



Healthy Communities
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Senate Legal and Constitutional Affairs Committee
P O Box 6100
Parliament House
Canberra ACT 2600

Dear Senate Committee

Thank you for the opportunity to provide feedback on the exposure draft of the *Human Rights and Anti-Discrimination Bill 2012 (HRAD Bill)*.

Healthy Communities is a non-profit, community-based association focussed on providing leadership, representation and quality services to enhance the health and wellbeing of lesbian, gay, bisexual and transgender (LGBT) people and communities in Queensland. In particular, the aims of the association include:

- To reduce disadvantage and discrimination suffered by people living with HIV/AIDS; and
- To reduce disadvantage and discrimination suffered by lesbian, gay, bisexual and transgender people.

The negative health impacts of stigma, discrimination and inequality for LGBTI people include poorer mental health, higher rates of homelessness, higher rates of harassment or violence and for gay men, higher rates of Human Immunodeficiency Virus (HIV). Reducing discrimination is one important element in providing both a holistic approach to health promotion and health service provision that improves the health and wellbeing of LGBT people.

We support many of the changes in the draft HRAD Bill, such as inclusion of relationship status, gender identity and sexual orientation as grounds for unlawful discrimination. LGBTI people should be entitled to full equality before the law.

Many people living with Human Immunodeficiency Virus (HIV) experience discrimination in health care settings, aged care facilities, housing and employment. We are disappointed that HIV has not been specifically included as a protected attribute or explicitly stated as an example under the protected attribute of 'medical history'.

We support the prohibition on discrimination for religious aged care services. In Queensland, there are many rural or remote areas where the only federally funded aged care provider may be a religious organisation. LGBTI aged should be entitled to receive non-discriminatory care in these settings

In addition, we recommend that all government funded services should be prevented from discriminating against LGBTI people. It seems a gross injustice that any organisation receiving any government funding would consider it acceptable to discriminate against anyone.

While we generally support the provisions of the draft legislation, we find it curious that the provisions of the Bill apply only to conduct geographically in Australia and not to the conduct of officers of the Commonwealth, people acting on behalf of the Commonwealth or Australian citizens overseas. It seems to us that all Commonwealth officers, people acting on behalf of the Commonwealth and Australian citizens overseas should also be subject to the provisions of the draft Bill. This would ensure that, in particular, immigration and consular officers who are based overseas are covered by the provisions of the draft Bill.

Healthy Communities is happy to be contacted for further information or assistance.

Thankyou very much

Joanne Leamy
President

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