LEGAL PERSPECTIVES IN CLARIFYING THE ISSUES OF THE SEX INDUSTRY

Carolyn Pickles
Member of Legislative Council
South Australia

THE SUBJECT OF PROSTITUTION HAS PROVEN TO BE A DIFFICULT QUESTION FOR criminal justice authorities in Australia and in most parts of the world. Lawmakers have attempted to come to terms with the almost impossible task of satisfying the needs of all sections of the community, often with far from satisfactory results.

Prostitution, it is generally agreed, is the carrying on of a trade or business by a person who submits her/himself to another for hire or gain for the provision of sexual services. Much of the present law relating to prostitution had its origins in legislation passed in the late 19th Century. Apart from offences relating to soliciting, no attempt was made to penalise women who practised prostitution. Therefore, the act of prostitution is not illegal. The law deals with prostitution-related activities and penalises the activities of those who promote prostitutes, encourage others to become prostitutes and exploit prostitutes for their own financial advantage.

From the debate to date, it is obvious that there is a dichotomy of views on prostitution. It is still regarded as an immoral and undesirable activity by one section of the community. These people tend to be of the view that it is the duty of the state to keep prostitution in check and to minimise its effects through the criminal law. This view stems from a premise that the state should be responsible for establishing and maintaining moral standards.

The contrary view is that the state should not interfere with the sexual activities of consenting adults unless there are compelling reasons to do so, such as coercion and other criminal activity. Both these viewpoints acknowledge that aspects of the practice of prostitution require some legal restraint. The point of disagreement is the type and extent of these restraints.

This paper aims to provide a background to the legal perspective of prostitution, setting out the current laws in Australia and outlining new developments.

Current Legal Position in Australia

The criminal law relating to prostitution is under the jurisdiction of each state/territory government, giving rise to a wide variety of legislation. In amending prostitution-related laws,
some states or territories have tried to 'borrow' legislation from others, but the law-makers have always been constrained by existing legislation and the prevailing sociopolitical climate.

Table 1 sets out the current laws in Australia which punish prostitutes and the laws in Australia which criminalise prostitution-related activities are detailed in Table 2.

**Options for Change**

In all states and territories the option for change to the current laws are generally identified as follows:

- maintaining the status quo;
- strengthening the present laws;
- legalisation and regulation; and
- decriminalisation and decriminalisation with appropriate safeguards.

**Maintaining the status quo**

Five jurisdictions within Australia are currently reviewing laws relating to prostitution. This would indicate some problems associated with the administration of existing laws. Some of the difficulties associated with prostitution are discussed in more detail later in this paper.

The maintenance of the status quo would also mean that the existing inequality of the law is maintained whereby the prostitute is prosecuted and the client is not. Only New South Wales and Victoria have existing laws punishing clients. In Victoria it is an offence to 'gutter crawl' and, in New South Wales in 1988, provisions were introduced which allow for the prosecution of persons taking part in the act of prostitution in or within the view of a public place.

**Strengthening existing laws**

Complete suppression of prostitution would involve the passage of legislation aimed at eliminating all aspects of prostitution. The arguments in favour of strengthening the criminal law in relation to prostitution are as follows:

- prostitution is widely regarded as immoral and degrading. The criminal law should reflect and reinforce community standards;
- criminal penalties are justified because prostitution harms both prostitutes and their clients;
- criminal penalties reduce the incidence of prostitution and its harmful effects on the community. These include the public nuisance caused by street soliciting and brothels, links between prostitution and drug abuse, control by organised crime, spread of sexually transmitted disease and the exploitation of the young.

Arguments against strengthening present laws are:

- there is clear evidence that strengthening of criminal penalties does little to reduce prostitution. Penalties tend to have a greater effect on the form of prostitution than on its incidence;
resources needed to pursue a suppression of prostitution could be more fruitfully deployed into programs which address the social and economic disadvantage of prostitutes;

- strengthening the law would tend to exacerbate existing problems, making working conditions worse for prostitutes.

Legalisation

There have been conflicting views on whether legalisation and decriminalisation are one and the same. However, there is a difference in law and interpretation. Commissioner Fitzgerald's report provides definitions in the following terms:

Legalisation and decriminalisation are not the same. Legalisation means that activities are made legal and are no longer regulated in any way. Decriminalisation means the activities are no longer crimes, and the participants are no longer liable to criminal penalties, but their activities are regulated by law and transgressions can still be penalised. (Queensland 1989.)

Legalisation would enable the control of prostitution and the conditions under which it is carried out. Licensing would give official status to prostitution and the community could be seen as condoning it.

Arguments in favour of the legalisation of prostitution are as follows:

- as prostitution can never be entirely eradicated, it is preferable to protect the community from its adverse effects by, for example, controlling the location of brothels or the areas in which street soliciting occurs;

- prostitution, when conducted discreetly, does not harm the community. Adverse effects on residents and local areas can be prevented by proper controls;

- if prostitution were regulated in the same way as other forms of commercial activity it would be possible to ensure that prostitutes had better working conditions, were protected against violence from customers or pimps and were properly paid for their work. It would also be possible to guard against sexually transmitted disease by a system of health checks.

Arguments against legalisation are:

- it tends to institutionalise prostitution and give state support to the industry;

- there is resistance from prostitutes who consider the option inconsistent with human dignity and who may refuse to comply with the imposed regulations;

- prostitution is immoral and can have harmful effects on the community, including public nuisance, links between prostitution and drug abuse, control by organised crime, spread of sexually transmitted disease and exploitation of the young.

Decriminalisation

The other possible approach would be to decriminalise prostitution with appropriate safeguards. Prostitution would then be subject to controls to prevent abuses and those normally governing the operation of businesses. Some of the safeguards which could be
included would be prohibition on soliciting, underage prostitution and living off prostitution in some situations, limitations on advertising and restrictions on location.

Arguments in favour of decriminalisation are as follows:

- the criminal law should be confined to preventing activities which clearly cause harm to others. The criminal law should not, however, be involved in the enforcement of sexual morality;

- prostitution is a crime which does not cause direct harm to anyone. The costs of making such acts criminal are likely to outweigh the gains;

- criminal penalties for prostitution-related activities are ineffective. Past experience has shown it is impossible to eradicate prostitution no matter how the law is framed, or how rigourously it is enforced. Because demand for prostitution is likely to continue, legal prohibitions may lead to police corruption and the involvement of organised crime to supply this demand.

The arguments against decriminalisation are as follows:

- prostitution is immoral and an exploitative business which should not be encouraged in any way;

- prostitution can have a harmful effect on the community including public nuisance, links between prostitution and drug abuse, control by organised crime, spread of sexually transmitted disease and exploitation of the young.

Problems Associated with Prostitution

Difficulties of Enforcement

Transactions between prostitutes and their clients occur in private. In the case of brothels, a potential client is rarely asked to provide money for services until after the client has undressed. Likewise, escort agencies do not usually mention the provision of sexual services in discussion with a potential client. This causes evidentiary problems in linking the payment of money to provision of sexual services.

Any laws relating to living off the earnings of prostitution and the ownership and management of brothels are also difficult to enforce. The legislation is outdated and based on the notion that brothels are easily identifiable as such. The increased security in brothels and the virtual anonymity of escort agencies makes it difficult for the law to be policed.

A major criticism of current laws is that they penalise the prostitute rather than the client or the promoter, even though the client may have actively sought out the prostitute. The client is often used as a witness by the police in bringing a charge against a prostitute.

Drugs

Some prostitutes use drugs and see prostitution as a means of obtaining money to maintain the habit. Some brothels may provide a distribution outlet for drugs, although persons involved in prostitution have indicated that drugs are generally discouraged and are regarded as a liability by the operators of brothels.
Violence

It is difficult to assess this problem as acts of violence against prostitutes by pimps or bodyguards are rarely reported to the police for fear of further violence or cessation of employment. However, it is known that prostitutes are vulnerable to sexual violence and that, because of the illegality of their occupation, it is difficult for them to establish charges such as rape, theft or assault.

Health

Prostitution has always been linked with the spread of venereal disease, as it has in more recent years with the spread of AIDS. However, many prostitutes are well aware of health implications and voluntarily have regular medical check-ups.

The potential for the spread of sexually transmitted diseases depends upon:

- the amount and type of sex with prostitutes;
- the protective measures used; and
- the availability and use made of specialised medical care.

Nuisance

This problem varies from state to state. People who live near massage parlours or brothels give examples of annoyances such as customers knocking on the wrong door, the noise of car doors slamming throughout the night and general nuisance.

Juvenile prostitution

Police indications in most states are that children are becoming more in demand in brothels and escort agencies.

Exploitation

As a form of employment, prostitution can be viewed to be exploitative both by its nature and its failure to meet industrial standards. While it is illegal there is no possibility of establishing regulated working conditions, no controls on remuneration or worker health and safety.

Causes of Prostitution

The laws related to prostitution cannot operate in isolation from other laws which affect the state. Prostitution exists because there is a demand. The evidence gathered by Professor Marcia Neave (Victoria, Inquiry into Prostitution 1985) and from other states and overseas, suggests that the main incentive for women entering prostitution and supplying the demand is economic. Poor education, limited job skills and employment opportunities are continually cited as the overriding reasons for women and juveniles becoming prostitutes.

Some causes of prostitution were identified in the Report of the Select Committee of Inquiry into Prostitution (South Australia 1980). The factors referred to in that report still appear to be major reasons for persons entering prostitution today. Evidence put to the Select Committee suggested that women entering prostitution can be placed in four general groups:
• women who are severely disadvantaged socially and economically;
• women who are poor and/or in debt or supporting children, or are unemployed;
• women who are subjected to coercion by partners or acquaintances through threats or by use of drugs; and
• women who seek money for a specific purpose, for example to support themselves while studying, to pay for a large debt or to acquire an expensive item (South Australia 1980).

The 1985 Victorian Inquiry into Prostitution (the Neave Report) suggests that similar reasons exist for males entering into prostitution. The Social Justice Commission of the Uniting Church in Australia, Synod of South Australia (1986), gave the following reasons for prostitution:

• lack of sexual equality in Australian society;
• insufficient financial and community support for unemployed people and single parents;
• inadequate recognition of the true costs of raising children in levels of income maintenance;
• inadequate levels of remuneration for jobs undertaken by people with low skills and low educational achievements;
• the high level of commercialisation of human sexuality which is accepted as normal in Australian society;
• the demand for prostitution within the community.

New Developments in Legislation

As previously indicated, five jurisdictions are currently reviewing legislation related to prostitution: Australian Capital Territory, Northern Territory, Queensland, South Australia, Western Australia and New South Wales.

Australian Capital Territory

On 18 April 1991, the Select Committee on HIV, Illegal Drugs and Prostitution tabled its *Prostitution in the ACT: Interim Report.*

The report recommends partial decriminalisation and:

• introduction of strong sanctions to prevent child prostitution;
• control exercised through one enactment only;
• establishment of a licensing board to license the ownership and operation of brothels and escort agencies;
Legal Perspectives in Clarifying the Issues of the Sex Industry

- retaining prohibitions of soliciting or loitering in a public place for the purposes of prostitution.

Northern Territory

On 6 December 1990, the Northern Territory Attorney-General tabled a draft Prostitution Regulation Bill in the Northern Territory Parliament for public comment. The Bill proposes:

- licensing of escort agency operations and managers;
- establishment of an escort agency licensing board;
- brothels to remain illegal (except single prostitute brothels);
- more effective provisions against pimps and the offence of procuring;
- introducing stronger sanctions to prevent child prostitution;
- retaining prohibitions of soliciting or loitering in a public place.

Final legislation is not envisaged until at least the second session of the Northern Territory Parliament 1991.

Queensland

On 1 March 1991, the Criminal Justice Commission of Queensland released a discussion paper on prostitution. The paper made no specific recommendations but suggested that changes were necessary (Queensland 1991).

South Australia

Following the recommendation made by the National Crime Authority (1991) to review the options of the criminal law in South Australia as it applied to prostitution—taking into consideration the law and practice in other states—a review of prostitution laws in South Australia is being conducted by Mr Matthew Goode, Senior Lecturer in Law at the University of Adelaide. An option paper is to be prepared by Mr Goode to be presented to Parliament by the Attorney-General in the spring session of 1991.

A Bill to legalise prostitution was introduced in State Parliament in April 1991 by the Leader of the South Australian Democrats, Ian Gilfillan. It is understood that the Bill will be re-introduced in the new session of State Parliament in August 1991. The Bill proposes:

- a brothel licensing board;
- retention of offences relating to soliciting;
- introduction of strong sanctions to prevent child prostitution;
- legal sanctions against prostitutes and clients of prostitutes who fail to take reasonable precautions against infection by sexually transmitted diseases and against transmission of sexually transmitted diseases.
Sex Industry and Public Policy

Western Australia

In November 1990, a State Government appointed community panel completed a report on prostitution for the Police Minister, Mr Graham Edwards. The report recommends:

- a seven-member licensing board to register premises for prostitution, brothels, escort agencies or single operator's premises;
- retaining offences of soliciting in a public place in any new legislation.

New South Wales

In 1989 a delegation from the New South Wales Attorney-General, Mr Dowd, visited Victoria to study the Victorian system of legalised brothels. Mr Dowd commented that the system created more problems than it solved. He has acknowledged, however, that reform of the Disorderly Houses Act 1943 (NSW) was required (but this has been given a low priority, especially leading up to the state elections).

Victoria

The regulation of prostitution in Victoria is in a state of flux. Following a report by Professor Marcia Neave in September 1985 containing 90 recommendations, Victoria enacted the Prostitution Regulation Act 1986 implementing virtually all those regulations. Part III of the Act set up a Licensing Board comprised of a mixture of community representatives to regulate the brothel industry. The Act excluded single prostitutes working from home (on Neave's recommendation that such women should not be drawn into the industry unnecessarily). The Upper House made various amendments to the Act, especially Part III, including specifying that single prostitutes working from home should be regulated under the Act. The Upper House also inserted a provision giving local councils the right to veto approval for brothels.

The government responded by passing the Act but not proclaiming Part III or the provisions empowering the councils to veto. Camberwell Council has taken commercial legal action against the Victorian Attorney-General, seeking a declaration that the action of the government in not proclaiming these provisions is invalid (it is believed the Council is arguing that the government has 'thwarted the intention of Parliament').

In the meantime, in the vacuum caused by the non-establishment of the proposed Licensing Board, applications for siting of a brothel will be first considered by the local council. If the local council refuses approval, the applicant appeals to the Planning Appeal Division of the Victorian Administrative Appeals Tribunal. That body makes a decision based on various planning criteria, but it is obviously not a body equipped to adequately consider the many other aspects of the sex-worker industry.

Conclusion

It is apparent that difficult social, moral and legal issues connected with prostitution have hampered effective legislation in Australia.

Professor Neave has argued that government policies should be designed to increase the occupational choices of women and to expand employment opportunities in order to reduce prostitution. The state government enquiries—referred to previously—and other research have found that economic factors were the overwhelming reason for women entering prostitution. As by far the greater majority of prostitutes in Australia are women, then the need for women to enter this occupation can only be significantly reduced by long-
term economic and social measures and not by legal restraints. Sweden has adopted such an approach. The aim of the Swedish Government is to reduce prostitution by social rather than legal means by providing women with sufficient economic and social security for them to leave the trade if they wish.

Hostile and discriminatory attitudes on the basis of race, gender and sexuality prevail in Australian society. The role of the law-makers should be to address this discrimination. Legislation on prostitution in isolation may only serve to further entrench existing discriminatory practices. Prostitution law reform should recognise the right of adults to participate in consensual sexual activity in private; it should protect minors; it should safeguard individuals against corruption, violence and exploitation and it should preserve some rules about public decency.

In introducing a Private Member’s Bill to decriminalise prostitution an attempt to address these issues was made. Whilst most churches adopted a position that prostitution was immoral and should therefore not be condoned, the Social Justice Commission of the Uniting Church in Australia, Synod of South Australia took a more liberal and thoughtful stance on the Bill, and prostitution in general. If legislation relating to prostitution is to be effective in Australia then law-makers and the community should also adopt these attitudes.

The Social Justice Commission supports the intention and basic direction of the proposed legislation for the following reasons:

• We find existing social policy inadequate in that it does not minimise prostitution and it promotes exploitation.

• We find existing social policy promotes a false sense of moral rectitude in the community, a consequent complacency in relation to problems relating to prostitution and an attitude that does not take full account of the humanity of prostitutes and regards them as expendable.

• We find existing legislation inadequate because it is founded on an inadequate social policy.

• We find that punitive legislation such as the existing law only serves to alter the form of prostitution rather than its incidence.

• We find that the present law is discriminatory and serves to lock prostitutes into a criminal subculture which makes it difficult for them to break with prostitution.

• We find the arguments that have been advanced for the retention of criminal penalties to be unconvincing.

• We support a social policy that takes into account the proposals of the United Nations' Special Rapporteur.

• We find the provisions of the proposed legislation to be a significant step towards the enactment of such a policy.

• We are aware that no constructive steps can be taken towards empowering prostitutes who wish to leave the industry but find themselves unable to do so until criminal penalties are repealed.

The legislation should not be passed in isolation. The government should develop a comprehensive social policy which:
1. promotes the elimination of discrimination against women, including the sexism and commercialisation of human sexuality that is promoted by parts of the advertising industry;

2. addresses the inadequate levels of income maintenance provided for unemployed people and single supporting parents;

3. addresses the low levels of remuneration for employment available to people with low levels of skill and educational achievement;

4. enables prostitutes who wish to leave the prostitution industry to find other employment;

5. promotes educational programs in schools and the wider community which provide information on sexuality, emphasise the value of non-exploitative relationships and counter sexist and discriminating attitudes. Such programs in schools should be placed on a equal footing with other major curriculum areas by:
   - allocation of time;
   - allocation of adequate resources for curriculum development;
   - provision of adequate training for teachers in this area;

6. promotes programs which enable parents to take a lead in educating their children in matters of sexuality and the value of non-exploitative relationships;

7. researches the demand for prostitution services and begins to address the issues as a client problem rather than a prostitute problem;

8. provides more support for young people who are forced to become part of a street subculture or whose self esteem has been shattered by abuse they have received as children (Social Justice Commission Uniting Church in Australia, Synod of South Australia, 1986).

References


Australian Capital Territory. Legislative Assembly. Select Committee on HIV, Illegal Drugs and Prostitution 1991, Prostitution in the ACT: Interim Report, Canberra.

Pinto, S., Scandia, A. & Wilson, P. 1990, Prostitution Laws in Australia, Trends and Issues No. 22, Australian Institute of Criminology, Canberra.


Table 1
Laws Punishing Prostitutes

<table>
<thead>
<tr>
<th>State/Territory</th>
<th>Street Work</th>
<th>Brothel Work</th>
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<tbody>
<tr>
<td><strong>New South Wales</strong></td>
<td>Soliciting near or within view of a dwelling, school, church or hospital, or in a school, church or hospital, s. 19. Taking part in an act of prostitution in or within view of a school, church, hospital or public place, or within view of a dwelling, s. 20.</td>
<td>Not an offence unless premises are held out as available for massage, sauna, photographs, etc, s. 16.</td>
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<td><em>Summary Offences Act 1988</em></td>
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<td><strong>Victoria</strong></td>
<td>Soliciting and Loitering, <em>Prostitution Regulation Act</em>, s. 5.</td>
<td>An offence except where premises have a town planning permit, Vagrancy Act 1966, s. 11.</td>
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<td><em>Prostitution Regulation Act 1986</em></td>
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<td><em>Vagrancy Act 1966</em></td>
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<td><strong>Queensland</strong></td>
<td>Soliciting or loitering, being a prostitute behaving in a riotous, disorderly or indecent manner in a public place, soliciting within view or hearing of a person in a public place, s. 5.</td>
<td>Occupier of a house frequented by prostitutes, s. 5. Using premises held out for other purposes, for prostitution, s. 8A. 'One-woman brothel' not an offence.</td>
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<tr>
<td><em>Vagrants, Gaming and Other Offences Act 1931-1987</em></td>
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<td><strong>Western Australia</strong></td>
<td>Common prostitute who solicits, importunes or loiters, s. 59; wandering in streets or highways or being in a place of public resort or behaving in a riotous or indecent manner, s. 65(8), s. 76C.</td>
<td>Could be prosecuted if occupier permits premises to be used as a brothel, s. 76F. Occupier of a house frequented by prostitutes, s. 76(7). 'One-woman brothel' not an offence.</td>
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<td><em>Police Act 1892</em></td>
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<tr>
<td><strong>South Australia</strong></td>
<td>Accosting, soliciting or loitering for the purposes of prostitution in a public place, s. 25.</td>
<td>Receiving money paid in a brothel in respect of prostitution, s. 28(1)(b).</td>
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<td><em>Police Offences Act 1953</em></td>
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<tr>
<td><strong>Tasmania</strong></td>
<td>Common prostitute solicits or importunes in a public place or within view or hearing of a public place, or loiters for such a purpose, s. 8(1)(c).</td>
<td>Not an offence.</td>
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<tr>
<td><em>Police Offences Act 1935</em></td>
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<tr>
<td><strong>Northern Territory</strong></td>
<td>Common prostitute accosting, soliciting, or loitering for the purposes of prostitution in a public place, s. 53. Persistently solicits or importunes for immoral purposes (males only) s. 57(aha). Being a common prostitute wandering in streets or highways or behaving in riotous or indecent manners, s. 56(b). Loitering, may be asked to leave public place, s. 47a.</td>
<td>Could be prosecuted for permitting premises to be used as a brothel.</td>
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<tr>
<td><em>Summary Offences Act</em></td>
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<tr>
<td>(as in force 17 Aug 1987)</td>
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<tr>
<td><strong>Australian Capital Territory</strong></td>
<td>Persistently soliciting or importuning for an immoral purpose in a public place, s. 23.</td>
<td>'One-woman brothel' not an offence.</td>
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<tr>
<td><em>Police Offences Ordinance 1930</em></td>
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</table>

*At the time of writing, Western Australia was considering introducing legislation based on the Victorian model of legal brothels. The Australian Capital Territory was considering options other than the criminalisation of prostitution.

Note: In all jurisdictions, escort agency work is not an offence.

Source: Department of Community Services and Health cited in Pinto, Scandia & Wilson 1990.

Table 2
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<thead>
<tr>
<th>State</th>
<th>Living on Earnings</th>
<th>Brothel Keeping</th>
<th>Procuring</th>
<th>Permitting Premises to be used for Prostitution</th>
<th>Advertising</th>
<th>Other</th>
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<tr>
<td><strong>New South Wales</strong></td>
<td>Summary Offences Act 1988, Crimes Act 1900, Disorderly Houses Act 1943</td>
<td></td>
<td>An offence; Crimes Act 1900 s. 91A, 91B, Summary Offences Act 1988, s. 16</td>
<td>Appearing, acting or behaving as having management of a disorderly house which is habitually used for the purposes of prostitution; Disorderly Houses Act 1943, s. 3</td>
<td>Advertising premises are used or a person is available for prostitution; Summary Offences Act 1988, s. 18</td>
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<td><strong>Victoria</strong></td>
<td>Prostitution Regulation Act 1986, Vagrancy Act 1966</td>
<td>An offence except where premises have a town planning permit; Vagrancy Act, s. 10</td>
<td>An offence where force or violence or child; Prostitution Regulation Act, ss. 10, 11</td>
<td>Tenant, lessee or occupier who permits premises to be used is guilty of an offence except where premises have a town planning permit; Vagrancy Act, s. 12. Similarly for landlords.</td>
<td>Advertising employment in a brothel; Crimes Act 1958, s. 59A</td>
<td>Gutter-crawling in order to enlist the services of a prostitute, Prostitution Regulation Act 1986, s. 15(2).</td>
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<tr>
<td><strong>Queensland</strong></td>
<td>Vagrants, Gaming and Other Offences Act 1931-1987, Criminal Code</td>
<td>Keeping or managing a brothel, s. 8. Keeping a bawdy house; Criminal Code, s. 231</td>
<td>An offence, Criminal Code, s. 217.</td>
<td>Tenant, lessee or occupier who permits premises to be used, landlord who knows premises to be used, Vagrants, Gaming and Other Offences Act, s. 8.</td>
<td>An advertiser may be held as being a party to an offence of partly living on earnings of prostitution, or the keeping of a brothel by knowingly assisting in the operation thereof.</td>
<td>Keeper of a lodging house permitting it to be the resort or place of meeting of prostitutes, Vagrants, Gaming and Other Offences Act, s. 9.</td>
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<td><strong>Australian Capital Territory</strong>&lt;sup&gt;*&lt;/sup&gt;</td>
<td>An offence. <em>Police Offences Ordinance 1930</em>, s. 23 (j).</td>
<td>Manages or conducts a brothel, or knowingly concerned in management, <em>Police Offences Ordinance 1930</em>, s. 18.</td>
<td>Only an offence if child under 16, <em>Crimes Act 1900</em> (NSW), s. 92N.</td>
<td>Leases, lets, sublets knowingly permits, <em>Police Offences Ordinance 1930</em>, s. 19.</td>
<td></td>
<td>Person who keeps house, room, shop where refreshments sold permitting prostitutes to meet or remain there, <em>Police Offences Ordinance 1930</em>, s. 34.</td>
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</table>

* At the time of writing, Western Australia was considering introducing legislation based on the Victorian model of legal brothels. The Australian Capital Territory was considering options other than the criminalisation of prostitution.

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