

Shore finally passes bylaw

by Josinta Tillett

North Shore City Council is finally passing a brothel bylaw — almost nine months after other Auckland councils passed theirs.

The bylaw, drawn up following the passing of the controversial Prostitution Reform Act, was delayed due to work on a gambling bylaw for the city.

The North Shore City brothel bylaw is still in draft form, but it raises many complications and further questions.

The bylaw, which is very similar to those passed by Auckland and Manukau cities, aims to control location, signage and licensing.

Currently, there are two licensed massage parlours operating on the North Shore — one

in Birkenhead and the other in Albany. According to the New Zealand Prostitutes Collective, there are about 40 sex workers operating from private residential addresses on the Shore.

Under the bylaw, all brothels must be 250m from residential zones and 125m from existing brothels, educational facilities, churches, community facilities and major public transport interchanges.

Callum Bennachie, of the collective in Wellington, says the council must be careful when creating a buffer zone, because of the effects it could have on brothels.

"It may act as a deterrent. It could effectively ban brothels," Bennachie says.

For the council, controlling the location of brothels means

that potential impacts on the community can be reduced. Issues include exposure of children to the sex industry, brothels operating in residential areas and the clustering of brothels.

The size, appearance and content of signs advertising brothels are also restricted under the bylaw. Signs must not contain images or wording that are considered explicit, lewd or otherwise offensive by the council. They must also not be illuminated by flashing or neon lights.

Dave Beaumont, manager of the Mustangs Gentlemen's Club in Albany — one of the licensed parlours — believes the signage rules are onerous because of the size restrictions.

"They put everything under the heading of 'sleazy'. There's no room for corporate," he says.

The licensing provision of the brothel bylaw appears to be the most contentious issue.

The bylaw says all brothels in North Shore City must be licensed by the council to ensure they comply with the bylaw.

Bennachie says the prostitutes collective is very concerned about the licensing system.

"The collective says they can't make it a provision. It may mean the bylaw is invalid," he says.

The collective says brothel operators must be certified but exempts people working at small owner-operated brothels.

Bennachie says although the collective strongly disagrees with this move by the North Shore City Council, and other councils, "we can't afford to challenge it".

Julie Francombe, of the North Shore City Council, says the licensing provision was done under the Local Government Act 2002. However, the council must ensure that no part of the bylaw contravenes any other law.

Labour MP Tim Barnett says the licensing rules are "stupid".

"There's an extent to how



PHOTO: JOSINTA TILLETT

MUSTANGS: One of North Shore's licensed brothels.

much they can create rules which are contrary to the purpose of the legislation."

Such rulings are counter-productive and can cause a lot of harm, he adds. He thinks many people will not get a licence, preferring to work illegally.

He thinks the legislation has to do with the personal attitudes of councillors.

"They have the 'yuk' factor toward prostitution. The more rules they create, the more chance they have to ban it. They're engaging in a fundamental debate without knowing it."

However, Beaumont of Mustangs says the draft bylaw is "very good" because it controls prostitution. He says the licensing provision will ensure things, such as the spread of disease, are controlled.

"It's assuring it's done correctly. There are lots of things you can't do when public good is involved."

He disagrees with the new

law in the way that it does not need all brothels to be licensed.

"It's done largely for health reasons. There's no point to it if it's not controlling

Beaumont, who has 40-50 women working in his establishment, says everyone in the industry — whether in large or small brothels — should have to comply with the same rules.

"I can guarantee there's no way many meet the health and safety standards. It's an unlevel playing field."

The aims of the law are to safeguard the human rights of sex workers and protect them from exploitation, promote the welfare and occupational health and safety of sex workers, improve public health, and prohibit prostitution by people under 18 years.

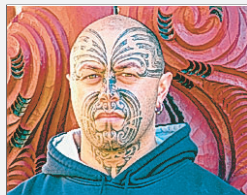
When writing the bylaw the council consulted several people including the prostitutes collective and Beaumont and sought public feedback.

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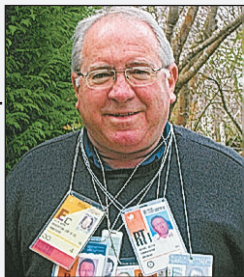
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The Editor's Pen

Another Olympics has come and gone and the post mortems are underway on whether the medal haul justifies the money invested in our athletes.

We under-performed in sports we have a history of succeeding in but there were encouraging signs for the future from our younger athletes.

And at the same time as our athletes were trying to boost our national pride, the dark side was flexing its muscles here in Aotearoa.

We had the appalling sight of Brian Tamaki's Destiny Church followers aping the black shirts with their unifying group-salute and rhetoric of aggression and hatred.

Tamaki's blatant inability to see the harm he is causing and the danger lurking within the sinister power he holds over his newly-recruited, vulnerable congregation are major concerns for all New Zealanders.

He would love to "cure" homosexuals, and any other group that does not fit his myopic view of society will get the full

Destiny Church treatment.

A favourite line of his is "God tells me what to do" — perhaps there are so many voices in his head all the messages are mixed up.

He uses aggressive-looking men to intimidate non-believers — a tactic much loved by bullies throughout history.

His church will never be a major populist movement but it is still a worry.

One wonders which group is next on the Tamaki hate-list? Immigrants, single mothers and beneficiaries should be wary.

Patrick Crewdson's column on page 6 is a clever, witty and irreverent take on Tamaki's extreme right-wing philosophies. Please bring a sense of humour!

On the same page, our Pacific expert Sudesh Kissun challenges Don Brash for his banal comments regarding New Zealand's place in the Pacific. Sudesh's insightful commentary on how much Pacific Islanders are needed in our country is a rewarding read.

We love your feedback —

email us at wahanui@aut.ac.nz.

I hope you enjoy this edition of *Te Waha Nui* — see you in two weeks!



Peter White