

Councils need more support to deal with illegal brothels

25 January 2007

The Municipal Association of Victoria (MAV) has renewed its call for State Government intervention to ensure all agencies and authorities are more adequately equipped to deal with illegal brothels.

MAV President, Cr Dick Gross said the legislation necessitating the use of private investigators to flush out illegal brothels was unfortunate and it should never have been left to local councils to enforce what was also a joint responsibility for the police and Consumer Affairs Victoria.

“The MAV has made representations to the Government for several years following the dismissal of cases where councils were able to prove the offence.

“One necessary element of the offence is that a sexual service is provided in the conduct of a business. Councils adopted various ways of evidencing the elements of the offence and were, with rare exceptions, unsuccessful.

“The Government must look at the relevant legislation and amend it so councils can undertake successful enforcement of illegal operators without the need to go to such extraordinary lengths. Alternatively they should transfer this responsibility to the police and other State agencies.

“Acting to shut down illegal brothels currently falls across council and police jurisdictions, with successful enforcement usually occurring where there is close collaboration between agencies, as well as involvement from other authorities such as tax, immigration and health.

“However, none of councils’ hard work is being actively supported by Consumer Affairs Victoria, which has responsibility under the Prostitution Control Act for enforcing illegal prostitution.

“It is absolute madness that police refer complaints to councils, who must then use prosecution or enforcement under the Planning & Environment Act as the means to close down illegal brothels that often operate under the guise of relaxation or massage therapists.

“The onerous burden of proof required to make a case in court means the use of private agents is often the only way a council can enter a premise and gather enough evidence to get a successful prosecution.

“It is an unfortunate reality that such extreme measures are expected of councils to get court-admissible evidence as a result of the current legislation and lack of cooperation between agencies.

“In addition to a review of legislation, the Victorian Government and all agencies with a responsibility or role in enforcing illegal prostitution must formally commit both appropriate resources and to a partnership approach in consultation with the MAV and local government,” he concluded.

- Ends -

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