

Sex in the cities

The Prostitution Reform Act was passed late last year. While the Act makes prostitution legal, it also allows councils to impose bylaws on licensing, location and signage. *Te Waha Nui* looks at how different councils in the Auckland region are applying the new law.

COMMUNITY PROJECTS

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Brothel owners: bylaw aims to cripple us

Auckland City

by Kelly McAuliffe, Zoe Hooper and Joanna Hunkin

Auckland City was one of the first local governments to adopt a bylaw after the passage of last year's controversial Prostitution Reform Act.

Its Brothels and Commercial Sex Premises Bylaw came into force on December 28, 2003.

Manukau City Council was quick to follow with its recently adopted "Brothel control bylaw" which comes into effect on July 1, potentially forcing as many as 100 small businesses to close.

Waitakere City and North Shore City councils have adopted "wait and see" policies.

Many brothel owners believe that Auckland City Council's new sex industry bylaw is designed to cripple them as the high compliance costs could force many to close.

Only a select few brothels would be left dominating the market.

Prostitutes finding themselves "brothel-less" will have four options:

- * give up prostitution
- * work illegally
- * solicit on the street, or
- * move to another brothel.

The Auckland and Manukau bylaws contain restrictions governing brothel location, signage, licensing, and operational health and safety clauses.

During public consultation, both drew harsh criticism from Green and Labour MPs Sue Bradford and Tim Barnett who believe that the bylaws undermine ideas behind the Prostitution Reform Act, and that some parts are possibly illegal.

Auckland City residents have frequently complained about the sex industry being too close to schools, residential areas and "sensitive" sites such as churches and community facilities.

Auckland Girls Grammar School, located a stone's throw away from the notorious red-light district of Karangahape Road, is often littered with used condoms, syringes and needles after the weekend's activities.

With this in mind, Auckland City councillors consulted with the public and agencies to draft a bylaw which covered not only brothels, but also adult sex shops and strip clubs.

By lumping brothels and commercial sex premises together, the council found a legitimate way of controlling Auckland's sex industry.

Strict location controls ban brothels from operating in the large areas designated by the council or within 250 metres of a school within the central city.

Brothels in Auckland's isthmus and Hauraki Gulf Islands will also be restricted from working in or within 250m of residential zones, places of worship, community facilities, major

public transport interchanges, or within 75m of any other brothel or commercial sex premises.

Some brothels will also find themselves subject to frontage activity controls which ban them from operating at ground level.

Location controls come into effect in July for brothels which existed before the bylaw was passed.

Commercial sex premises have less stringent location controls which will take effect in January 2005.

Signage for brothels and commercial sex premises must not be seen from a residential area and cannot be sexually explicit or offensive (in the opinion of the council).

Brothel signs also have strict size limitations, must have no neon or flashing lights, and cannot display any information other than the name of the owner or the business.

One strip club owner, who wishes to remain anonymous, believes the whole bylaw is an insidious attempt by the council to keep the sex industry "underground".

Green and Labour MPs Sue Bradford and Tim Barnett were appalled at Auckland's severe restrictions and made a submission presenting their concerns about the location, signage, licensing, and operational health and safety clauses.

Despite these concerns, the largely unchanged bylaw was implemented on 18 December 2003.

Auckland's tough bylaws have a number of consequences for brothels, prostitutes, and their clients. On top of licence fees, many brothels will have new expenses.

While large brothels are likely to be able to afford these, it could prove difficult for brothels operated as a home occupation and small owner-operator brothels.

Brothels which breach bylaw restrictions will have to relocate, renovate, or apply for a dispensation. All of these options will involve costs. The licence and dispensation fees are yet to be announced as the council has not yet finalised these processes.

However, they are intended to cover administration costs which Liz Greenwood of Auckland City Environment describes as "phenomenal."

If the brothels do not comply with the bylaws, they face being shut down. Ann Kiro, manager of Lipstix brothel, says it is a risk she and the owner are not prepared to take. Lipstix is currently located on the ground level of Fort St.

Renovations are underway to relocate the brothel to the first floor of the

premises leaving only the bar and entry at street level.

While this initially seemed a simple solution, upon closer inspection the owner has found that it could end up being the most costly solution as well.

Many of Auckland's brothels are located in older parts of town and in old buildings.

For Lipstix, which is a relatively large and expensive brothel, renovations are worthwhile as it generates around \$25,000 a week before expenses.

Smaller owner-operated brothels could find compliance costs are beyond their budget.

One way of raising money could be to increase customer fees or for brothel owners to deduct more money from the prostitutes they employ.

It could become common practice for prostitutes to work in illegal brothels driving prostitution underground and once again turning soliciting into a criminal offence and undermining the idea behind the Prostitution Reform Bill.

As the council's bylaws have completely overlooked street prostitution, this will become a legally viable option and Auckland city could see an increase of sex workers on the streets.

Prostitutes may move to new broth-

els which are likely to emerge in areas not prohibited by the council, as a result of smaller brothel closures. With the new costs involved, it is probable that these brothels will be established by a wealthy few who are already in the business.

This would result in an oligopoly situation where a few major players could control the Auckland sex industry.

Another factor which the council appears to have overlooked when drafting the bylaw is the dangerous combination of stairs and drunken patrons.

Many brothels hold liquor licences and it is not unusual for clients to be intoxicated when visiting parlours.

Ms Kiro holds real concerns over potential injuries and whether her business could be held liable.

The Prostitution Reform Bill was designed to improve safety for prostitutes by improving working conditions through the introduction of basic guidelines for sex workers.

However, Auckland City Council's bylaw does not take into account the needs of physically disabled customers.

By banning the majority of brothels from operating at ground level, the council is effectively discriminating against these patrons, who require suitable access.

Auckland City residents have frequently complained about the sex industry being too close to schools

Small owner-operated brothels could find compliance costs are beyond their budget



ON THE STRIP: The days could be numbered for some Auckland icons in well known red-light districts like Karangahape Rd.