *The West Australian* playing games. No, it was not a policeman; a politician was a morally-impaired person.

Dr E. Constable: What was a policeman?

Mr M.W. TRENORDEN: Policemen are not mentioned in this article. A West Coast Eagles supporter at that time was a Malthouse-impaired person, and a tall person was a lucky person.

I make the point that at the time, the member for Belmont came into this place and seriously suggested that changing a whole raft of language would change the way the world acts. The member stated, amongst other things, that blind people should be referred to as "visually impaired". In this bill there are a whole raft of new definitions, and the title, to change the people's perception of prostitution and that sort of activity. When the member for Belmont made this suggestion, what did the Royal Institute for the Blind say? It said that someone who is visually impaired looks ugly; blind people are actually blind. What did the WA Deaf Society say? It stated -

"Our members are deaf, not 100 per cent hearing impaired."

One person said that she was proud to be deaf. There are a range of other quotes I will use during the course of the debate.

I make the point that people's perceptions cannot be changed by bringing in new titles and new themes, such as "commercial sex" and "uncommercial sex". This bill has a whole raft of provisions that attempt to change the perception of the world or repaint the world in a different colour. The fact is - and I will be debating this a little

later on - a prostitute is a prostitute. In the public's eyes, a prostitute is a prostitute, a war is a war, and a politician is a politician. Changing those titles will not change the public's perception one iota. In October 1991, with the right intent, the then Minister for Disability Services, the member for Belmont, tried to get all Western Australians to change the way they referred to people. Sixteen years later, the old titles are still used. Of course the same old titles are used. Even though someone with good intent sitting somewhere decided that if people could not see, they were visually impaired, that term means that the person looks awful. The point I am making is that I am pleased that the Attorney General has indicated to the member for Churchlands that he is prepared to look at the bill, because this debate has been about calling a spade a spade, and the Attorney General is not an individual who calls a spade a shovel. There is no harm in having these debates to get down to the basics of things. I am not impressed by some of the terminology in the bill, including the title; the change in terminology is not of much use.

Dr E. CONSTABLE: The message of this debate on clause 1 is that the title of a piece of legislation should reflect what the legislation is meant to do. I would like the title to be the "Euphemisms Act" because soft, euphemistic terms are being used to describe prostitution and prostitute, are they not? Throughout this bill the Attorney General, as he knows, has taken out the words "prostitution" and "prostitute" and replaced them with "sex services business" and "sex worker"; they are the two main terms in the bill. In my amendment to clause 4, which I will come to in a moment, I am trying to properly reflect the terminology that is being used in the bill. I do not understand why the Attorney General has set himself up for the pain of a debate on the short title in clause 1, and then a debate on clause 4, because it will be quite tortuous to go through this twice. I am not sure that it was necessary to have the short title in clause 1 as the Prostitution Amendment Act 2007; why could the Attorney General not have called it in clause 1, as he wishes in clause 4, the Prostitution Reform Act 2007? Did it have to be done this way? It seems a rather cumbersome way of getting to the point the Attorney General wants to get to. I would like a serious answer to that because it is a serious question: why does it have to be debated twice?

Mr R.F. JOHNSON: This will probably be my last comment on clause 1 and the amendment before the house. I will put this short comment on the record: the title of any bill should reflect the intent and consequences of the bill when it becomes an act and a law in Western Australia. The title, as it is at the moment, does not do that for one moment. I stated previously that I do not believe the Attorney General is amending the Prostitution Act 2000; he is turning it completely on its head and reversing everything; he is not just tweaking at the edges. Perhaps what should have happened is that a completely new bill, to make a new act, should have been brought in, and the old Prostitution Act repealed. In essence, that is what the Attorney General is doing. The act is not being amended in the normal sense of amending an act, where a couple of sections are amended here and a couple are tweaked there; virtually everything in the present act is being reversed, which is interesting.

I will ask one more question on this bill because I believe it is relevant: is the Attorney General's intention, once this bill passes through Parliament, to move whatever this act ends up being called to his portfolio area, rather than remain with the Minister for Police and Emergency Services? At the moment the Prostitution Act quite clearly comes under the portfolio of the Minister for Police.

Mr J.A. McGinty: There are three options, really: one is the Minister for Police; one is myself, in either capacity; and the third is the Minister for Racing and Gaming, who will be responsible for the certification process. No decision has been made on that yet.

Mr R.F. JOHNSON: So the Minister for Racing and Gaming, who looks after betting shops -

Mr J.A. McGinty: All the sins.

Mr R.F. JOHNSON: All the sins? No, no, they are not sins.

Mr J.A. McGinty: Gambling?

Mr R.F. JOHNSON: Gambling is not a sin.

Mr J.A. McGinty: It is a vice.

Mr R.F. JOHNSON: No, gambling is an interest that some people have. Gambling does not hurt other people normally -

Several members interjected

Mr R.F. JOHNSON: Some people want to watch -

Mr J.A. McGinty: I think you might get an argument there from everyone in the house!

Mr R.F. JOHNSON: - a horse race and have a bet. Two-up is a very common gambling -

Mr J.A. McGinty: We should really go back to the question before the house.

Mr R.F. JOHNSON: Of course we should. I am interested in the Attorney General's comment, because he said "either area". He should never try to use health as an issue, because that would be absolute hypocrisy. The Attorney General can look after it if he wants to under the portfolio of Attorney General; he probably would not

get a great deal of argument. The act should come under either the portfolio of either the Minister for Police or the Attorney General. For many years the act has come under the portfolio of the Minister for Police, which is quite appropriate because the police have to enforce the law in this state. I know that this government does not want too many people enforcing the law, but the Attorney General should at least stand by his colours and move it, with a reference in the *Government Gazette*, from the Minister for Police to the Attorney General, because I want everybody to know who is responsible for bringing in this dreadful bill that is going to affect so many lives in Western Australia.

The ACTING SPEAKER: Does the member for Churchlands want an answer?

Dr E. Constable: Yes, I wanted a response to my serious question.

Mr J.A. McGINTY: I do apologise. I was absorbed in what the member for Hillarys was saying, and I had forgotten about the member for Churchlands' point. The standard drafting arrangement is to incorporate the title of the act that is being amended into the short title of the bill. That is the general approach.

Dr E. Constable: But you don't have to. It is just an approach rather than it being mandatory.

Mr J.A. McGINTY: The member might well be right on that.

Dr E. Constable: It's a question, not a statement.

Mr J.A. McGINTY: Yes. I do not know the answer. I suspect we do not have to. We could call it whatever we like, I suppose. However, the standard practice, so that the legislation can be traced through, is that if the Prostitution Act is being amended, it is the Prostitution Amendment Bill that comes before the house. That is done in a standard way. Because this is an amendment to the Prostitution Act, and we intend to amend the title of that act, what will live on is the amended title, not the title of this bill.

Dr E. Constable: Yes, I understand that. My question really was a technical one; that is, whether you were forced to do it the way you have done it.

Mr J.A. McGINTY: No, I think it is more standard practice than being a legal requirement.

Dr E. Constable: A standard practice rather than having to do it.

Mr J.A. McGINTY: Yes.

Mr M.W. TRENORDEN: I can probably clear this up a little. Back in the dim dark ages when a conservative government was once in place, a minister was told by his staff to go through the process the Attorney General is going through, but just delete the words "New South Wales" and include the words "Western Australia" as he read the paper. They did not bother to amend the paper for him; they just said to him, "When you get to 'New South Wales', just use the words 'Western Australia'." He forgot to do it. It actually appears in *Hansard* as that. I used to know the bill some years ago, but it is actually in *Hansard* that he read in "New South Wales". Therefore, it is practice, not procedure.

Dr E. CONSTABLE: I think the main point of this argument is that the Prostitution Amendment Act 2007 is an inappropriate title, and in that case, to make the point, I will be supporting the member for Nedlands.

Amendment put and a division taken with the following result -

Ayes (21)

Mr C.J. Barnett	Mr J.H.D. Day	Mr P.D. Omodei	Ms S.E. Walker
Mr D.F. Barron-Sullivan	Dr K.D. Hames	Mr D.T. Redman	Dr J.M. Woollard
Mr M.J. Birney	Ms K. Hodson-Thomas	Mr A.J. Simpson	Mr T.R. Sprigg (<i>Teller</i>)
Mr G.M. Castrilli	Dr G.G. Jacobs	Mr G. Snook	
Dr E. Constable	Mr R.F. Johnson	Dr S.C. Thomas	
Mr M.J. Cowper	Mr J.E. McGrath	Mr M.W. Trenorden	

Noes (28)

Mr P.W. Andrews	Mr R.C. Kucera	Mrs C.A. Martin	Mr E.S. Ripper
Mr A.J. Carpenter	Mr F.M. Logan	Mr M.P. Murray	Mrs M.H. Roberts
Mr J.B. D'Orazio	Ms A.J.G. MacTiernan	Mr A.P. O'Gorman	Mr T.G. Stephens
Dr J.M. Edwards	Mr J.A. McGinty	Mr P. Papalia	Mr D.A. Templeman
Mrs D.J. Guise	Mr M. McGowan	Mr J.R. Quigley	Mr P.B. Watson
Mr J.N. Hyde	Ms S.M. McHale	Ms M.M. Quirk	Mr M.P. Whitely
Mr J.C. Kobelke	Mr A.D. McRae	Ms J.A. Radisich	Mr S.R. Hill (<i>Teller</i>)

Pair

Mr B.J. Grylls

Mr B.S. Wyatt

Amendment thus negated.

Ms S.E. WALKER: I am going to give notice of my intention to delete all words after “by” in this clause and to substitute “Decriminalisation of Brothels and the Living Off the Commercial Sexual Services of Young People”.

The ACTING SPEAKER (Mrs J. Hughes): What clause is the member referring to?

Ms S.E. WALKER: Clause 1.

The ACTING SPEAKER: Does the member want to put forward another amendment?

Ms S.E. WALKER: Yes, I do. I have written it out and signed it. I will say it again, for the benefit of members on my side: I will be deleting the word “Prostitution”, because it does not reflect the bill. I have reflected on what has been said on this side.

The ACTING SPEAKER: Member, can I look at that amendment so that we can make sure it conforms with the decision that was just made by the house?

Ms S.E. WALKER: Yes. It is the “Decriminalisation of Brothels and the Living Off the Commercial Sexual Services of Young People” bill.

The ACTING SPEAKER: The member wants the wording of her amendment to clause 4 to apply to clause 1, does she?

Ms S.E. WALKER: Yes, clause 1; that is, at page 2, to delete “Prostitution” and substitute the words I have in my written amendment. I think I have given the wrong page.

The ACTING SPEAKER: I was going to say that what we have refers to clause 4.

Ms S.E. WALKER: I am sorry. This bill is such a mishmash.

The ACTING SPEAKER: I put it to the member that the house has just voted to retain the word “Prostitution”. Therefore, if the amendment includes deleting that, we cannot carry that through; it will not be valid.

Ms S.E. WALKER: Okay. Therefore, I would have to say “Prostitution, ie the Decriminalisation” -

Mr R.F. Johnson: That should be known as -

Ms S.E. WALKER: Yes. Then at page 2, line 3, I will be seeking to add after “Prostitution” the words “(ie the Decriminalisation of Brothels and the Living Off the Commercial Sexual Services of Young People)”.

Dr G.G. Jacobs: You could say “including” instead of “ie”.

Ms S.E. WALKER: Yes, “including”. We do not need “ie”; we can just put it in brackets. I know the Attorney General will not understand what that means. I am trying to make a point, Attorney General, and the point is this: why is everything so covert in politics; why does everyone feel uncomfortable around this - why? This is about the legitimisation of other adults in the community being able to live off the commercial sexual services of young men and women. That is what it is about. Therefore, I think that this amendment adequately reflects the bill. I am going to make a stand on this bill. Why is it that the Labor Party in this state thinks it can hoodwink the electorate - because the opposition will not let it hoodwink the electorate - into thinking that this is really just tidying up? This is a major, fundamental shift in the community - a major fundamental shift in relation to our young people. It is about section 190 and section 191 of the Criminal Code and decriminalising the keeping of brothels, which is currently a criminal offence in this state. It is about living off the earnings of commercial sexual services. A pimp will be a legitimate job. Western Australia is a cashed-up state with the lowest unemployment levels in its history, I think, yet we will create another new industry that is legitimate. We will allow legitimate jobs for pimps and for young girls and young men. Therefore, I want the bill title to reflect what we are doing here.

When I send my newsletter out to my electorate, and when I put it on my website, it will say that this amended title is the name of the bill, and underneath will be what the Attorney General said should be the name of the bill. With the deepest respect for the member for Churchlands, who like me is sitting here aware that things evolve during consideration in detail, “sexual services” does not do the job -

The ACTING SPEAKER (Mrs J. Hughes): Will the member please read and sign the amendment before we have it copied?

Ms S.E. WALKER: I did not say those words in my amendment. It includes “the decriminalisation of brothels”. Could I please have my piece of paper back?

Mr R.F. Johnson interjected.

The ACTING SPEAKER: The member for Hillarys is not on his feet.

Ms S.E. WALKER: I move -

Page 2, line 3 - To insert after “Prostitution” -

(including the Decriminalisation of Brothels and Commercial Sexual Services of Young People)

I have signed that amendment, Madam Acting Speaker. I want to make sure that people understand that this legislation is about commercial activities selling sex for money, the abuse of young people's bodies, feeding young people drugs and horrific acts. As the member for Alfred Cove said, this is not about healthy sex; it is about brutal, commercial sexual activity. I have been out to Mary Anne Kenworthy's place. I have been to Linda Watson's "House of Hope" when preparing for consideration of the last bill on this subject. That was enough for me.

We cannot make this industry respectable. However, that is what this bill is trying to do. It is a brutalisation, and that is why this activity is a crime at the moment.

Dr J.M. WOOLLARD: Madam Acting Speaker, may I have a copy of the amendment, please?

This amendment to the short title means that the bill will be called the Prostitution (including the Decriminalisation of Brothels and Commercial Sexual Services of Young People) Amendment Act 2007. I agree with this amendment because this bill will decriminalise brothels. The member for Nedlands is right: the Attorney General wants to decriminalise brothels, so that we will see a proliferation of brothels. We will decriminalise brothels and have them in every suburb. Young people will walk past them on a daily basis. I think that the member for Nedlands should have included somewhere in this amendment the words "Labor Party", because the community needs to know that this is a Labor Party position. Labor Party men and Labor Party women support the abuse of women and the decriminalisation of brothels, which we know from the Victorian experience has led to an increase in the number of legal and illegal brothels in that state.

The ACTING SPEAKER: I bring the member back to the clause.

Dr J.M. WOOLLARD: Yes. I am speaking to the clause, Madam Acting Speaker. I am supporting the insertion of the words.

Mr P.B. Watson interjected.

The ACTING SPEAKER: Order, member for Albany!

Dr J.M. WOOLLARD: Decriminalising brothels leads to an increase in the number of both legal and illegal brothels, and that increase in brothels will lead to an increase in the number of young women involved in this industry who will not be protected by the government and who will be abused. Women from other countries will be trafficked into this country and moved between different brothels that will have been decriminalised by this legislation. Finally, it will increase the commercialisation of sexual services provided by young people.

Ms S.E. Walker interjected.

Dr J.M. WOOLLARD: Member for Nedlands, it is really "Commercial Sexual Abuse Services". The amendment still refers to "Sexual Services", yet it is not sexual services because it is not sex as most people out there on the streets would regard as sex. What happens in these brothels is not sex, as most of us - I think including members of Parliament - would view sex to be in our real-life situations.

Several members interjected.

Dr J.M. WOOLLARD: In fact, I think the member for Swan Hills is right. Given that she supported this bill, I wonder what her opinion is of what sex is compared with my opinion of what sex is.

The ACTING SPEAKER: Member, please bring debate back to the clause.

Dr J.M. WOOLLARD: This is not sexual service; this is sexual abuse. Women involved in this industry are treated as nothing by the men who buy their services. These men believe that because they have paid, they have a right to expect whatever they want. It is not sexual services; it is sexual abuse. Members need only talk to prostitutes and madams in charge of brothels to know what happens in a brothel; it is certainly not sex in the way that I regard sex - it is sexual abuse. The decriminalisation of brothels will lead to the sexual abuse of young people, and mainly young women, which is why I am so disappointed with every female member of this government who supports this bill to decriminalise brothels.

This is a good amendment; apart from the fact that it does not include the word "abuse". It should include the words "increasing drug use", because these women have to take drugs to try to forget the experiences they undergo and not be aware of what has happened to their bodies and the pain they are feeling. I support the amendment put up by the member for Nedlands.

Dr G.G. JACOBS: I, too, will be supporting this amendment. Too often we do not describe things in society as they are. By calling this the Prostitution Amendment Bill, which would become the Prostitution Amendment Act, we would allow what is taking place on the other side of this chamber: unless we say it as it is, including a reference in the title to the decriminalisation of brothels and sexual services of young people -

Dr E. Constable: Commercial services.

Mr R.F. Johnson: Commercial sexual services.

Dr G.G. JACOBS: - commercial sexual services of young people, it would allow people in their conscience, if members like, to go easy on themselves. If the opposition says it how it is, maybe women members on the other side of the house who just put their head down when we start talking - very few of them have talked -

The ACTING SPEAKER: I bring the member back to the clause, please.

Dr G.G. JACOBS: My point, Madam Acting Speaker, is that if we do not call something as it is, we would allow people to accept it, both here and in the community, because it would be easy on their conscience. However, if we say that the legislation decriminalises brothels, the whole community would be made to think, and I suggest it would particularly make women members on the other side of the house think. We can all live with it being called a Prostitution Amendment Bill. We can look away and say, "Well -

Ms J.A. Radisich interjected.

Dr G.G. JACOBS: It does not reflect the realities! The name should reflect the reality of this bill, which will become an act. This is not just a small tinkering around the edges of the Prostitution Act 2000; it is a major turnaround - a 180-degree turnaround. We have been going one way and now under this bill we will be going the other way. The government is legalising brothels and the commercial services of young people. That fact should be reflected in the title of the bill, which will become an act of Parliament. As members of Parliament we must be true to our community and say what we are doing. We must reflect what we are doing. The Prostitution Amendment Bill does not do that. It allows the female members of the government to look at their notes or at their computers and say that that is not happening.

Debate interrupted, pursuant to standing orders.

[Continued on page 5824.]

QUESTIONS WITHOUT NOTICE

Dr G.G. JACOBS: I have a question to the Minister for Planning and Infrastructure, who is not in the chamber.

Several opposition members interjected.

The DEPUTY SPEAKER: Order, members! I do not know what just occurred, but I think we might start again. If members take a deep breath, we might be able to get through question time.

BUDGET SURPLUS FORECAST

528. Mr T. BUSWELL to the Treasurer:

In the absence of the Minister for Planning and Infrastructure, who is no doubt getting the correct lead readings -

The DEPUTY SPEAKER: Member for Vasse, I suggest you ask your question.

Mr T. BUSWELL: In May 2006, the Treasurer forecast a budget surplus of \$1.2 billion for the 2006-07 financial year. In May this year, the Treasurer revised that amount to \$1.8 billion. We now know the actual figure is an obscene \$2.3 billion, which is more than \$1 billion more than the original estimate.

- (1) Given that this is a repeat of the Treasurer's history of failing to accurately forecast, how can he expect the Western Australian public to have any confidence in him or in his department's budget forecasts?
- (2) Is it not the case that it suits the government politically to continually underestimate the surplus to reduce the pressure on the Treasurer and his government to reduce taxes?

Mr E.S. RIPPER replied:

- (1)-(2) A strong surplus is a good thing for Western Australia and for Western Australians. Every single dollar of that surplus is invested in our future to ensure economic growth. Every single dollar is used to build infrastructure or retire debt. Using the surpluses of the past three years, we have retired or avoided \$3.7 billion worth of debt. The state's finances are in the strongest shape ever. This is the best balance sheet that the state has ever had. It is certainly a better balance sheet -

Several members interjected.

The DEPUTY SPEAKER: Order, members! I do not know what brought that on. The Australian Football League Grand Final will be held on the weekend; it is not being held at this moment. The Deputy Leader of the Opposition might not like the answer but, by heaven's, the rest of us want to hear it, including Hansard. Show the Parliament more respect. The Deputy Leader of the Opposition is called to order for the first time.

Mr T. Buswell: Keep going you bleating fool!

Withdrawal of Remark

Mr A.P. O'GORMAN: I distinctly heard the member for Vasse call the Treasurer a bleating fool. I ask him to withdraw that comment.