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# SEX WORK LAWS: TASMANIA

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

This guide is an introduction to sex work laws in Lutruwita (Tasmania).

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# Tasmanian Sex Work Laws

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In Tasmania, sex work is **partially criminalised**.

## What's allowed:

- **One sex worker working alone.** Workers can offer both incalls (clients visit the worker) and outcalls (workers visit clients).
- **Two sex workers working together, as long as neither person manages the other.** Two workers working together can offer both incalls and outcalls.

## What's criminalised:

- Any sexual services business with more than two workers
- Any sexual services business that has a manager or boss (regardless of how many workers). It is also **criminalised** for an independent sex worker to employ staff, as their business then becomes a commercial sexual services business according to the law.
- Street-based work (approaching or waiting for clients in public places).

PLEASE NOTE: the value of penalty units are updated annually. The dollar amounts listed in this document are accurate until 30 June 2027. [Click here](#) to view the most up-to-date penalty unit value.

| Type of sex work                                                                                                | The Laws      |
|-----------------------------------------------------------------------------------------------------------------|---------------|
| Private work - one worker (incalls)                                                                             | Permitted.    |
| Private work - one worker (outcalls)                                                                            | Permitted.    |
| Private work - two workers, no manager (incalls and outcalls)                                                   | Permitted.    |
| Any business with a manager, or with three or more workers (brothels, erotic massage parlours, escort agencies) | Criminalised. |
| Street-based sex work                                                                                           | Criminalised. |

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## Private sex work - incall and outcall

- Private sex work (also known as independent sex work) is **allowed** (both incalls and outcalls).
- Private sex workers are called '[self-employed sex workers](#)'. Self-employed sex workers can work alone, or with **one** other sex worker, but only if neither person manages the other.
- Self-employed sex workers [must not permit a child under the age of 18](#) to be on the premises while they are providing incalls.
- Clients of self-employed sex workers [must not permit a child under the age of 18](#) to be on the premises while receiving outcall services.



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## Brothels, escort agencies, and erotic massage premises

- Brothels, erotic massage parlours and escort agencies are criminalised in Tasmania.
- It is not a crime to work for one — only to manage, operate, or be a client of one.
- Crimes related to sex work workplaces stem from the same trigger; a business where one person manages or is the boss of others:
  - 'Commercial operator' refers to a business where one person is the manager or boss of another person. It is a crime in Tasmania to be a 'commercial operator'.
  - 'Commercial sexual services business' refers to this same kind of business arrangement, and is also criminalised.

### Massage parlours

In Tasmania, 'sexual services' means 'any activity where there is any form of direct physical contact between two or more persons for the purpose of sexual gratification...including...the masturbation of one person by another.' This definition means that the same rules about self-employed sex work (above) apply to sensual massage:

What this means:

- It is **criminalised** to own or run an erotic massage business where you manage other workers. However, it is legal to work at these businesses.
- It is **criminalised** to provide sexual massage services in a private place with one other worker, as long as neither worker manages the other.

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## Street-based and outdoor work

Street-based work is illegal everywhere in Tasmania. Police officers can [arrest someone without a warrant](#) if they 'reasonably believe' that the person has committed, is committing, or is likely to commit a street-based sex work offence.

It is illegal to:

- Approach someone to offer sexual services in a [public place](#)
- Verbally offer someone sexual services in a public place
- Stand, walk slowly, wait around or hang out to wait for potential clients in a public place
- Seek out sexual services (as a client) in a public place.

Maximum penalty: 20 penalty unit fine (\$4,260).

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## Safer sex

Both [sex workers and clients](#) must:

- use condoms or other safer sex PPE for services involving sexual intercourse, or 'any other activity with a similar or greater risk of acquiring or transmitting a sexually transmissible infection'
- not discourage the use of condoms or other safer sex PPE
- not 'misuse, damage or interfere with the efficacy' of condoms or other safer sex PPE



- take 'all reasonable steps to minimise the risk' getting or passing on an STI.

**Maximum penalty:** fine of 500 penalty units (\$106,500).

All adults (including sex workers and clients) who are aware that they have a 'notifiable disease':

- must take all reasonable measures and precautions to prevent the transmission of the disease
- must not knowingly or recklessly place another person at risk of contracting the disease.

**Maximum penalty:** fine of 100 penalty units (\$21,300), 12 months imprisonment, or both.

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## Stealthing (non-consensual condom tampering or removal)

Stealthing is when someone removes or tampers with a condom without the other person's consent. If consent during sex is violated, a sexual assault has occurred.

Tasmanian law states that a person does not freely agree to an act of sexual intercourse if they communicate to the other person that a condom must be used, and the other person intentionally:

- does not use a condom, or
- tampers with the condom, or
- removes the condom – before or during the sexual intercourse.

In this law, 'sexual intercourse' means any penetration of the genitals, mouth, anus or vagina.

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## Advertising

There are no specific laws for self-employed sex workers advertising in Tasmania. Like any other small business, sex work advertising is subject to:

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

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## Police powers

Police officers can enter any premises if they 'believe on reasonable grounds' that certain sex industry offences have happened, are happening, or will happen there. This may include circumstances where they believe that:

- a managed business with two or more workers is operating from the premises
- a sex worker is being supplied with drugs
- the premises is associated with street-based sex work.

Police can search, photograph, visually record, and take evidence from the premises. Police officers can arrest a person without a warrant if they reasonably believe the person has committed, is committing, or will commit these offences.

Members of the public can make anonymous complaints, and police do not have to reveal what evidence they have been given. This means it can be difficult to defend yourself against a charge.



## Penalties relating to sex work

| Offence                                                                                                                                                                                                                                            | Information                                                                                                                                                                                                                                               | Maximum Penalty                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <u>Being</u> a 'commercial operator' of a sexual services business                                                                                                                                                                                 | <p><b>What does this mean?</b> It is <b>illegal</b> to run a sex work business where you manage other workers. It is <b>not</b> illegal to work for this type of business.</p> <p><b>Who can be charged?</b> business owners, operators and managers.</p> | Fine of 800 penalty units (\$170,400) and/or 8 years imprisonment.  |
| <u>Receiving</u> sexual services from a commercial sexual services business                                                                                                                                                                        | <p><b>What does this mean?</b> It is <b>illegal</b> to be a client of a sex work business where someone manages sex workers.</p> <p><b>Who can be charged?</b> Clients.</p>                                                                               | Fine of 100 penalty units (\$21,300) and/or 1 year imprisonment.    |
| <u>Intimidate, assault, or threaten</u> to assault a sex worker.                                                                                                                                                                                   |                                                                                                                                                                                                                                                           | Fine of 500 penalty units (\$106,500) and/or 5 years imprisonment.  |
| <u>Supply or offer to supply</u> a sex worker with a prohibited plant, prohibited substance, narcotic substance or restricted substance.                                                                                                           |                                                                                                                                                                                                                                                           |                                                                     |
| <u>Supply or offer to supply</u> a controlled substance under the Misuse of Drugs Act 2001 to a sex worker.                                                                                                                                        |                                                                                                                                                                                                                                                           |                                                                     |
| <u>Give a sex worker (or make them take)</u> any substance in order to knock them out, make them unconscious, or overpower them.                                                                                                                   |                                                                                                                                                                                                                                                           |                                                                     |
| <u>Force a person</u> to provide sexual services, or hand over their earnings from sex work by using threats, intimidation, drugs or poisons, lies, tricks or fraud, threats of deportation, or any other form of unreasonable or unfair pressure. |                                                                                                                                                                                                                                                           | Fine of 1500 penalty units (\$319,500) and/or 15 years imprisonment |
| <u>Offering</u> sexual services to a child under the age of 18 (as a sex worker)                                                                                                                                                                   |                                                                                                                                                                                                                                                           | Fine of 300 penalty units (\$63,900) or 3 years imprisonment.       |
| <u>Seeking</u> out sexual services from a child under the age of 18 (as a client)                                                                                                                                                                  |                                                                                                                                                                                                                                                           |                                                                     |
| <u>Hiring, or profiting from,</u> sexual services provided by a child under the age of 18 in a sexual services business.                                                                                                                           |                                                                                                                                                                                                                                                           | 15 years imprisonment.                                              |

