

Criminal convictions for historical homosexual offences will be wiped off Queensland records

By Gail Burke

Posted Wed 11 Oct 2017, 6:24am

Queensland men who were convicted when homosexual acts were a crime can apply to have their records cleared, under new laws passed unopposed in State Parliament last night.

Consensual homosexual sex was illegal in Queensland until 1991, when the Goss Labor government changed the laws.

Up to that time, 464 people were convicted, and they can now apply to have their criminal records expunged.

Attorney-General Yvette D'Ath said the changes acknowledged and rectified past prejudice and discrimination against the lesbian, gay, bisexual, transgender, intersex and questioning (LGBTIQ) community.

"The stigma of those charges and convictions continues to follow many individuals who have forgone employment, and travel opportunities, as a result of their criminal records," she said.



PHOTO: The bill sought to remove the stigma of historical convictions, Ms D'Ath said.
(ABC News: Julie Hornsey)

MAP: Brisbane 4000

"This bill is intended to provide a humble but meaningful measure of restorative justice."

Under the legislation, the Department of Justice and Attorney-General director general will be responsible for deciding on applications for expungement.

Anyone can apply to have records expunged for eligible offences if charged or convicted under the law as it stood before the 1991 decriminalisation.

'People took their own lives from the shame'

Ms D'Ath reflected on the experiences of those who had suffered under the laws.

"I want to acknowledge those who took their own lives because of the shame of those charges and those convictions and never got to see justice, never got to see those convictions expunged," she said.

"I also want to acknowledge that things have changed in this country but we still have a long way to go.

"We still know there are young teenagers in school who are struggling with their sexuality. This is all for them."

Peter Black from the LGBTIQ legal service said it was a historic reform.

"This is a reform that we've been calling for ever since homosexuality was decriminalised back in 1991," he said.

"The injustices and indignity that so many people suffered from that period have lingered and have affected a whole range of different parts of their life, from their employability to their mental health to their relationships.

"Not only is this a reform that is vitally important for the people who have these convictions, but it's also an important symbolic step for the state to recognise that loving the person that you love should never have been against the law in the first place."

Federal Government 'failing in its duties'

Premier Anastacia Palaszczuk said the advocacy from the LGBTIQ community had improved the lives of many.

"The Queensland we live in today is a very different one to the Queensland of the 1980sm" she said.

However, more needed to be done, she said.

"Parliaments and governments have a duty to their citizens to act in the best interests of our society. They have a duty to ensure laws do not discriminate," she said.

"While this parliament today is living up to its responsibilities, the Australian Parliament is failing in its duties by continuing to allow the marriage act to discriminate against same sex couples."

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