

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

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CRIMINAL CODE (DECRIMINALISING SEX WORK) AND OTHER LEGISLATION AMENDMENT BILL 2024

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About NAPWHA

Founded in 1989, the National Association of People with HIV Australia (NAPWHA) is Australia's peak non-government organisation representing community-based groups of people with HIV. Through leadership in policy, health promotion, representation, education, and prevention, NAPWHA strives to minimise the adverse personal and social effects of HIV. By championing the participation of people living with HIV at all levels of the national response we aim to build a positive future for all in our communities.

NAPWHA strengthens the national response to the HIV epidemic by ensuring the meaningful involvement of all people with HIV and plays an active role in realising a partnership approach in all aspects of our response.

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Overview

NAPWHA supports the proposed *Criminal Code (Decriminalising Sex Work) and Other Legislation Amendment Bill 2024* and recommends that Queensland quickly implement legislative reform that prioritises the health, safety and legal rights of sex workers. We believe that this legislation poses an essential opportunity for Queensland to modernise its legislative regime, strengthen its public health response to HIV, STIs and other blood-borne viruses and align itself with other jurisdictions in Australia.

NAPWHA endorses the submission of *Scarlet Alliance* in its entirety. In line with *Scarlet Alliance's* submission, NAPWHA makes the following recommendations:

- This legislation should be commenced from the 1st of July 2024.
- 'Adult' should be removed from Clause 6 of the Amendment Schedule 1.
- Councils should be banned from preventing sex work in their local areas.
- Ch22A of the Criminal Code should be repealed.
- There should be review of Queensland's Adult Entertainment laws and the regulatory role from Police should be curtailed.
- This legislation should be reviewed in five years in consultation with sex worker organisations.
- The *Prostitution Act* should be repealed, including the licensing system, licensing body, public health and advertising provisions.
- The term 'social escort' should be removed from the *Child Employment Act*.
- Previous sex work offences should be expunged from individuals' criminal records.
- *Respect Inc* should be resourced to undertake an awareness program to address sex work stigma and inform sex workers about decriminalisation.

NAPWHA encourages Queensland to avoid stigmatising language in their legislation and in any way indicating that one type of sex work is more or less safe than any other.