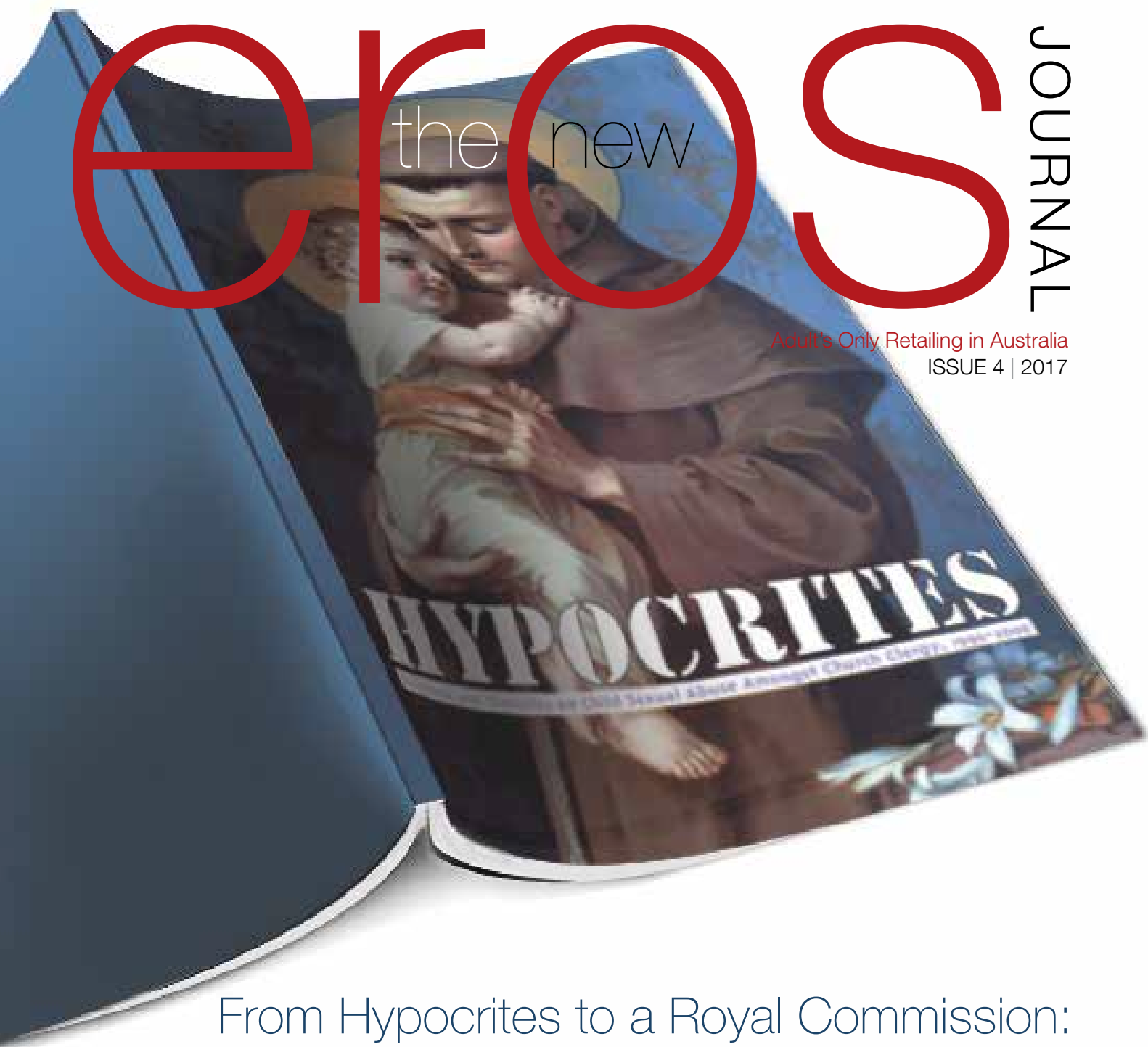


the new **eros** JOURNAL

Adult's Only Retailing in Australia
ISSUE 4 | 2017



From Hypocrites to a Royal Commission:
how the adult industry exposed the hypocrisy of the Catholic Church

Inside



Jarryd Bartle
Lawyer turned adult industry consultant
Prudish Lending



Nick Wallis
Social Tonics Coordinator
Overview of Social Tonics



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Rachel Payne
Strategies & Campaigns



Eros Consultant and Author
Robbie Swan
A History of Hypocrites

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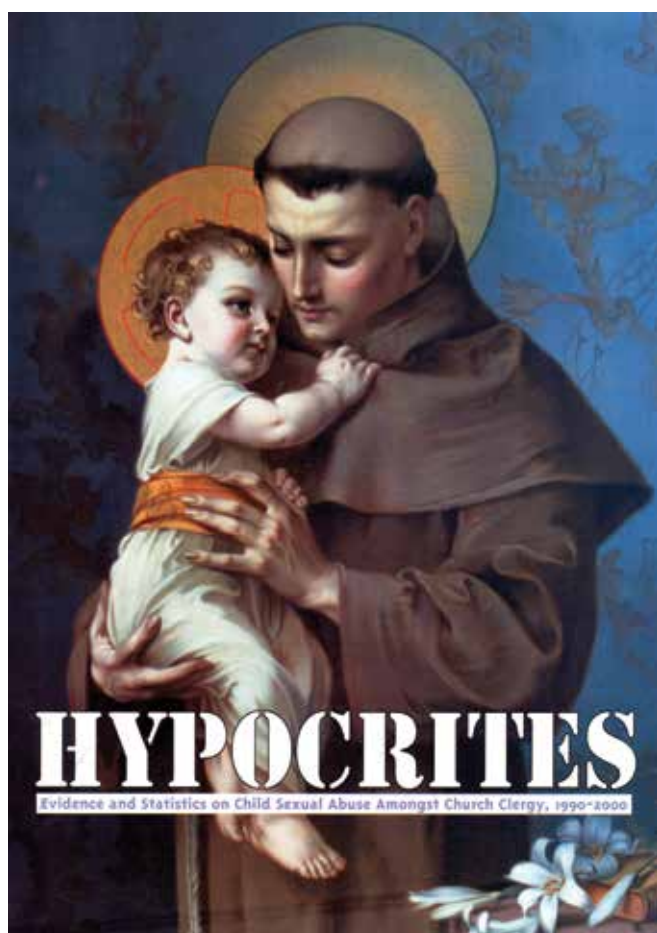


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Church clergy numbers in Australia are estimated to be around 20,000. This is roughly the same number of people who work in the adult retail and entertainment industry. The Royal Commission into Institutional Responses to Child Sexual Abuse has found that in the period 1950-2009, 7% of Australian Catholic priests have been accused of sexually assaulting children and 4,444 alleged child sex abuse incidents had been recorded.

Over that same period not one sexual assault on a child has been alleged or recorded from within the Australian adult retail and entertainment industry.



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The Don(ald), Larry & his Aussie mates

A Word from the President

Last month I was fortunate enough to attend an adult industry trade show in California, you know the type that has all the latest and greatest new offerings from all the biggest and best suppliers in North America and beyond.

It has been a few years since I have been to this particular show, and I must say it is always interesting seeing the new and familiar faces who have chosen to be part of our not-so-little community circa 2017.

Even though I don't go to trade shows as much as I did in the past, the warm greetings and acceptance I experienced from the vendors, I believe has more to do with the struggles and discrimination that the industry has had to cope with over the years, and despite my Aussie humour and charmless personality, I still feel part of the family (no, not that family, I don't think!)

That's me with New International EROS member California Exotic Novelties representative Lupe Martinez.



As I alluded to in my last article in the New Eros Journal #3, the adult industry is bracing for more extreme right wing discrimination from the Reagan style Trump anti-administration.

Make no mistake, whether you like THE DON(ald) and what he has campaigned for, or not! The one thing for sure is that North American adult industry is in for a tough fight to protect and maintain the gains they have made in the last 25 years.

Eros' sister group in North America is The Free Speech Coalition (FSC), they are the Trade Association for the Pleasure Products and Adult Entertainment Industry.

Not unlike Eros, the FSC has been successfully lobbying councils, state and federal governments and everyone in between on behalf of their many members for just as many years, this year both groups celebrate 25 years of representing members.

The sad news is that the FSC will need to fight THE DON without one of its most experienced and passionate supporters. Their past President, current vice-president and founder of one of the biggest wholesale/distributors in the USA passed away suddenly at the trade show I attended.

Once the shock and disbelief subsided, the celebrations of the life of Larry Garland, founder of Eldorado Trading Co begin with emotional ad-hoc speeches, including one by yours truly on behalf of my Australian Adult Industry friends and colleagues.

I promise I didn't embarrass you!

For those of you not fortunate enough to have met the man, he was a giant in the hearts and minds of the industry. Not unlike many of his Australian counterparts, he told me once that he started his business from his home basement, which was over 40 years ago.

As they say, the rest is his-story.

Larry was awarded an AVN Lifetime Achievement Award in 2011, and only the week before his death, he was among the honourees of the prestigious Pioneer Awards. At which he publicly praised other companies, including his competitors, who have had a profound impact on him and the industry. He embraced the vision, innovation and courage, and those that continue to provide a guiding light for those who came after them.

Garland was a class act, always acknowledging the legends who came before him, those who paved the way, he said to me that's why he sits on the FSC board, to give back to the industry that has provided such great opportunities for him and his family.

That got me to thinking, I wonder how many of today's Australian Adult businesses, owners or staff know the names of the men of Larry's calibre in Aussie history.

I have been lucky enough to know the following men and women that have made a significant impact. For me in no particular order these are some that come to mind... Eric Hill, Gerry Hercus, Gerry Gold, Fred Tucky, Phil Smith, John Lark, Jake Land, John Nash, John Harris, George & Joe Sabota (brothers), Jeff Holland, Harold Albert, John Myall, Jan McGuinness, Rod Smith, Val Ferguson, Hanna Strum, Paul Jones, even my dear old dad gets a special mention in this highly creative men and women of enterprise.

Some of these names have retired, others are no longer with us.

They, like Larry, were the pioneers that helped shape the safer, yes I said safe environment that we enjoy today. If you think it is tough today, back in the day many of these innovative ladies and gents were constantly evading dodgy laws (it was illegal to sell movies of consenting adults having sex – OOPS in most places that is still true, despite internet!), overbearing landlords, think Abe Saffron, and the odd cop that blurred the blue lines such as the infamous Roger Rogerson and his mates.

Ohhh, then there was the gangsters.

Brown paper bags for protection was not uncommon back then, trouble is nobody really knew where the bag ended up.



Brian from Kheper Games is being a bad influence, he knows how to get the Aussies attention.



Justin Ross, Founder of Screaming O doing his Aussie accent with "I put another shrimp in the Barbie mate!"

Very proud of Brent Aldon of Aneros, I asked him if I could see his recent XBIZ 2017 Business Development Executive of the Year Award, it's a beauty



Negotiating with New EROS International member Pipedream Products Briana Honz Watkins - of course, she got the better end of the deal!



The World was different back then, right!

Let's do a recap of what life would be without an industry association... who do you call when the police come knocking? In the USA maybe it's the FBI. Who provides you information about pro-industry lawyers, whether it is civil or criminal, an insurance company that won't discriminate, security systems that you can rely on, Industrial Relation laws, WorkCover & other employment advice etc.

Not sure if we can protect you from the gangsta element, but together we are better, right!

That's just the tip of the iceberg, many members, especially board members share (usually for free), advice about their experiences in the industry. On the current 10 person EROS board there is a combined industry experience of over 250 years. Add to that many non-executive members such as Ken Hill, John Conroy, Bill Nash and other elders who have been around more than 40 years each continue to add great value to current and new members.

As part of the 25th anniversary of Eros other members or former members of note who have given many of their years voluntarily to enhance and improve the industry will be invited to join THE EROS FOUNDERS CLUB.

No doubt there are many deserving members, some that are still active that come to mind are, (again in no particular order) Fiona Patten, Robbie Swan, Ken Hill, David Hui Newnham, Craig Ellis, Con Ange, John Conroy, John McKeown, Keith Boswell, Mark Bryant, Glenn Hill, David Ross, Malcolm Day, Suzy Humphrey, Bill Nash, Lou Rochas, Angelo Abela, Sue Peran, Glen Idiens, Andrew Wemyss, Joy Healey, Dean Williams & Michael MacGregor.

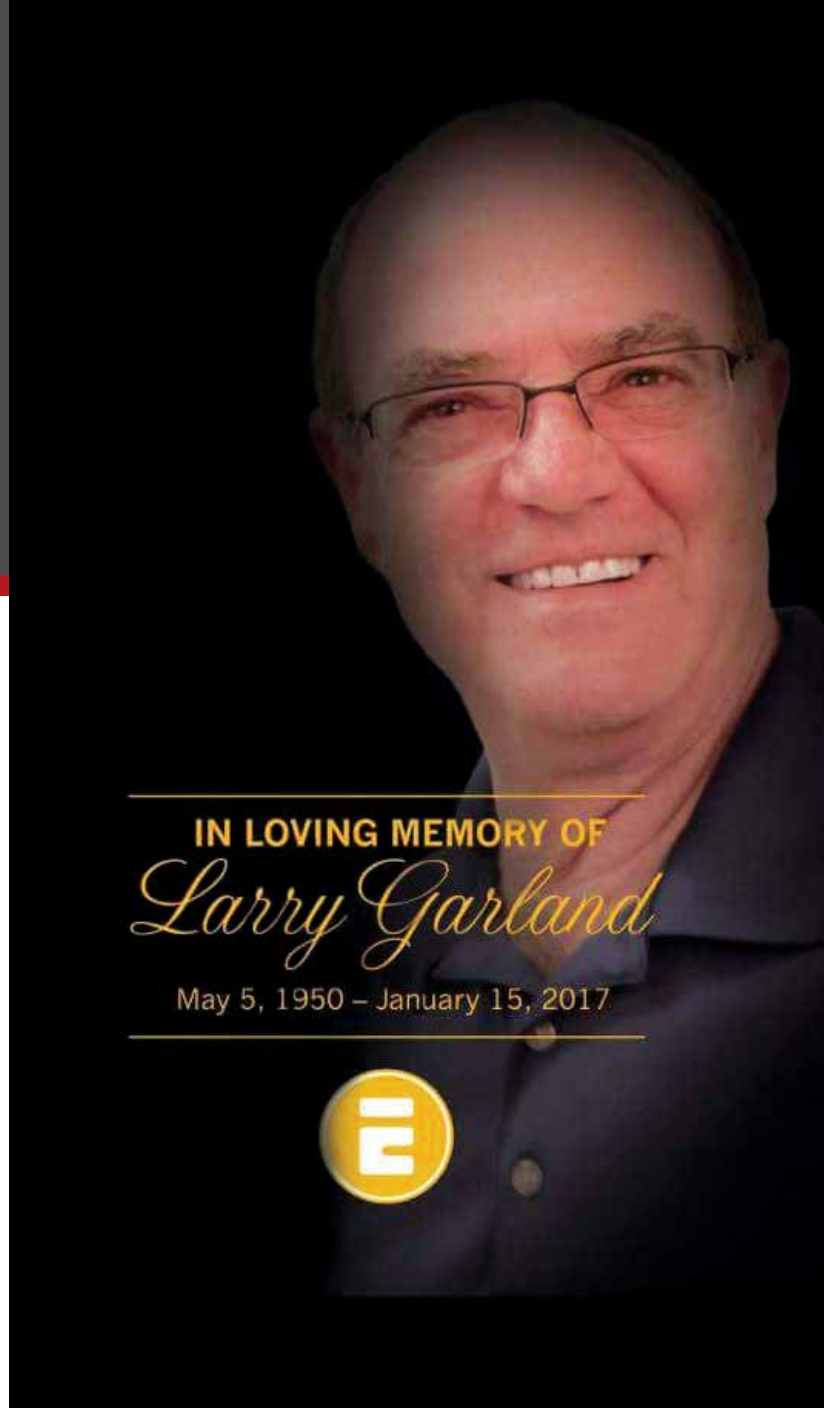
So, just to see if anyone actually reads this article, I invite you to email me with suggestions or recommendations of the many deserving names that I have

left off the list (you can even nominate yourself, I know I will)

P.S. We found some great new items at the trade show, no doubt some of our friendly competitors did as well, when it comes to picking the next winning product or brand, beauty is in the eye of the beholder... I am hoping Windsor picked a few winners.

David Watt

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The Latest from the Eros Association

By Rachel Payne



I want to thank all of our members for your continued support and encouragement, and wish you a prosperous and successful year.

2016 surely was an eventful year not only for the Eros Association, but for the adult industry in general. Here is some of our achievements over the last twelve months:

THE NEW EROS JOURNAL was launched in April, bringing back an industry specific publication to the Adult Retail and Entertainment Industry.

THE NEW LOOK EROS WEBSITE update allows members to easily retrieve information and advice, including legislative information and latest news.

ADVANCING CLASSIFICATION REFORM by appearing before the Senate Committee into Personal Choice and Freedoms and meeting with the Classification Branch of the Department of Communications, we raised industry concerns over the lack of movement on classification of X-rated material by fostering a working relationship and industry consultation on classification issues.

ACTIVE VAPE CAMPAIGN creating a working group around the changes to Vaping legislation, including consultation with Vape Traders, Members of Parliament, and affiliated associations, such as the New Nicotine Alliance. While in the public eye rallying on the steps of the Parliament of Victoria to protest the changes to the Tobacco Legislation that disadvantaged vape traders and consumers alike.

COMBATING BANKING DISCRIMINATION Calling on the ACT Human Rights Commissioner to investigate the discrimination the adult industry is experiencing from the Banks, while engaging with a consultant to produce an industry report and individual case studies of members.

REVIEWING PLANNING APPLICATIONS IN SA AND TAS in a letter to planning ministers, Eros petitioned for assistance in moving forward with planning revisions. Seeking to strengthen the relationship with state governments and for industry consultation on planning revisions.

And in 2017 we are not slowing down with some targeted campaigns surrounding discrimination, including wage subsidy discrimination and banking services; the porn debate as the industry responds to the wave of negative claims; further website development including online training for members and their staff; and a continued push towards classification reform.

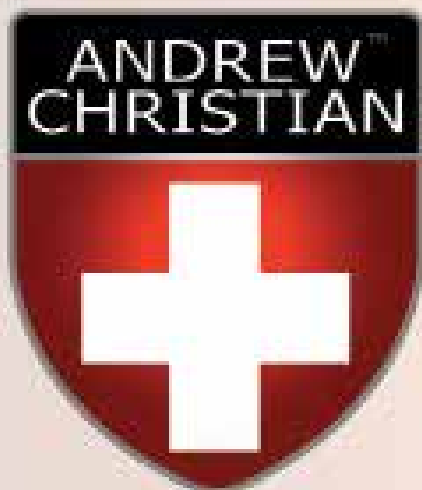
This year we aim to have more physical contact with members and strengthen networking opportunities by hosting regular members meetings in different parts of the nation, and supporting members trade shows and events.

Members meetings will also provide an opportunity for members to have contact with the Eros board and staff. I look forward to spending more time on the ground with members and industry professionals, and will be available at the Adult Wholesale Expo (Melbourne) in March and Adultex (Gold Coast) in April.

I would love to discuss your thoughts and ideas on moving forward with campaigns, and if you have any specific examples of discrimination from a banking institution, from a government branch or authority, from a job provider or wage subsidies scheme, or comments on the industry generally, I would love to hear from you. The more evidence we can compile, the stronger our case will be.

I look forward to working with you all in 2017

Rachel



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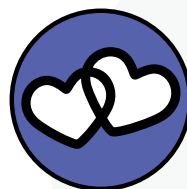
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Prudish Lending: Why Are Banks Discriminating Against the Adult Industry?

“Compliance issues” was the reason provided to Chanel Preston, American pornography actress and President of the Adult Performer Advocacy Committee, when LA’s City National Bank suddenly closed her bank account without warning. “Moral reasons” was the response given to Marc Greenberg, former owner of pornographic studio MRG Entertainment, when he asked why he was refused loan underwriting services by JPMorgan Chase.

Amongst Eros members, the excuses from the “big four” banks in Australia have tended to focus on “reputation” and “standing” – with lending institutions apparently worried about the untarnished name of banks in a post-GFC age.

Whilst the relationship between financial institutions and the adult industry has always been frayed, there appears to be an increased antagonism over recent years, with more businesses and individuals being denied loans and merchant services for their “disreputable” occupation.

What motivates current discriminatory practice is a question yet to be answered, with banks hiding behind vague terms rather than specific policies. However, lessons can certainly be learned from similar industry-level crackdowns overseas.

“Risky Business”

In the United States, the increased tension between adult businesses and financial institutions had a trigger point in an operation instituted by the US Justice Department in 2013. The operation, entitled “Operation Choke Point”, threatened to penalise financial lenders who provided supply to businesses deemed at high risk of money laundering and fraud.

In a foolish decision, which has since been reversed, the Federal Deposit Insurance Corporation, provided a memorandum labelling businesses involved in pornography, escort services and drug paraphernalia as being of particular ‘risk’ of Department of Justice penalties.

Financial institutions quickly took up the advice with PayPal, JPMorgan Chase, Visa/MasterCard, Square and various smaller institutions all refusing to provide services to anyone connected to the adult industry.

Although the Federal Deposit Insurance Corporation reversed its decision in 2015, the view that adult industry organisations were ‘risky business’ appears to have had a continued impact, with many US banks retaining clauses requiring more stringent assessments of adult businesses.

“ The unfortunate result of Operation Choke Point is that it caused real business harm to legitimate businesses that were targeted by the initiative, ”

noted Mia Hyun, a specialist in merchant banking facilities, “and banks are now petrified to make any changes to current memos”.

Has it Spread?

The extent to which US developments are playing a role in Australian discriminatory practices is less clear. But Eros is increasingly receiving reports from a diverse group of members, from adult retailers to vaping wholesalers, that are finding it increasingly difficult to access business loans, personal loans and merchant facilities.

The fact that the discrimination is occurring across product lines and financial services, rather than being limited to merchant facilities, goes against the often cited excuse that institutions are merely concerned about chargebacks from customers embarrassed by purchases.

Either current discrimination is the result of morality policing by large institutions or banks are looking to US developments and are concerned about industry broad crackdowns at home. Unfortunately, financial institutions are keeping their motives close to their chest – hiding behind “internal policies” that cannot be found on their websites and are not provided upon request.

Time to Act

Eros has already lodged a complaint with the ACT Human Rights Commission alleging current banking practices violate ACT protections against discrimination on the basis of occupation.

However, to mount a comprehensive campaign against the banks we need your stories. If you have been denied financial services as a result of working for an adult business, please get in touch.

In the United States a strong concerted campaign has led to hundreds of financial institutions reforming their internal policies to provide services to the industry. If we remain united, we can ensure that widespread institutional change can also happen at home.

Jaryd Bartle is a former lawyer turned adult industry consultant. He is assisting Eros in its continued campaign against adult industry discrimination.





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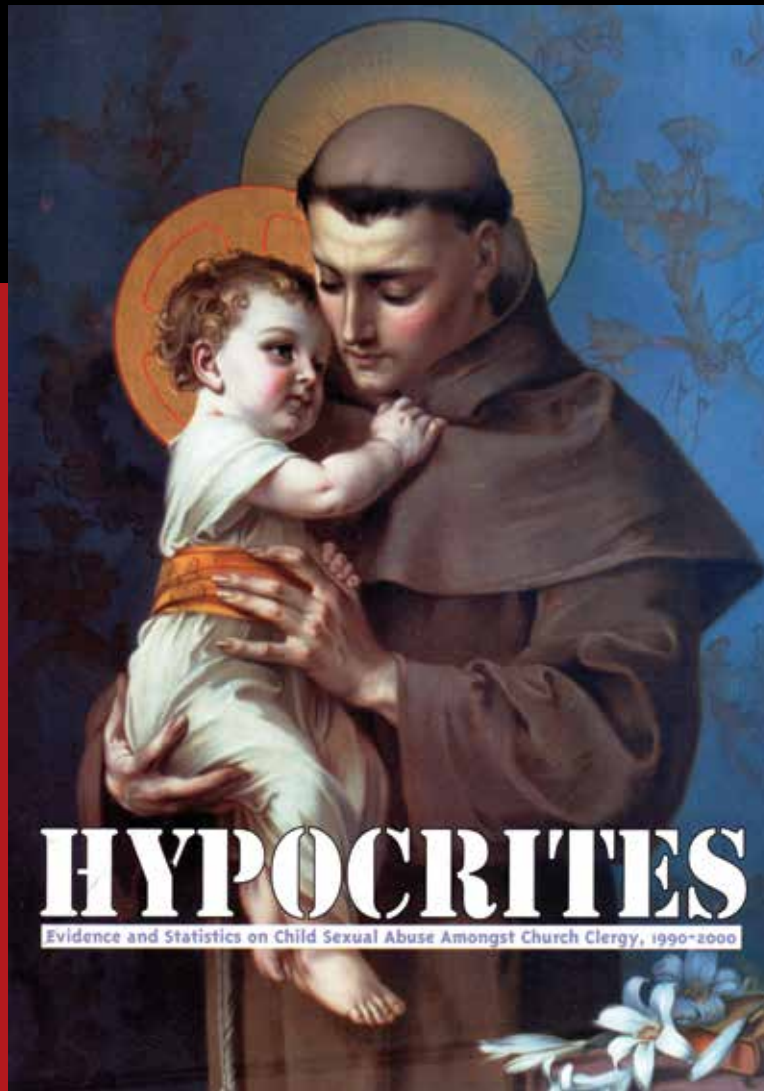
How Hypocrites triumphed over hypocrisy

A Short History of the Eros Association | Part 3

During the 1990s the Australian churches began a very public media campaign to denigrate and smear the adult goods and services industry. The campaign focussed on the damage that adult goods and services were said to be doing to public morality and especially how pornography was leading to an escalation in child sex abuse.

The mechanics of how this was actually happening (like so many moral panic campaigns) were never explained. They just asserted that any reasonable adult would clearly see that adult pornography mysteriously led to more child sex abuse.

Apart from the established churches, the campaign was also championed by half a dozen old-style morals campaigners. Chief among them was the lay Baptist preacher and federal ALP Member for Capricornia, Keith Wright. He called his campaign The Porn Free Zone Campaign – Save the Children. He was backed up by a US evangelist and former McDonald's manager, Jack Sonneman. His campaign was called the Australian Federation for the Family. The Logos Foundation chief, Howard Carter was in the mix as well as Family Association chief, Bill Muehlenberg. Two other politicians felt the need to use their publicly-funded offices to defend a moral position on porn - ACT MLA and Citizens Electoral Lobby advocate, Dennis Stevenson and of course the king of morals campaigners, the old Independent



groupier and former Shop Distributive and Allied Union boss from Tasmania, Senator Brian Harradine.

The first sign of what was to come appeared in 1995 – only a few years after the Eros Foundation had been launched. Eros had become a very high profile lobbying outfit and featured regularly in national newspaper reports for its evidence-based positions on moral issues. Fearing that they were being left behind, many Christian groups – especially the newer Pentecostals who had their roots in the US movement – started agitating for a similar 'independent' lobby group. In 1995, John Gagliardi, the leader of a large Pentecostal church in Brisbane along with two Baptist ministers in the mould of Fred Nile, formed the Australian

Christian Coalition. They based themselves within a stone's throw of the Eros office in Canberra's Deakin West. Their immediate purpose was to provide a foil to the dialogue on public morality that Eros had started a couple of years before. Later in 2001, they adopted the more political title of the Australian Christian Lobby (ACL).

However much the ACL, the Catholic Bishops Conference and the phalanx of individual morals campaigners tried to ban adult media and force religious positions on secular issues, they could not control the growing number of paedophile priests being reported in the national media. In the late 1980s this behaviour was seen by the public as the exception rather than the rule and although these isolated reports gave Eros ammunition to fire at its opponents, most people still respected the moral authority of the church.

In 1990 the religious lobby suffered its first real collateral damage. After moving its ministry to Toowoomba in the early 1980s, the strident anti porn/anti abortion/anti gay,

Logos Foundation was gathering considerable support for its anti-porn campaigns. Then its charismatic leader, the Rev Howard Carter, became embroiled in a series of adulterous affairs that destroyed the group's integrity. He was also found to have led an extravagant lifestyle on church funds. Logos fell apart but many who left ended up finding a new home with the emerging Family First Party and the ACL.

Then in 1994 the anti-porn movement's favourite son, the Baptist lay preacher with the bodgie haircut, Keith Wright, was jailed for raping an underage girl in his parliamentary office and at the girl's home. Wright was born and bred in the Christian breeder town of Toowoomba and came within a few thousand votes of becoming Queensland Premier in the 1983 state election. But after securing a seat in the federal parliament he became known to his Labor colleagues as 'Elmer Gantry' because of his habit of entertaining young girls in his parliamentary office under the guise of religious training. Wright refused to admit guilt over the rapes and indecent assaults and was sentenced to eight years in jail. The damage to the morality campaigns was palpable in the community but for the rest of the pious lobby groups it was business as usual. They acted as if it had never happened and offered no explanation of how their colleague could have fallen so far. After all, there was never any suggestion he viewed pornography. He was just an assiduous bible reader.

By the late 1990s the number of paedophile priests going before the courts was reaching alarming proportions. If there had been that number of used car salesmen or plumbers before the courts there would have been a public enquiry.

But still the establishment fell in behind the churches. They ignored the very public humiliation of Keith Wright and Howard Carter as well as the overseas fallen angels like the Rev Jimmy Swaggert and the Rev Jimmy Bakker.



The Father, Son & Holy Goat

The church's strategy at this stage was very clear. Find a large corporate or institutional scapegoat to point the finger at in an effort to assuage its own guilt. With a tidal wave of sexual abuse building day by day, they were acutely aware of what lay ahead when the wave eventually broke. At this point the church's PR machine went into overdrive and almost daily condemnation of porn, adult shops, brothels, gay and lesbian sex and all manner of adult entertainment, was being distributed to the media and politicians.

It wasn't a clever strategy in many ways. But by choosing the sex industry as their victim, the churches and the morals campaigners banked on the fact that a media investigation of pornography would be shocking enough to grab the moral headlines for a few years. And hopefully enough to grab the attention away from the appalling spectre of a thousands of priests before the courts for raping young kids

What they didn't count on was that the sex industry would fight back using their own tactics.

In 1999, the Eros Foundation looked at the evidence that was staring everyone in the face and decided to publish a list of all paedophile priests that had been before the courts between 1990 and 2000. It was a huge task. It meant employing a researcher and spending nearly \$50,000 to publish and distribute 30,000 copies of a colour book to every church, media outlet and politician in the country.

As the book was being prepared, Eros approached the ABC's investigative program, Four Corners, with a view to exposing the contents on national television as it was being distributed. The first contact with Four Corners drew a sceptical response. The book claimed that up until 2000, there had been 640 charges of child sexual assault laid at the feet of paedophile priests. But when the researchers looked at the evidence from court reports, newspaper reports and other sources, they began serious work on the program. When the program aired, it showcased a debate between Archbishop George Pell and Eros' lobbyist, Robbie Swan. Unbelievably and in the face of the evidence that the book supplied, Pell claimed that Eros was printing the book in an effort to sell more pornography. It was about as far-fetched and ludicrous a response as Pell could have concocted and showed everyone that he was either in on the act or so detached from his own organisation that he should resign. Immediately after the program, Eros took hundreds of calls, late into the night, from people who claimed to have been childhood victims of church clergy.

In the days following, Eros received no less than six separate death threats – two of which were considered by the AFP to be serious enough to be investigated. One was ultimately

A Short History of the Eros Association | Part 3

found to have come from a Catholic priest in country NSW. Letters from prominent politicians flooded in. Many, like the one from NSW MP Bruce Baird, called Eros scandalmongers and liars and he threatened to have us evicted from the premises if we ever stepped foot inside the NSW Parliament again.

However the cat was out of the bag and anyone who knew anything about the cat or the bag was gobbled-smacked at the figures in the book and the projections that it made. Based on what was happening to that point, Hypocrites projected that in all probability, 20% of church clergy in Australia would eventually be identified as a perpetrator of some form of child sexual abuse.

In 2009, the Eros Association launched a political party called the Australian Sex Party. Its leader, Fiona Patten, immediately called for a Royal Commission into Child Sex Abuse in religious orders. She was laughed at and ridiculed for making an outrageous and ambit claim. The Royal Commission into Institutional Responses to Child Sexual Abuse, was established in 2013 by the federal government. Many members of the parliament who supported it, had scoffed at the idea put forward by Patten only a few years before.

The claim that 20% of Australian church clergy may have at one time been involved in child sexual abuse, is being sorely tested in the Royal Commission and may well become the benchmark figure after the Commission closes down.

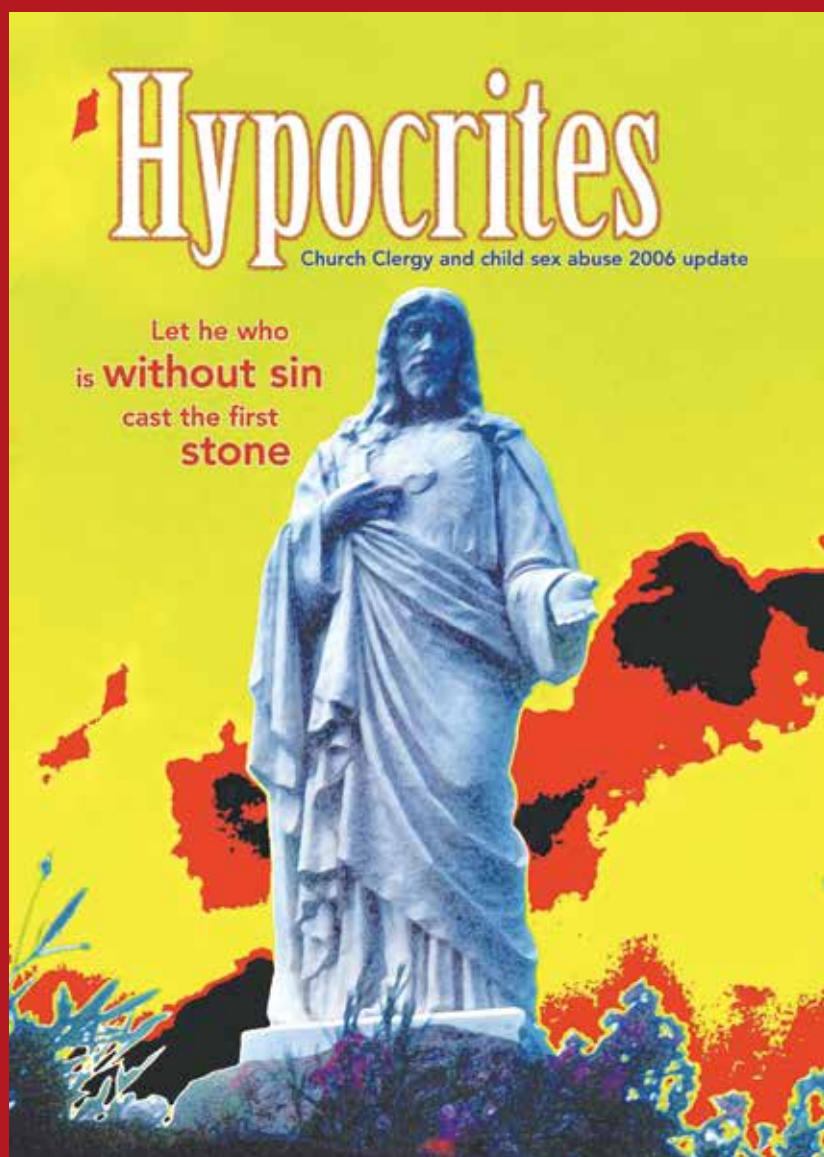
Hypocrites was a turning point in the debate over child sex abuse in Australia. It identified a large group of perpetrators, made predictions based on facts about where the epidemic was likely to go and outlined a devious campaign by the Australian churches to try and lay the blame for their evil

behaviour at the feet of an innocent third party. To this day Eros has not been able to identify one person from the Australian adult goods and services industry, who has been found guilty of a sexual offence against children. Not one.

When it comes to adult sexual behaviour, 'repression' is the regulatory model most often adopted by most religions and morals campaigners. For members of the adult goods and services industry, their regulatory model is conditioned by 'expression'. The figures coming out of the Royal Commission should be enough to persuade legislators of which model is best for the physical and moral health of the nation.



Robbie Swan started out as lobbyist for the Adult Video Industry Association in 1988 before teaming up with his partner, Fiona Patten to form the Eros Foundation in 1992. Together they ran the association for the next 22 years until Fiona was elected to the Victorian Parliament in late 2014. Robbie is a consultant to Eros and is currently writing a book that looks at the history of Eros.





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Nanny government at large: The UK's attempt to “BAN” sex

In an attempt to “make the internet safe”¹ the United Kingdom's Tory government introduced legislation bringing the classification of online content inline with content available offline. *The Digital Economy Bill 2016-17* (UK) is currently before the House of Lords, having passed the House of Commons last year. The bill also introduces a mandatory age-verification requirement for websites making sexually explicit content available to people in the UK. But as the Australian experience shows, these laws won't be that difficult to navigate around.

Back in 2014, the UK parliament enacted legislation that banned the depiction of a number of consensual sex acts in pornography produced in the UK, particularly affecting adult streaming services. The sale of DVDs depicting of these sex acts was already prohibited. Nonetheless it provided the appearance that the Tories were protecting children from the ‘evil’s of pornography’.

Hang on a minute. Former Prime Minister David Cameron was going “to prevent children from accessing pornography and educate them about keeping safe online”² in 2012 when Internet Service Providers adopted the government's opt-out internet filter. (And then the European Union passed legislation in 2015 that rendered the filter invalid, before the UK opted-out of the EU in 2016.) Surely, if the filter actually worked then the pornography provisions in the *Digital Economy Bill 2016-17* (UK) wouldn't be necessary?!

This is all very familiar if we are to look at the Australian experience. Fortunately, our politicians had the sense (or lack of political capital) to shelve mandatory internet filter proposals. However, the *Digital Economy Bill 2016-17* (UK) takes a similar approach to online content as our own telecommunications laws. Australian authorities have the ability to issue takedown notices to websites hosted in Australia when content breaches the law. However, we know that this does not stop consensual sexually explicit adult content that is not classified or would be refused classification from being viewed by an Australian audience, as the government cannot enforce the law on websites hosted offshore. In the very same way, the proposed UK laws will only be enforced if a website is hosted in the UK, rendering the laws fairly useless as content providers simply move to offshore hosting (if they haven't already). When will the UK parliament learn that governments cannot (and should not) regulate the Internet?

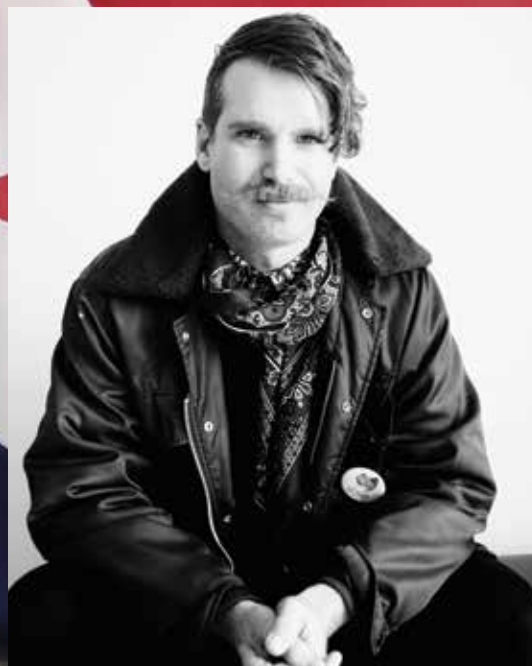
¹ United Kingdom Parliamentary Debates (Hansard), House of Lords, Vol 777, 13 December 2016, Col 1143, <<https://hansard.parliament.uk/Lords/2016-12-13/debates/21321771-1932-4684-8088-F5F24B42FF73/DigitalEconomyBill>>

² Cameron MP, The Hon David, ‘The internet and pornography: Prime Minister Calls for Action’, Prime Minister's Office, 22 July 2013, <<https://www.gov.uk/government/speeches/the-internet-and-pornography-prime-minister-calls-for-action>>

List of sex acts banned in the UK included:

- Spanking
- Caning
- Aggressive whipping
- Penetration by any object "associated with violence"
- Physical or verbal abuse (regardless of if consensual)
- Urolagnia (known as "water sports" or "golden showers")
- Role-playing as non-adults
- Physical restraint
- Humiliation
- Female ejaculation
- Strangulation
- Facesitting
- Fisting

With the last three acts being deemed to be potentially life-threatening



Joel Murray is the principal at Neophile, a public policy and business writing consultancy. He has a keen interest in politics with knowledge in adult media classification in Australia, HIV, sexual health and civil liberties. An avid gardener and supporter of the arts. He holds a Master of Arts (Arts Management) from RMIT University (2012) and was Eros' Business Manager from 2014-2017.



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Introducing Patrice Catanzaro

Patrice Catanzaro is a french designer, specialising in fetish couture. With over thirty years experience in creating unique designs for both women and men, the self-proclaimed 'fetish fashion trouble-maker' launched his collection in Australia late last year at Sexpo, Melbourne. Patrice sat down with Eros General Manager Rachel to discuss his inspirations, what he thought of Australia, and his latest collection.

R: This is your first visit to Australia - how have you found it?

P: I have been in Australia for one week now and I am really enjoying my time here. There is such a sense of freedom here, and people are very happy. Women are so natural, with their beauty and sensuality.

R: Can you please describe to me your inspiration? What inspires you?

P: My inspiration is a woman, on a pedestal. I grew up surrounded by women and in a family that held fashion and couture in very high regard. I have always been surrounded by elegant, classy women of influence who knew how to use their sexuality. This was always a very positive influence on what inspired my designs.

When I was four years of age, I told my mother that I wanted to be in Vogue Magazine one day. This became a reality for me, eventually, when I did feature in Vogue. From a very young age I knew that I wanted to work in fashion and create beautiful garments.



Historically, I have worked in theatre design and costume creation. I like the idea of bringing costumes into reality, and into the nightlife. This was a natural progression for me, from a theatrical theme into a fetish aesthetic.

R: How would you describe your style?

P: I would describe my designs as sexy and chic. The garments are worn to take on a persona or character; to realise a fantasy. I like to see a woman in the street and I try to base my designs on what I think she would like, what her desires are. What she would like to be.

Generally, I aim to democratise sexuality and try to take it out of normal context. For example, I am influenced greatly by fetish photographer Christone Monte, and when I design a collection I think of those fetish photographs and design my theme from my own picture (interpretation).



R: Can you tell me about your latest collection?

P: The collection I have presented at Sexpo is 'Tome'. It is both theatrical in theme and material, Fetish couture. The material I use in some of these designs is 'wet look' - the touch is soft, it contours around the body and is a sensual fabric that highlights and accentuates the feminine figure. I was one of the first designers to use this material, with the first dress designed using this fabric emerging in the 1980's. I also like to add lace, netting and technical fabrics to my collections.

R: What does the future hold for Patrice Catanzaro?

P: I really enjoy showcasing my work around the world. I travel to understand the mentality of the audience, and I design to adapt to, and compliment different ways of life.

My work is my life and I love it. It is always transforming and evolving.

My daughter Charlotte grew up in the company and has brought her own interesting ideas. She will continue on the couture legacy.

Continuing into the future, I am going to create more insane lingerie!

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CLASSIFICATION

Following on from the Senate Inquiry in 2016 into the classification of X rated material and our subsequent meeting with the Classification Branch, Eros has continued to push forward with a reform agenda. Both the Australian Law Reform Commission's (ALRC) 2012 recommendations and the report from the Senate inquiry, encourage reform of the current outdated system and support a regulatory approach that is run by industry and not government.

Here at Eros we've always encouraged industry-based regulation like that used so successfully to classify products in the gaming industry. This is in line with the recommendations made in 2012 by the ALRC and reiterated by committee members in the Senate inquiry. However it is more likely that a co-regulated approach would be agreed to by the federal government.

We've been working with the Classification Branch for a year or so now but we have to acknowledge that the classification system is a cooperative arrangement between state and federal governments. As such, to achieve reform we will need a collaborative approach.

While the department works closely with other state departmental staff behind the scenes, the role of Eros is to work with the various state Attorney-Generals to ascertain their position on classification reform and lobby them to accept our position.

Eros representatives met with the Victorian Attorney General's advisors recently and the response to reform was very positive. A future meeting is planned for late March to meet with the New South Wales Attorney General, who has also alluded to being supportive of reform.

We will continue to work with the state AG's to ascertain their positions and brief the Classification Branch on our progress. The Classification Branch has also encouraged us to work with its members to formulate a framework of what a self-regulatory model would look like.

Watch this space.

Eros put the view that the first principle of the Code -

to ensure that adults should be permitted to read, hear, see & play what they want to -

is 'not being upheld' particularly in relation to sexually explicit material

Excerpt from Senate interim report on the classification of publications, films & computer games.

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Eros' core focus is ensuring its members' success through a combination of representation, education, liaison, advocacy and service provision.

The Eros Association is the first port of call for many adults-only businesses that required assistance, referrals or advice

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Membership Benefits



- **Legislative** | a range of laws affect the adults-only industry, varying between local, state and federal jurisdictions. Eros staff can provide general advice about current laws as well as update members when changes in legislation occurs.



- **Customs** | customs issues are a stalling point for many adult businesses. The Eros approved protocol ensures that Eros Members take necessary steps to minimise the possibility of objectionable material being imported.



- **Media relations** | advice to members on how to deal with negative media, assistance with media releases and media liaison.



- **Eros member directory** | an online directory of Eros members available to the public.



- **Eros holographic sticker program** | for approved products that are compliant with legislation and the Eros Code of Practice.



- **Affiliate Partners** | access to a range of allied industry partners.



- **Industrial relations** | complimentary industrial relations advice provided by the IR Group.



- **Advocacy** | Eros provides liaison services between members and local, state and federal governments, including preparing submissions and lobbying for changes to policy and law reform.



- **Members only** | access to member's only articles on the Eros website, discounted rates on advertising in the Eros Industry Journal, discounted tickets to Annual Industry Conference, and Education and Networking Events

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Strategies and Campaigns for 2017

BANKING DISCRIMINATION

Last year Eros initiated an application to the ACT Human Rights Commissioner in response to a letter received from the ANZ Bank. In the letter, the ANZ said they wouldn't deal with the adult industry because of the 'reputational' issues involved. Basically, they were saying that we would pull their reputation down by dealing with us. They strenuously denied that they discriminate based on occupation, trade, profession or calling. However, in the following paragraph ANZ state that in the case of the adult industry they make an exception! The rest of the letter is spent trying to justify their position regarding 'relevant commercial factors' which do not exist.

As detailed to the Commissioner in the application, most of our members who have had problems with banks report that the bank's standard reply is always that, 'it is an internal policy that we do not deal with the adult industry'. When we request a copy of the relevant 'internal policies' they are never forthcoming.

It has been incredibly difficult to ascertain why the banks hold this position, what factors have influenced their 'internal policies' and how they justify them. These 'internal policies'

that appear to be set at board level, place Eros members at a distinct disadvantage in the market place alongside other businesses.

Members have reported problems with banks on all fronts, from merchant facility rates being exorbitantly high due to their business being 'high risk', to not approving consolidation of accounts with a bank that has serviced the individual and business for many years, to flat out denying loans or refusing access to services.

For this reason, we requested that the ACT Human Rights Commission launch a Commission Initiated Complaint into the nature and extent of discriminatory behaviour in banks in the ACT. It is important to note here, that the ACT is the only state or territory that can consider complaints of discrimination for protected attributes including profession, trade, occupation or calling. As detailed in the Commissioner's response:

"The Commission is able to consider complaints of discrimination under the ACT Discrimination Act. The Act states that discrimination can occur when an individual is treated unfairly or unfavourably because of a protected

attribute they possess. The protected attributes include profession, trade, occupation or calling. The unfavourable treatment has to have occurred in an area of public life, which includes provision of services".

Service provisions such as banking requirements would be considered under this legislation.

Unfortunately, the Commissioner could not pursue the application any further as complaints received have to be from an individual who is being discriminated against.

From the Human Rights Commissioner ACT:

"If any of your members believe they have been treated unfavourably because of a protected attribute they possesses, or because they are associated with someone who possesses a protected attribute, they may wish to make a complaint of unlawful discrimination".

"Due to the scope of the ACT Discrimination Act, the Commission is unable to accept complaints of discrimination experienced by a business or organisation. If any of your members wish to make a discrimination complaint about their experience accessing services as individuals, I encourage them to complete the form attached. As you can see on the form, the aggrieved person is able to give their consent for the Eros Association to lodge the complaint on their behalf".

Through further consultation, the ACT Human Rights Commissioner has expressed interest in hearing about individual members who are being discriminated in accessing goods and services from banks in all jurisdictions.

We intend to pursue this to its logical conclusion and therefore request all and any members who have had issues with the banks to forward details to us.



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Miss Kearland's Collection

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They are fine examples of art nouveau for those who couldn't afford the bronzes and are emblazoned with copper inscriptions at the base of 'Confidence' and 'Discretion'. Just what every tired politician who came through the door wanted to be assured of in those days.

Her brass plaque was made by Little Collins st manufacturers, C.C. Roeszler, who did many of the professional signs in Melbourne in those years. The collapsible green quilted-leather and horsehair massage chair, is a corker. It would have taken 'sir' from an upright sitting position from which he would no doubt have had a scotch or gin to calm him down after his busy day, through to a prone position from which Ms Kearland would have been able to minister to his tension areas. Left to the Museum by a kind but anonymous benefactor.



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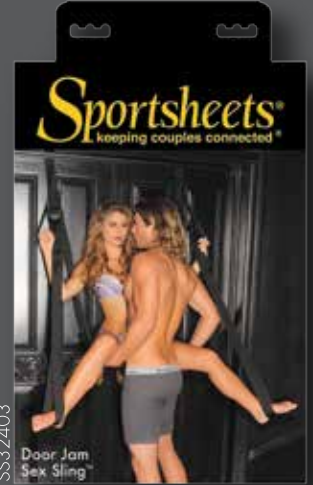
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World famous art critic, writer and film maker, Robert Hughes with Fiona Patten in a paddock watching the recreation of the Erotic Adventures of Ned Kelly. The film was being made by Gerry Hercus' Redstone Films with assistance from former Deputy Chief Censor, David Haines.

Beyond the Fatal Porno

>> When world famous art critic and social commentator, Robert Hughes, came to Australia to make his epic TV production, *Beyond the Fatal Shore*, he had two surprises in store for him. One was a car accident in WA that almost killed him and left him wheelchair-bound for the rest of his tour. The other was a private viewing of the set of the X rated epic, the *Erotic Adventures of Ned Kelly*. Hughes personally sort out Canberra's X rated film industry as an important part of his commentary on Australian culture. Censorship, religion and cultural cringe all featured in his documentary and what better way to see how these three collide than in a paddock outside Canberra's industrial suburb of Mitchell, watching two people being filmed while having actual sex.

Former Eros President, Fiona Patten, wheeled him around and provided him with a background to X rated films in Australia while the crew of Redstone Films busied themselves with Ned's love scene. The film would have been quite legal to buy and show in the UK and quite legal for Hughes to take out of Australia as part of his rushes for the TV show. However, if he had tried to replay them over the border in nearby New South Wales, he could have been jailed for 18 months. Hughes shook his head for over three minutes and clicked his tongue when Australia's patchwork and colonial style of censorship was explained to him. It reminded him of all the worst reasons he didn't live here, he said. And as Fiona wheeled him into his car at the end of the shoot, he was heard muttering over and over that what he had just witnessed was, 'the darnedest thing I ever saw'.

The Museum has a number of photos of this classic event as well as Ned's helmet.



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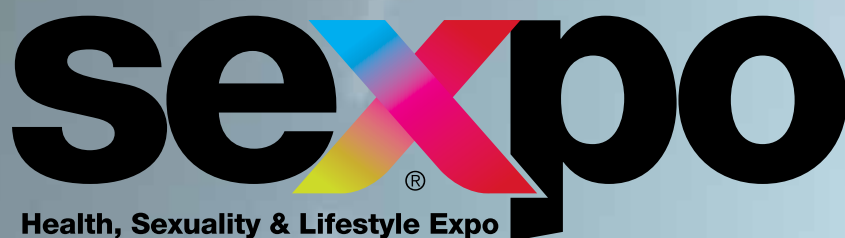
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Strategies and Campaigns for 2017

ILLEGAL BROTHELS

REPRESENTING BROTHEL LICENSEES IN THE FIGHT AGAINST ILLEGAL OPERATIONS

PART ONE: VICTORIA

Legal brothels in Victoria are under threat and face an uncertain future. For once, the issue is not about anti-brothel campaigners or conservative politicians wanting to crack down on the industry. It's about the recent proliferation of illegal brothels masquerading as massage parlours and karaoke bars - usually with 'hostesses', or simply as 'KBs' in newspaper advertisements.

These illegal brothels, referred to as the 'pop up industry' by Senior Sergeant Marilynn Ross of Victoria Police's Sex Industry Coordination Unit (SICU) offer sex on premises in exactly the same way as a legal brothel except that they don't pay any of the fees and charges that legal brothels have to pay. With this unfair advantage they just laud it over their competition. They use social media and online forums to promote

themselves in ways that legal brothels could never do. The legal industry has been talking about addressing this problem for quite a while now but the exponential growth of illegals in the last few years now makes this an urgent priority.

To get an idea of how bad the problem is just take a drive down any busy High street and count how many massage parlours there are on the strip that are open seven days a week and often till after midnight. There's a dozen or so. That's on one street.

Victoria's brothel industry is one of the most tightly regulated industries in the state and licences guarantee owners the right to run a legal business which offers maximum protection of health and safety for their staff and for clients. This includes making sure that premises have public liability cover.

Legal brothels are required to display their Sexual Service Providers Licence in the reception area or entry point. They are also required to make sure that there is signage in the rooms to inform clients that it is a crime to offer sexual services without protection and that condoms must be worn at all times.

It is illegal in Victoria to provide unsafe sexual services, however evidence is presenting that unsafe sexual practices are happening in these illegal brothels. When brothels were first legalised in Victoria in 1996, HIV/AIDS was still a big issue and Australia's brothels played a crucial part in making sure that commercial sex did not become a major vector for transmission of the virus, as it had in many other countries. To this day there is still not one confirmed transmission of HIV through the legal brothel networks around Australia but there are plenty of reports from health professionals where men are presenting with STIs after visiting a 'massage parlour'. In illegal premises there is no accounting for this and it is likely that unsafe sexual practices are happening in this new illegal industry and that this may well be reflected in the record levels of sexually transmitted diseases that we are starting to see.

Staff working in illegal brothels are more likely to be working under onerous 'contracts' that require they hand over a large percentage of what they earn to the owner of the business. They provide no training to staff and reports of under-age, staff and students working on visas as rampant.

So what can be done about this?

Eros has been approached by a number of licenced brothel owners about representing them on this campaign. We have the support of Victorian Upper House MP Fiona Patten and have been working together on lobbying several government departments and Ministers. This issue is across the board, involving many government departments, from Police to Health, Consumer Affairs, Attorney-General's and the Premier's department. They unanimously agree that something has to be done and we are pushing for reform in this area.

ATTN: Fiona Patten MLC

Dear Fiona

I am writing this letter to raise concerns about the number of illegal brothels that are potentially operating as 'massage parlours' in Victoria.

The Eros Association recently met with several licensed brothel owners who raised concerns about the large number of unlicensed and potentially illegal massage parlours that have become prevalent throughout Victoria.

Under the current system, brothels are required to be licenced and are heavily regulated. These illegal brothels are not operating within the same regulatory framework. This is not only unfair to legal businesses who are complying with the legislation but it is also anti-competitive and negligent on the part of the owners who may not be adhering to the health and safety aspects of the Sex Work Act 1994 and the Sex Work Regulations 2016, putting both workers and clients at risk.

Legal brothel owners have expressed concern that these illegal brothels are remaining unchecked and there is a lack of compliance and enforcement around them.

In addition, the high cost of obtaining a brothel licence is not commensurate with the enforcement of the licensing system.

It has been noted that many local councils are taking this issue seriously and have responded to complaints from the community, however with little or no real outcome.

The Eros Association calls on the government to act on this issue and ensure that all premises that offer sexual services are licensed and operate within the required regulatory framework.

I look forward to discussing this matter with you further.

Yours sincerely

Rachel Payne
General Manager
Eros Association

Fiona Patten MLC writes to the
Victorian Minister for Consumer Affairs

As detailed in Eros' letter to Fiona Patten MLC, we 'call on the government to act on this issue and ensure that all premises that offer sexual services are licensed and operate within the required regulatory framework'.

In reply the response has been positive, and we continue to work towards moving forward by lobbying for an interdepartmental review that would be across several government departments, promoting a practical and informed approach to this complex issue.

If you are a licenced brothel owner we would like to hear from you. The more the industry works together on this the more likely we are to see reform.

Watch this space.



Fiona Patten MLC
NORTHERN METROPOLITAN REGION



Ms Marlene Kairouz
Minister for Consumer Affairs
Level 26, 121 Exhibition St
Melbourne VIC 3001

Sent via email
28/2/17

Dear Minister,

I write to seek a meeting to discuss the plethora of illegal brothels opening in Victoria.

You may recall that we spoke about this last year and I promised to follow up. There are now far more illegal brothels than legal ones in Victoria. Many disguise themselves as "massage parlours".

Victoria was leading the nation in regulating brothels but the legislation (sex Work Act 1994) is now seriously dated and really not fit for purpose. Some of the Act's regulations were reviewed and amended around a year ago but a lot more is needed to make the law effective in 2017.

So many brothels are now operating without license or oversight. This inevitably puts workers at risk but also creates issues with unfair competition in the industry.

I raised this with the Premier late last year and he suggested that an inter-departmental review would be a positive step. I agree.

The issues that arise from the growth of the illegal market are broad and affect many different sections of government. The illegal businesses run foul of the planning laws and I suspect that many are in breach of the Public Health and Wellbeing Act. They breach sections of the Crimes Act and police are grappling with how to deal with these emerging problems.

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Bodypolitics with Fiona Patten

The beginning of 2017 marks the halfway point in the Sex Party's first term in the Victorian Parliament – and what a busy first half it's been!

Key to our success has been a “work with” mantra (something Donald Trump is yet to learn). We work very well with the media and some fabulous coverage has been the result, including a front-page exclusive with the Herald Sun. We also work with the Government and crossbenchers to get results in Parliament.

The worst story we've had in two years was an 'expose' of the fact that I owned \$2,000 worth of shares in a medicinal cannabis company at the same time as I was lobbying to get the product legal. I wonder if I'd had shares in a medical company that was trying to develop a cure for cancer and had been lobbying for that, if there would have been a perceived conflict of interest?



Speaking about the need for a medical supervised injecting centre in North Richmond

Over the past two years I've raised three Private Member's Bills, which have been incredibly successful. Governments are loathe to pass such bills as it makes it look like they are not in control of the legislative agenda. So the strategy has always been to put forward the bill, show how much support the issue has, then let the government pass their own, usually mirror version, of the bill I presented.

The first bill created a 150m buffer to stop anti abortion protesters (mostly religious zealots) from harassing and intimidating women and staff around abortion clinics. For over a decade these “protesters” had been extremely threatening in their behaviour. One even shot and killed a security guard and intended to burn down a clinic.

My second bill was to regulate ridesharing services in Victoria like Uber. The Government had been incredibly slow to act, as factional interests inside the Labor party wanted to protect

the taxi industry. My bill forced the Government to confront the issue and has resulted in sweeping reforms to the industry. The government adopted much of our bill and this enabled me to form a very good relationship with Uber and broaden our knowledge substantially on the new commercial passenger business models.

Government legislation has just been introduced and I'll be closely monitoring that to see that it upholds the original intention of my bill. We learned a lot while developing this legislative model and the government's bill now contains innovative measures not seen anywhere else in Australia.

My third Bill introduced into parliament in February of this year, aimed to create a medically supervised injecting centre (MSIC) in North Richmond, similar to the highly successful MSIC in Sydney. North Richmond is the epicentre of Victoria's street trade in heroin. More than 24 overdose deaths a year occur within a small rectangle centred around Victoria street and injecting on the streets has seen 60,000 used needles litter the local area.





Fiona Patten MLC Acting Deputy Speaker

Support for my bill has come from frontline services, almost every harm minimisation and drug treatment group in Melbourne, community groups, local traders and a list of academics, former politicians and medical officers. In particular, I approached and got the support of the ambulance drivers association, the firefighters union, the local Mayor, the Australian Medical Association, the Pharmacy Guild, former AFP Commissioner, Mick Palmer, the local resident's action group, the local traders association, former Premier, Jeff Kennett and even the departing head of the very influential Police Association, Ron Iddles.

With both the Labor and Liberal parties wanting to appear "tough on crime" the Bill looked like failing, even though many politicians from both parties had privately indicated their support. However I negotiated a last minute save, with the Government supporting a motion to refer my bill to Legal and Social Issues Committee that I sit on, to report back to the Parliament later this year. A report should be with the government in September but given that the Coroner's court has now made an urgent recommendation calling on the government to establish a trial

medically supervised injecting centre I expect action to happen soon.

Parliamentary committees are often overlooked, but they are the workhorses where much of the real work on issues and bills happens. I sit on the most committees as a crossbencher and have been very active in these influential committees.

Within the Legal and Social Issues Committee I have been very actively involved in looking at issues of Retirement Housing, Juvenile Justice and Freedom of Information. Prior to this, I initiated the End of Life Choices inquiry, which led to the detailed recommendation for dying with dignity legislation as well as other end of life initiatives that the government has already taken steps to implement. The Government will table legislation for physician assisted dying later this year. If successful, Victoria would be the first state in Australia to do this.

Through the Procedure Committee I was able to secure change allowing electronic petitioning. The Parliament's IT team have been working hard to

implement the change, showing the first version of the system to me this last sitting week.

As part of the Electoral Matters Committee I had the opportunity to review the 2014 election and the committee is now looking into the feasibility of Electronic Voting.

My time on the Law Reform, Road and Community Safety Committee has seen us looking at lowering the driving age to 17 in line with all other states. If we can make this happen it will positively affect the lives of many young people and apprentices in rural areas in that they can drive to get work. Before that we examined the issue of petrol drive offs.

The most important issue for this year, however, will undoubtedly be the work that the Law Reform, Road and Community Safety Committee will undertake on my drug law reform referral. This joint house committee will undertake the most broad ranging and far reaching parliamentary committee on drug law reform ever convened in Australia.



Bodypolitics with Fiona Patten

In addition to my existing committees, I have been invited to sit on the Public Accounts and Estimates Committee. This committee scrutinises government expenditure and holds hearings (must like Senate estimates) where I can directly question the Premier, Treasurer, ministers and senior public servants.

In relation to my parliamentary work, I've had a few Eros members enquiring about how to get hold of speeches I make in the parliament. They can be obtained by going to my website www.fionapatten.com.au

Sex Work

In February this year I gave the following speech about funding anti- sex work initiatives.

Ms PATTEN (Northern Metropolitan) — My question is for the Minister for Families and Children, Ms Mikakos. I have been contacted by a number of sex workers in my region and their sex worker organisations because they are greatly concerned about the \$300 000 awarded to Project Respect to visit licensed brothels — where Project Respect is not welcome — to try to build relationships with family violence organisations. This is an organisation that believes that sex work itself is a form of violence and which calls for the outlawing of sex work in Victoria, promoting what is known as the Swedish model — a model that is opposed by groups such as Amnesty International, the World Health Organisation and the Australian Federation of AIDS organisations. In fact Project Respect's position increases stigma and discrimination against sex workers, which is the cause of violence. Submissions made to the Royal Commission into Family Violence by sex workers and sex worker organisations strongly opposed any funding of Project Respect. My question is: why did the minister so generously fund this organisation that is not supported by sex workers or the industry?

Fiona Patten MLC Speaking in Parliament on the funding of anti-sex work initiatives



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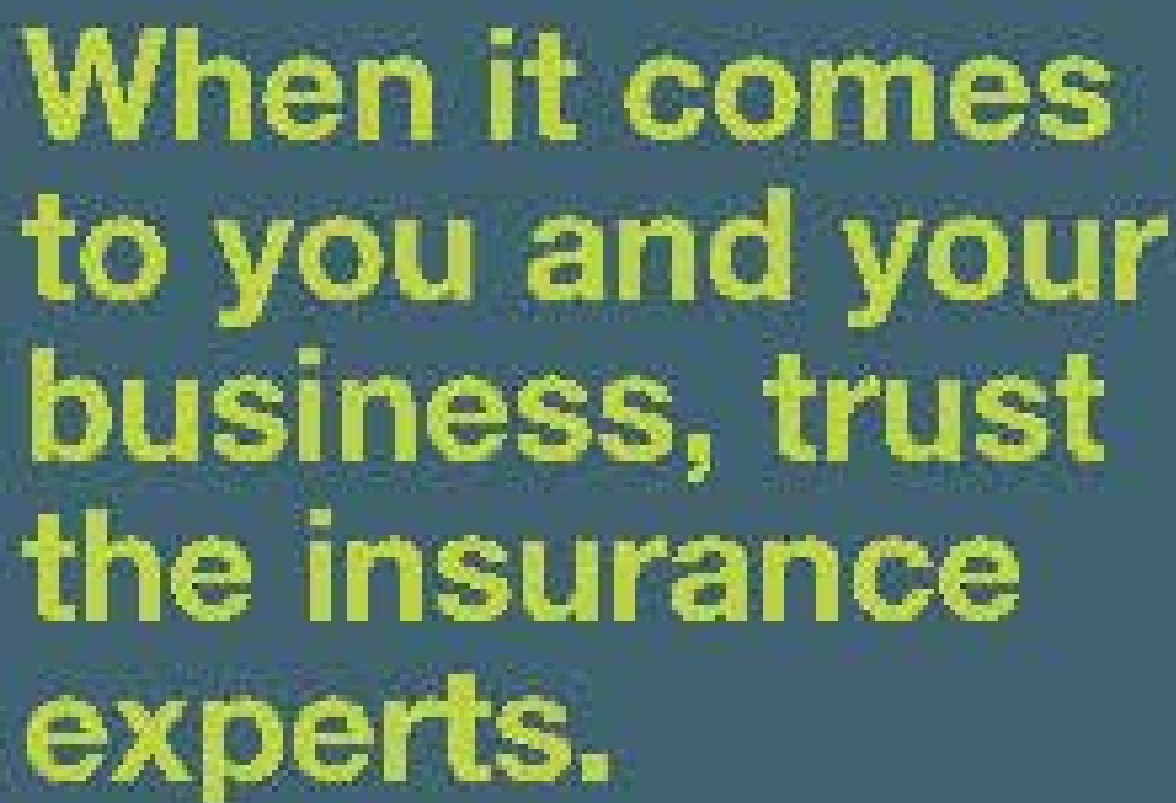
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If you are underinsured the answer is generally "no". The insurer will only pay a proportion of the amount claimed, as co-insurance/underinsurance applies, and thus the importance of arriving at an adequate sum insured.

Theft Cover

Will you be fully covered in the event you are the victim of a burglary?

When you ask this question you need to consider not only the cost of replacing your stock and contents. Replacing locks and keys, fittings, repairing damage to your premises can all be additional costs in the event of a theft.

Do you have the correct cover in place for theft of money?

When insuring your business, it is important to ask yourself how much 'cash' you keep on the premises? Theft of money will cover you for money kept on the premises during business hours, in transit from your business premises to the bank or kept on the premises after business hours in a locked safe. This section of the policy will also cover any damage to your safe during a theft.

If you are to suffer a loss, AIBI will be there to provide advice on how best to assist you in finalising with the insurer.

The above are only one example of the covers available under the Adult Industry Business Insurance.

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“

Whilst nobody can predict when they might incur a loss or damage from a peril such as fire, storm, cyclone or flood, or if they will be a victim of a burglary, will you be able to answer these burning questions at the moment of truth? ”



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Nick Wallis is our
Social Tonics Coordinator.

Nick worked for several
years in regional commercial
radio before returning to
Melbourne and working in
radio sponsorship sales and
media monitoring.

Nick began a degree in
Politics, Philosophy and
Economics (PPE) at La
Trobe University and also
started producing a podcast
focussing on the many
issues surrounding drugs,
which partly lead to him
being hired by the
Eros Association.

SOCIAL TONICS

There exists a variety of products which people use to enhance their social engagements. Alcohol is one of the most well known social tonics. Many will attest to the value of moderate amounts of alcohol in certain social circumstances. Caffeine (coffee, tea) is another mild social tonic widely used in meetings to promote discussion and alertness. For a long time, people widely used tobacco as a social tonic but health concerns have lead to a downturn in its use across Australia. Many still choose to use tobacco, but a significant proportion of these people would prefer lower-risk competitive alternatives such as personal vaporisers with nicotine.

A much larger variety of social tonics exist as either prohibited substances or less-known about products.

The following articles seek to illuminate some of the current issues surrounding a variety of social tonics.



The Victorian Government's Inquiry into Drug Law Reform

The Australian Sex Party's Fiona Patten MP pushed for a broad ranging inquiry into the state's drug laws back in November 2015. Submissions are now being accepted and we urge you to make your own. The Eros Association will be making a submission to this inquiry, but it is important that businesses and individuals also make submissions. The inquiry will be heard by the Law Reform, Road and Community Safety Committee. The following is from the Inquiry into Drug Law Reform website.¹

On 11 November 2015, the Legislative Council issued the attached terms of reference for the Inquiry into Illicit and Synthetic Drugs and Prescription Medication. The Law Reform, Road and Community Safety Committee has since refined the terms of reference and amended the inquiry title to the Inquiry into Drug Law Reform.

The Committee will inquire into, consider and report, no later than 9 March 2018 on

Terms of Reference

- 1. The effectiveness of laws, procedures and regulations relating to illicit and synthetic drugs and the misuse of prescription medication in minimising drug-related health, social and economic harm; and*
- 2. The practice of other Australian states and territories and overseas jurisdictions and their approach to drug law reform and how other positive reforms could be adopted into Victorian law.*

Making a submission doesn't have to be hard or complex. Remember that every voice counts, even if you only have something minor to add. Many make one page submissions to inquiries focusing only on their personal anecdotes.

These submissions are an important part of the overall process as they add the voice of the greater public to the discussion, which is often lacking.

TIPS

The Victorian Government website provides an FAQ on how to make a submission². You **MUST** address the Terms of Reference³ for the inquiry. Be concise, make your point clearly and ensure that it addresses the Terms. Include any reference material you might cite, or include a bibliography⁴.

If you've got some good evidence you want to share, share it. If you've got a relevant anecdote, share that. Make a submission, even if it's short!

ISSUES

The Eros Association have made a number of submissions to governments⁵ across Australia on drug issues. Some key issues we have followed are:

- Novel Psychoactive Substances (NPS)
- E-Cigarettes and nicotine
- Cannabis legalisation

Evidence is on the side of the Eros Association for reform on these issues, but opponents are well resourced and have an established presence in the current policy framework. We will outline our position on these issues.

¹ <http://www.parliament.vic.gov.au/lrsc/article/2809>

² <http://www.parliament.vic.gov.au/committees/get-involved/making-a-submission>

³ <http://www.parliament.vic.gov.au/lrsc/inquiries/article/2809>

⁴ <http://www.citethisforme.com/harvard-referencing>

⁵ <http://eros.org.au/news-and-advocacy/government-submissions/>

Novel Psychoactive Substances

Western Australia, South Australia and New South Wales have all passed 'blanket bans' on psychoactive substances, in an attempt to stop the trade of NPS. The goal of these policies is to protect the health and safety of the community and individuals. There are now several Australian jurisdictions with this legislation in place along with numerous overseas allies, including the UK and Ireland.

The definitions used in the laws are:

Psychoactive effect, in relation to a person who is consuming or has consumed a psychoactive substance, means:

(a) Stimulation or depression of the central nervous system of the person, resulting in hallucinations or a significant disturbance in, or significant change to, motor function, thinking, behaviour, perception, awareness or mood, or

(b) Causing a state of dependence, including physical or psychological addiction.

Psychoactive substance means any substance (other than a substance to which this Part does not apply) that, when consumed by a person, has the capacity to induce a psychoactive effect.

If these policies worked at protecting community and individual health and safety then we should be seeing a drop in harm associated with NPS and a drop in availability and demand. These are an example of seen-to-be-doing-something-but-not-actually-doing-anything legislation that seems incredibly popular around the complex issue of drug law and policy.

It appears that prohibition of NPS leads to worse outcomes for the community and individual. Consumers do not seem to take drug laws very seriously in the first place (as evidenced by the popularity of illicit substances across Australia) and often consumers express confusion over what is legal and what is not. Newly prohibited substances seem to be diverted to the black market, away from a market scenario where both traders and consumers have been begging for a regulated, legal outcome for a number of years. Members of the Victorian Government have indicated that they would like to see a 'blanket ban' introduced in Victoria. This may occur before the inquiry has presented any results, but **the government must be reminded that their duty is to health and safety and there is no proof that more prohibition will lead to improved outcomes.**

It is unlikely that a solution will be reached for this issue while our drug policy is still defined by prohibition. But steps can be made in the right direction.

These steps include:

- An acknowledgement that prohibition does not necessarily improve community health and safety.
- A percentage of the population will always pursue altered states and they deserve the same protections as any other member of society.
- Much of the demand for NPS is derived from a demand for 'traditional' drugs popular in Australia, especially cannabis, MDMA and cocaine.
- Risks can be mitigated through effective, evidence informed education programs and well managed regulatory systems.

New Zealand found a temporary solution by creating a regulatory regime in which products could be tested and allowed for sale on strictly controlled market. The regulatory regime has been stunted⁶ due to political and financial issues. The scheme still exists in law, but has been stunted. Victoria has an opportunity to learn from this experience. There are many aspects of the NZ legislation that could be used in Victoria, if legislators would be willing to look toward effective outcomes rather than creating novel prohibition legislation.

E-cigarettes and nicotine

The Therapeutic Goods Administration (TGA) recently made a decision on a proposal to change the scheduling of nicotine⁷ to allow it to be sold for use in personal vaporisers (e-cigarettes). Unfortunately and perhaps predictably, the TGA decided against any change to the current regulation of nicotine.

The sale and use of personal vaporisers have also been heavily restricted in Victoria. The laws will be implemented in mid-2017 and restrict the use of vaporisers from anywhere that smoking is also restricted. The display of components of vaporisers will also be heavily restricted, making it difficult for retailers to effectively sell product and difficult for consumers to know their options.

Personal vaporisers which contain nicotine seem to be an effective method for reducing or ceasing the use of smoked tobacco. Many vapers have taken to the internet to share their anecdotal success stories and current available evidence seems to back them up, with organisations like the UK's Royal College of Physicians⁸ stating that vaping is 95% less harmful than smoking.

⁶ <http://psychoactives.health.govt.nz/>

⁷ <https://www.tga.gov.au/book-page/21-nicotine>

⁸ <https://www.rcplondon.ac.uk/news/promote-e-cigarettes-widely-substitute-smoking-says-new-rcp-report>



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Victoria is not required to follow the TGA's scheduling and it is possible for Victoria to schedule nicotine in a way that allows it to be sold for use in vaporisers. This wouldn't require big or particularly controversial changes, but it would mean that many current vapers and smokers would be able to legally access nicotine for their vaporisers and reduce their intake of smoked tobacco.

Cannabis Legislation

The legalisation of the recreational market for cannabis in Victoria would provide many benefits. Victorians already consume cannabis, despite its prohibition. Evidence overseas suggests that a change in law is unlikely to lead to a large uptake in the use of cannabis, with small numbers in older demographics more likely than younger demographics to use cannabis for a 'honeymoon' period after a change in law.

Millions of dollars are lost to the black market due to cannabis sales. Legalisation would mean new jobs and a new source of tax revenue. This revenue could be allocated toward drug education programs and Alcohol and Other Drug (AOD) treatment programs, which already deal with a number of drug issues, despite being often under-resourced.

- One in three Australians have tried cannabis
- One in ten Australians are regular users of cannabis
- Around 20 Victorians are charged every day for possession of cannabis

Hundreds of thousands of Australians choose to break the law daily, despite the threat of everything from 'drug diversion' programs to jail sentences. We know that the risks associated with cannabis are less than those

associated with other popular legal psychoactive substances and we can see the detrimental effects that the policy of prohibition has on many lives.

Regulation of the market for cannabis isn't about 'sending a signal' to people who most likely aren't interested that they should go and use cannabis. Most people who want to use cannabis do so regardless of prohibition. Regulation is about signaling to the hundreds of thousands of people who make that choice that they will no longer be considered criminals for using cannabis and that their money is much better spent in a legal, regulated market than disappearing underground.

Eight states in the US have legalised recreational cannabis and 28 states have a medical cannabis initiative. Uruguay became the first country in the world to legalise cannabis across the nation in 2013. There are a number of places to look for alternatives to prohibition, with a wide range of different regulatory options being trialed. There is plenty of information available online regarding these different models of regulation. Depending on the time you have to commit and your own expertise, you can quote as many or few of these as you like.



Dont let tabloids write legislation!

Submissions Close Friday 17th March

So get them in! Visit the Inquiry into Drug Law Reform⁹ website, make sure you address the Terms of Reference and make your voice heard.

⁹. <http://www.parliament.vic.gov.au/lrcsc/articles/2809>



Vaping is under attack across Australia. WA has already banned the sale of vaporisers, despite cigarettes and rolling tobacco being widely available.

“

The rationale of tobacco harm reduction is to provide smokers with an alternative way of getting the nicotine to which they are addicted without the smoke that causes almost all of the adverse health effects of smoking. Switching to an e-cigarette can effectively satisfy the smoker's need for nicotine as well as providing “a smoking experience” which many smokers miss after quitting and which often leads to relapse.”

*Dr. Colin Mendelsohn
Tobacco Treatment Specialist*

Vaping is a competitive alternative to tobacco, with evidence suggesting that it is a safer alternative to tobacco.

Take the survey now!
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Help inform the debate.

Late in January, an article popped up about Ireland's on-going issues with the wide range of new substances that have come on to the market, often referred to as Novel Psychoactive Substances (NPS) in the academic literature and 'legal highs' or 'synthetic drugs' in mainstream media. A consultant psychiatrist from Ireland's health services, Dr Eamon Keenan stated that many new NPS have entered the market in the past three years.

The story touches on the death of an Irish teenager, who consumed a drug known as U-4 which is said to have caused over 50 deaths since 2015 across the EU. A recent survey also found that Irish youth are the highest users of NPS. Seven years ago, Ireland introduced and passed a piece of legislation which blanket-banned anything considered to be a 'psychoactive substance'.

Since Ireland's blanket ban, similar legislation has been syndicated in other parts of the western world, including New South Wales, South Australia and Western Australia. The legislation is almost always introduced on the back of a moral panic, which emphasises and exaggerates danger and calls for a swift law-and-order response in order to protect individual and community health and safety.

Social Tonics Overview

DEFINITIONS

1. psychoactive effect, in relation to a person who is consuming or has consumed a psychoactive substance, means:

a. stimulation or depression of the central nervous system of the person, resulting in hallucinations or a significant disturbance in, or significant change to, motor function, thinking, behaviour, perception, awareness or mood, or

b. causing a state of dependence, including physical or psychological addiction.

2. psychoactive substance means any substance (other than a substance to which this Part does not apply) that, when consumed by a person, has the capacity to induce a psychoactive effect.

Novel Psychoactive Substances are drugs that have no prior research recorded about them. They have very little history of human use and their range of effects is largely unknown. Yet people choose to take them, largely because prohibition of more 'traditional' drugs hasn't squashed what seems to be an innate human curiosity into altered states.

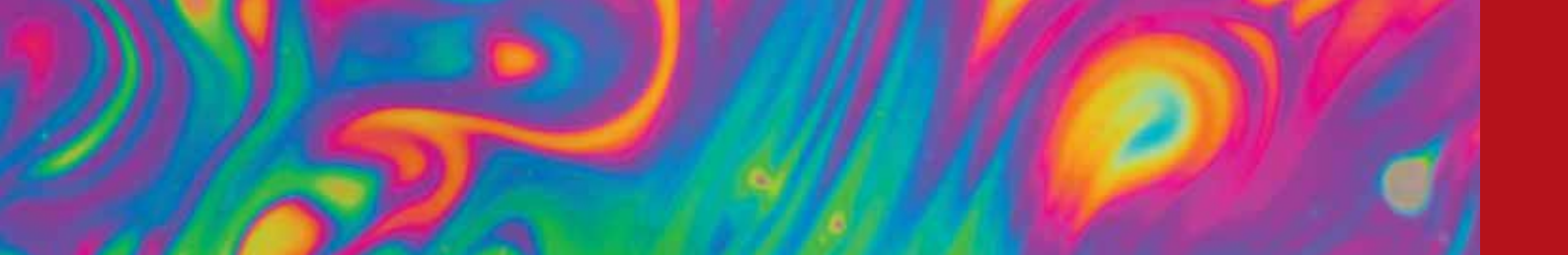
The billion dollar black market for prohibited drugs in Australia and a consistent demand show that many of the approaches taken by our governments to enforce abstinence on the population have been in vain. Experts across the country are calling for a new direction on drug policy that aims to reduce harms, rather than punish.

Yet the NPS market, which often sits between a legal grey area and a newly allocated shade of black market, is approached with the same lack of evidence for efficacy and desire to punish rather than solve that mars our current approach to 'traditional' drugs.

A number of articles in various News Corporation publications during 2016 focused on NPS issues in Victoria, especially the sale of products in the grey

market. The publications ran their stories as a campaign, seeking the eventual prohibition of what they refer to as 'synthetic drugs'. Victorian MP Christine Fyffe is one member who has spoken in parliament about the issue.

"I am asking this in response to concerns raised by several residents who have family members now battling health issues and addiction to what they initially assumed was a harmless substance," she said.



“The reality is that synthetic marijuana has simply escaped the long arm of the law because producers are constantly changing the chemical recipe,” Mrs Fyffe said.

“ Amendments to legislate against each new form take time to draft and then pass in Parliament, and when they do it is likely the criminals have changed the recipe and mix of chemicals. ”

Victorian Minister for Mental Health Martin Foley MP has publicly stated on numerous occasions that the government are planning new laws to address ‘synthetic cannabis’, though no details have yet emerged of what this plan will be.

Blanket bans seem to be seen as a panacea for the harms caused by a drug that is not yet illegal, while illegal drugs still cause harm to individuals and the community. These policies are often created off the back of media-driven moral panic, which often exaggerate the risks and focus on stories that place the drug in question at the centre of a personal disaster, such as a downward spiral of addiction or death.

It is not the job of these stories to ask, “Would this person have been better off under prohibition?” Their job is to say, “Look at what happened! Imagine if they NEVER DID THAT THING. Then, we wouldn’t be here. So let’s make it that no one can do that thing again, thus avoiding all future tragedy.”

Close to fifty amendments have been made to drug laws across Australia since 2010. The vast majority of these focus on NPS and each one is introduced and passed under the persistent lie that prohibition will make individuals and the community better off. Economists and behavioural scientists describe a pattern of behaviour called an ‘Escalation of Commitment’. There is still debate around the specific mechanisms behind this behaviour, but essentially it refers to situations where individuals or groups facing increasingly negative outcomes from a decision will continue rather than alter their course. Though there might be strong evidence for altering their course, they continue in alignment with decisions previously made.

None of the examples of anti-NPS legislation world wide have been successful in stemming the demand overall for drugs or for NPS. Some products or substances may disappear from the market after a prohibition is introduced, perhaps because the only thing that made it worthwhile to sell was its legal status, rather than the quality of the product. Other products or substances end up sold on the black market or dark web because there is a demand for it.

Governments across Australia have not positioned themselves well to be a trustworthy regulator of psychoactive substances. Having a product with a historical legacy and a current significant legal cash flow seem to help keep too many regulators off your back, while other substances, banned most often for unethical and inconsistent political decisions, are actively campaigned against by the government. Government-sponsored information on drugs focuses on negative health effects that are often exaggerated. The fact is that health risks, though an important factor, are only one factor going into a person’s overall decision making process. What sense does it make for the government to be so concerned for your health, they’ll throw you in jail for making your own choice about it?

The legal battle around NPS is a particularly silly extension of the battle for abstinence (except for those few government approved psychoactive substances) that defines prohibition. New drugs are created to fulfill demand by skirting around the laws until new laws come in and new substances are made. All of this is done when the vast majority of demand would be scooped up by a legal market for a small handful of currently prohibited ‘traditional’ drugs, such as cannabis. But to do that would be heresy before the grand altar of prohibition, which must be upheld at ALL costs, even if it means sacrificing Australians upon this foul altar.

PILL TESTING...

The issue of pill testing has garnered nation-wide attention.

Deaths at music festivals have been heard across Australia and the heartache caused felt throughout our communities.

The mantra recited time and time again by police ministers, other elected officials and police departments has been that, "Taking drugs is like playing Russian Roulette" with officials warning the community that the lack of information about drugs and the quality issues in the black market lead to deaths that could be prevented if Australians abstain from drug use.

Abstinence campaigns aim to stop people ever engaging in an activity. It is true that by not taking drugs, a person will avoid dying from taking drugs. It is also true that abstaining from sex will stop someone ever contracting a Sexually Transmitted Infection (STI).

A campaign that requires abstinence as its goal and criminalises those who refuse to abstain is a campaign that maximises harm to those who disagree.

Hundreds of thousands of Australians use a variety of drugs and the vast majority of those do not have a substance use disorder. This does not mean they are safe from harm. Dodgy black market dealers, the potential for criminal charges, a lack of information and support, and the potential for cultures of misuse to arise in the prohibition vacuum all contribute to the potential for harm.

Pill testing is no panacea to these complex harms. It can affect the way the black market operates and provide a first point of contact for people who use drugs to engage with experts and quality information. A number of Alcohol and Other Drugs (AOD) professionals have formed the website AOD Media Watch - www.aodmediawatch.com.au - which provides factual rebuttals to mainstream media articles, along with professional arguments for better policies around drugs.

One of Australia's leading figures in reducing drug-related harms is Dr. Alex Wodak, who recently spoke on the ABC regarding pill testing¹. When probed by a reporter on a 'bad batch' of drugs sold in Melbourne, which lead to hospitalisations and deaths, Dr Wodak answered,

“
There's not a bad batch of ecstasy going around, there's a bad batch of police ministers who are blocking the introduction of such measures.”

During the mid-1980's, Australia faced the HIV epidemic which had spread across the world. Dr. Wodak had just started working at St. Vincent's hospital in Sydney and saw the infections growing in the community, especially among injecting drug users and men who have sex with men (MSM).



¹ <http://aodmediawatch.com.au/why-reporters-shouldnt-speculate-on-the-cause-of-drug-related-incidents-and-how-pill-testing-can-help/>



After intense lobbying and discussions with the NSW Government, a Needle and Syringe Program (NSP) began, with the aim of reducing rates of infection by providing clean injecting equipment, and engagement with professionals and educational resources.

The government could have continued to insist on abstinence and would have seen a rise in infection rates across the community. Instead, it understood that no matter how much money it spent on enforcement and abstinence-based messaging, a segment of the population would continue to use drugs. It understood that these people still deserve protection from preventable harm.

Pill testing would apply similar harm reduction methodology for the community of people who continue to use drugs today.

Rather than providing clean equipment, pill testing aims to provide good information to people who use drugs before they use them. Research has indicated that programs like this have a direct effect on the black market by reducing the movement of more dangerous substances. Research has also shown that more informed people are more likely to avoid unnecessary risks they might have otherwise engaged in.

Professionals are seeking to implement a lab quality testing program, which would be able to provide information on adulterants and quality of a substance tested. Re-agent tests that may be sold in your store or an adult store you visit are only a halfway measure. They are better than nothing but have various pitfalls, especially if people remain ill informed about their limitations and about the effects of the drug they are planning to take.

Support for pill testing
doesn't mean support for
taking drugs.
It means support for
reducing preventable
harms in our community.



Tobacco Widely Sold but Vape-Nicotine Sales Remain Illegal

In what's becoming a more and more absurd crusade for our own health and well-being, the gatekeepers of all psychoactive products (except those backed by well established industries), the Therapeutic Goods Administration (TGA) have decided that nicotine for use in a vaporiser will remain illegal. The only caveat to this prohibition is the ability to import nicotine from overseas for use as a smoking cessation product, once one has a prescription from their doctor (for most states and territories).

The policies and regulations that exist around psychoactive products like nicotine are a confusing and contradictory mish-mash, reflecting consumer desire, industry influence and the more recent public health paternalism.

We have one of the most heavily regulated tobacco markets in the world. Plain packaging, health warnings, advertising bans, display bans, use restrictions and heavy taxation have all been implemented over the decades, in an effort to cut the number of smokers in Australia. As you are no doubt quite aware, smoking tobacco comes with a number of health risks and the likely potential of addiction.

Once upon a time, tobacco companies actively conspired to hide the link between smoking and disease. One particularly well known case in the 1970's was Operation Berkshire, where seven of the world's major tobacco companies aimed to promote a controversy between smoking and disease. These actions have seeded significant mistrust of tobacco companies. The tobacco companies forgot that the truth always prevails and that the mistrust they seeded would haunt them for decades to come.

Now we live in an age of public health paternalism. Statistics on our health coupled with behavioural economics and psychology have created an illusion that there is a correct set of levers which can be pulled to fix all that ails humanity. All illusions are manifested through elements of truth and the truth is that we live in a far healthier age because of our experts in healthcare. There's no denying that many policies implemented to reduce the harms of tobacco have done so. But there is a line. We're not sure where that line is, but the basic idea is that even when people have the best information available, they may still choose to do something (like smoke) because they like it.

We can all attest to the fact that there are many factors that go into our decision making process and the health risks are only one part.

Across Australia governments have regulated vaporisers (without nicotine) in a way similar to tobacco products. These devices are being regulated alongside tobacco, despite significant differences in the products including the ability to access the main psychoactive component of tobacco, nicotine. Australian journalist Joe Hildebrand recently wrote an opinion piece for news.com.au noting a piece of the consumer decision puzzle that is lost on those aiming for zero smokers.

"Dammit," I muttered through a cloud of smoke one night. "They can put a man on the moon but they can't invent a cigarette that doesn't kill you." And that's when I realised: They had.

People who use a vaporiser for nicotine delivery may be trying to reduce their health risks, while accepting that their choice will still have risks associated with it. This is why vaporisers shouldn't be regulated as therapeutic product by the TGA and shouldn't be considered as Nicotine Replacement Therapy (NRT), a specific set of products designed as health products to aid people in smoking cessation. These products are designed to compete on the market against tobacco products by providing an alternative that still has many of the aspects of smoking people enjoy, while removing aspects which have become technologically inferior. This appeals to many people and the appeal is what makes vaporisers a potentially powerful tool in reducing the overall health consequences associated with smoking.

Nicotine for use in a vaporiser is still illegal for sale in all of Australia. Tobacco is sold at nearly every corner store, petrol station, supermarket, liquor store, club, pub... you get the idea. Many Eros members now sell vaporisers but must adhere to their local regulations, which can be quite restrictive in terms of displaying product. A small number of vaporiser-specific stores exist around Australia but they too must adhere to strict local regulations. Many Australians choose instead to jump on the web to purchase vaporisers and (illegal) nicotine fluid, often from companies overseas. While our public health paternalists struggle to come to terms with the fact that their professional opinions, no matter how well informed, are only one part of our decision making process, Australians are breaking a largely unenforced law to send money overseas to access products they want, in order to reduce or replace their consumption of a product they can legally buy just about everywhere in Australia.

And that's the result of this absurd crusade. So far.

Check out Nicotine Policy <https://nicotinepolicy.net/> and the New Nicotine Alliance <http://nnalliance.org.au/> to keep up to date.

holographic stickers

The Eros Holographic Stickers are used on products compliant with our Code of Practice (CoP) and Code of Ethics (CoE). Compliancy is vitally important for our industry to present itself as a responsible and unified front, giving confidence to retailers, customers and the public that Eros and its members are respectable leaders in Australia's adult industry.

The CoE and CoP were developed to reflect the values of the community when it comes to adult products. They were also developed to self-regulate the industry where necessary and show compliance to local laws.

Each holographic sticker is individually numbered. These batch numbers are associated with the relevant paperwork at the Eros offices which show exactly what products those numbers are associated with. It is VITALLY IMPORTANT that the stickers are only used on the products that the approval was given for. This helps Eros track any issues, including quality or legal issues, quickly and effectively thus ensuring that the standards our industry expects of itself are upheld.

Eros holographic stickers should be affixed to products by wholesalers to ensure that compliancy is upheld.

Retailers should ensure they purchase products from wholesalers who use the Eros holographic stickers to provide themselves and their customers with assurance.

Before the holographic stickers can be ordered, a Statement of Compliance must be filled in and returned along with any supporting documentation required. These documents are kept confidential by the Eros Association and link to the sticker batch numbers.



For Customers:

“

Give confidence to customers that the product they buy meets the standards expected of Australia's leading adult industry businesses.

”

For Suppliers:

“

Show that you are a professional and responsible operator in Australia's adult industry.

”

what it does, why you should use it

PAX²

THE WORLD'S
BEST VAPORIZER



ABOUT VAPORIZATION

Vaporizers unlock the volatiles of plant material similar to the way hot water extracts the desired flavour and caffeine of tea leaves. PAX technology gently heats your loose leaf material to release targeted compounds and flavours in the form of vapor.



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Aaron Jenkins

e. aaronj@thendro.com.au

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