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| Guidance for Sex on Premises Venues in Victoria |
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| To receive this document in another format, email the Policy and Programs Branch <bbvsti.information@health.vic.gov.au>.  Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne.  © State of Victoria, Australia, Department of Health, November 2023.  In this document, ‘Aboriginal’ refers to both Aboriginal and Torres Strait Islander people.  ISBN 978-1-76131-466-7  Available from the Department of Health website |
| Aboriginal acknowledgment The Victorian Government acknowledges the Traditional Owners of the lands on which we all work and live. We recognise that Aboriginal people in Victoria practise their lore, customs and languages, and nurture Country through their deep spiritual and cultural connections and practices to land and water.  The Victorian Government is committed to a future based on equality, truth and justice, and acknowledges that the entrenched systemic injustices experienced by Aboriginal people endure.  We pay our deepest respect and gratitude to ancestors, Elders and leaders – past and present. They have paved the way, with strength and courage, for our future generations. |

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# Overview

## Background

Sex on premises venues (SOPVs) are venues where persons are required to pay an admission fee to enter for the purpose of engaging in sexual activities with other people who have entered the venue on the same terms and who did not receive payment for engaging in sexual activities.

From 1 December 2023, the *Sex Work Act 1994* (the Act) will be repealed as part of the broader decriminalisation of sex work in Victoria. As part of this repeal, **operators of SOPVs will no longer be required to apply to the Department of Health (the department) for an exemption from the Act**.

From 1 December 2023, the department will no longer be monitoring the compliance of SOPVs against the Victorian *Statement of principles and procedures for Sex on Premises Venues.*

This guidance document replaces the *Statement of principles and procedures for Sex on Premises Venues.* SOPVs are encouraged to refer to the recommendations included in this document to ensure they are providing a safe environment for their patrons.

## How to use this guidance

This guidance is for owners, managers, organisers, staff, and volunteers at SOPVs or events. It provides recommendations on ways to create a best practice safe venue or event.

## Staff education

Providing appropriate education for staff is vital to maintaining a safe and professional environment for all individuals. Education can assist in improving confidence and capability in the SOPVs workforce. It is important to have a knowledgeable workforce to ensure that individuals can effectively minimise and manage risk.

As well as free online tools and resources, SOPVs can contact [Thorne Harbour Health](https://thorneharbour.org/contact/) <https://thorneharbour.org/contact/> to discuss their staff education needs on sexual health, consent, and affirmative operating practices.

### Resources available

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| Resource/Topic | Links for more information |
| Better Health Channel | [Better Health Channel – Better Health Channel](https://www.betterhealth.vic.gov.au/) <https://www.betterhealth.vic.gov.au/> |
| Hepatitis A | [Hepatitis A | Hepatitis Australia](https://www.hepatitisaustralia.com/hepatitis-a)  <https://www.hepatitisaustralia.com/hepatitis-a> |
| Hepatitis B | [Hepatitis B – LiverWELL](https://liverwell.org.au/liver-conditions/hepatitis-b/)  <https://liverwell.org.au/liver-conditions/hepatitis-b/> |
| Hepatitis C | [Hepatitis C – Better Health Channel](https://www.betterhealth.vic.gov.au/health/ConditionsAndTreatments/hepatitis-c)  <https://www.betterhealth.vic.gov.au/health/ConditionsAndTreatments/hepatitis-c> |
| HIV | [HIV resources | Alfred Health](https://www.alfredhealth.org.au/services/statewide-services/victorian-hiv-service/hiv-hepatitis-sti-education-resource-centre/hiv-resources)  <https://www.alfredhealth.org.au/services/statewide-services/victorian-hiv-service/hiv-hepatitis-sti-education-resource-centre/hiv-resources>  [VIC - Get PEP](https://www.getpep.info/get-pep-now/vic/)  <<https://www.getpep.info/get-pep-now/vic/>> |
| Sexually Transmissible Infection (STI) | [Sexually transmissible infection (STI) resources | Alfred Health](https://www.alfredhealth.org.au/services/statewide-services/victorian-hiv-service/hiv-hepatitis-sti-education-resource-centre/sti-resources)  <https://www.alfredhealth.org.au/services/statewide-services/victorian-hiv-service/hiv-hepatitis-sti-education-resource-centre/sti-resources> |
| Mpox (monkeypox) | [Mpox (monkeypox) | health.vic.gov.au](https://www.health.vic.gov.au/infectious-diseases/monkeypox-mpx)  <<https://www.health.vic.gov.au/infectious-diseases/monkeypox-mpx>>  [Mpox - Better Health Channel](https://www.betterhealth.vic.gov.au/mpox)  <https://www.betterhealth.vic.gov.au/mpox> |
| Managing exposure to blood and bodily fluids or substances | [Managing exposures to blood and body fluids or substances (health.vic.gov.au)](https://www.health.vic.gov.au/infectious-diseases/managing-exposures-to-blood-and-body-fluids-or-substances)  <https://www.health.vic.gov.au/infectious-diseases/managing-exposures-to-blood-and-body-fluids-or-substances> |
| Responsible Service of Alcohol (RSA) | [Responsible Service of Alcohol training | Victorian Government (www.vic.gov.au)](https://www.vic.gov.au/responsible-service-alcohol-training)  <https://www.vic.gov.au/responsible-service-alcohol-training> |
| First Aid | [First aid basics and DRSABCD – Better Health Channel](https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/first-aid-basics-and-drsabcd)  <https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/first-aid-basics-and-drsabcd> |
| Infection prevention and control | [Infection prevention and control – advanced education eLearning modules | Australian Commission on Safety and Quality in Health Care](https://www.safetyandquality.gov.au/our-work/infection-prevention-and-control/hand-hygiene-and-infection-prevention-and-control-elearning-modules/infection-prevention-and-control-advanced-education-elearning-modules)  <https://www.safetyandquality.gov.au/our-work/infection-prevention-and-control/hand-hygiene-and-infection-prevention-and-control-elearning-modules/infection-prevention-and-control-advanced-education-elearning-modules> |
| Programs and services for sexual health and viral hepatitis | [Programs and services for sexual health and viral hepatitis](https://www.health.vic.gov.au/preventive-health/programs-and-services-for-sexual-health-and-viral-hepatitis)  <https://www.health.vic.gov.au/preventive-health/programs-and-services-for-sexual-health-and-viral-hepatitis> |
| Alfred Health education sessions | Staff and/or volunteers working at SOPVs can attend information sessions on blood borne viruses and sexually transmissible infections through [Education + Resource Centre: Education sessions | Alfred Health](https://www.alfredhealth.org.au/services/statewide-services/victorian-hiv-service/hiv-hepatitis-sti-education-resource-centre/education-resource-centre-seminars) <https://www.alfredhealth.org.au/services/statewide-services/victorian-hiv-service/hiv-hepatitis-sti-education-resource-centre/education-resource-centre-seminars> |

## Vaccination

Vaccination is a way to protect against some infections. It is encouraged that staff have the full course of relevant vaccinations. Employers should take all reasonable steps to encourage non-immune workers to receive the recommended vaccines. For recommended vaccines, refer to the [Australian Immunisation Handbook](https://immunisationhandbook.health.gov.au/contents/vaccination-for-special-risk-groups/vaccination-for-people-at-occupational-risk). <https://immunisationhandbook.health.gov.au/contents/vaccination-for-special-risk-groups/vaccination-for-people-at-occupational-risk>

Attendees at SOPVs events also benefit from vaccinations as they are the most effective way to prevent many infectious diseases. Currently, there are vaccinations available for hepatitis A, hepatitis B, human papillomavirus (HPV) and mpox. It is possible that additional vaccinations may be recommended in the future.

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| Vaccination | Access information[[1]](#footnote-2) |
| Hepatitis A[[2]](#footnote-3) | [Hepatitis A - Better Health Channel](https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/hepatitis-a)  <<https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/hepatitis-a>> |
| Hepatitis B | [Hepatitis B – immunisation - Better Health Channel](https://www.betterhealth.vic.gov.au/health/healthyliving/hepatitis-b-immunisation)  <<https://www.betterhealth.vic.gov.au/health/healthyliving/hepatitis-b-immunisation>>  Details on eligibility for free hepatitis B vaccination is available at: <https://www.health.vic.gov.au/immunisation/nip-and-state-funded-vaccines-for-eligible-victorian-adults#hepatitis-b-vaccine> |
| HPV[[3]](#footnote-4) | Details on eligibility for HPV vaccination is available at [National Immunisation Program (NIP) and state-funded vaccines for eligible Victorian adults | health.vic.gov.au](https://www.health.vic.gov.au/immunisation/national-immunisation-program-nip-and-state-funded-vaccines-for-eligible-victorian#hepatitis-b-vaccine)  <<https://www.health.vic.gov.au/immunisation/nip-and-state-funded-vaccines-for-eligible-victorian-adults#human-papillomavirus-hpv-vaccine>> |
| mpox | [mpox (monkeypox) | health.vic.gov.au](https://www.health.vic.gov.au/infectious-diseases/mpox-monkeypox#vaccination)  <<https://www.health.vic.gov.au/infectious-diseases/mpox-monkeypox#vaccination>>  [Mpox - Better Health Channel](https://www.betterhealth.vic.gov.au/mpox)  <https://www.betterhealth.vic.gov.au/mpox> |
| COVID-19 | [Get vaccinated | Coronavirus Victoria](https://www.coronavirus.vic.gov.au/get-vaccinated)  <https://www.coronavirus.vic.gov.au/get-vaccinated> |
| Seasonal[[4]](#footnote-5) influenza | [Seasonal influenza vaccine (health.vic.gov.au)](https://www.health.vic.gov.au/immunisation/seasonal-influenza-vaccine)  <https://www.health.vic.gov.au/immunisation/seasonal-influenza-vaccine> |

## Safer sex

Safer sex is an approach to sex that aims to prevent the risks of sexually transmissible infections (STIs) and unplanned pregnancy. Important mitigations include education and barrier methods that avoid high-risk contact between participants, especially where bodily fluids (such as semen, vaginal fluids, and blood) are concerned.

Operators of SOPVs can promote safer sex by:

* ensuring that condoms and other protective equipment (for example, gloves, dams) and water-based lubricant are readily available in all locations within the venue or event where any sexual activity may be likely to occur
* ensuring supplies of condoms, protective equipment and lubricant are regularly monitored and replenished
* displaying posters promoting safer sex throughout the venue
* providing detailed education materials about safer sex and the prevention, treatment and testing for STIs. This may include information materials related to condom use, PEP and PrEP).
* providing information including lists of testing, treatment and peer support services
* promoting affirmative consent.

Thorne Harbour Health provide safer sex products and paper resources on a variety of subjects. For information about these items or to get in touch with the Health Promotion team, please see [Safe-sex products | Thorne Harbour Health](https://thorneharbour.org/sexual-health/safe-sex-products/).<https://thorneharbour.org/sexual-health/safe-sex-products/>

Operators and staff should seek to encourage a positive culture in relation to safer sex. A way to achieve this is to encourage open communication between participants - before, during and after sex. SOPVs can promote an environment that encourages patrons to talk openly about sexual health, pleasure and consent, taking steps to check that everyone involved is freely agreeing to each sexual activity. Sex should be enjoyable and consensual with participants feeling respected and safe.

## Environmental safety

Operators of SOPVs are responsible for ensuring their venue or event is accessible, safe, and clean. The department recommends that operators create a safe environment by:

* providing access to handwashing facilities with soap and hot water
* ensuring that there are clearly marked locations readily available for patrons to dispose of used condoms and other materials
* ensuring that general levels of lighting within venues are adequate to illuminate safer sex messages, enable cleaning and to assist patrons to readily locate condom and lubricant dispensers and areas to dispose of used products and rubbish
* providing securely anchored sharps containers in all toilets for the safe disposal of needles and syringes
* encouraging the use of towels for lying or sitting on when naked
* providing cleaning staff with portable sharps containers when cleaning venues.

### Cleaning advice

Frequent and thorough cleaning, and safe waste management are essential to reduce the risk of infectious diseases transmission in SOPVs. Regular cleaning can significantly reduce the spread of germs from contaminated surfaces. SOPVs should have protocols in place for routine cleaning using standard cleaning and disinfection methods and products.

Operators can maintain a clean, safe environment for staff and patrons by:

* spot cleaning at least hourly (or more frequently during busy periods) including targeting of high touch surfaces that come in contact with people’s skin such as benches, chairs, walls, beds, sofas, massage tables and specialised equipment. Use furnishings that can be cleaned where soiling is most likely to occur
* ensuring frequent cleaning of areas where body fluids such as semen, vaginal discharge, faeces, saliva, blood, urine and/or lubricant may be present
* ensuring all textiles (towels, sheets) that have been in contact with people’s skin, or that have been contaminated with biological material, should be washed at a minimum of 60 ⁰C. Do not shake these items before washing
* ensuring personal protective equipment (PPE) including disposable gloves, surgical mask and eye protection is provided and worn while cleaning and handling waste.

## Regulatory Compliance

### WorkSafe Victoria

#### Role of WorkSafe Victoria

WorkSafe is Victoria’s workplace health and safety regulator. They are also the workplace injury insurer. Their job is to reduce workplace harm and improve outcomes for injured workers. Further information about WorkSafe Victoria can be found at [About WorkSafe | WorkSafe Victoria](https://www.worksafe.vic.gov.au/about-worksafe). <<https://www.worksafe.vic.gov.au/about-worksafe>>

#### Hierarchy of control

The hierarchy of control is a system for controlling risks in the workplace. Guidance at [The hierarchy of control | WorkSafe Victoria](https://www.worksafe.vic.gov.au/hierarchy-control) <https://www.worksafe.vic.gov.au/hierarchy-control> explains the hierarchy of control and can help employers understand and use the tool to eliminate or reduce risks at work.

#### Controlling occupational health and safety (OHS) hazards and risks

Systems that should be used to control OHS and risks in the workplace can be found in the Controlling OHS hazards and risks handbook [ISBN-Controlling-OHS-hazards-and-risks-handbook-2017-06.pdf (worksafe.vic.gov.au)](https://content-v2.api.worksafe.vic.gov.au/sites/default/files/2018-06/ISBN-Controlling-OHS-hazards-and-risks-handbook-2017-06.pdf). <https://www.worksafe.vic.gov.au/resources/controlling-ohs-hazards-and-risks-handbook-workplaces>

#### Contact information

WorkSafe are committed to keeping all workplaces healthy and safe. For any health and safety concerns in the workplace please refer to [Make a complaint | WorkSafe Victoria](https://www.worksafe.vic.gov.au/make-complaint).<https://www.worksafe.vic.gov.au/make-complaint>

### Local Councils

Contact your local council if you wish to register your venue as a [food premises](https://www.health.vic.gov.au/food-safety/starting-a-food-business-what-you-need-to-know) <https://www.health.vic.gov.au/food-safety/starting-a-food-business-what-you-need-to-know> or [aquatic facility](https://www.health.vic.gov.au/water/aquatic-facilities) <https://www.health.vic.gov.au/water/aquatic-facilities>

If you plan to operate your business from home, you will need to check if there are local laws relating to home-based businesses, as these may impact your hours of operation or other matters relating to the local area. Planning permits may also be required in some locations.

The [Know Your Council | vic.gov.au (www.vic.gov.au)](https://www.vic.gov.au/know-your-council) <https://www.vic.gov.au/know-your-council> website has a list and contact details of all Victorian councils.

Councils may be in touch with you if they receive complaints which indicate risks to public health. They are required to investigate complaints under the nuisance provisions set out in the Public Health and Wellbeing Act 2008.

Councils may also investigate breaches of planning requirements.

### Victorian Liquor Commission

A liquor licence is required if alcohol is being provided at SOPVs. The Victorian Liquor Commission is responsible for providing approval for liquor licences and responding to contraventions.

For information visit the Victorian Government’s [website](https://www.vic.gov.au/get-new-liquor-licence). <https://www.vic.gov.au/get-new-liquor-licence>

1. Some vaccines are free under Victoria’s Immunisation Schedule. Vaccines are free for refugees and asylum seekers of all ages. Refer to the [NIP schedule](https://www.health.gov.au/topics/immunisation/when-to-get-vaccinated/national-immunisation-program-schedule) for catch up immunisations. Refer to Victoria’s [mpox(monkeypox)](https://www.health.vic.gov.au/public-health/immunisation), and the [Victorian Immunisation schedule](https://www.health.vic.gov.au/immunisation/immunisation-schedule-victoria-and-vaccine-eligibility-criteria) for MMR, hepatitis B and vaccines for vulnerable people. [↑](#footnote-ref-2)
2. Hepatitis A is not funded under NIP or state programs. [↑](#footnote-ref-3)
3. Free vaccines are available under the National Immunisation Program (NIP) for eligible people under 25 years for HPV.  [↑](#footnote-ref-4)
4. Influenza vaccine is funded under the NIP for at risk cohorts (refer to Seasonal Influenza webpage) [↑](#footnote-ref-5)