

Selma James, spokeswoman for the English Collective of Prostitutes, best describes how everyone is affected by the criminalisation of prostitution, and the reason we should all benefit from preventing police harassment of prostitutes.

She said,

"The prostitution laws are an attack on all women, to keep us women from having too high an economic standard, keeping sex and money separate in our minds but not in our lives; and making us all aware constantly that if we don't dress 'properly' if we wear too much make-up, if we walk with too easy a gait, we might be a prostitute. So really the repression of prostitutes is the repression of all women from expressing their sexual feelings and their bodies as they like ... Prostitutes aren't persecuted because society doesn't like prostitutes, but because it is a very important way of keeping women in their place."

Aboriginal Legal Service and Police Lyll Munroe (Jnr)

The history of the relationship between Aboriginal people and the police of this country is a very sad and sorry history indeed. For Aborigines, the police are agents of a system endeavouring to enforce standards which are acceptable to the white community. In historical terms, police brutality against Aborigines is part of a tradition of oppression of Aboriginal people that began 200 years ago, and which includes the courts, the law and various Government departments.

Since the repeal of section 6 of the NSW Summary Offences Act 1970, it is no longer an offence to be found drunk in a public place or school. The Intoxicated Persons Act replaces the old crime of drunkenness with an alternative method of dealing with a person who is 'seriously affected apparently by alcoholic liquor'. Under Section 5 an intoxicated person can be detained by a member of the police force or an authorised person and taken to a proclaimed place.

In country areas, virtually the only proclaimed places which have been created are the local police cells. This means that the police have absolute discretion as to who they take to police cells and keep for a period of six hours and not be called on to account for their actions in a court of law. Aboriginal people have invariably carried the burden of police discretion in this regard.

Another example of the way in which police discretion is exercised against Aboriginal people may be found in the following example which is, of course, just one of many:

Two Aboriginal people were in a motor vehicle in Marrickville. The driver was female and the passenger was male. The male passenger was on parole. The motor vehicle was owned by the driver. Two uniformed police and a sergeant directed the car to pull over to the kerb. A search was conducted of the car after ascertaining ownership details. Prior to the search, nothing had been done by the driver to warrant police intervention. She was not charged by the police in relation to any driving offences. No property was found as a consequence of the search. A number of playing cards, however, were found on the floor of the car on the passenger's side. The passenger was questioned as to whether he had any criminal convictions and he admitted he was on parole. He was charged