

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

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Committee Secretary
Housing, Big Build and Manufacturing Committee
Parliament House
George Street
Brisbane Qld 4000

Email via: HBBMC@parliament.qld.gov.au

Dear Committee Secretary,

On behalf of Queensland Positive People (QPP), I am writing to express our full support for the *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024*. We have carefully reviewed and wish to provide this submission to the committee for consideration. We are aligned with Respect Inc. on this critical issue of decriminalising sex work in Queensland.

QPP strongly support the *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024* as essential legislative reform for sex worker health, safety and rights, to align Queensland with other jurisdictions that have modernised their sex work laws and to replace the current regulatory model that has failed sex workers and Queensland.

- QPP strongly recommend a commencement date of 1 July 2024. Any further delay leaves sex workers and their safety strategies criminalised, with reduced access to justice.
- While we support the amendments to the Anti-Discrimination Act 1991, including replacing attribute 'lawful sexual activity' with new attribute 'sex work activity', we recommend the removal of 'adult' from Clause 6.
- QPP support laws that ensure the implementation of decriminalisation is not undermined by councils and recommend enabling sex workers to work in small groups without penalty.
- We support the repeal of the entire Chapter 22A (Prostitution) of the Criminal Code, which include laws that criminalise sex worker safety strategies.
- While we support the amendment of the Liquor Act, however we recommend a review of the Adult Entertainment laws in relation to sex workers and remove any regulatory role from Police.
- QPP support a review of the Act in 4-5 years, however we strongly recommend this be in consultation with sex worker organisations.
- We strongly support the repeal of the Prostitution Act 1999, including the entire brothel licensing system, licensing body and authority, public health laws, advertising guidelines, street-based sex work prohibition and definitions that sex workers collaborating.
- QPP recommends the removal of 'social escort' from the Child Employment Act 2006, as it has been from other Acts.
- It is our recommendations that the expungement of sex work offences is included in future legislation to prevent ongoing impacts on sex workers.
- QPP also recommend Respect Inc is resourced to undertake an awareness program to address sex work stigma and inform sex workers about decriminalisation in line with QLRC Recommendation 38.

We firmly believe that this shift is long overdue and will bring about significant improvements for sex workers across Queensland, as the demonstrated benefits of decriminalising sex work cannot be overstated. The alignment of this Bill with the recommendations of esteemed bodies such as the Women's Safety and Justice Taskforce and the Queensland Law Reform Commission underscores its importance in enhancing access to justice and promoting the well-being of sex workers.

The current criminalisation and licensing model in Queensland has proven to be ineffective and has only served to create a harmful two-tiered system within the sex industry. Presently, the majority of sex workers operate outside the legal framework, leading to increased risks to their safety and well-being. Additionally, the existing laws perpetuate stigma, discrimination, and impede access to justice which ultimately wastes valuable police resources.

The Bill's primary focus on repealing existing legislation and shifting towards a WHS-focused approach is commendable. Recognising sex work as legitimate employment and developing appropriate WHS guidelines are essential steps towards ensuring the safety and dignity of sex workers. We fully support the efforts to repeal the Prostitution Act and relevant sections of the Criminal Code, which currently criminalise safety strategies and collaborative work among sex workers.

Furthermore, we appreciate the provisions in the Bill that prevent local governments from banning sex work within their jurisdictions. This measure is crucial in ensuring the effective implementation of decriminalisation across Queensland.


As we continue to advocate for the rights and well-being of people living with HIV, we recognise the importance of supporting initiatives that promote harm reduction and respect for human rights. Decriminalising sex work is a vital step towards achieving these goals, and we stand in solidarity with Respect Inc. in their efforts to advance this cause.

In conclusion, Queensland Positive People gives consent to having this submission published, as we wholeheartedly support the Bill advocating for the decriminalisation of sex work in Queensland. We look forward to collaborating with Respect Inc. and other stakeholders to ensure the successful passage and implementation of this critical legislation.

Thank you for your dedication to this important issue.

Kind Regards



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