



Submission No 82

**Inquiry into Slavery, Slavery-like conditions and People
Trafficking**

Organisation: Victoria Police

The Sex Work & Other Acts Amendment Act provisions are incorporated in the Sex Work Act 1994 – refer Section 95 which amended Sections 37; 48(3) and 51(1)(b);

The question @ Page 30 of the Parliamentary Inquiry into Slavery, slavery like conditions and people trafficking seeks information relating to the confiscation of assets in relation to sex work offences.

“Your find someone in a brothel who is there against their will, would the provisions of the Confiscation Act 1997 extend to that?”

“Would the brothel owner have assets confiscated or is it purely for illegal sex acts?”

The provisions of Section 14 of the Confiscation Act 1997 provide for the application and imposition of a restraining order to be applied to property where an accused is charged with an offence contrary to Sections 60AB, 60AC, 60AD and 60AE of the Crimes Act 1958.

The provisions of Section 14 of the Confiscation Act 1997 are also applicable to offences contrary to the provisions of Sections 6(1); 7(1); 22(1) and 22(3) of the Sex Work Act 1994.

Pursuant to Section 35 of the Confiscation Act 1997 on conviction for an offence against Schedule 2 of the Act and where a restraining order is in place and where the restrained property is not the subject of an exclusion order or an exclusion order application – forfeiture of the restrained property to the Minister can be ordered after 60 days.

In response to the specific questions as highlighted –

- If a person is in a brothel against their will and it can be established that their presence is contrary to the provisions of Sections 6(1), 7(1), 22(1) or 22(3) of the Sex Work Act 1994 or contrary to the provisions of Sections 60AB, 60AC, 60AD and 60AE of the Crimes Act 1958 – then the restraint and forfeiture provisions of the Confiscation act 1997 would apply.