

## **Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024**

**Submission No:** 78  
**Submitted by:** Queensland Sexual Assault Network  
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**Submitter Comments:**

7<sup>th</sup> March 2024

Committee Secretary  
Housing, Big Build and Manufacturing  
Committee  
Parliament House  
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[HBBMC@parliamenthouse.qld.gov.au](mailto:HBBMC@parliamenthouse.qld.gov.au)

**Dear Sir/Madam,**

**RE: Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024**

We refer to the Committee's correspondence to the Queensland Sexual Assault Network (QSAN) on 19<sup>th</sup> February 2024 seeking feedback on the *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024*.

We thank you for providing us with an opportunity to provide comment.

**About QSAN**

QSAN is the peak body for specialist sexual violence prevention and support organisations in Queensland. We have 23 member services, including specialist services for Aboriginal and Torres Strait Islander women, culturally and linguistically diverse women, women with intellectual disability, young women, men and children and our membership are located throughout Queensland, including in rural and regional locations.

Our network of non-Government services is funded to provide specialist sexual assault counselling, support, and prevention programs in Queensland. QSAN is committed to working towards ensuring all Queenslanders who experience sexual violence recently or historically, regardless of age, gender, sexual orientation, cultural background receive a high-quality response in line with best practice, client-centred principles. Our work and analysis of sexual violence is from a feminist perspective and addressed within a trauma-informed framework.

We are committed to engaging with government and other bodies to raise systemic issues of concern, and to ensure the voices and experiences of victims of sexual violence are considered in the formulation of policy and legislation that impacts on sexual violence victims in Queensland.

The latest statistics from the Personal Safety Survey, undertaken by the ABS have revealed only 8% of sexual violence victim-survivors report to the police and there has been a near 40% increase in young women reporting sexual violence since the last survey in 2016. These should be issues of the highest

priority to the Queensland Government and requires significant investment in the specialist sexual violence sector to provide support to victim-survivors and to appropriately assist those who choose to engage in a formal process.

Of course, specialist sexual violence services provide counselling responses and support to all victim survivors, whether they report or not. Indeed, it is nearly only through the specialist sexual violence services and the feedback we provide to government that this “cohort” (being 92% of victim survivors) are seen by policy and other decision makers.

Please see our feedback below in relation to these proposed changes:

QSAN supports the policy intent of the bill as set out in the Explanatory Notes, that the bill will establish a legal framework that will enhance safety for sex workers and will also improve the health, rights and legal protections for sex workers.

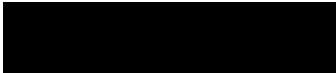
The current regulatory regime and illegality over many activities is a huge impediment to sex workers, firstly being able to report sexual violence and, secondly have it acted upon by the police. We strongly support any changes that will improve the safety of sex workers and especially will lessen their exposure to sexual violence and improve their ability to take formal action if they choose.

We also see value in police resources being redirected away from the surveillance of sex workers and compliance with regulation towards more meaningful activities, such as responding to and investigating sexual violence in our community.

We support the position of Respect QLD which we are informed is:

- *Supporting the Bill because of the demonstrated benefits for sex workers of the decriminalisation of sex work.*
- *The Bill aligns with the Women's Safety and Justice Taskforce recommendation for the decriminalisation of sex work to improve access to justice and the Queensland Law Reform Commission's eighteen-month review that made 47 recommendations for a decriminalised sex industry in Queensland.*
- *The changes proposed in the Bill will support the shift away from treating sex work as a criminal act and instead recognise sex work as work and the development of WHS guidelines appropriate to that shift.*
- *The criminalisation and licensing model we currently have in Queensland has failed and has created a two-tiered system where most of the industry (approx. 90% works outside of the legal framework). There are now only 18 licensed brothels and a regulator that only manages the licensing of that small percentage of the industry. Sex worker safety strategies are criminalised.*
- *The current laws have reinforced stigma and discrimination, wasted police resources and have reduced access to justice.*

If you require anything further, please do not hesitate to contact the Secretariat.

  
Kind Regards,  
Angela Lynch  
Executive Officer.