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QLD News

# Queensland Parliament: Legislation passed to expunge convictions over historical homosexual convictions

Trenton Akers, The Courier-Mail  
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QUEENSLANDERS with historical homosexual charges will be able to have their convictions expunged under new legislation passed through State Government Tuesday night.

The Government said the bill was introduced to Parliament as part of their 2015 election commitment to the LGBTI community to “write a historical wrong”.

Those with convictions relating to “illegal homosexual activity” dated before January 19, 1991, will be able to apply to the Department of Justice and Attorney-General to have the historical charges removed and will be judged on a case-by-case basis.

Prior to the decriminalisation in 1991, the main offences relating to homosexual activity were ‘unnatural offences’ and ‘Attempt to commit unnatural offences.’

Attorney-General Yvette D’Ath said the scheme would see a successful applicant treated as if the charge never occurred in the first place.

“To achieve this aim, records relating to a successfully expunged conviction or charge will be annotated by the relevant criminal record holder to show that the record relates to an expunged conviction or charge,” she said.

“The expungement scheme in the Bill is designed to address the wrongs associated with the criminalisation of sexual activity between consenting adults.

“Importantly, the successful applicant will not be obliged to disclose the expunged conviction or charge pursuant to any requirements under any other Act and may claim, under oath, that the expunged conviction or charge never occurred.

The Historical Homosexual Convictions Expungement Bill was passed with the bipartisan support of the house.