

Submission: Draft Brothel Control Bylaw 2024



Full name: Ally-Marie Diamond
Organisation name: Wahine Toa Rising
Email address: enquirieswht@gmail.com
Postal address: 29a Wylie Street, Gate Pa, Tauranga, 3112, New Zealand
Contact phone number: +642041194784

1. Wahine Toa Rising is a New Zealand Registered Charitable Trust. Our purposes include respecting and implementing the dual heritage of the partners of Te Tiriti o Waitangi; supporting and empowering wāhine and tamariki of childhood trauma, family violence, exploitation, trafficking and sexual abuse past and present; advocating and lobbying for law and policy changes by working with the community, the legal sector, lawmakers and government, and advocating for stronger legal protections for those who are, or are at risk of, being exploited.
2. Wahine Toa strongly opposes any changes to the current bylaw that will enable the proliferation of sex trade operations in Queenstown and Wānaka. We consider increasing the area where sex trade operations can be located, and changing the requirements that brothels may not be located at or below ground level will simply increase opportunities for sex buyers and pimps to traffick and exploit women and young people and cause harm to individuals and the local community - harm the QLDC acknowledges in its consultation material but by its own admission, does nothing to prevent or alleviate. Regardless of whether or not the proposed bylaw is adopted the permitted activity areas must stay the same size or preferably, shrink.
3. We oppose the draft purpose statement. The Prostitution Reform Act 2003 is outdated and urgently in need of review. We refer Council to the recently published report¹ by the UN Special Rapporteur on Violence Against Women and Girls, Reem Alsalem, which examines violence against women and girls as a form, cause and consequence of prostitution. The report criticises New Zealand's decriminalisation approach for aiding traffickers, boosting sex tourism, and expanding the prostitution market. It states that this approach has not discouraged unsafe sexual practices and has led to an increase in violence against women and girls. It highlights the increase in demand and the creation of incentives for traffickers to exploit women and girls. The current proposed bylaw of the QLDC is as clear an example of these failings of the PRA as it is possible to imagine - yet Council is proposing to further exacerbate them.

¹ [*Prostitution and violence against women and girls - Report of the Special Rapporteur on violence against women and girls, its causes and consequences*](#). A report to the 56th regular session of the United Nations Human Rights Council, June-July 2024

4. We urge Council to heed the concerns of its Councillor, Lisa Guy, recently quoted in a *New Zealand Herald* article:

“With our local high turnover of travelling young people, there may be coercion to join a SOOB, with scouts targeting rangatahi to work, with examples of this happening through meetings in social, casual settings, such as interactions in night clubs, with the promise of easy cash and limits to what they will be required to do.” She said she had little faith that all SOOBs were owner-operated with full control over their earnings without undue external influence. “Anecdotally there is evidence to the contrary,” she said.²

5. The current bylaw is not fit for purpose in preventing the harm inherent in the sex trade and prostitution system from occurring, but the measures proposed in the new bylaw will only increase the levels of that harm. For that reason alone, we support retaining the current bylaw, inadequate though it is, for want of an option that genuinely seeks to prevent harm to women and young people - especially those of indigenous or minoritised ethnicities, who are overrepresented in the sex trade. This includes our reluctant support for:

- requiring that brothels are not to be within 100 metres of each other.
- no changes to the bylaw around signage
- retaining the requirement that brothels may not be located at or below ground level within the permitted activity areas.

6. With regard to the size of the permitted activity areas, we support, again for want of a better alternative, Option 3 which keeps the permitted activity areas the same as the current bylaw in both Wānaka and Queenstown, as opposed to potentially increasing them by more than 400% and 500% respectively, according to our calculations.

7. The QLDC must refuse to facilitate the expansion of Wānaka and Queenstown as sex trafficking and sex tourism destinations³ and take its harm prevention responsibility seriously. Instead of pandering to sex trade lobbyists who seek more opportunities to profit from the exploitation of vulnerable women and young people, QLDC should look instead at funding and promoting support to those harmed in the sex trade in its district, such as trauma informed services, exit services, education and prevention resources.

8. I understand that all submissions will be treated as public information. I wish to speak at the hearing.

² [Queenstown and Wānaka brothel zones could be extended, prompts call for better sex worker safety](#). Ben Tomsett, New Zealand Herald, 12 May 2024

³ [Queenstown resort brothel busted, sex workers deported](#). Daisy Hudson, New Zealand Herald, 18 Jan 2019