

Criminal Code (Consent and Mistake of Fact) and Other Legislation Amendment Bill 2020

Submission to Queensland Parliament Legal Affairs and
Community Safety Committee

7 September 2020

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Who we are

The Australian Lawyers Alliance (ALA) is a national association of lawyers, academics and other professionals dedicated to protecting and promoting justice, freedom and the rights of the individual.

We estimate that our 1,500 members represent up to 200,000 people each year in Australia. We promote access to justice and equality before the law for all individuals regardless of their wealth, position, gender, age, race or religious belief.

The ALA is represented in every state and territory in Australia. More information about us is available on our website.¹

The ALA office is located on the land of the Gadigal of the Eora Nation.

¹ www.lawyersalliance.com.au.

Consent laws and mistake of fact

1. The ALA welcomes the opportunity to have input into the review of the Queensland Parliament Legal Affairs and Community Safety Committee ('the Committee') review of the Criminal Code (Consent and Mistake of Fact) and other Legislation Amendment Bill 2020 ('the Bill').
2. The ALA confines its comments to the section in the Bill which seeks to implement the recommendations of the Queensland Law Reform Commission (QLRC) in its *Review of consent laws and the excuse of mistake of fact* report. The ALA provided an extensive submission to the QLRC review.
3. After a close analysis of the Bill the ALA considers that the proposed amendments are acceptable and appropriate. In our view the Bill simply codifies the current position of the common law and align with the current practice directions to juries.
4. The ALA has no further comments to make in relation to the Bill.

Greg Spinda



Queensland President

Australian Lawyers Alliance