



Changes to Queensland's prostitution legislation from August 2024

Author: [Rachel Tierney](#)

Email: rtierney@gnl.com.au

Phone: 07 3361 0206

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Changes to Queensland's prostitution laws to decriminalise sex work were passed by Parliament on 2 May 2024. The *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Act 2024* ('the Act') commenced on 2 August 2024. Broadly, the changes establish a legal framework decriminalising the sex work industry in Queensland.

Under the previous licencing system in Queensland, sex work was regulated under [criminal laws](#) and licensing laws. A person who operated a sex work business with two or more sex workers had to hold a licence and follow licensing rules and conditions. Sex work, other than in a licensed brothel or by a private sex worker working alone, was criminalised.

The previous system was said to have stigmatised sex workers, made them more susceptible to exploitation and violence, and inhibited them from accessing basic work rights. There were concerns that sex workers faced barriers to accessing health, safety and legal protections.

New laws for sex workers in Queensland

The Queensland Law Reform Commission conducted a sex work industry review, which recommended a decriminalised sex work industry in Queensland. It followed the decriminalisation of prostitution in New South Wales, Northern Territory, Victoria and New Zealand.

Alongside the decriminalisation of sex work, there have also been other changes to various pieces of legislation in support of the objectives of the Act. Sex work businesses will be captured by regulatory requirements which apply to other businesses operating

in Queensland.

Key changes leading to sex work industry decriminalisation in Queensland

In summary, the effect of changes to Queensland's prostitution legislation and associated amendments to various pieces of Queensland's legislation:

- repeals existing criminal offences relating to sex work in the *Criminal Code*;
- Introduces new criminal offences in the *Criminal Code 1899*, prohibiting a person from being coerced to perform sex work and the involvement of children in commercial sexual services;
- removes the requirement for sex work businesses to be licenced and other obligations on them relating to alarms, lighting and signs;
- updates unfair discrimination protections of sex workers;
- prevents local government authorities from making local laws that prohibit or regulate sex work or the conduct of sex work businesses;
- abolishes the Prostitution Licencing Authority. There is no longer a sex work-specific regulator or licencing system for sex work businesses.

Specific amendments to the *Criminal Code 1899* related to the sex work industry

There are a number of new offences created by amendments to the *Criminal Code 1899* to ensure participation in the sex work industry is voluntary and does not involve children.

It is an offence to engage in commercial sexual services from a person who is not an adult. Maximum penalties for these offences range between 10 years to life imprisonment, depending on the charge and circumstances.

It remains an offence to procure sexual acts by coercion. However, the new laws specifically include that coercion can occur by:

- intimidation or threats of any kind;
- assaulting a person;
- damaging the property of a person or, making false representations; or
- using false pretence or fraudulent means.

It is notable that if such an inducement occurs where there is an offer to supply or the actual supply of dangerous drugs, such a matter may also be prosecuted under the *Drugs Misuse Act 1986*.

Specific amendments to the *Liquor Act 1992* related to the sex work industry

It continues to be the case that there is a prohibition on sex work on liquor-licensed premises.

The Act and corresponding amendment to the *Liquor Act 1992* prohibits persons with an 'interest in a sex work business' from holding liquor licences and/or Adult Entertainment Permits. 'Interest in a sex work business' is defined very broadly to not just include owners, operators, persons who hold a business interest in a sex work business and receive a direct income from the business but also those who have 'significant influence' over the business or are family members of the aforementioned persons.

Matters not covered by the sex work industry reform

The reforms are not comprehensive. Matters like supply of alcohol by sex work businesses, sex work performed by strippers, social escort advertising, removing sex work charges and [convictions from criminal records](#) and generally, the future of the adult entertainment industry are matters that require separate consultation and government consideration.

Accordingly, it is anticipated that there will be further legislative amendments to come in this space.

Get help from a criminal lawyer

If you work in or own a business in the adult entertainment industry and require advice regarding these changes, please contact us.

Contacting Gilshenan &Luton Lawyers

[07 3361 0222](tel:0733610222) (24/7)

gnl@gnl.com.au

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