



**National Council of  
Women of New Zealand**

Te Kaunihera  
Wahine O Aotearoa

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S06.05

**Submission to the Local Government and Environment Select Committee  
on the  
Manukau City Council (Control of Street Prostitution) Bill  
Local Bill 2005 No 6-1**

The National Council of Women of New Zealand (NCWNZ) is an umbrella organization representing 38 Nationally Organized Societies. It has 32 branches throughout the country attended by representatives of those societies, as well as some 150 other societies, and a number of individual members. The Councils function is to work for the well-being of women, the family and the community at local, national and international levels through research, study, discussion and action.

NCWNZ is pleased to have the opportunity to comment on this Local Bill that follows on from the Prostitution Reform Act 2003. Although prostitution is a subject on which it is very hard to gain consensus, at its National Conference in 1996 NCWNZ urged "the introduction of legislation to decriminalise prostitution related offences while maintaining legislative controls to protect the independence and welfare of sex workers".

When debating the Prostitution Reform Bill, NCWNZ members supported the decriminalisation of prostitution while making it clear that they did not condone prostitution. NCWNZ created policy in 2004 that it does not condone prostitution or the purchase of sexual services.

To quote from our submission to the Prostitution Reform Bill:

"NCWNZ strongly supports this bill which aims to safeguard the rights of women and children, provides for protection from exploitation and seeks to create an environment that promotes public health. It is essential that women working in the sex industry have protection regardless of whether they have chosen the industry as a career or have come into the industry because of a lack of options."

This lack of options is pertinent given the socio-economic status of Manukau City with its high risk population and issues identified in the Manukau City *Operative district plan 2002* such as:

- financial hardship, ... forcing people on low incomes to share their accommodation with others;
- high youth unemployment, ... and
- increasing ethnic diversity ...

NCWNZ appreciates that this Bill stems from the legislation and provisions of the Prostitution Reform Act 2003 in that each local government area must set its own requirements in law. The purpose of this Bill is to prohibit soliciting and associated conduct in public places in the District of the Manukau City Council.





**Part 2 Soliciting and related nuisances**

**Clause 6 Soliciting or loitering for purposes of prostitution**

While NCWNZ has empathy with Manukau City Council, we could not support a Bill that would reinstate the summary offence of soliciting in a public place which the Prostitution Reform Act 2003 Part 4 s 48 repealed.

**Part 4 Powers of police**

**Clause 12 Police may require certain information**

This Clause, giving the police powers to request details of name and address, and the names and addresses of other people connected with the alleged offence, is believed to be in conflict with the provisions of the New Zealand Bill of Rights Act 1990, which in s23(4) gives anyone arrested or detained for any offence or suspected offence “the right to refrain from making any statement and to be informed of that right”. Concern was also expressed at the level of fine to be imposed, and whether the \$5000 fitted within the Bill of Rights definition, in s9, of “disproportionately severe treatment or punishment”.

NCWNZ does not support this Bill in its current form.

Christine Low  
**National President**

Beryl Anderson  
**Parliamentary Watch Committee**