

What's Legal & What's Not

BROTHELS

In Victoria, there are more than 85 legal brothels. This means that the Business Licensing Authority is satisfied that the owner/manager of these brothels has been checked out by the police ('probity check') and that a current License and 'PCA number' has been issued in accordance with the Prostitution Control Act 1994.

It is legal to buy sexual services from these brothels. It is perfectly legal for these brothels to sell sexual services, as defined under the Prostitution Control Act 1994.

ESCORTS

Escort agencies can be licensed in the same way as licensed brothels. (Individuals working as escorts can also apply for an exemption under Section 23 of the Prostitution Control Act 1994 and still operate legally.) Whether an escort is licensed or exempt, they must still be registered with the Business Licensing Authority and be issued with a 'PCA Number'. If you want an escort to visit you check that they have a PCA Number.

MASSAGE PARLOURS AND RELAXATION CENTRES

Massage parlours and relaxation centres are not illegal. However, if a business provides any sexual service and it has not been through the licensing process with the Business Licensing Authority it is classified as an ILLEGAL brothel. Hand relief is considered a sexual service. Massage parlours and relaxation centres sometimes provide hand relief and this is ILLEGAL.

A client can be charged by police if found on a premises which is deemed illegal because it is providing sexual services and is not licensed in accordance with the Prostitution Control Act 1994. If you are in doubt about whether a venue is legal, contact the Business Licensing Authority on (03) 9627 7260.

STREETS

Street prostitution in Victoria is ILLEGAL. Both street sex workers and their clients face heavy penalties under the Prostitution Control Act.

Penalties for Street Sex Workers*:

1st offence:

up to \$500 fine or 1 month imprisonment

2nd offence:

up to \$1500 fine or 3 months imprisonment

3rd or more offences:

up to \$2500 or 6 months imprisonment

Penalties for Clients of Street Sex Workers*:

1st offence:

up to \$1000 fine or 1 month imprisonment

2nd offence:

up to \$3000 fine or 3 months imprisonment

3rd or more offences:

up to \$6000 or 6 months imprisonment

*The penalties are higher near a place of worship, a kindergarten or place where children might be at the time.

REMEMBER

It is a crime to be violent towards a sex worker. It is an offence for anyone to behave in an indecent, offensive, insulting, threatening or abusive manner towards a sex worker in a public place. (Prostitution Control Act 1994: penalty up to \$3000 or 3 months imprisonment). It's also an offence to physically or sexually assault another person (Crimes Act).

This information is of a general type and should not be taken as a substitute for legal advice.

Resourcing Health & EDucation in the Sex Industry
10 Inkerman Street, St Kilda VIC 3182

Phone (03) 9534 8166

Fax (03) 9525 4492

Visit www.sexworker.org.au

