|  |
| --- |
| More information about street-based  sex work |
| Changes under the *Sex Work Decriminalisation Act 2022* |

**The Victorian Government has decriminalised sex work to achieve better public health and human rights outcomes.**

The *Sex Work Decriminalisation Act 2022* was implemented in two stages over a two-year period.

Stage 1 of decriminalisation commenced on **10 May 2022** and Stage 2 commenced on **1 December 2023**.

# Changes to laws that apply to the sex work industry

It is no longer an offence to solicit sex work, or loiter for that purpose, in most public places in Victoria.

There are some specific places where this remains an offence at certain times, these are outlined below. If a location is not described, then you can work there.

There are no ‘designated areas’ for street-based sex workers, and police are not able to exclude workers or clients from previously designated areas.

## What has not changed

You still cannot work at or near the following locations at specified times:

* places of worship between 6am and 7pm and at any time on prescribed days
* schools between 6am and 7pm every day
* children’s services between 6am and 7pm every day
* education and care services between 6am and 7pm every day.

It is still a crime for people to engage in offensive behaviour towards sex workers on the street.

Offences related to sexual conduct or exposure in public places continue to apply.

## Places of worship

Street-based sex work is not permitted at or near places of worship between the hours of 6am and 7pm. This applies every day, regardless of whether the place of worship is open.

Street-based sex work is also not permitted at or near certain places of worship on prescribed days of religious significance. For these days and sites, street-based sex work is not permitted for the whole 24-hour day (midnight to midnight).

Street-based sex work is not permitted at or near Christian churches at any time on the following days:

* Good Friday (this includes Good Fridays observed by Orthodox Christian groups)
* the Saturday before Easter Sunday
* Easter Sunday (this includes Easter Sundays observed by Orthodox Christian groups)
* Christmas Eve (24 December)
* Christmas Day (25 December).

Street-based sex work is not permitted at or near Muslim mosques at any time of any day during the following periods:

* Ramadan (a period of 30 days)
* Eid-ul-Fitr (the day immediately after Ramadan).

Street-based sex work is not permitted at or near Jewish synagogues at any time of any day during the following periods:

* Yom Kippur (a period of two days)
* Hanukkah (a period of eight days).

No other days of religious significance have been prescribed.

## School premises

Street-based sex work is not permitted at or near school premises (both government and non-government schools) between the hours of 6am and 7pm. This applies every day, regardless of whether the school is open.

## Children’s service premises and education and care service premises

Street-based sex work is not permitted at or near any children’s service premises or education and care service premises between the hours of 6am and 7pm. This applies every day, regardless of whether the service is open.

Children’s service premises and education and care service premises include:

* preschools and kindergartens
* long day care services
* outside school hours care services
* school holiday care programs
* occasional care services (for example, a neighbourhood house or community centre)
* limited hours services (for example, a creche inside a gym or leisure centre)
* early childhood intervention services (for example, for children with a disability).

Some types of services are excluded for the purposes of the street-based sex work offence. This includes a family day care service operating from a residence and care by personal arrangement (for example, babysitting in a private home).

## Penalties for working near a restricted place

If you are issued with an on-the-spot fine, the penalty is a fine of 2 penalty units.

If you are charged, the penalty will depend on whether you have previously committed the same offence:

* For a first offence, it is a fine of 10 penalty units or imprisonment for 1 month.
* For a second offence, it is a fine of 30 penalty units or imprisonment for 3 months.
* For any subsequent offences, it is a fine of 60 penalty units or imprisonment for 6 months.

The current value of a penalty unit can be found on the Department of Justice and Community Safety website: [justice.vic.gov.au/justice-system/fines-and-penalties/penalties-and-values](https://vicgov.sharepoint.com/sites/msteams_4e9a2b/Shared%20Documents/Govt%20response%20to%20SWR/Implementation/Factsheets/Stage%202%20-%20Factsheets/justice.vic.gov.au/justice-system/fines-and-penalties/penalties-and-values)

# Information and support

## Peer support

Vixen is Victoria’s peer sex worker organisation, run 100% by and for sex workers.

Vixen provides peer education, support, outreach, advocacy and representation for sex workers in Victoria. Sex workers can contact or visit Vixen for peer education, support, information, referrals to sex worker friendly services, counselling (by appointment), community events and to connect with peers.

You can find out more information about how to access Vixen's services and view the up-to-date information hub for sex workers and sex industry stakeholders on the *Sex Work Decriminalisation Act 2022* reforms in key community languages at their website: [vixen.org.au](http://www.vixen.org.au)

You can also contact Vixen by email at [info@vixen.org.au](mailto:info@vixen.org.au).

## More information

Find out more about the *Sex Work Decriminalisation Act 2022* on the Victorian Government website: [vic.gov.au/review-make-recommendations-decriminalisation-sex-work](https://www.vic.gov.au/review-make-recommendations-decriminalisation-sex-work)