

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

**Submission No:** 145  
**Submitted by:** Magenta Sex Workers Project  
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**Submitter Comments:**

To whom it may concern,

I, Gabriela Rivas Ureta, on behalf of the Magenta Sex Worker Project in Western Australia, present this submission supporting the proposed Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024 in Queensland. This submission highlights the critical importance of decriminalising sex work to safeguard the well-being and safety of sex workers.

It is crucial for the Magenta Sex Worker Project to support the proposed Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024 as it aligns with their mission to support the well-being and safety of sex workers. Supporting this bill contributes to creating a more just and equitable society where sex workers are protected from discrimination, stigma, and harm. The provisions within the bill resonate with the core values of the Magenta Sex Worker Project, emphasising the importance of comprehensive protection, access to safe accommodation, and the removal of barriers that hinder the safety strategies of sex workers. By backing this bill, the Magenta Sex Worker Project can continue to be a strong voice for advocating for positive change and empowerment within the sex work community in Western Australia.

Commencing with urgency, we recommend setting a start date of 1 July 2024 to expedite the decriminalisation process and prevent further harm to sex workers, enabling their safety strategies to remain protected and accessible without delay. Moreover, we endorse the bill's provision to amend Schedule 1, adding a definition of 'sex work activity'. However, we urge the removal of the term 'Adult', which may inadvertently roll back existing protections and exacerbate discrimination against individuals aged 16 or 17 engaging in sex work. Upholding the comprehensive protection of all individuals involved in sex work activities, regardless of age, is essential to preserving their rights and dignity. Despite our stance against underage participation, we recognise the unfortunate reality that some individuals under 18 may still choose to engage in such activities. Therefore, it is imperative that the new law provides robust

protections for these vulnerable individuals, ensuring they are not further marginalised or subjected to harm.

Furthermore, we strongly support the omission of Section 106C, which repeals the lawful discrimination exemption for accommodation. Eliminating discriminatory practices against sex workers seeking accommodation is essential to ensure their access to safe and secure housing without fear of discrimination or stigma. We also commend the insertion of Part 3 and Part 7 into the City of Brisbane and Local Government Acts, aiming to prevent councils from undermining the implementation of decriminalisation. Aligning Queensland's approach with Victoria's model is crucial to protect sex workers' rights and autonomy in their work environment.

Additionally, we believe it is a paramount state of safety to advocate for sex workers' ability to work together to enhance safety and privacy without risking penalties or undue interference. The repeal of Chapter 22A of the Criminal Code is paramount to eliminating criminal offences hindering sex worker safety strategies. These offences unjustly criminalise essential safety measures and must be abolished to protect the rights and safety of sex workers.

Furthermore, we support the amendment of Section 218 to remove the Police Commissioner's role in the development of the Adult Entertainment Code. However, further removal of police from any regulatory role concerning sex work is imperative to prevent perpetuating stigma, discrimination, and harm against sex workers."

In Queensland, there has been a historical relationship between the police and sex workers marked by discrimination and abuse. Law enforcement agencies have often targeted sex workers, subjected them to harassment, and disproportionately enforced laws against them. This has led to a deep-seated mistrust between sex workers and the police, making it essential to remove the police from any regulatory role concerning sex work. By eliminating their involvement in developing regulations and overseeing the industry, we aim to prevent the perpetuation of stigma, discrimination, and harm against

sex workers, thus ensuring their rights and safety are prioritised without fear of unjust treatment or abuse.

Additionally, we endorse the proposal to examine the Liquor Act and Adult Entertainment Code thoroughly. This review is essential to guarantee conformity with the tenets of decriminalisation and to uphold the rights and dignity of all sex workers, encompassing individuals engaged in stripping activities. Additionally, we advocate for the expungement of sex work offences from past legislation to prevent ongoing impacts on sex workers and promote justice and fairness.

In summary, we urge the committee to review our submission and support the Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024, integrating our recommendations. This bill is a crucial step in protecting the health, safety, and rights of sex workers. By aligning Queensland with progressive laws and updating outdated regulations, we move towards a fairer society. It's vital to set a commencement date promptly to avoid prolonging the criminalisation of sex workers and ensure their access to justice.

Yours faithfully,

Magenta Sex Workers Project

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