



LEGISLATIVE COUNCIL

SELECT COMMITTEE ON STATUTES AMENDMENT (REPEAL OF SEX WORK OFFENCES) BILL

Plaza Room, Parliament House, Adelaide

Tuesday, 23 November 2021 at 2:05pm

BY AUTHORITY OF THE LEGISLATIVE COUNCIL

WITNESSES

PATTEN, FIONA, Member, Legislative Council, Parliament of Victoria	175
POLSON, LORETTA, Polson Legal.....	187
ROBERTS, MATTHEW, Sex Work Law Reform Victoria	181

MEMBERS:

Hon. T.A. Franks MLC (Chairperson)
Hon. N.J. Centofanti MLC (via videoconferencing)
Hon. J.A. Darley MLC
Hon. H.M. Girolamo MLC
Hon. I. Pnevmatikos MLC
Hon. C.M. Scriven

WITNESS:

PATTEN, FIONA, Member, Legislative Council, Parliament of Victoria

[Via videoconferencing]

764 The CHAIRPERSON: Welcome to the meeting. The Legislative Council of South Australia has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. I advise that your evidence today is being broadcast by the Parliament of South Australia website.

Should you wish at any time to present confidential evidence to the committee, please indicate and the committee will consider your request. Parliamentary privilege is accorded to all evidence presented to a select committee; however, witnesses should be aware that privilege does not extend to statements made outside this meeting. All persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament.

We would like to acknowledge that the land we meet on today is the traditional lands of the Kurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

Good afternoon, my name is Tammy Franks. I am the Chair of this Select Committee into the Statutes Amendment (Repeal of Sex Work Offences) Bill 2020. In the room, to my left is the Hon. Clare Scriven. To my right are the Hon. Heidi Girolamo and the Hon. John Darley. Joining us remotely, as you are, is the Hon. Nicola Centofanti, and very shortly, we will be joined by the Hon. Irene Pnevmatikos. If you would like to introduce yourself and make any opening statements, we will then move into questions.

Ms PATTEN: Thank you, Chair. I haven't prepared an opening statement. First, I would like to thank the committee for the work that they are doing in what I think is a very important area. I would like to acknowledge that I am on the land of the Wurundjeri people from the Kulin Nation and I would like to pay my respects to any Aboriginal people who are watching this hearing today.

As you would be aware, Victoria has just introduced legislation to fully decriminalise sex work in Victoria. I was tasked with the review of Victoria's Sex Work Act. I conducted that review last year. It took approximately six months. It was a confidential review really just to enable us to have very open and honest conversations with a whole variety of stakeholders interested in sex work law reform in Victoria.

We spoke to the police, we spoke to health organisations, we spoke to academic organisations, we spoke to sexual assault organisations, law organisations and, of course, we spoke to sex worker organisations and organisations representing the sex industry in Victoria, as well as New Zealand, New South Wales and further afield.

The outcome of that review was that I recommended that we repeal the Sex Work Act in Victoria and effectively treat sex work businesses like any other business, that they would be regulated and protected under our Crimes Act, our planning act, our workplace health and safety

legislation, and our health and wellbeing legislation. This was accepted by the government and, as no doubt you have, we now have a bill before us. It has passed the lower house and with any luck, it will get to the upper house next week, although I don't hold my hopes out for that. I suspect we will be dealing with a whole range of other issues next week.

What we heard was that by singling out sex workers and by singling out the sex industry we actually made it more dangerous. The law did not offer the protection that sex workers needed to conduct their business, and also the sex work legislation in Victoria, much like South Australia, I would have to say, is not fit for purpose.

It does not reflect the industry that is operating today in our states. It does not reflect the fact that many sex workers travel for work, that many sex workers don't necessarily work in organised brothels or in organisations such as escort agencies, that many are working independently and that the law makes it more difficult for them to report crimes. It makes it more difficult for them to be open about their work, which would also enable greater protection for them.

In looking at all of that, we have sought to not only decriminalise sex work but also recognise the discrimination that people in the industry experience on a very regular basis. To that end, an attribute will be added to our charter of human rights to protect people from discrimination on the grounds of their occupation, trade or calling.

This was seen as a very crucial part of the reforms that we were doing because this went directly to the stigma that sex workers experience out there and the impact that that stigma and discrimination have on sex workers, the work they do and their ability to seek help or, even in other ways, their ability to change occupations and to move out of the sex industry when that time is right.

The laws in Victoria will decriminalise all aspects of sex work. Probably the only sticking point on that for most people, particularly sex workers, is our restrictions on street sex work. We have said that street sex work cannot occur during business hours in sight of or near a school, near a church or near a place where children may congregate. I don't think that is actually going to cause too many problems, but in its purest sense it means that we didn't fully decriminalise the industry. I will leave my comments there and welcome any questions from the committee.

765 The CHAIRPERSON: Thank you so much, and thank you for your work that I hope that this committee benefits from the experience of. Certainly, we will read with interest that report you have done and look forward to the passage of the bill with great interest. Something I have wondered as you were undertaking this work is how many workers in this industry travel across state borders, perhaps in non-COVID times being more the question.

Obviously, COVID has presented particular challenges but, in my understanding of sex workers and their practice, they often go on tour and they often travel to different states. I have often spoken to sex workers in South Australia who are familiar with the laws in each different state. I am just wondering how many South Australians came under your review or had any input into that.

Ms PATTEN: Thank you, Chair. I wasn't aware of anyone flying the South Australian flag while they were giving evidence to me or speaking to me, but I am certainly aware that a large proportion of individual sex workers will see clients in South Australia, will see clients in Western Australia, New South Wales, Queensland, etc. That transient and that FIFO, fly-in fly-out, nature of sex work is absolutely growing. This is also because of the social media platforms that sex workers are using to conduct their business on. Those platforms do not recognise state borders, and so you will find that they are connecting with clients.

Please accept this as an educated guess, but I would say out of the thousands of sex workers, around 50 per cent of them would travel regularly. The other percentage would be supporting families, or young families, so do not have the same freedom to travel. Those that did not have familial or parental responsibilities all reported that they travelled.

766 The CHAIRPERSON: Thank you. As you would be aware, South Australia's laws haven't been reformed in quite some time around this area. When Victoria introduced their law reform model, which I think you called either legalisation or regulation, were there any unintended consequences of what were well-meaning law reform changes?

Ms PATTEN: Thank you, Chair, and I think that is a good point to make, that they were well-meaning, and that in fact Victoria back in the 1980s was the first jurisdiction to recognise

that prohibition didn't work and that in actual fact, to ensure the safety of the community and the safety of people working in the industry, that some form of regulation was the preferred option.

Probably in the 1980s that actually was quite an effective model and it almost sort of captured the illicit industry and captured it into an act. When you speak to brothel operators who were operating back at that time, there was not a significant change to their day-to-day business. That then changed in the 1990s. We then restricted brothels. We made it much harder to get licences. We restricted the size of brothels. We restricted who could own brothels and we also restricted people from owning more than one brothel. That was probably where unintended consequences occurred. That was when we started to see an illegal industry.

So you would find that, for the last 20 years, the brothel operators would tell you that the legal brothels represent less than a third of the industry, that the majority of the industry was working outside the regulations because the regulations were, for many people, impossible to adhere to. So what we found was that we also had a registration for independent sex workers and it was called a brothel exemption licence. That also created great fear amongst sex workers that that information would be shared.

While I'm not aware of any breach of that register at a public servant level, I am aware that people's renewals were sent to their family's homes. So people were outed by being on that list and certainly there was anecdotal information that that list was shared amongst police, or shared amongst other public servants, and that that information did get out more broadly than it should have. So yes, the unintended consequence of that was that I think probably less than 10 per cent of independent sex workers actually registered on that list.

767 The CHAIRPERSON: Thank you.

Ms PATTEN: And, as I said, we started to see businesses offering sexual services outside a licensed brothel.

768 The CHAIRPERSON: Thank you. I will go to other members in just a minute, but I just had one more area and it's possibly a couple of questions in this area. I am interested as to whether Victoria policing for sex workers had a dedicated unit, or whether there is any evidence around whether having a specialist branch, or indeed generalist policing, is preferable for health and safety reasons in particular. Also, I am aware in Victoria that there has been some recommendations around not having such a dedicated unit to avoid the very situations we saw in the Wood Royal Commission, or the Fitzgerald, and the corruption potential that it leads to. Do you have any comment on those areas?

Ms PATTEN: I think, for workers, workers actually liked the idea of having a sex industry liaison officer within the police force similar to some of our gay and lesbian liaison officers that operate within the police. It gave them a connection to someone who knew what they were doing and that they could speak freely too.

We also heard from New South Wales sex workers that not having that made it difficult to report crimes to the local police station where they might feel a level of judgement, while they might feel that there were some very old attitudes to sex work in those various police stations. Having some form of liaison officer has worked well, but for most sex workers, it ended up being the sexual assault unit that they would most commonly come into contact with because that would have been over a sexual assault.

I think some form of liaison is not a bad idea. In Victoria, this has been up to police and it hasn't been consistent. From time to time, we have had a sex industry liaison unit, but then that unit, whoever was running it, is moved to another area and they are not replaced. It was hit and miss and I think if there was a way to firm up that liaison officer, I certainly don't think that would be a negative. They don't have a role of being controlling or regulating the industry and therefore putting us in danger of some form of corruption. This is actually as a reactive, as a place, as a core, as a point for sex workers or the sex industry to contact when they have a problem.

769 The Hon. H.M. GIROLAMO: In reading your submission—and thank you for sending everything through—you have raised the concerns around human trafficking and sex slavery. Do you have an update, post the legalisation, of where things are sitting from that perspective as well?

770 The CHAIRPERSON: That submission is actually the sex work law reform Victoria one, but I'm sure the Hon. Fiona Patten will be familiar with them; I know she is familiar with the organisation.

771 The Hon. H.M. GIROLAMO: I'm just interested to know where things are currently sitting within the industry itself.

Ms PATTEN: When I conducted the inquiry, we spoke to the Federal Police and we also spoke to the Victorian police about the risks of trafficking in the sex industry. I think most people would commonly remark that it's low in a regulated industry. When you can't see the industry, then there is more risk. There did not seem to be a significant concern from the Federal Police that this was a serious avenue for trafficking in particular.

There was concern around some of the underground illegal industry and that that might be, much to my surprise, operating out of karaoke bars. There could have been some undue influence and exploitation of sex workers that were working not necessarily in what we would see as the sex industry but providing sexual services via another means. When you have as much sunlight as you can on the industry, the issues around exploitation and trafficking did not seem to emerge.

772 The Hon. J.A. DARLEY: Now that your legislation has passed the lower house, do you have any feeling as to what is likely to happen in the upper house?

Ms PATTEN: Thank you, Mr Darley. I believe it will pass. I believe that the numbers are there, to be frank. The government has 17 members out of an upper house of 40 members. They need four people to support it. My understanding is that there is reasonable support. What the opposition, or the Liberal Party, will do here, we are unclear. They certainly raised some opposition to the legislation in the lower house. We are not sure how that will translate in the upper house, but I have every reason to believe that it will pass. There may be people putting up amendments to it; I am yet to see any.

773 The Hon. J.A. DARLEY: The experience in South Australia, and the Chair might correct me if I am wrong, is that for the last three times this legislation has passed overwhelmingly in the upper house but then was defeated in the lower house.

Ms PATTEN: Yes, from memory, it has been predominantly private members' bills in South Australia.

774 The CHAIRPERSON: It has been a private member's bill with a conscience vote and unlike in the Northern Territory and Victoria, where it has had Labor government support, which makes the passage a lot swifter.

Ms PATTEN: Yes, this is a government bill. There is no conscience vote on it. In fact, I don't think that even in—well, not that I am in caucus or can see anything that happens in caucus—but my understanding was that wasn't raised. Yes, it's a government bill, and I understand that a number of crossbenchers are very much in favour of the law reform that's been proposed.

775 The Hon. C.M. SCRIVEN: Thank you for appearing today, Ms Patten. You were described in the media as the former CEO of the Eros Foundation, which is described as a lobby group for the porn industry, and that your life partner as the term is used, Robbie Swan, was a former lobbyist for X-rated videos. My question is twofold: first of all, is that media description accurate and, if so, were there concerns about whether you could be objective when you were conducting this review?

Ms PATTEN: Yes, absolutely, I founded the Eros Association as it's known now and my partner, Robbie Swan, founded it with me so, yes, we have run an industry association for the adult industry. No-one questioned my objectivity on this review. I think also, to be fully frank, I had also worked as a sex worker for a brief time. I had also been the president of the Scarlet Alliance, which was the national sex worker rights organisation, and I had also worked for workers in sex employment.

I thought when the government actually asked me to conduct this review, it was actually because of that experience, my experience with the industry and my knowledge of the legislation and of the industry itself. So, far from being seen as something that would taint my review, it was seen as something that would enhance the review by most people.

Certainly, there may be some people who are opponents of decriminalisation who would question the recommendations that I made. However, I think we have then sought submissions. The government has sought feedback from all organisations, and I would have to say that the overwhelming—we went out as broadly as we could for people who we thought were supportive of sex work law reform or those who were opposed to it.

We tried to seek the views of as many people from our community and as broad a cross-section of that community, and I think that the review reflects the evidence that we received. While I support decriminalisation, that wasn't how we came to those recommendations. That was the recommendations of sex workers. It was the recommendations of medical professionals, a whole range of stakeholders who we spoke to.

776 The CHAIRPERSON: Any further questions from members? Thank you so much, Ms Patten. Did you have any final comments you would like to leave us with?

Ms PATTEN: I guess I have been working around sex work law since 1988, so I have been seeing the changes in the sex industry over many years and, as I say, over decades. I think something we have always noted in South Australia is that South Australia had always been quite progressive in this area. We had seen so many attempts for law reform in South Australia and, as Mr Darley said, sadly they have failed.

I really wish you the best in your endeavours here. Certainly what we saw from New Zealand—and I hope that you do get the chance to speak to New Zealand—and what we saw from New South Wales was that, by treating the sex industry as an industry, treating sex workers as workers, treating this business as any other business, it has been able to provide a stronger and safer industry for the people, particularly for those who work in it. So, thank you.

777 The CHAIRPERSON: Thank you so much. The transcript will be forwarded to you for any clerical corrections. We thank you for your time today, and I certainly wish you well with the passage of that particular piece of legislation.

Ms PATTEN: Thank you, and all the best with your inquiry and investigations.

[Videoconference concluded]

WITNESS:

ROBERTS, MATTHEW, Sex Work Law Reform Victoria

[Via videoconferencing]

778 The CHAIRPERSON: Welcome to the meeting. The Legislative Council of South Australia has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. I advise that your evidence today is being broadcast by the Parliament of South Australia website. Should you wish at any time to present confidential evidence to the committee, please indicate and the committee will consider your request.

Parliamentary privilege is accorded to all evidence presented to a select committee; however, witnesses should be aware that privilege does not extend to statements made outside of this meeting. All persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament.

We would like to acknowledge also that the land we meet on today is the traditional land for the Kurna people, and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the traditional custodians of the Adelaide region, and that their cultural and heritage beliefs are still as important to the living Kurna people today.

Good afternoon, my name is Tammy Franks. I am the Chair of this select committee on the Statutes Amendment (Repeal of Sex Work Offences) Bill 2020. Here in the room to my right I have the Hon. Heidi Girolamo and the Hon. John Darley. To my left I have the Hon. Clare Scriven and the Hon. Irene Pnevmatikos. Shortly the Hon. Nicola Centofanti will rejoin us. She was having a few technical issues and she will join us remotely. You may like to introduce yourself and outline your organisation and role and make any opening statement. We do have your submission here as well, if you would like to talk to that, and then we will move into questions and answers.

Mr ROBERTS: Thank you very much, Ms Franks. I thank the select committee for inviting me to speak today about the important issue of reforming South Australia's sex work laws. My name is Matthew Roberts and I am speaking on behalf of Sex Work Law Reform Victoria, a not-for-profit organisation led by sex workers, founded in 2018. As the name suggests, Sex Work Law Reform Victoria is an advocacy and law reform organisation seeking to decriminalise sex work in Victoria.

We have sought to achieve this goal by engaging in an active and grassroots campaign, lobbying parties to the debate—primarily members of the Victorian parliament. Our approach to advocacy is guided by the Change Toolkit created by the Federation of Community Legal Centres Victoria.

Reading South Australia's sex work legislation for the very first time was saddening and a journey to a bygone age, with anachronistic terminology such as the reference to 'bawdy houses'. While South Australia criminalises all forms of sex work, Victoria's licensing model of sex work laws criminalises a majority of sex workers.

Standing in solidarity with South Australian sex workers, Sex Work Law Reform Victoria welcomed the opportunity to make a submission to this select committee earlier this year. Our submission compared police enforcement of sex work crimes between South Australia and Victoria. We gathered evidence which revealed the extent to which police resources were directed to addressing coercion and child exploitation crimes. We found that over the last five years, only 4 per cent of sex work offences in South Australia related to coercion or paedophilia, with the remaining 96 per cent of sex work offences relating to the activities of consensual adult sex workers.

In Victoria, where sex work is licensed, the situation was oddly similar. The majority of police resources in Victoria were also used to charge people with crimes relating to consensual

adult sex work. We concluded that should South Australia reform its sex work laws, a sex work licensing model would fail to address issues of policing and the criminalisation of consensual adult sex work.

As we heard previously from Fiona Patten, following an active campaign to decriminalise sex work, Fiona Patten conducted a review in 2020 of Victoria's sex work laws. A bill was tabled in the lower house and will be debated in the upper house either next week or early next year. After decades of living with an unworkable licensing model of sex work laws, Victoria now appears to be on the verge of decriminalising sex work—a move that we welcome. I am happy to take questions from members of the select committee.

779 The CHAIRPERSON: Thank you so much and thank you for your submission and time today.

780 The Hon. H.M. GIROLAMO: I did have a similar question to the last witness: just your thoughts around the impact on sex trafficking from the legalisation or decriminalisation side, and keen to understand your thoughts on the impact on protecting women or vulnerable women as well.

Mr ROBERTS: In terms of the protection that the licensing model provides, or the protection that—

781 The Hon. H.M. GIROLAMO: Yes, the licensing, and then the potential changes in Victoria as well, what you think the outcomes there will be.

Mr ROBERTS: Our submission did not speak specifically to federal sex trafficking or human trafficking crimes. We looked at state-based offences. However, we have compiled evidence about the extent of human trafficking in Australia's sex industry, and fortunately police data does not show that it's prevalent.

A big issue with human trafficking and the sex industry is its detection. When the industry is driven underground, many people in the sex industry don't report crimes to police and it becomes difficult for police to detect such crimes. We are of the view that should sex work be decriminalised in Victoria or anywhere else in Australia, it would assist police to detect this appalling crime and address the suffering that that causes.

782 The Hon. C.M. SCRIVEN: Can I just ask a supplementary on that, Madam Chair. What do you mean by 'driven underground'?

Mr ROBERTS: In our submission, we clearly identified that there are a number of sex workers who are operating outside the licensing system, so this means that when they are going to work, conducting their work, they are technically committing an offence. They are working illegally, if you will. This is what we mean by driving it underground or into the illegal or unregulated part of the industry.

783 The Hon. C.M. SCRIVEN: So you are referring to those who are operating illegally. That's what your definition is of being driven underground; is that right?

Mr ROBERTS: Yes, that's right.

784 The Hon. H.M. GIROLAMO: Just on that, from the protection of women side, from your perspective, are you confident that the decriminalisation would go on to protect workers? I am keen to hear your thoughts around that.

Mr ROBERTS: Yes, well, first of all I want to acknowledge that sex workers can be female, male or gender diverse. For people who can see the video screen here, this is our logo. We actually believe that decriminalising sex work enhances legal rights of sex workers, and that's how you enhance the safety of sex workers. When a sex worker is operating illegally or outside the law, they are very unlikely to report any crimes to police. This is because police cannot guarantee immunity from prosecution to workers who are working illegally or in the underground sector.

So, if a woman, a female sex worker, is assaulted at work or a victim of a crime, she is much less likely to report that crime if she herself is deemed to be working illegally under a particular model of sex work laws. For that reason, we believe, as well as supported by the evidence, that decriminalising sex work fully affords women, men and other sex workers maximum opportunities to report such crimes to police.

785 The Hon. H.M. GIROLAMO: What if the person is from a migrant background or fearful from their visas and things like that?

Mr ROBERTS: You are right that some migrant sex workers might fear repercussions to their visa. However, visa holders who are working contrary to their visa conditions in any industry face those barriers, so that's an issue that we would consider for migration reform or visa reform. If sex work is decriminalised in Victoria, students or overseas visa holders would be permitted to work if their visa permitted them to work in Australia.

786 The CHAIRPERSON: Could you just unpack for us why someone would choose to work unlawfully or illegally in Victoria? What are the reasons for that?

Mr ROBERTS: There are many reasons, and our submission shows the kinds of offences that sex workers are facing when they work illegally. The reason that someone might work illegally is that, ironically, it can sometimes be safer to work illegally in Victoria, and I will give you one example.

If a sex worker wants to describe the services that they can provide or not provide with their sex work job—there might be certain acts that they don't provide—if they describe that on that ad to be clear about where their boundaries are, that's a crime in Victoria. Setting those boundaries clearly, publicly in their ad could make them safer, but it is actually a criminal offence. That's one small way that a sex worker might choose to work illegally, ironically, to benefit his or her safety.

787 The Hon. I. PNEVMATIKOS: I just want to clarify one issue, but I think I know the answer. Is it the case that it's the illegality that either exists or is created that prevents safety in terms of the sex work industry? The illegality of the industry, whether it's going underground in Victoria or the fact that it's criminalised in our state, is that an impediment to ensuring safety for sex workers?

Mr ROBERTS: It most certainly is a huge impediment. Our organisation is a sex worker-led organisation, so the majority of people volunteering here are sex workers. In our consultation with sex workers, the illegality was raised as possibly the number one factor or barrier to seeking assistance or reporting crimes to police.

But I do want to add that it's not just about the laws. We see that there's a dynamic between stigma and legislation, so when you make sex work illegal, it increases the stigma and it actually changes the perception of both society and the police to the industry. We expect that if sex work is decriminalised the legislation will change but it will take a little bit longer for societal attitudes and police attitudes to catch up. So the two are interrelated: values, attitudes and legislation are all interlinked.

788 The Hon. C.M. SCRIVEN: If I could bring you back, Mr Roberts, to what you said about advertising. It was a little unclear to me. You were saying that with someone who is working legally, if they advertise certain services or whatever, they would be prosecuted, but that someone who is working illegally, could advertise their services and not be prosecuted. That appeared to be the outcome of what you said.

Mr ROBERTS: I may not have been clear about what I was saying so I will just clarify that now. The Victorian legislation or the advertising regulations make it an offence for an independent sex worker to advertise or describe in an advertisement the services that they provide, so any description of services in a private worker advertisement is an offence here in Victoria, and so once a sex worker chooses to describe her services then they are potentially risking prosecution.

789 The Hon. C.M. SCRIVEN: Yes, but how does that work for someone who is working outside of the legal sector—presumably they could not advertise either.

Mr ROBERTS: As I said, those regulations apply to everyone so if you have got somebody who is breaking other laws, then this law would still apply and would just add multiple offences to what that person is doing.

790 The Hon. C.M. SCRIVEN: So they would be in the same situation essentially. In terms of Sex Work Law Reform Incorporated, how many members do you have?

Mr ROBERTS: We have a board of five members who make up the incorporated association.

791 The Hon. C.M. SCRIVEN: So you don't have membership as such?

Mr ROBERTS: No. It's like a lot of incorporated associations: there's that board of five members that is voted on annually, which is a common way to operate not-for-profits.

792 The Hon. C.M. SCRIVEN: Where are those five board members drawn from?

Mr ROBERTS: People who contact us who express an interest in being a part of the organisation. We maintain networks with the industry and beyond, so we are in constant contact with people who have an interest in our objectives.

793 The Hon. C.M. SCRIVEN: Looking at page six of your submission, which is around enforcement of South Australian sex work laws, you said that there were 10 offences relating to children in the sex industry. Do you know how those offences were uncovered?

Mr ROBERTS: I do not know how they were detected. The data in the graph that you refer to on page 6 of our submission reports, as you say, that there were 10 offences relating to underage or children in the sex industry. That data came from the Attorney-General's Department and it was police offending data. The data that we obtained does not provide details about how those crimes were detected. That would be a question that you would need to put to South Australia Police.

794 The Hon. C.M. SCRIVEN: On page 14 in regard to offences relating to children in the sex industry in Victoria, there are 78 such offences. Do you know how they were uncovered?

Mr ROBERTS: The same situation applies in Victoria in relation to the data there. We obtained the data from the Crime Statistics Agency in Victoria and, again, there are no details about how those crimes were detected or the details of the individual offences.

795 The Hon. C.M. SCRIVEN: Certainly when a similar bill was being debated in our parliament in this term, the police gave evidence that and suggested that the fact that they could enter brothels enabled them to uncover other crimes. Do you have any reason to think that that ability was not one of the reasons that these offences against children were able to be identified?

Mr ROBERTS: As somebody who doesn't work in Victoria Police and is not privy to their procedures and protocols, I can't really comment on that. What I would say is that we would support police powers of entry to brothels being similar to police powers of entry to similar service-type businesses. If police powers of entry are sufficient in other industries, we believe they should be sufficient for the sex industry.

796 The Hon. N.J. CENTOFANTI: Thank you for your evidence here this afternoon. Just on those graphs, as a percentage of recorded offences between that period of 2016 and 2020, I worked out that in South Australia 2.7 per cent of those were relating to children in the sex industry, and as a percentage of the recorded offences in Victoria, they recorded that 16.1 per cent of total offences were offences relating to children in the sex industry.

So given that Victoria has currently a legalised model and sees a greater percentage of offences related to children in the sex industry, what evidence do you have that children will be safer under a decriminalised model compared to a criminalised or partially criminalised model?

Mr ROBERTS: Our submission didn't actually talk to that specific question, but what our submission did talk to is in the notes below the chart that you refer to there, we actually provided a warning about comparing the offending data between jurisdictions. The reason for that is that the sex industry in Victoria is very different from South Australia—different population size, different migration patterns, different size cities.

What I think would provide more light to the question that you're asking me is to look at changes in offending against children over time in a single jurisdiction. I'm not aware personally of any evidence that would shed light on that—on the specific question that you've posed to me. All I can say is that in both the jurisdictions, fortunately, we are not seeing high rates of offending against children, and that's a good thing.

797 The Hon. N.J. CENTOFANTI: I just wanted to say just for clarification that's why I did a percentage of recorded offences, so that that was a percentage of the total offences for Victoria

and the total offences for South Australia, so I wasn't comparing the two jurisdictions in their total population—just for clarity.

Mr ROBERTS: Yes.

798 The Hon. C.M. SCRIVEN: One of the issues we have here in South Australia is in regard to street soliciting, and in one particular area of our city or suburbs, schoolgirls walking home from school are accosted by men seeking sex from them, because it's a well-known area for the street sex trade. Noting your Victorian statistics, it is showing that there are 27 offences in relation to clients attempting to procure. Do you see that as a positive thing, that people, that men—and I'm assuming men because 98 per cent of clients are men—are trying to procure on the street?

Mr ROBERTS: First of all, I just want to clarify that in the chart you refer to on page 8 of our submission, which shows the Victorian data, the street solicitation offences that you refer to actually refer to both offences by clients—which, as you say, are overwhelmingly men—but also sex workers and—

799 The Hon. C.M. SCRIVEN: If I may interrupt just to clarify, I am looking at page 13—where it refers to the street sex work offences under the Sex Work Act, section 12(2)(b), and then cross-referencing that to the act—is offences by clients.

Mr ROBERTS: I understand that, apologies. Your question was about how do we feel about the fact that the men, the clients, are being charged in that way. We support the full decriminalisation of sex work for both clients and sex workers of all genders. We do not support clients of street-based sex workers being criminalised or facing offences, and that's the policy position of our organisation and of every other sex worker rights organisation in the country.

800 The Hon. C.M. SCRIVEN: What would you say to those parents of girls who are being accosted on their way home from school, for example?

Mr ROBERTS: I'm not aware of the reports of what is happening in South Australia that you refer to, so I can't speak to the prevalence of that behaviour occurring. I do note that it is an offence in South Australia for that to occur already and that the police have not charged many people with that particular offence, so either it's occurring to a large extent and not being detected by police or it's not occurring in the way that you just described.

801 The Hon. C.M. SCRIVEN: Yes, exactly, which is part of my point—that it appears to be more effective in Victoria in charging clients or potential clients under these sorts of offences, despite the fact that it's a legalised model there.

802 The CHAIRPERSON: Thank you for your evidence today. Do any members have any further questions? Did you have any final statements for us?

Mr ROBERTS: Just a brief final statement that I very much hope that South Australia is able to decriminalise sex work via a bill in the future and best of luck with the reform process in South Australia.

803 The CHAIRPERSON: Thank you. As I indicated at the start, the transcript will be forwarded to you for any clerical corrections. We wish you well in Victoria and look forward to the debate progressing there, certainly from my perspective I do. We thank you for your time today and the submission that you have made.

Mr ROBERTS: Thank you very much.

[Videoconference concluded]

WITNESS:

POLSON, LORETTA, Polson Legal

804 The CHAIRPERSON: Welcome to the meeting. The Legislative Council has given the authority for this committee to hold public meetings. A transcript of your evidence today will be forwarded to you for your examination for any clerical corrections. I advise that your evidence today is being broadcast via the Parliament of South Australia website.

Should you wish at any time to present confidential evidence to the committee, please indicate and the committee will consider your request. Parliamentary privilege is accorded to all evidence presented to a select committee; however, witnesses should be aware that privilege does not extend to statements made outside this meeting. All persons, including members of the media, are reminded that the same rules apply as in the reporting of parliament.

We would like to acknowledge that the land we meet on today is the traditional lands of the Kurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

Good afternoon. My name is Tammy Franks. I am the Chair of this select committee inquiring into the Statutes Amendment (Repeal of Sex Work Offences) Bill 2020. To my right in the room I have the Hon. Heidi Girolamo and the Hon. John Darley. To my left in the room are the Hon. Clare Scriven and the Hon. Irene Pnevmatikos. Joining us remotely—and do excuse the technology—is the Hon. Nicola Centofanti, who is there, except we have found that she is working better if we turn the video off.

Please introduce yourself and make any opening statement. We have received both your original submission and also the one that you have sent most recently. If you would like to speak to those, then we will move into questions.

Ms POLSON: My name is Loretta Polson and I am a solicitor with over 35 years of experience. I am a member of the Law Society of South Australia. In the past, I have been a member of the Council of the Law Society, and in January of next year I will commence a fresh two-year term in that role.

Parliament has received the submission dated 6 May 2021 appearing on the Law Society letterhead. Although that submission is on a Law Society letterhead, the views set out in that letter cannot be treated by parliament as representative of the views of the Law Society membership as a whole. There has not been any polling or any widespread consultation within the profession and in respect of the proposed bill.

The submission, as you know, makes reference to the Women Lawyers Committee and purports to put forward the views of that committee as representative of Law Society members. It is important that you know that the Women Lawyers Committee comprises 12 people. However, there are 3,986 Law Society members. You also need to know that not all lawyers in South Australia are Law Society members. The current number of people in South Australia with practising certificates, which means that they are entitled to practise the profession of the law, is 4,278.

When you look at the number of practising lawyers in South Australia or the Law Society membership, it is clear that the Women Lawyers Committee comprises a small and, I suggest, insignificant number of lawyers. The members of that committee have no specialist knowledge or experience on this topic. They are on that committee by virtue of their gender, and many of them have been in the world for less time than I have been a lawyer. I reiterate that on the topic that you are considering there has been no canvassing of Law Society members in order to gauge the views of the majority and in respect of the proposed bill.

In any event, I suggest that on this topic the views of lawyers are no more important than the views of any other members of the public. This is because the issue is a social policy issue.

It is not an issue of legal implementation. Lawyers have no more expertise on this area than any other member of the public. I stress: it is a social policy.

No politician can take comfort from the Law Society submission dated 6 May, or indeed any other submissions put forward by the Law Society on this topic. The latest submission represents the views of 12 members of the Women Lawyers Committee and the signatory of that letter. Other lawyers may agree with their views. We don't know, because there has been no polling or widespread consultation.

The converse is also true: other lawyers may disagree, and I know for a fact that many strongly disagree with the views put forward in that submission. Therefore, to consider that the content of the letter is representative of the views of the Law Society membership is false and misleading, and no-one can say otherwise. Thank you.

805 The CHAIRPERSON: Thank you, Ms Polson. Are you saying that when the President of the Law Society presented to this committee on 31 May this year she did not do so appropriately?

Ms POLSON: I'm saying that she put forward her views and the views as put forward by the members of the Women Lawyers Committee.

806 The CHAIRPERSON: So she did not speak for the Law Society; is that what you are saying to me?

Ms POLSON: She did not speak for the membership of the Law Society.

807 The CHAIRPERSON: How is that resolved—to speak on behalf of the Law Society when you're the president?

Ms POLSON: That is a problem, and it is a very serious problem.

808 The CHAIRPERSON: She's not the first President of the Law Society to have these views and to present similar views on behalf of the Law Society on this matter, though, is she?

Ms POLSON: I am familiar with previous submissions that have been signed by Law Society presidents, yes.

809 The CHAIRPERSON: I can think of at least five that have held the same views.

Ms POLSON: Yes.

810 The CHAIRPERSON: How is the Law Society president position determined?

Ms POLSON: A vote of members. It is not a compulsory vote.

811 The CHAIRPERSON: It's a voluntary vote?

Ms POLSON: A voluntary vote.

812 The CHAIRPERSON: That takes place, I take it, at an AGM or similar?

Ms POLSON: It's remote polling by CorpVote ballot box.

813 The CHAIRPERSON: So it's an election?

Ms POLSON: It's an election.

814 The CHAIRPERSON: And they happen I think annually; is that the case?

Ms POLSON: Yes, they do. To my knowledge, this issue has never been put forward as an election policy platform.

815 The CHAIRPERSON: What issues have been put forward as an election policy platform by the president of a Law Society candidate?

Ms POLSON: No particular issues.

816 The CHAIRPERSON: Did you take this up internally with the Law Society before presenting—

Ms POLSON: Yes, I have.

817 The CHAIRPERSON: —and providing this submission today?

Ms POLSON: Yes, I have.

818 The CHAIRPERSON: Could you explain what you have done in terms of addressing this internally with the Law Society?

Ms POLSON: I have complained to the president.

819 The CHAIRPERSON: And what response did you receive?

Ms POLSON: She indicated that we are all entitled to our own opinions, and she also indicated that there is a plurality of views within the profession.

820 The CHAIRPERSON: Did you find that satisfactory?

Ms POLSON: No.

821 The CHAIRPERSON: Why not?

Ms POLSON: Because she has purported to speak on behalf of the Law Society membership and that's why I am here—to clarify that she doesn't.

822 The CHAIRPERSON: As President of the Law Society, does she not have some authority to speak on behalf of the Law Society?

Ms POLSON: Not on this topic.

823 The CHAIRPERSON: Why not?

Ms POLSON: Because there's nothing in the Legal Practitioners Act that gives her that authority.

824 The CHAIRPERSON: Okay, thank you.

825 The Hon. C.M. SCRIVEN: Thank you, and thank you for appearing today, Ms Polson. You said, I think, and please correct me if I'm wrong, that the President of the Law Society indicated to you that there was a plurality of views within the society.

Ms POLSON: Yes.

826 The Hon. C.M. SCRIVEN: Was that indicated in writing or verbally?

Ms POLSON: Yes, it was a personal email to me.

827 The Hon. C.M. SCRIVEN: I would like to refer back to your original submission as well, and I'm keen to get some more commentary from you in regard to that. On page 2 of your submission, you talked about the view that:

...decriminalisation of sex work is necessary to improve the health and safety conditions of sex work. The decriminalisation of sex work promotes a stigma which is a barrier to sex workers seeking medical and psychiatric assistance.

And then you have put:

Arguing that we need to provide medical and psychological assistance ignores the point that the assistance is needed because the work is physically dangerous and unhealthy. It is psychologically disturbing.

Did you want to just expand on what led you to that position?

Ms POLSON: I have acted for a number of sex workers and I have had first account. I have heard the traumas they have experienced as a consequence of working in this industry. I have also had the misfortune of working for brothel owners who have no regard for anyone or anything except their bottom line.

828 The Hon. C.M. SCRIVEN: Do you have any reason to think that what you have just said, 'no regard for anyone except their bottom line,' would change if the industry was decriminalised?

Ms POLSON: Not at all. It would make it easier for them. It would make it easier for them to recruit and exploit.

829 The Hon. I. PNEVMATIKOS: How many sex workers have you had the opportunity of representing?

Ms POLSON: Nine.

830 The Hon. I. PNEVMATIKOS: I'm a lawyer too, and I have represented injured workers. The horrific accidents that I have been exposed to in terms of injured workers only represents a small minority of the workforce per se. Your nine sex workers would fit in that same category, so you might have seen a few examples.

Ms POLSON: I do not think that my nine sex workers would fit in the category of any other injured worker. We are dealing with a specific job.

831 The Hon. I. PNEVMATIKOS: I understand the job, but it's highly representative. You seem to regard the issue of representation and expressing views, the need to poll in your own organisation.

Ms POLSON: I'm sorry, I didn't understand the question. Is that a question or a comment?

832 The Hon. I. PNEVMATIKOS: No, I am getting to the question. For me, what is the difference? Having nine clients as sex workers is hardly representative of the sex industry population.

Ms POLSON: Possibly. I don't know. I can only speak by what I have heard, what I have seen.

833 The Hon. I. PNEVMATIKOS: Fair enough. That's what most people do, they speak based on their own experiences.

Ms POLSON: Yes.

834 The Hon. I. PNEVMATIKOS: The other issue that I would like to just clarify with you is in terms of the Law Society. This parliament consults the Law Society on a range of issues, whenever legislation either has been drafted or is being debated.

Ms POLSON: I am aware of that.

835 The Hon. I. PNEVMATIKOS: The Law Society were not consulted on social policy issues per se, they were consulted on legislation, and so they made comments. Are you suggesting that every time the Law Society—and that could happen on numerous occasions every week—is asked to comment, they need to poll all their membership?

Ms POLSON: I am not suggesting that at all.

836 The Hon. I. PNEVMATIKOS: But for legislation on sex work they should?

Ms POLSON: No, I didn't say that at all.

837 The Hon. I. PNEVMATIKOS: Well, what do you think?

Ms POLSON: What I said was that 12 people have put forward a submission on behalf of the Law Society. There are 3,986 members of the Law Society. The people on the Women Lawyers Committee have no particular expertise or experience on this topic. They are, for the most part, young women. That is the point that I have made.

838 The Hon. I. PNEVMATIKOS: If you have issues about the Law Society, you need to address them within the Law Society.

Ms POLSON: No—

839 The Hon. I. PNEVMATIKOS: Yes, because your opening submission was about how the Law Society functions and whether or not it is representative. That's your business; you need to address that elsewhere. All we require here on this committee is—we are seeking views and opinions based on the legislation that we are considering.

Ms POLSON: I am a member of the public and I am entitled to come here as a member of the public.

840 The Hon. I. PNEVMATIKOS: That's why we are listening to you.

Ms POLSON: Yes, thank you.

841 The Hon. I. PNEVMATIKOS: But we can't address your Law Society issues.

Ms POLSON: I did not come here to address my Law Society issues.

842 The Hon. I. PNEVMATIKOS: That's what your opening statement was about.

Ms POLSON: No, I have come here to make it crystal clear that there has been no polling of the Law Society members, and on this particular issue, the submission dated 6 May is representative of 12 people plus the signatory of that letter. I am not here to talk about what the Law Society should or should not do, but to make it clear to parliament that that letter represents the committee and the signatory to that letter.

843 The CHAIRPERSON: Thank you. We now have questions from the Hon. Nicola Centofanti, then the Hon. Heidi Girolamo, then me as the Chair.

844 The Hon. N.J. CENTOFANTI: Thank you, Ms Polson. How long have you been a member of the Law Society for?

Ms POLSON: I have been a lawyer for over 35 years. In terms of membership, I can't remember.

845 The CHAIRPERSON: You can take that on notice, if you like.

Ms POLSON: Yes.

846 The Hon. N.J. CENTOFANTI: That was going to lead to my next question. Historically, is it usual process for the Law Society to comment on legislation regarding social issues?

Ms POLSON: All legislation, to some extent, has a social policy aspect of it. The process is: when a submission is received, the draft bill will be passed to a committee, which may have a particular interest in the topic. The Law Society chose, for whatever reason, to pass this on to the Women Lawyers Committee. That is how it operates.

847 The Hon. N.J. CENTOFANTI: Is there any reason why it wasn't passed on to the Human Rights Committee?

Ms POLSON: I believe that at some point in the past the Human Rights Committee have been given the opportunity to make a submission—not on this bill, but in the past I think they have.

848 The Hon. N.J. CENTOFANTI: Thank you.

849 The Hon. H.M. GIROLAMO: Just a supplementary on to what we were discussing about the Law Society. From your perspective, you are just wanting it to be noted that it is the opinion rather than the views of the membership.

Ms POLSON: That's right. Yes, thank you.

850 The Hon. H.M. GIROLAMO: Is there anything you want to table for evidence of that, like your email correspondence or anything like that, or are you comfortable to be able to communicate?

Ms POLSON: I have actually sent a letter to parliament.

851 The Hon. H.M. GIROLAMO: Has it been—

Ms POLSON: On 9 November I sent a letter.

852 The Hon. H.M. GIROLAMO: Yes, that is all we have.

Ms POLSON: That is all I need.

853 The Hon. H.M. GIROLAMO: Thank you.

854 The CHAIRPERSON: We received and published that one today. I was interested in the nine workers you represented. What were they charged with?

Ms POLSON: They weren't charged with anything. They came to me in relation to other matters.

855 The CHAIRPERSON: Okay, so you haven't actually had dealings with the various criminal offences under the Summary Offences Act or the Criminal Law Consolidation Act that this bill is inquiring into?

Ms POLSON: No.

856 The CHAIRPERSON: Have the women on the women's committee of the Law Society had experience in representing women or sex workers in fact who have been charged with those offences that we are dealing with in this inquiry?

Ms POLSON: I wouldn't know, but judging from the membership, I would find it surprising. But I wouldn't be able to say.

857 The CHAIRPERSON: Why would you find it surprising?

Ms POLSON: One is a tax lawyer. One is a commercial lawyer.

858 The CHAIRPERSON: You said they were young women?

Ms POLSON: Yes.

859 The CHAIRPERSON: You don't think that they have had experience in representing and working with these particular laws that we are looking at in this inquiry?

Ms POLSON: Probably not.

860 The CHAIRPERSON: Is that simply because of their youth?

Ms POLSON: Yes.

861 The CHAIRPERSON: Thank you. Further questions?

862 The Hon. C.M. SCRIVEN: Yes. I just wanted to confirm that one of your major issues that you wanted this committee to be aware of was that the correspondence from the President of the Law Society said, 'The society has taken this opportunity to consult its criminal law, women's lawyers and human rights committees' etc., but then it appears, which is not their quote here, that the consultations referred to in the letter dated 1 July 2021 comprised informal chats between unidentified individuals. So you are particularly concerned that there weren't minutes, there was no formal consultation, there was no formal record of these consultations that were referred to; is that right?

Ms POLSON: Yes, that is correct. I raised that at the AGM and we had robust discussion about that topic. The Legal Practitioners Act requires minutes in respect of any meeting of any committee and they need to be provided to a legal practitioner upon request. I have requested those as the Legal Practitioners Act allows me to do and there are no minutes. I consider that a very serious issue.

863 The Hon. C.M. SCRIVEN: Coming back to the issue that was raised earlier and also in your submission in regard to safety, are you aware of research which suggests that the significant health and safety risks, particularly medical and psychological risks, are not simply a minority? For example, I have referred previously to international peer-reviewed reports that indicate 68 per cent experience PTSD, so is that consistent with research that you have done?

Ms POLSON: Yes. I have done the reading and I am aware of that research—not as an academic of course, just as an interested member of the public. I have read the submission of Professor Joanna Howe and other submissions.

864 The Hon. C.M. SCRIVEN: Okay, thank you.

865 The CHAIRPERSON: Turning to your original submission, I quote:

Recently, a Senior Sergeant of the Federal Police shared the details of a licensed brothel in Victoria. A woman had been recruited from overseas for the purpose of working in the brothel. The woman was aware that she would be undertaking sex work. She was not aware that she would have to pay the cost of her relocation which was unilaterally determined to be \$40,000. In order to pay this off she would be required to service 900 customers.

I have not been able to locate the source for this. Could you provide that?

Ms POLSON: A public meeting. The Flinders University arranged for a public lecture on the topic of slavery in Australia.

866 The CHAIRPERSON: Was this a 2005 case of Ms Wei Tang in an AFP submission to a Senate committee that this particular case was taken from?

Ms POLSON: I don't know, but I can give you the name of the sergeant. I will just make a note and write to you with the name of the sergeant and the date of that public meeting.

867 The CHAIRPERSON: Well, I'm actually after the case, so not the name of the sergeant.

868 The Hon. C.M. SCRIVEN: Do you want to take that on notice?

Ms POLSON: I don't know if I will be able to get the name of the case.

869 The CHAIRPERSON: This appears to be a case that was in fact the ACT and did lead to the conviction of the offender.

Ms POLSON: She was a Victorian sergeant.

870 The CHAIRPERSON: A Victorian sergeant. But are you sure that this case was in Victoria?

Ms POLSON: I'm not sure.

871 The CHAIRPERSON: Your submission says that she was under the licensed regime in a brothel in Victoria.

Ms POLSON: A senior sergeant of the Federal Police, 'licensed brothel in Victoria', yes.

872 The CHAIRPERSON: If you can provide further information. I am interested. It doesn't appear to be a case that we can find a source for in Victoria, and I do ask if it is perhaps the ACT case.

873 The Hon. C.M. SCRIVEN: We have heard obviously very diverse views and often conflicting views about this topic, and one of those centres around the idea that this is a job like any other and that therefore it's about work health and safety and SafeWork being resourced to be able to, for example, investigate situations in brothels if decriminalisation was to occur and, similarly, that this is about women and their autonomy over their own bodies. Are you able to make any comments on both of those matters?

Ms POLSON: A sexually empowered women does not sell her body to a stranger for money.

874 The Hon. C.M. SCRIVEN: Do you want to expand on that?

Ms POLSON: I don't see that this is a job like any other. It's degrading, demeaning, humiliating. There is no career path. It does not give anyone autonomy. The people who will be going into this work will be the disenfranchised, the dispossessed. You're not going to find any of my darling young colleagues lining up to work in a brothel because they have choices, which a lot of people don't have.

875 The CHAIRPERSON: I have a final question. You have acted for brothel owners. In what capacity have you acted for them and how many?

Ms POLSON: Brothel owners have diverse issues, like anyone else. They have family disputes, they have marital disputes, and so forth.

876 The CHAIRPERSON: How did you know they were brothel owners?

Ms POLSON: They tell me, and in the course of acting for them I have reason to receive confirmation.

877 The CHAIRPERSON: How was it that you described these brothel owners in your earlier presentation?

Ms POLSON: My earlier presentation today?

878 The CHAIRPERSON: Yes.

Ms POLSON: People who are only interested in the bottom line.

879 The CHAIRPERSON: So you have contempt for these clients you have represented, or is it okay that they are only interested in the bottom line? Do you have contempt for those clients you have represented?

Ms POLSON: I have contempt for the industry in which they operate.

880 The CHAIRPERSON: Do you feel that you perhaps were not the best person to represent them if you have such contempt for them?

Ms POLSON: I'm sorry, I don't understand that question. Can you clarify that?

881 The CHAIRPERSON: Well, you made some pretty disparaging comments about 'all brothel owners'. I actually know some brothel owners and they are lovely people. I would find it horrific for them—people I consider friends—to be described that way. You have certainly cast a wide net and made a very large generalisation about what you believe a brothel owner to be—

Ms POLSON: Yes.

882 The CHAIRPERSON: —and noted that they have been your clients, and I am just a little taken aback that you would talk about your clients in such a way.

Ms POLSON: They had a very good outcome. They had come to me to sort out their problems. They don't need to be my friend and I don't need to be their friend.

883 The CHAIRPERSON: This is not about friendship. I am saying I actually know some people who have been brothel owners and have found them to be genuine, decent, lovely, giving people.

Ms POLSON: Maybe. I'm sure there are lots of nice people out there. Unfortunately, the ones I have seen and have met have not been so nice. Lawyers don't choose their clients.

884 The Hon. I. PNEVMATIKOS: Just one final question. Your submission—because I noticed there are no references in it—were you relying on research or other documents, or is this just your personal view?

Ms POLSON: My submission was a response to the submission dated 6 May, which doesn't have any—

885 The Hon. I. PNEVMATIKOS: Which the Law Society made.

Ms POLSON: Yes, which doesn't have any references either. It was a riposte.

886 The Hon. I. PNEVMATIKOS: And you were expressing your personal views.

887 The Hon. C.M. SCRIVEN: If I can just clarify, the submission of 6 July does have references in it, from Ms Polson.

888 The Hon. I. PNEVMATIKOS: Thanks for enlightening us.

889 The CHAIRPERSON: Alright, if there are no further question, thank you for your time today and for your two submissions.

Ms POLSON: Thank you very much, ladies and gentlemen.

890 The CHAIRPERSON: As I noted, the transcript will be forwarded to you for any clerical corrections. Thank you.

THE WITNESS WITHDREW