

“Last chance to repeal Queensland’s “toxic” Sodomy Law”

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Quotes from Wendell Rosevear are from John’s interview with him, recorded 18th October 2011 at Avid Reader:

http://www.queerradio.org/Dr_Wendell_Rosevear_YouTube_Video_and_transcript_1_8thOctober2011.htm

Last chance to repeal Queensland’s “toxic” Sodomy Law

By John Frame, Brisbane LGBT and equal rights activist.

Queensland is the only region in Australia where youth are not allowed the simple dignity of a truly equal age of consent. Our state’s “Sodomy Law” sets a 2 year higher minimum age of 18 for any person to engage in anal intercourse. “Consent” is not accepted as a defense in Court, and all offenders face up to 14 years imprisonment.

This 1990 law has never really been about limiting a particular sexual activity – but rather it is about trying to deter male youth from “experimenting” with homosexuality.

The Sodomy Law specifically acts to define young gay and bisexual male youth as “unequal” and as being likely criminals, based solely on their potential sexual activity.

The law not only denies these youth the legal right to be treated as equals to their heterosexual peers, but it also places them at serious risk. The immediate negative effects extend to an elevated risk of poor sexual health, self-harm and suicide.

With a looming change of Government to the traditionally homophobic LNP, it is more dangerous than ever to leave such a toxic law in force.

Queensland Labor’s Policy Platform (Section 7.9 of the Justice and Governance Chapter) states: "7.9 Labor will ensure uniformity of age among laws relating to the age of consent for lawful sexual activity." In stark contrast successive leaders of the Opposition LNP have declared that they will never support an equal age of consent.

While the only hope for reform lies with Bligh Labor taking decisive reform action within this current term of office, they have flatly refused to publicly commit to any reform plan, and they offer no explanation for their inaction.

Equal age of consent reform is a matter of absolute necessity for gay and bisexual male youth— for the sake of their health and well being, and for their inclusion in relationships and safe sex education. Local LGBT community identity Dr Wendell Rosevear OAM has extensive experience in counseling youth and states:

“I think we need to make the age of consent equal because the truth is we need to make all people feel equally valuable. If you want safety in society you need to have equal value of every person whether it’s a male or a female, straight or gay. Otherwise people feel less valuable, or different, or stigma.”

“The other thing is in terms of preventing youth suicide, and in terms of creating safe sex information so that people can value themselves and protect themselves from sexual transmitted diseases like HIV and Syphilis and Gonorrhoea and Chlamydia – not just HIV. We need to be able to educate people so that they can value themselves and use information to protect themselves.”

“I’m really keen that we don’t stigmatise people, otherwise we get bullying, or we get violence, or we even get homophobic murder – and I know of at least 7 cases of homophobic murder in Queensland. So we need to attack homophobia, and one of the ways we do that is to say that everybody is valuable. If we have a law that says “you are not equally valuable”, then that law is toxic. We can’t afford those beliefs because otherwise we get what I call “preventable violence” in our society.”

The Sodomy Law is Section 208 of the Criminal Code, in Chapter 22: “Offences Against Morality”. It was enacted by Goss Labor in the same 1990 Bill which “decriminalised” sex between men. The PCJC Report on Reforms in Laws Relating to Homosexuality had specifically recommended that the age of consent be made equal at 16 for all persons and for all sexual activities. However this was the only Recommendation that was not applied in the Bill. The higher minimum age for anal sex was instead included in order to placate a few of Labor’s own conservative minded MPs.

Community attitudes of tolerance and acceptance have progressed in leaps and bounds since 1990. Queensland’s Parliament ought to reflect that progress by ensuring the enactment of true equal rights for all youth – whether they’re gay or straight.
