# 9. REPORT OF THE SELECT COMMITTEE ON THE MANUKAU CITY COUNCIL (CONTROL OF STREET PROSTITUTION) BILL

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#### **PURPOSE OF REPORT**

 The purpose of this report is to advise the Council of the findings and recommendations of the Local Government and Environment Committee Select Committee on the Manukau City Council (Control of Street Prostitution) Bill and recommend that no further consideration be given regulatory action on the matter until after the Prostitution Law Review Committee has reported in 2008.

#### **EXECUTIVE SUMMARY**

- 2. The Council considered a report on the Bill being put forward by Manukau City Council which had as its purpose the prevention of street prostitution by enforcement means to overcome what was seen as nuisance or offensive behaviour associated with such activities. This was firstly considered at a seminar on the 8 February 2006 and officers were asked to report further on options for the Council concerning measures to address the issues in Christchurch as far as these were similar to those purported to be occurring in Manukau City. The Council, at its meeting on the 23 February 2006, resolved to: Initiate action to investigate putting forward to Parliament a local bill for the prohibition and control of street prostitution in the district of the Christchurch City Council; ...and to make a submission supporting the general purpose and intention of the Bill and advising of the intention to put forward a similar local Bill for Christchurch City.
- 3. The Bill prepared by Manukau City Council had as its purpose the prevention of street prostitution by enforcement means to overcome what was seen as nuisance or offensive behaviour associated with such activities. The Bill was also based on community concerns that had arisen during their consultation on the introduction of a brothels bylaw. They had investigated the possibility of introducing a bylaw to control street prostitution by prohibiting such activities but were advised that a bylaw could not contain adequate provisions to do so, nor contain appropriate provisions to ensure effective enforcement by either Council staff or the Police.
- 4. The background to the Manukau City Council Bill was stated to be problems associated with street prostitution in some areas of Manukau City which apparently neither the Police nor the Council could resolve even under the provisions of the law applying prior to the introduction of the Prostitution Reform Act 2003. That Act effectively removed some provisions of the law applying to the operation of brothels (but added further controls over such if territorial authorities decided to introduce these); soliciting for sexual services was removed as an offence; but other offences associated with public behaviour contained in the Summary Offences Act 1981 and the Crimes Act 1961, for example, were not changed. While the Manukau City Council argued it did not have sufficient powers to control behaviour alleged to be associated with street prostitution what their Bill sought was in effect to prohibit or punish street prostitution *per se*.

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<sup>&</sup>lt;sup>1</sup> In the background papers to considering the matter the Manukau City Council referred to the police reporting that due to legislative constraints enforcement and policing of street prostitution was problematic. This appeared to be largely in regard to proving soliciting had occurred, and surprisingly that the offer had been taken up. As prostitution was not illegal the latter point is moot. The Police indicated that despite accepting that the local community had concerns about the activity they needed to direct their time and resources where they are most required and issues of street prostitution are prioritised accordingly. The report did not indicate why enforcement of other issues raised by the Council of offences under provisions of the Crimes Act or the Summary Offences Act were not being addressed by the Police.[Report of Manukau City Council on Street Prostitution Control, Manukau City Council, July 2005]

- 5. The Bill was referred to the Local Government and Environment Select Committee which recommended to Parliament that the Bill not be passed. Parliament at its meeting on 11 October 2006 resolved that the Manukau City Council (Control of Street Prostitution) Bill not proceed to a second reading by 73 to 46 votes. They therefore accepted the majority decision of the Select Committee. A number of reasons were presented for this recommendation, not least that it would present enforcement and jurisdictional difficulties.<sup>2</sup> It was considered that the Bill would create offences that criminalise behaviour in a local area although such behaviour exists throughout New Zealand. It was also seen that re-criminalising soliciting in a local area could be considered an amendment of the Prostitution Reform Act and as such could set a significant and undesirable precedent. The provisions in clause 12 of the Bill, requiring persons suspected of an offence to provide their name and address and that of anyone else believed to be connected to the offence, appeared to infringe the New Zealand Bill of Rights Act and they considered the clause to be coercive and excessive.<sup>3</sup>
- 6. The Select Committee considered that there was sufficient legislation to deal with behaviour that the promoters of the Bill stated was associated with street prostitution. The Crimes Act 1961 and the Misuse of Drugs Act 1975 deal with gang activity and illicit drug and substance abuse; the Summary Offences Act 1981 deals with disorderly behaviour, intimidation, offensive behaviour or language, obstructing a public way, and indecent exposure; and the Litter Act 1979 makes it an offence to deposit litter in any public place or on private land. The Police have the powers to enforce such offences, as do the Council's Litter Control Officers in respect of the Litter Act.
- 7. From the experience of Manukau City Council it is clear that bylaw controls to prohibit street prostitution are not necessarily effective (and possibly *ultra vires*), and it is unclear that bylaws under the provisions of the Local Government Act 2002 to regulate such activities would be cost-effective even if it was considered there was sufficient evidence of harm caused by the activity. There is some provision to regulate *trading in public places* under section 146 of the Local Government Act 2002, that is if the offering of sexual services could be considered to fall within such a category (as it is unclear that the activity occurs in the public place), but there are extensive perceived enforcement difficulties related to such particularly as much of the activity occurs during evening and night hours. It is likely to be expensive in resources and the assistance of the Police is likely to be required as backup to Council enforcement staff from a health and safety point of view. It is unclear whether the Police would be willing to provide such support to enforce a bylaw that goes beyond the quite extensive powers they have under other legislation, as referred to in clause 6 above, to deal with significant offences that may, or may not, be associated with street prostitution.

#### FINANCIAL AND LEGAL CONSIDERATIONS

- 8. Some indication of the costs likely to be involved if regulatory means are introduced over street prostitution, if that could be undertaken by Local Act or bylaw or other controls, can only be roughly estimated. Given that the activity is operated on most nights of the week it could mean regular patrolling of the areas on a weekly basis just to undertake monitoring of the activity. Using a security firm on contract was priced at \$350 per week based on the patrol spending 1 hour per night patrolling the area (this represents \$18,200 per annum). It is likely that this would be a minimum cost and would likely grow significantly if it was required to provide evidence for any enforcement action.
- 9. It is unclear what means would be used to determine that the persons on the street were operating as sex workers with evidence that would be robust enough to take legal action. If prosecutions were to be undertaken, given that soliciting is not now illegal, some evidence as to payment for sexual services is likely to be needed. In the latter case it may be that a private investigator may be needed to obtain such evidence. If the sexual act is undertaken away from the public place it is unclear what offence is committed, unless it involves indecent exposure which may then relate to both parties and is largely a Police matter. The cost of a private investigator can be high even when the offence is clearly stated. In one case of persons using a dangerous building it cost in the order of \$17,000 excluding officers' time to bring the case to prosecution. Given that there is limited evidence of harm caused by street prostitution it is not considered cost-effective, even if it was possible to do so, to regulate the activity.

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<sup>&</sup>lt;sup>2</sup> Page 2, Report of the Local Government and Environment Committee - Manukau City Council (Control of Street Prostitution) Bill

<sup>&</sup>lt;sup>3</sup> Page 3, Report of the Local Government and Environment Committee, op cit

10. The same legal problems encountered by the Manukau Bill would also be hurdles the Council would face, if it attempted to promote a similar local Bill. These included that such a Bill presents "enforcement and jurisdictional difficulties", and it could be in conflict with the New Zealand Bill of Rights Act 1990 with some clauses being "coercive and excessive". There may also be New Zealand Bill of Rights Act issues that would arise if a bylaw was considered to be appropriate. In particular, section 155(3) of the Local Government Act 2002 provides that no bylaw can be made which is inconsistent with the New Zealand Bill of Rights Act. The Select Committee determined that "If the bill were passed, citizens would be subject to conflicting criminal laws, depending on their current geographical location". They also stated that "We believe that allowing a local Act to amend a public statute in this way would set a significant and undesirable precedent". The Manukau Bill was repugnant to the provisions of the Prostitution Reform Act 2003, and any Bill along similar lines is also likely to be.

#### STAFF RECOMMENDATIONS

It is recommended that the Council:

- (a) Take no further action to investigate and prepare a Local Bill, or a bylaw, to control street prostitution.
- (b) Rescind the previous Council resolution of 23 February 2006, to initiate action to investigate putting forward to Parliament a local bill for the prohibition and control of street prostitution in the district of the Christchurch City Council.
- (c) Participate in the Prostitution Law Review Committee survey in early 2007 and then await the receipt of the Committee's report.

#### BACKGROUND ON CONTROL OF STREET PROSTITUTION BILL OF MANUKAU CITY COUNCIL

- 11. The Council considered a report on the Control of Street Prostitution Bill being put forward by Manukau City Council at a seminar on 8 February 2006 and officers were asked to report further on options for the Council concerning measures to address the issues in Christchurch as far as these were similar to those purported to be occurring in Manukau City. The officers were requested to prepare suggested wording for a submission to the Select Committee if it was determined such would be made. (At the same seminar the details of the Manukau City Council Control of Graffiti Bill were also discussed, and a similar resolution as that set out below on the Street Prostitution Bill was made by the Council. That Bill has not yet been reported back by the Select Committee. When it does, and Parliament makes its decision, a report will be prepared for the Council on that Bill.)
- 12. The Street Prostitution Bill prepared by Manukau City Council had as its purpose the prevention of street prostitution by enforcement means to overcome what was seen as nuisance or offensive behaviour associated with such activities. The Bill was also based on community concerns that had arisen during their consultation on the introduction of a brothels bylaw. They had investigated the possibility of introducing a bylaw to control street prostitution by prohibiting such activities but were advised that a bylaw could not contain adequate provisions to do so, nor contain appropriate provisions to ensure effective enforcement by either Council staff or the Police.
- 13. The Council, at its meeting on the 23 February 2006, resolved to:
  - "Initiate action to investigate putting forward to Parliament a local bill for the prohibition and control of street prostitution in the district of the Christchurch City Council;" ... and
  - The following submission be adopted by the Council:
    - "1. The Christchurch City Council (the Council) wishes to applaud Manukau City Council's approach and intentions in introducing this bill. Although the Council does not wish to make submissions on the content of the bill, it submits that its support of the general purpose and intention of the bill should be noted by the Select Committee.
    - 2. The Council would also like the Select Committee to note that the Council has resolved to initiate action to investigate putting forward to Parliament a local bill for the prohibition and control of street prostitution in the district of the Christchurch City Council.
    - 3. The Council submits that the Select Committee should consider whether, in addition or as an alternative to this bill, legislation controlling street prostitution should be enacted, which could apply to either the whole of New Zealand, or individual areas as the need arises in those areas, instead of individual local bills being promoted for the same purposes throughout New Zealand.
    - 4. The Council wishes to appear in support of its submission."
- 14. The background to the Manukau City Council Bill was stated to be problems associated with street prostitution in some areas of Manukau City which apparently neither the Police nor the Council could resolve even under the provisions of the law applying prior to the introduction of the Prostitution Reform Act 2003.<sup>4</sup> That Act effectively removed some provisions of the law applying to the operation of brothels (but added further controls over such if territorial authorities decided to introduce these); soliciting for sexual services was removed as an offence; but other offences associated with public behaviour contained in the Summary Offences Act 1981 and the Crimes Act 1961, for example, were not changed. While the Manukau City Council argued it did not have sufficient powers to control behaviour alleged to be associated with street prostitution what their Bill sought was in effect to prohibit or punish street prostitution *per se*.

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<sup>&</sup>lt;sup>4</sup> In the background papers to considering the matter the Manukau City Council referred to the police reporting that due to legislative constraints enforcement and policing of street prostitution was problematic. This appeared to be largely in regard to proving soliciting had occurred, and surprisingly that the offer had been taken up. As prostitution was not illegal the latter point is moot. The Police indicated that despite accepting that the local community had concerns about the activity they needed to direct their time and resources where they are most required and issues of street prostitution are prioritised accordingly. No discussion appears to have occurred on other issues raised by the Council that could be dealt with under provisions of the Crimes Act or the Summary Offences Act.[Report of Manukau City Council on Street Prostitution Control, Manukau City Council, July 2005]

#### Select Committee Report (attached)

- 15. The Select Committee recommended that the Bill not be passed. A number of reasons were presented for this recommendation not least that it *would present enforcement and jurisdictional difficulties*. It was considered that the bill would create offences that criminalise behaviour in a local area although such behaviour exists throughout New Zealand. It was also seen that re-criminalising soliciting in a local area could be considered an amendment of the Prostitution Reform Act and as such could set a *significant and undesirable precedent*. The provisions in clause 12 of the Bill, requiring persons suspected of an offence to provide their name and address and that of anyone else believed to be connected to the offence, appeared to infringe the New Zealand Bill of Rights Act 1990 and the Select Committee considered the clause to be *coercive and excessive*. §
- 16. The Select Committee also considered that it could be possible the restrictive nature of the Manukau City's highly restrictive brothels bylaw, which prohibits small owner-operated brothels operating in residential areas, could have led to a perceived increase of street prostitution. But even if those provisions were more permissive it was unlikely street prostitution would cease. They did not consider there was accurate information on the numbers of street sex workers in the areas, and noted that reports of numbers of young people on the streets was not unsurprising due to the higher youth population in Manukau compared with the rest of the country. That, in their view, did not assist in quantifying numbers of sex workers, however. They considered that there was sufficient legislation to deal with behaviour the promoters of the Bill stated were associated with street prostitution. The Crimes Act 1961 and the Misuse of Drugs Act 1975 deal with gang activity and illicit drug and substance abuse; the Summary Offences Act 1981 deals with disorderly behaviour, intimidation, offensive behaviour or language, obstructing a public way, and indecent exposure; and the Litter Act 1979 makes it an offence to deposit litter in any public place or on private land. The Police have the powers to enforce such offences.
- 17. The Committee indicated, without specifying details of what provisions could be used, that territorial authorities had bylaw-making powers under section 145 of the LGA 2002 to address soliciting and related conduct. They made the point that any bylaw would need to be *consistent with the New Zealand Bill of Rights Act and not be repugnant to the Prostitution Reform Act.* It was also suggested that territorial authorities could use their district plans to control where commercial sex workers operate, despite noting that it can be difficult to address the conflict between street sex workers and residents in the affected areas. The report addresses a number of other initiatives to address street prostitution including Council-lead initiatives such as more street lighting, refuse bins, and public toilets and increased cleaning to create respect for the areas. The Select Committee mentions halfway houses to enable sex workers to obtain skills to exit the industry, safe house brothels as have been introduced in South Sydney, and tolerance zones as exist formally in Holland and somewhat informally in Sydney.
- 18. They finally refer to the review of the Prostitution Reform Act 2003, under which the Prostitution Review Committee is due to report on its findings in 2008. This will cover some of the issues in regard to street prostitution and research has already commenced on a number of matters. The Council has also been advised that the Review Committee will be inviting it (and other territorial authorities) to participate in a survey early in 2007 in relation to the review of the Prostitution Reform Act (see the notice attached to this report).

<sup>&</sup>lt;sup>5</sup> Page 2, Report of the Local Government and Environment Committee - Manukau City Council (Control of Street Prostitution) Bill

<sup>&</sup>lt;sup>6</sup> Page 3, Report of the Local Government and Environment Committee, op cit

<sup>&</sup>lt;sup>7</sup> Page 4, Report of the Local Government and Environment Committee, op cit

<sup>&</sup>lt;sup>8</sup> A recent report by the Christchurch School of Medicine undertaken as part of the review has indicated that the number of sex workers on the street has not increased since the introduction of the Prostitution Reform Act at least in the surveyed areas of Auckland, Wellington and Christchurch. [Media release University of Otago Christchurch School of Medicine Health Sciences]

- 19. The report contains the minority view of New Zealand National which states that Parliament was told that when prostitution was decriminalised there would be a reduction in street prostitution but this has not happened. They were concerned that children, girls and boys, claimed to be as young as 12 are now soliciting on the streets of Manukau. They believe councils should have the right to control the business of prostitution and keep it off their streets if that is their decision. The argument that the bill would not work because the Police do not have enough resources to enforce it was not considered to be an excuse not to do anything. They state Manukau City is concerned street prostitution is costing the ratepayers money due to Government passing responsibility to local councils causing consequential rate increases. The New Zealand National caucus determined this matter would be a conscience vote.
- 20. In Parliament at its sitting on the 11 October 2006 the Manukau City Council (Control of Street Prostitution) Bill did not proceed to a second reading by 73 to 46 votes. Parliament therefore accepted the recommendations of the majority of the Select Committee.

#### **Discussion**

- 21. As noted above the Select Committee did not accept the arguments in support of the Bill which had as its core the re-introduction of the offence of soliciting with elements of permitting entrapment as a means of obtaining evidence for such offences. As also pointed out, the Select Committee did not consider some provisions complied with the New Zealand Bill of Rights Act 1990. On the face of it, it would not comply with section 28 of the Bill of Rights Act in that street prostitution has never been illegal in recent times (although soliciting was) 9. Section 28 states an existing right or freedom shall not be held to be abrogated or restricted by reason only that the right or freedom is not included in this Bill of Rights or is included only in part. The supporting arguments for the Manukau City Bill clearly pointed to the significant difficulties in enforcing provisions previously existing when "soliciting" was an offence and it is unlikely that even providing for "entrapment" provisions as suggested would necessarily improve the rates of success. As far as can be determined there was limited evidence that sexual activity occurred on the street or in public places, and if so it could be dealt with under other legislation.
- 22. It should be noted that the Select Committee when considering the Prostitution Reform Bill originally considered the matter of street prostitution. The report stated: We do not agree decriminalisation will see such an increase in soliciting that it warrants imposing zoning restrictions or prohibitions. We would suggest that if soliciting activities reach a level of constant and ongoing harassment, the offences of offensive and disorderly behaviour in the Summary Offences Act 1981 could be widened or those of intimidation, obstructing a public way, or indecent exposure currently in that Act could be used. In addition to these offences there are offence provisions in both the Harassment Act 1997 and the Crimes Act 1961 that could be used in this context. Sections 125 and 126 of the Crimes Act make it an offence to do an indecent act in a public place, and to do an indecent act with the intent to insult or offend any person.<sup>10</sup>
- 23. From the experience of Manukau City Council it is clear that bylaw controls to prohibit street prostitution are not necessarily effective (and possibly *ultra vires*), and it is unclear that bylaws under the provisions of the Local Government Act 2002 to regulate such activities would be cost-effective. There is some provision to regulate *trading in public places* under section 146 of the Local Government Act 2002, that is if the offering of sexual services could be considered to fall within such a category, but there are extensive perceived enforcement difficulties related to such, particularly as much of the activity occurs during evening and night hours. It is likely to be expensive in resources and the assistance of the Police is likely to be required as backup to Council enforcement staff from a health and safety point of view. It is unclear whether the Police would be willing to provide such support in a matter that goes beyond the quite extensive powers they have under other legislation as referred to above to deal with significant offences that may, or may not, be associated with street prostitution.

<sup>&</sup>lt;sup>9</sup> Prostitution itself is not an illegal activity in New Zealand. Report of the Justice and Electoral Committee on the Prostitution Reform Bill, Wellington, 26 November 2002

<sup>&</sup>lt;sup>10</sup> Report of the Justice and Electoral Committee on the Prostitution Reform Bill, Wellington, 26 November 2002

24. The objective view in dealing with street prostitution, and considering whether it is necessary for the Council to take any steps, relates to determining the harm that is occurring, and whether or not it can be dealt with under the legislation quoted above. In the case of Manukau City the areas where perceived problems occur are alleged to be gathering places for young people. some of whom may be sex workers, and similar situations occur in the Manchester Street area of Christchurch where some sex workers operate to meet clients. In the latter case the problems occurring in the area, such as noise from loud conversations; litter; using residents' gardens as toilets; and unsafe parking practices, were contributed to by patrons of the bars and other night activities in the commercial areas of Manchester Street. 11 The matter raised by the Select Committee Minority view that children, girls and boys, claimed to be as young as 12 are now soliciting on the streets of Manukau is enforceable under the current Prostitution Reform Act if evidence could be obtained by the Police. In all such cases the ability to enforce laws restricting behaviour, particularly when the offences are not immediately obvious, nor in many cases significantly important in societal terms is difficult. In general in relation to street prostitution, for example, controls are unlikely to satisfy criteria contained in the Code of Good Regulatory Practice of the Ministry of Economic Development. 12

#### **Options**

- 25. One option is to resolve not to undertake the preparation of a Local Bill (or a bylaw) but await the review of the Prostitution Reform Act 2003 which is to occur in 2008. A Prostitution Law Review Committee has been established under part 4 of the Act and commenced work on the review in June 2006, and are intending to report by June 2008. They are asking territorial authorities to participate in a survey to be conducted in early 2007. While the review does not specifically focus on street soliciting the Select Committee report indicates that the Review Committee is likely to consult with territorial authorities about street soliciting issues. The Select Committee indicated they were concerned about the increasing amount of antisocial behaviour apparently occurring in New Zealand urban areas, to which this bill appears in part to be a reaction, .... However, the majority of the committee does not believe that having a local law different from the national law in respect of prostitution is workable.<sup>13</sup>
- 26. A second option is for the Christchurch City Council to undertake some positive activities, such as supporting groups such as the Prostitutes Collective, the Salvation Army outreach programme, and the Youth and Cultural Development group, and provide services as suggested in the Select Committee report, and which have previously been raised in Christchurch, of more street lighting, refuse bins, and public toilets and increased street cleaning in the appropriate areas. The matter of the provisions of more support services and even safe-house brothels providing facilities for individual use could be considered if serious concerns exist regarding sex worker's safety. Support for these latter activities could be seen as fulfilling the Community Outcomes of A Safe City and A City of Inclusive and Diverse Communities.

#### PREFERRED OPTION

27. Given that there are no significant criminal problems occurring in the area identified as being associated with street worker activity above other central city areas it is considered that the option in paragraph 25 be adopted at this time as it does not create any additional costs to the Council.

<sup>3</sup> Page 7, Report of the Local Government and Environment Committee, op cit

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<sup>&</sup>lt;sup>11</sup> Report by the Chairman of the Christchurch City Council Prostitution Reform Act Subcommittee, 22 April 2004

<sup>&</sup>lt;sup>12</sup> Code of Good Regulatory Practice, Competition and Enterprise Branch, Ministry of Economic Development, November 1997 [http://www.med.govt.nz/buslt/compliance/regprac.html]

#### **ASSESSMENT OF OPTIONS**

## The Preferred Option - Maintain The Status Quo

28. This option is to resolve not to undertake the preparation of a Local Bill (or a bylaw) but await the review of the Prostitution Reform Act 2003 which is to occur in 2008. A Prostitution Law Review Committee has been established under part 4 of the Act and commenced work on the review in June 2006 and are intending to report by June 2008. While it does not specifically focus on street soliciting the Select Committee report indicates that the Committee is likely to consult with territorial authorities about street soliciting issues.

	Benefits (current and future)	Costs (current and future)
Social	Does not marginalise a sector of society for any good reason	No costs involved due to unneeded enforcement activity.
Cultural	N/A	N/A
Environmental	Retains limited area for the activity and enables ability for support groups to ensure reduction in littering for example	Limited costs to the Council for cleanups
Economic	N/A	N/A

# Extent to which community outcomes are achieved:

Primary alignment with community outcome A Safe City Also contributes to A City of Inclusive and Diverse Communities.

#### Impact on Council's capacity and responsibilities:

No impact perceived

## **Effects on Maori:**

None identified

## Consistency with existing Council policies:

Not inconsistent with any adopted policies. Inconsistent with decision of Council on 23 February 2006.

## Views and preferences of persons affected or likely to have an interest:

New Zealand Police and Prostitutes Collective consider no need to introduce further controls. Council Enforcement Officers consider appropriate to take no action. Parish Priest of St Luke's in the City does not support action against street prostitution for activities undertaken by others in the areas.

#### Other relevant matters:

# Option 2 Provide Positive Preventative Activities to Reduce Perceived Problems

29. In this option the Christchurch City Council would undertake, or support, some positive activities, such as supporting groups such as the Prostitutes Collective, the Salvation Army outreach programme, and the Youth and Cultural Development group, and provide services as suggested in the Select Committee report, and which have previously been raised in Christchurch, of more street lighting, refuse bins, and public toilets and increased street cleaning in the appropriate areas. The matter of the provisions of more support services and even safe-house brothels providing facilities for individual use could be considered if serious concerns exist regarding sex workers' safety. Support for these latter activities could be seen as fulfilling the Community Outcomes of A Safe City and A City of Inclusive and Diverse Communities

	Benefits (current and future)	Costs (current and future)
Social	Accepts that the long term practice occurs and the limited effects are addressed. Support for safe-house brothels could be contentious at a local authority level.	Largely related to provision of services to reduce some perceived environmental problems. Costs of supporting safe-house brothels could be significant.
Cultural	N/A	N/A
Environmental	Reduces some of the possibilities of alleged activities such as littering and toileting. Only some of which may be directly related to street prostitution.	Provision of litter bins, including "sharps" containers are likely to be costly if including collection and cleaning costs.  Making the Manchester Street car park toilet available 24/7 would add to Council's operating costs.
Economic	N/A	N/A

## Extent to which community outcomes are achieved:

Primary alignment with community outcome A Safe City Also contributes to A City of Inclusive and Diverse Communities

## Impact on Council's capacity and responsibilities:

Additional costs to street cleaning budgets

#### **Effects on Maori:**

None identified

## Consistency with existing Council policies:

Not inconsistent with any adopted policies. Inconsistent with decision of Council on 23 February 2006

# Views and preferences of persons affected or likely to have an interest:

Support from Prostitutes Collective and Salvation Army Outreach programme staff

## Other relevant matters: