

Compliance information sheet: Illegal place of prostitution (sexual services)

Frequently asked questions

Is prostitution illegal?

Acting as a prostitute and the act of prostitution is not illegal in the state of Western Australia, however, many of the activities associated with prostitution are.

Can a brothel operate within a residential zone?

The use of a property for the purposes of prostitution is not permitted within the City of Canning, regardless of the property's zoning type.

What are the potential signs that a brothel is operating from a property?

- Brothels in residential zones are usually privately rented houses or units.
- There could be limited activities associated with new people moving into a property, for example: no signs of removal vans, limited or scarcely furnished homes.
- It may look like no one lives at the property.
- The property may be unkempt.
- Multiple people living at the address, or numbers of people being brought to and taken from the address by someone else.
- Unfamiliar vehicles arriving and leaving the property at irregular hours, usually seven days-a-week.
- Many frequent visitors, usually male, who do not stay for long periods of time.
- Windows at the property may be covered.
- The property may advertise and operate as a 'massage parlour'.

What can the City do to stop a suspected brothel?

The use of a property for the purposes of prostitution may be considered an Illegal development and in contravention of the City of Canning's Local Planning Scheme No.42. The *Planning and Development Act 2005* authorises the City to investigate an allegation of an illegal development and if appropriate, initiate enforcement action against the person/s responsible for the illegal development.

The City is unable to stop or control any suspected acts of illegal prostitution at a property, this may form a criminal offence and should be reported to the Western Australian Police.

What can I do if I believe that a property is being used as a place of prostitution?

If you believe that a place of prostitution is occurring at a property located within the City of Canning, you can submit a complaint through the City's 'Request-It' service at www.canning.wa.gov.au/request-it or you can call the City directly on 1300 422 664. The City's Compliance services will follow up on any complaints received in accordance with its *Compliance and Enforcement Policy*.

You can report any suspected criminal activity to Crime Stoppers by calling 1300 333 000 or by completing an online report at www.crimestopperswa.com.au/make-report

Definition

Definitions

The *Prostitution Act 2000* defines 'prostitution' as which payment is consideration for the sexual stimulation of a person (the client) by means of physical contact between the client and another person (the prostitute), or between either of them and anything controlled by or emanating from the other, and it is irrelevant whether payment is in money or any other form. The *Prostitution Act 2000* also defines a 'place' as anywhere at all, and includes anywhere in or on something that is moving or can move.

Under the *Criminal Code Act Compilation Act 1913* the use of any premises for the purposes of prostitution (brothel) is illegal.

Disclaimer

This information sheet is provided as generalised information. While we aim to keep the content of this document current and accurate, we accept no responsibility or warranties for actions based on the information provided. The City of Canning encourages you to seek professional advice before acting on any information contained in this document. Please contact the City of Canning if you wish to comment on the forms provided and information contained within. Any reported errors will be amended.

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