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SEX WORK LAWS: QUEENSLAND

Sex work laws are different in each state and territory of Australia.

This guide is an introduction to sex work laws in Queensland.

For more information, contact Respect Inc: respectqld.org.au, info@respectqld.org.au



Queensland Sex Work Laws

In Queensland, sex work is **decriminalised**.

- The laws that apply to everyone, including public health laws and work health and safety laws, apply to sex work as well.
- Sex workers in Queensland are protected by anti-discrimination law.

Check out Respect Inc's resource [Sex Work and The Laws in Queensland](#) for more info (available in English, Korean, Simplified Chinese, and Thai).

Type of sex work	The Laws
Private work (incalls and outcalls)	Decriminalised. The same regulations apply to private sex work as applies to all small business and home businesses.
Establishment work (brothels, escort agencies, etc)	Decriminalised. The same regulations apply to sex work workplaces as applies to all other businesses and workplaces.
Street-based sex work	Decriminalised. The same laws apply to sex workers in public spaces as any other person in a public space.

Private sex work - incall and outcall

Private sex work (also known as independent sex work) is **decriminalised**. Private sex workers can:

- work together
- use support people or staff for admin/taking bookings, driving or security
- share work premises (including hotels)
- provide 'doubles' and/or erotic massage services.

Private sex workers can operate as home-based businesses. Each council in Queensland has different rules for home-based businesses. Council approval is not required for working from hotels or other short-stay accommodation.

Contact [Respect Inc](#) for more info.

Brothels, escort agencies, and erotic massage premises

Queensland sex work businesses operate in the same way as other businesses. Local council and WHS rules apply.

Sex work businesses can operate anywhere a 'shop' is allowed to operate. Local councils are in charge of rules for all businesses such as opening hours, signage, renovation permits etc.



Strip clubs

Strip clubs are classified as adult entertainment businesses (not sex work businesses). Strip clubs continue to be regulated by licensing under the [Liquor Act 1992](#). They are not decriminalised (yet).

Workplace health and safety (WHS)

[Workplace Health and Safety Queensland](#) regulates all businesses in the whole of Queensland, including sex worker workplaces. WHS rules apply to everywhere sex work occurs in Queensland. Everyone in a workplace has WHS duties.

Read more:

- [Queensland - Sex work work health and safety guidance 2024 \(English\)](#)
- [งานบริการทางเพศ - แนวทางปฏิบัติเร องสุขภาพและ ความปลอดภัยในการทำงาน \(Thai\)](#)
- [성노동 - 산업보건안전지침 \(Korean\)](#)
- [性工作 - 工作健康与安全指南 \(Simplified Chinese\).](#)

Mandatory sexual health tests or a testing certificate of attendance are no longer legally required to work at brothels, parlours and escort agencies. Regular testing continues to be best practice, and how often you test is your choice based on what you need and your doctor's advice.

Sex work businesses must provide, free of charge:

- condoms in multiple sizes
- water-based lubricant
- gloves and dams.

Businesses must train sex workers on using PPE, and cannot stop workers from using it.

You have the right to refuse service to any client, including if they won't use protection.

Sex workers can report WHS matters directly to WHSQ or via Respect Inc.

Street-based and outdoor work

Street-based sex work is **decriminalised**. This means, like any other business, meeting clients in public places is completely lawful and does not attract any penalty. All laws relating to behaviour in public places apply to all people equally.

'Public order' offences still apply.



Consent, non-payment and 'stealthing'

There is no consent to sexual activity when:

- a sex worker participates in the act because of a false or fraudulent representation that they will be paid or receive a reward ([Criminal Code Act 1899 s 348AA\(1\)\(l\)](#))
- a person participates in the act on the basis that a condom is used, and the other person does not use a condom, or removes/tampers with it (also known as 'stealthing') ([Criminal Code Act 1899 s 348AA\(1\)\(n\)](#)).
- A person becomes aware that the condom is no longer effective but continues with the act.

A judge in a criminal trial may also 'direct the jury that it **should not be assumed** that a person consented to a sexual activity because the person...worked as a sex worker.' ([Evidence Act 1977](#)).

Anti-Discrimination

It is [illegal to discriminate against a person](#) because of their 'sex work activity.' This protection covers:

- Full-service sex workers
- Sensual massage workers
- Strippers
- Online sex workers and phone/cam sex workers
- Porn performers.

It also applies to former sex workers and people connected to sex workers (like friends or family members).

Landlords and hotels can't discriminate: It's now **illegal** for accommodation providers to refuse you service or charge you extra because you're a sex worker.

Police

Police have no direct role in relation to sex work. Queensland Police can no longer pose as the clients of sex workers to gain an arrest for former sex work offences. If you report a crime, police should take your report seriously and treat you with respect. You can contact [Respect Inc](#) for support to report a crime.

Advertising

There are no longer specific laws relating to sex work advertising. Sex work advertising is subject to the same rules and regulations as all other advertising, by any business at any time, including:

- Federal advertising and internet laws
- Terms and conditions set by private advertising providers (e.g. newspapers or advertising websites)
- Local council signage rules.

