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Plan to expunge Qld gay sex convictions

Jamie McKinnell, AAP November 29, 2016, 2:04 pm

Queensland's Attorney-General Yvette D'Ath has released a draft bill that would allow hundreds of historical homosexual convictions to be struck from the public record. Consensual homosexual acts by adults were decriminalised in the sunshine state in 1991, but many men convicted of the historical offences still carry that record. Ms D'Ath on Tuesday released a Queensland Law Reform Commission report into how the government could correct those records, along with a draft bill for parliament.

"This is a chance for some closure for Queenslanders who continue to be hurt by the legacy of decades-old discrimination... Wrongs inflicted by a past regime are a different Queensland than the modern state we enjoy today," she told parliament.

Ms D'Ath said the MPs as a parliament should apologise for "the hurt that followed them (convicted men) for the decades since".

Under the plan, applications would be made to the director-general of the Department of Justice and Attorney-General.

Ms D'Ath said rather than the scheme only dealing with repealed offences under the criminal code, it would allow men convicted or charged with "certain historical morality offences" to also apply.

"These cover scenarios where the alleged immorality, namely the behaviour that the charge was grounded on, was based on consensual homosexual actions. James Farrell, director of Community Legal Centres Queensland, said carrying around historical convictions meant living with "ongoing stigma, shame and practical difficulties".

"We welcome the Queensland government's recognition of these impacts and preparedness to act to address this ongoing injustice," he said.

"We look forward to working with the government on the changes to the law, and to processes that allow men to move on with their lives, free from the very real stigma on their face."

Queensland is one of the last states to act on setting up an expungement scheme.

In January, Ms D'Ath said there had been 464 convictions for consensual gay sex in Queensland and 500 cases were before the courts.

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