


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

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Level 7  
330 Collins Street  
Melbourne Victoria  
3000  
 SOCIETY OF AUSTRALIAN  
**SEXOLOGISTS**

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To whom it may concern,

This submission to support the decriminalisation of sex work under QLD criminal legislation has been collaboratively authored by Hanna Hosking, Gabriela Rivas Ureta and Bridie Allan. We offer this submission on behalf of the Society of Australian Sexologists.

We, the undersigned, jointly submit this statement in fervent support of the proposed Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024. Our collective expertise and experience within the field of sexology underscore the critical importance of decriminalising sex work in Queensland to safeguard the rights, safety, and well-being of sex workers, uphold principles of human rights, and promote a more equitable and just society.

Firstly, we recommend a commencement date of 1 July 2024 to expedite the decriminalisation process and prevent further criminalisation of sex workers, ensuring their safety strategies remain protected and accessible.

We wholeheartedly endorse the provisions within the bill aimed at amending Schedule 1 to add a definition of the attribute 'sex work activity'. However, we recommend the removal of the term 'Adult', as its inclusion may inadvertently wind back existing protections, particularly concerning discrimination against individuals aged 16 or 17 engaging in sex work. Ensuring the comprehensive protection of individuals involved in sex work activities, regardless of age, is paramount to upholding their rights and dignity.

While we unequivocally do not support any underage individual engaging in sex work, it is imperative to acknowledge that the legal age of consent in Queensland is 16. Despite our stance against underage participation in sex work, we recognize the unfortunate reality that some individuals under the age of 18 may still choose to engage in such activities. Therefore, it is

crucial that the new law provides robust protections for these vulnerable individuals, ensuring that they are not further marginalized or subjected to harm.


Moreover, we strongly support the omission of Section 106C, which repeals the lawful discrimination exemption for accommodation. This removal is essential to eliminate discriminatory practices against sex workers seeking accommodation and to ensure their access to safe and secure housing without fear of discrimination or stigma.

We commend the insertion of Part 3 and Part 7 into the City of Brisbane and Local Government Acts, which aim to prevent councils from undermining the implementation of decriminalisation. Aligning Queensland's approach with Victoria's model, as recommended by the Queensland Law Reform Commission (QLRC) review, is imperative to protect sex workers' rights and autonomy in their work environment. Furthermore, we advocate for the ability of sex workers to work together, as recommended by the QLRC review, to enhance safety and privacy without risking penalties or undue interference.

The repeal of Chapter 22A of the Criminal Code, as outlined in Clause 15, is crucial to eliminate criminal offences that hinder sex worker safety strategies. These offences, such as those pertaining to communication between sex workers for safety purposes, have unjustly criminalised essential safety measures and must be abolished to protect the rights and safety of sex workers.

We support the amendment of Section 218 to remove the role of the Police Commissioner in the development of the Adult Entertainment Code, as outlined in Clause 14. However, we emphasize the necessity of further removing police from any regulatory role concerning sex work, as their involvement may perpetuate stigma, discrimination, and harm against sex workers.

Furthermore, we echo the recommendation for a comprehensive review of the Liquor Act and Adult Entertainment Code to ensure alignment with the principles of decriminalisation and to safeguard the rights and dignity of all sex workers, including strippers. Additionally, we urge for

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3000  
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the expungement of sex work offences from past legislation to prevent ongoing impacts on sex workers and promote justice and fairness.


We advocate for empowering the local Sex worker's organisation, Respect Inc to spearhead an awareness initiative aimed at combating the stigma surrounding sex work and educating sex workers about the decriminalisation process, aligning with the guidance provided by the Queensland Law Reform Commission's Recommendation 38.

In conclusion, we urge the committee to carefully consider our submission and endorse the Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024, incorporating the recommendations outlined herein. It is crucial to recognize that this legislation marks a significant milestone in safeguarding the health, safety, and rights of sex workers. By aligning Queensland with progressive jurisdictions and dismantling the outdated regulatory framework, we pave the way for a more equitable and just society. Furthermore, we stress the importance of establishing a commencement date for the bill, as any delay prolongs the criminalisation of sex workers and undermines their access to justice.

Yours faithfully,

Gabriela Rivas Ureta, Hanna Hosking and Bridie Allan.

Address: 

Number: 

Endorsed by Ella Shannon Morter- National Chairperson- Society Australian Sexologists.

  
  
*Ella Shannon Morter*

7<sup>th</sup> March 2024