

The Australian Family Association (AFA)



Submission to the
***Inquiry into the Marriage Equality Amendment Bill 2012 and the Marriage
Amendment Bill 2012***

Committee Secretary
Social Policy and Legal Affairs Committee
House of Representatives
PO Box 6021
Parliament House
Canberra ACT 2600

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To the Committee:

Submission to the Inquiry into the *Marriage Equality Amendment Bill 2012* and the *Marriage Amendment Bill 2012*

From the Australian Family Association

We thank the Committee for this opportunity to contribute to an important debate. It is the strong recommendation of the AFA that the proposed amendments to the *Marriage Act 1961* be rejected. We provide our reasons below.

Respectfully yours,

Terri M. Kelleher
Australian Family Association

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SUMMARY

On why the institution of “marriage” is inherently related to the male-female union

- Marriage is protected as a compound right in international law. Article 23 of the ICCPR states: “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State ... The right of men and women of marriageable age *to marry and to found a family* shall be recognised.” (emphasis added) Only the male-female sexual union is naturally oriented to the creation of children and the founding of this “natural and fundamental group unit of society”: the biological family. This is why marriage singles out the male-female union against every other type of human relationship.
- The state has an interest in its future citizens growing up in optimal circumstances. The state also has a responsibility to protect the child’s rights and interests. In particular the state has an obligation to protect the child’s basic right to know and be cared for by his or her biological parents. The legal institution of marriage is a key mechanism by which the state protects this right, by encouraging men and women to make a legally binding, publicly witnessed declaration of lifelong, exclusive fidelity to one another.
- Marriage is the legal “binding agent” which binds husband and wife in a lifelong, permanent union, to mirror the immutable bonds of biological kinship with (and among) their children and extended family relatives. While permanence may be desirable in a range of human relationships, the institution of marriage deliberately highlights the importance of permanence in the family-oriented heterosexual union.

- The state's interest in marriage has nothing to do with appeasing a couple's desire to have their "love" recognised or sanctioned by the state. Rather, the state's involvement in marriage has do to with recognising the significant public interest in fostering lifelong, exclusive fidelity between a man and a woman intending to engage in a relationship whose very nature is oriented towards the creation of children and of a new biological family unit.
 - Through marriage, the state encourages men and women to voluntarily commit to lifelong exclusive fidelity, by becoming *legally* bound through marriage. The legal bond is important, because it fortifies any private commitment – religious or otherwise – that the couple may have made to one another, with a view to engendering stability and longevity in anticipation of the rights and interests of the children which heterosexual unions are naturally oriented to producing.

On the consequences for education and freedom of religion, if marriage is redefined

Leading gay and lesbian organizations pushing for same-sex marriage have told the federal government inquiry into the consolidation of federal anti-discrimination legislation that they oppose granting churches and schools any exemptions from new anti-discrimination legislation. They want to force churches to support same-sex marriage and require primary and secondary schools to teach gay, lesbian, bisexual and transsexual lifestyles.

- Gay and lesbian peak groups, representing over 1,000 organisations, have told the Attorney Generals Department inquiry into consolidating all federal anti-discrimination laws, that they oppose the new law granting exemptions for churches and organisations receiving government funds to provide services like education and aged care.
- The concerted push for no exemptions makes a mockery of the claims by Marriage Equality, one of the leading advocates of gay marriage, that changing the law to allow same-sex marriage won't lead to the churches being forced to perform gay weddings. Marriage Equality say that allowing gay marriage won't require schools to teach that having two mummies or daddies is no different from having a mother and a father; nor will it force schools to teach gay, lesbian, bisexual and transsexual issues.
- Several leading gay and lesbian peak organisations making this call represent over 1,000 organizations. The National GLBTI Health Alliance has 68 national and state member organizations; The Australian Federation of AIDS Organisations' members together represent 1,039 AIDS, drug injecting, aboriginal and Torres Straits Islander and sex worker organizations.
- If the federal government were to accept their proposal and refuse to grant exemptions to churches:
 - Ministers of religion will be forced by law to marry gay and lesbian couples, or face prosecution;
 - Church organisations would be forced to employ gay and lesbian activists hostile to the fundamental teaching of their religion;
 - Wedding photographers, wedding reception centres and other wedding organizations would face prosecution for not providing their services, or make their facilities available, for same-sex weddings.
- Further, all primary and secondary schools and even kindergartens, would be forced to:
 - Teach that two lesbian mothers or two gay fathers is no different from having a real, biological mum and dad; and
 - Teach as normal gay, lesbian, bisexual, transsexual and bisexual relationships in subjects like sex education, social studies, history and legal studies.
- The Australian Education Union, representing 186,000 teachers, has called for the all schools to teach as normal gay, lesbian, bisexual and transsexual lifestyles. The proposal of these organizations to have Federal laws force these issues on churches is a gross violation of religious freedom. Calls for the same law to force these issues into schools is a gross violation of the rights of parents and schools to determine the moral and ethical issues to be taught to children and teenagers.

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PART I - WHY “MARRIAGE” IS INHERENTLY RELATED TO THE MALE-FEMALE UNION

Marriage and the law: it’s not the *word* that matters, it’s the type of *relationship*

Since 1866 under the common law of the UK and Australia, and since 2004 under the Commonwealth *Marriage Act*, marriage has been explicitly defined in law as “the union of a man and a woman to the exclusion of all others for life”.

This definition is not arbitrary. The male-female sexual union is singled out because it is our species’ only reproductive kind of relationship. Marriage reflects the state’s strong preference that men and women who engage in this kind of inherently child-producing relationship do so in the context of a mutual commitment of lifelong, exclusive fidelity.

Marriage enables a man and a woman to make a legally binding public declaration of lifelong exclusive fidelity, not to appease the couple’s desire to have their “love” sanctioned or recognised by the state, but because of the important role that this legal commitment plays in keeping the natural family together, in the best interests of society.

Article 23 of the UN International Covenant on Civil and Political Rights states: “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.” This same Article 23 goes on to affirm the compound right “of men and women of marriageable age *to marry and to found a family.*” (emphasis added)

Importance of the legal bond

Marriage establishes a substantial, publicly witnessed, legally enforceable bond between husband and wife. This is important, because the voluntary union of two people is, on its own, far weaker than the immutable bonds of kinship which bind both mother and father to their children, and which link the couple’s children to one another and to their extended family relations and ancestors. Promises can be retracted; biological kinship cannot. The legal dimension of marriage adds an extra layer of reinforcement to the spouses’ voluntary commitment of lifelong fidelity. In doing so, marriage helps to preserve the interests of the children.

Marriage is the legal keystone holding the biological family together

Marriage may be *between* two people, but marriage is not just about the marrying couple. Marriage is the legal keystone in the midst of a much larger arrangement of interconnected extended family relationships from which we derive our sense of place in society and in history, and which are essential to our developing a healthy sense of identity.

We know that family and identity are closely related, because we have seen in our own nation’s history the traumatic loss of identity experienced by several generations of children who, for various reasons, were separated from their biological families, and for which governments have seen fit to apologise. This sense of loss of identity has also been powerfully expressed by adoptees – including many adoptees who had happy home lives with their adopting parents – and more recently by donor-conceived individuals, particularly those who do not know the identity of one or both of their biological parents.

We know how important biological family ties are when we see the soaring popularity of television programmes like *Find My Family*, and *Who Do You Think You Are?* and when we see how enthusiastically Australians have embraced ancestry search services like *Ancestry.com*.

From a practical point of view, we know how important it is not to be separated from one’s own biological family if we are to know vital information about our family members’ medical histories.

We know how important it is not to remove children from their families, because the principle has been enshrined in a binding international treaty – the United Nations Convention on the Rights of the Child – to which Australia is a signatory.

These are just some of the reasons the state has such a strong interest in encouraging heterosexual couples to enter into (and honour) a commitment of lifelong, exclusive fidelity to one another. When they do, the natural result is for their children's rights to be protected and vindicated, and for the vital bonds of biological kinship to be maintained and strengthened. Even in an imperfect world, marriage – between a man and a woman – offers this most basic level of security to the vast majority of children.

By contrast, the state does not have an equivalent interest in encouraging homosexual couples to enter into lifelong, exclusive relationships. Such relationships may offer stability, but they cannot vindicate a child's right to know and be raised by his or her parents.

Essentially, if we were to change the definition of marriage so that it is no longer about the union of a man and a woman, we would be taking away the security of many children in the future to know and be raised by their biological parents. The institution of marriage would no longer be a mechanism for reinforcing the bonds of family kinship which are so important to each of us. Every child has a mother and father. Every child has biological relatives and ancestors. Children have a fundamental right to know them, and to be among them, and it is through marriage that the state protects and vindicates these basic children's rights.

The concerns and needs of same-sex couples must be addressed, but not by redefining marriage

There is no question that men and women in same-sex relationships must be treated justly and fairly, and treated with the respect and dignity that is their due. This does not require the state to fundamentally change the meaning of marriage. Rather, already available legal mechanisms can and should be employed to address any shortcomings in the law as it stands.

It's ok for the state to treat different kinds of relationships differently

The fact that the legal institution of marriage specifically corresponds with the particular significance of the lifelong, exclusive heterosexual union does not mean that other kinds of relationships aren't significant. It just means that no other kind of relationship has the *same* significance, and so the state does not have the same interest in recognising other relationships in the same way.

Lifelong, loyal friendships, for example, are extremely significant and immeasurably beneficial, both to individuals and to society. But they are not significant for the same reasons that lifelong, exclusive heterosexual unions are significant, so they are not recognised by the state in the same way. Indeed, despite their immense value, friendships are not recognised by the state at all.

Similarly, given that same-sex relationships are not conducive to human reproduction in the same way that heterosexual relationships are, they don't attract the *same* kind of recognition from the state. That is to say, same-sex and opposite-sex relationships are different in a deeply significant way, and so, quite sensibly, they are treated differently.

This is no slight on persons in such relationships; just an acknowledgment of the truism that different kinds of relationships are, in fact, different. If our dogmatic impulse to stamp out discrimination leads us to treat significantly different things as if they are not different, the result is not justice; it is legal absurdity.

This can be illustrated by an analogous case, also related to sex and gender: maternity leave.

Maternity leave is an entitlement specifically for women in paid employment who have recently given birth, miscarried, or adopted a child. As such, the entitlement excludes women who have *not* recently had a child. It especially excludes infertile women. And obviously it excludes men.

Is maternity leave discriminatory? Should it be more inclusive?

It could certainly be argued that the maternity leave system is unjust to the extent that certain women are excluded from a substantial workplace entitlement merely on the basis of a medical condition (infertility). This is to say nothing of those "socially infertile" (i.e. single) women who can't fall pregnant, and can't afford IVF.

What's more, it is arguable that there would be broad positive consequences in the community if fertile and infertile women were treated in exactly the same way: such a move might provide a potentially positive impact on the psychological health of infertile women, and improve community perceptions of infertility.

The benefits of making maternity leave more inclusive really do ring true. So why persist with a discriminatory system?

The answer is simply that making maternity leave more inclusive would defeat the entire purpose of the scheme in the first place, which is to provide assistance specifically to women who have just had a child. Maternity leave schemes are *supposed* to “discriminate”, by addressing a specific situation of unique significance (i.e. maternity) in a very specific way.

Similarly, through marriage, our legal system treats a specific relationship (i.e. the heterosexual union) of unique significance (i.e. it is the relationship by which our species reproduces itself) in a very specific way. This is sensible government policy, not discrimination.

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PART II – CONSEQUENCES FOR EDUCATION & RELIGIOUS FREEDOM IF MARRIAGE IS REDEFINED

Currently, two revolutionary changes are being considered to Australian law.

First, three bills are before the parliament to allow same-sex marriage, which will destroy the true meaning of marriage.

Second, the Federal Attorney General's Department is currently holding an inquiry into the Federal Labor government's election promise to consolidate the Commonwealth's anti-discrimination laws, and include gay, lesbian and other sexual lifestyles in the new law. Currently, there are four separate laws dealing with different grounds of discrimination:

- *Racial Discrimination Act 1975* (RDA)
- *Sex Discrimination Act 1984* (SDA)
- *Disability Discrimination Act 1992* (DDA), and
- *Age Discrimination Act 2004* (ADA).

A fifth Act, the *Australian Human Rights Commission Act 1986* (AHRC Act), establishes the Australian Human Rights Commission and regulates the processes for making and resolving complaints under the other four Acts. There are also provisions relating to discrimination in employment in the *Fair Work Act 2009*.

Any change to the Marriage Act has to be seen in the context of current and future anti-discrimination legislation.

While the Federal Attorney General said that the new consolidated anti-discrimination laws will provide exemptions for churches and other organizations:

- (a) gay and lesbian organizations are opposed to granting any exemptions; and
- (b) claims that exemptions will protect freedom of religion and freedom of parents to determine the education of their children are anything but convincing after the Victorian Brumby, in 2010, government began winding back similar exemptions to Victorian's Equal Opportunity Act, violating religious freedom.

Marriage Equality article says:

Because they are essential services for the entire community, most Australian schools and charities are subject to anti-discrimination laws which prevent them from discriminating.

Under these laws it is possible for charities and schools to seek exemptions should the need arise.¹

¹ *Marriage equality will violate religious freedom,*

The Australian Education Union (AEU) represents 186,000 teachers and education workers in Australia's public early childhood education centres, schools and TAFE institutions.²

The AEU *Policy on Gay, Lesbian, Bisexual, Transgender and Intersex People* as adopted at the 2006 Annual Federal Conference,³ states:

Homosexuality, bisexuality, transgenderism and intersex need to be normalised and all states need to develop material which will help to combat homophobia, biphobia and transphobia. Material must be developed for students who are GLBTI and also Aboriginal and Torres Strait Islanders or from a non-English speaking background.

The Australian Education Union also make's clear its hostility to those schools that would not teach such a curriculum. Under its policy section entitled "Religious Institutions and Community Groups", its policy document says:

While some groups and their members are to be commended for their positive common sense and humanist approach to GLBTI issues others are to be condemned for their discriminative attitudes and approaches. The AEU calls on all such groups to take a positive humanist approach to GLBTI issues.

Further, in a 2008 AEU earlier submission⁴ to a Senate inquiry, the union stated that the Commonwealth Sex Discrimination Act be amended to

exclude educational institutions established for religious purposes from exemptions allowable under the act, for employment purposes. (pg. 8)

GLBTI organisations opposing exemption clauses for churches/schools in the proposed Federal Attorney General's consolidation of Federal anti-discrimination legislation. Note some of these are umbrellas for numerous GLBTI organizations.

1. The Victorian Gay and Lesbian Right's Lobby said in its submission⁵:

The VGLRL would oppose any exemption that permitted religious bodies to discriminate against people in employment matters; in the provision of public services using public funds; in the course of education, including primary schools, secondary schools and universities; in the provision of welfare and healthcare services including hospitals, healthcare clinics and aged care facilities; in the provision of commercial services such as accommodation; in commerce and in other similar areas. (pg. 2) (my emphasis)

Further, the Lobby said that it also

... supports submissions made by the National LGBTI Health Alliance, the Discrimination Law Experts' Group, the Human Rights Law Centre and the Equality Rights Alliance. (pg. 1)

2. The National GLBTI Health Alliance has 68 national and state member organizations

<http://www.australianmarriageequality.com/wp/faq/4-marriage-equality-will-violate-religious-freedom/>

² AEU submission to the Attorney General's Department inquiry into consolidation of all Federal anti-discrimination laws, February 13, 2012.

³ *Policy on Gay, Lesbian, Bisexual, Transgender and Intersex People* as adopted at the 2006 Annual Federal Conference of the Australian Education Union.

⁴ AEU submission to the Senate Legal and Constitutional Affairs Committee "Inquiry into the effectiveness of the Commonwealth Sex Discrimination Act 1984 in eliminating discrimination and promoting gender equity", July 2008.

⁵ The Victorian Gay and Lesbian Right's Lobby, SUBMISSION ON THE ATTORNEY-GENERAL DEPARTMENT'S CONSOLIDATION OF COMMONWEALTH ANTI-DISCRIMINATION LAWS - DISCUSSION PAPER, 1 February 2012.

<http://www.lgbtihealth.org.au/members#national> (Appendix 1). It said in its submissions⁶ Recommendation 5: Exemptions and Exceptions:

Religious bodies should not be granted exemptions from anti-discrimination legislation for their activities in the provision of services, such as aged care, health services, and education. If, however, they are to be granted exemptions, they should have to lodge a claim in writing with the Commission which should be displayed on the claimant's website and in other promotional material so that any potential employee, recipient of services, or other person interacting with the body may be duly alerted to the body's intended practices of discrimination. (pg. 11)

(my emphasis)

Further, the Health Alliance favours an extremely broad open ended formulation of what constitutes discrimination, as advocated by the Discrimination Law Experts' Roundtable report to the Attorney General Department's inquiry:

"Discrimination includes any distinction, exclusion, preference, restriction or condition made on the basis of a protected attribute, which has the purpose or effect of [...] impairing or nullifying the recognition, enjoyment or exercise, on an equal footing, of equality of opportunity or treatment." (pg. 14)

3. The Australian Federation of AIDS Organisations (AFAO's) members are the AIDS councils in each state and territory <http://www.afa.org.au/who-we-are>

- National Association of People Living with HIV/AIDS (NAPWA),
- the Australian Injecting & Illicit Drug Users League (AIVL),
- the Anwernekenhe National Aboriginal and Torres Strait Islander HIV/AIDS Alliance (ANA), and
- Scarlet Alliance, the Australian Sex Workers Association.

... which together represent 1,039 AIDS, drug injecting, aboriginal and Torres Straits Islander and sex worker organizations. (Appendix 2)

The AFAO submission said in its submission⁷:

Religious organisations are now contracted to administer government-funded services to the public, and so, like [the] rest of Commonwealth services, should be bound by anti-discrimination laws. *We therefore call for the removal of religious exemptions to anti-discrimination laws on the basis of sexuality - particularly in relation to employment, and the provision of health and community services, including aged-care.* (pg. 3)

(my emphasis)

To that end the AFAO recommended to the Attorney General Department's inquiry:

- AFAO proposes that there be no religious exemptions in the new consolidated anti-discrimination law.
- If the religious exemptions are to remain in place, we propose that religious organisations be required to register their intent to discriminate with the Australian Human Rights Commission, and to publicly declare that intent in public messaging and advertising. (pg. 5)

Victoria's Equal Opportunity Act used to attack religious freedom

In 2010, the last Labor government in Victoria demonstrated just how tenuous were the employment exemption clauses of the state's *Equal Opportunity Act*. The Brumby Labor government passed legislation winding back the employment exemptions for religious-based institutions. The public outcry resulted in the legislation being repealed as one of the first acts of the Baillieu Coalition government in 2011, with unanimous support of

⁶ The National LGBTI Health Alliance, Submission to the Attorney-General's Department in response to the Discussion Paper (September 2011) on the Consolidation of Commonwealth Anti-discrimination laws, 01 February 2012

⁷ Australian Federation of AIDS Organisations (AFAO), Discussion Paper on Consolidation of Commonwealth Anti-Discrimination Laws, Submission to the Attorney General's Department, 27 January 2012.

Victorian Coalition government parliamentarians.

Overseas experience of same-sex marriage forced into schools

Overseas experience demonstrates that following the legalisation of same-sex marriage, the teaching of a new definition of marriage that encompasses GLBTI issues is enforced in schools.

In 2004, a **Massachusetts** court ruling recognised same-sex marriage.⁸ Subsequently, David Parker, a parent in Lexington, Massachusetts, was arrested and jailed after he peacefully but unyieldingly insisted on being able to opt-out his six-year-old son from lessons on homosexuality and transgenderism in kindergarten.⁹ Two years later, in dealing with the case, the US District Court in Massachusetts ruled that parents don't have the right to restrict what a public school may teach their children, even if the teachings contradict the parents' religious beliefs.

Canada : According to philosopher Margaret Somerville, one of the many complaints filed before the human rights tribunals or courts after Canada legalised same-sex marriage, was against school trustees for their decision not to include books on homosexual families on a recommended reading list for kindergarten students.¹⁰

Conclusion

The AEU policy and the policies of these GLBTI organizations show that there is a hollow ring to any claim that schools and religious-based institutions will not be required to teach same-sex marriage and related GLBTI issues in schools because they have exemption clauses in anti-discrimination laws. These groups want the to abolish the exemption clauses.

⁸ Brian Camenker, "What same-sex 'marriage' has done to Massachusetts", Mass Resistance (Waltham, Massachusetts), October 20, 2008. URL:

www.MassResistance.org/docs/marriage/effects_of_ssm.html

⁹ "David Parker: arrest and lawsuit", Mass Resistance (Waltham, Massachusetts). URL:

www.massresistance.org/docs/parker/

¹⁰ "The case against same-sex marriage", submission to the Senate inquiry into the Marriage Equality Amendment Bill 2010. Submission no. 65 by Margaret Somerville, AM, FRSC, A.u.A (pharm.), LL.B. (hons), D.C.L., LL.D. (hons. caus.), D.Sc.(hons. caus.), D.Hum.L.(hons. caus.), D.Sac.L.(hons.caus.), March 13, 2012.

URL:

www.aph.gov.au/Parliamentary_Business/Committees/Senate_Committees?url=legcon_ctte/marriage_equality_2012/submissions.htm

Appendix 1

The National GLBTI Health Alliance has 68 national and state member organizations listed below, and can be viewed at

<http://www.lgbtihealth.org.au/members#national>

National GLBTI Health Alliance

<http://www.lgbtihealth.org.au/members#national>

National Organisations

[Australian Federation of AIDS Organisation \(AFAO\)](#)

Peak body representing Australia's community-based response to HIV and AIDS

[Australian GLBTIQ Multicultural Council \(AGMC\)](#)

Represents the interests of Australian GLBTIQ individuals & groups from a multicultural background

[Headspace National Youth Mental Health Foundation](#)

Aims to develop services in the mental health area for all young Australians, with the knowledge that LGBTI young people presenting with mental health problems are over-represented

[Care Connect](#)

A major community care provider that supports frail aged people, people with a disability and carers to live independently at home and in the community.

[ArciLesbica Australia](#)

Support Group for Italian Australian women who identify as lesbian, bisexual, gay, trans*, intersex and queer.

[Organisation Intersex International Australia \(OII\)](#)

Support and advocacy for intersex people. The regional arm of OII international.

[Intersex Trust Aotearoa New Zealand](#)

Provides education/training awareness around intersex issues

[Australian Lesbian Medical Association \(ALMA\)](#)

National organisation for lesbian medical doctors and students.

[Inspire Foundation](#)

The Inspire Foundation exists to help young people lead happier lives, and is the organisation behind leading youth mental health service, ReachOut.com.

[National LGBT Cancer Network](#)

Public Advocacy on issues for gay and lesbian people with cancer

[AIS Support Group Australia Inc.](#)

National intersex advocacy and support group, established 1985

[GALFA](#)

The Gay and Lesbian Foundation of Australia aims to provide funds for charitable activities/organisations that have as their sole or chief purpose the good and betterment of lesbian, gay, bisexual, transgender, intersex people and allied communities in Australia

Australian Capital Territory (ACT)

[A Gender Agenda](#)

Gender rights organisation, advocating for the improved wellbeing of gender-diverse individuals and communities.

[YWCA of Canberra](#)

A values-led, non-profit community based organisation working and advocating for social justice within a feminist framework

[AIDS Action Council of the ACT\(AACACT\)](#)

Provides a range of programmes supporting LGBT health, with particular focus on holistic HIV prevention.

[Alcohol Tobacco & Other Drug Association ACT \(ATODA\) is the peak body representing the non-government and government alcohol, tobacco and other drug \(ATOD\) sector in the Australian Capital Territory \(ACT\)](#)

Queensland (QLD)

[Changeling Aspects](#)

Advocacy and support for trans people

[Family Planning Queensland\(FPQ\)](#)

Provides sexual and reproductive health clinical services, education and professional training programs throughout Queensland

[Indigilez Women's Leadership and Support Group Provide encouragement, support and referral pertaining to Indigenous same-sex attracted women's health and wellbeing. Indigilez strives to develop women's leadership, providing programs and projects to further encourage women to create and maintain a positive healthy lifestyle - spirit, soul and body](#)

[Queensland Association for Healthy Communities\(QAHC\)](#)

Promote the health and wellbeing of LGBT Queenslanders by providing education, advocacy and support

TransSunshineCoast

Transgender support group based in Maroochydore

[Gay and Lesbian Welfare Association](#)

Peer-to-peer telephone counselling service, offering support, referral and information to the Queensland LGBT community

[Freedom! Gender Identity Association Inc.](#)

Promote the welfare of sex and gender diverse individuals, their families, friends and allies in Queensland

[YFS \(Logan City\) Inc](#)

Client-focused support services run by, for and with the local community

[Youth Empowered Towards Independence \(YETI\)](#)

Run a same sex attracted youth program

[Open Doors Youth Service](#)

Provides support to young people who identify as Lesbian, Gay, Bisexual and/or Transgender (LGBT), those who have a diverse gender and/or sexuality and those who are exploring their sexuality and/or gender identity.

New South Wales (NSW)

[ACON Health promotion organisation based in the gay, lesbian, bisexual and transgender community, with a central focus on HIV/AIDS. Programs include peer support for same-sex attracted young people, Lesbian Health Project, ATSI program, interagency ageing working group, Same-Sex Domestic Violence Project, Pride in Diversity Corporate Equality Program](#)

[Gay and Lesbian Rights Lobby NSW](#)

Advocacy, policy and education in areas of gay and lesbian legislative inequality

[Twenty10](#)

Supports young people of diverse genders and sexualities experiencing or at risk of homelessness through case management, drop-in, counselling, accommodation, social support, community capacity building and education

[Family Planning NSW](#)

Provide education and LGBT-friendly services. Run programs that address discrimination as a result of homophobia

[Freedom 2 \(B\)](#)

Provide support to LGBTIQ people of Pentecostal, Evangelical and Charismatic Christian backgrounds

[Gay & Lesbian Counselling Services of NSW](#)

A volunteer-based community service providing free, anonymous and confidential telephone counselling, information and referral services and support groups for gay men, lesbians, bisexual and transgender persons (GLBT) and people in related communities throughout New South Wales.

[The Gender Centre Inc.](#)

Health and Welfare Centre for people with gender issues.

[Aged and Community Services Association of NSW & ACT \(ACS\)](#)

The leading peak organisation for not-for-profit retirement living, community and residential aged care providers.

[Hepatitis NSW \(HNSW\)](#)

An independent, charitable, community-based membership organisation offering assistance to people affected by the hepatitis C virus.

Northern Territory (NT)

[Northern Territory AIDS and Hepatitis Council \(NTAHC\) Provides a range of programmes supporting LGBT health, with a particular focus on preventing transmission of HIV, Hepatitis C, STIs and minimising the physical and social impact of HIV/AIDS and Hep C.](#)

[Darwin Community Legal Service](#)

Providing free legal and advocacy services to disadvantaged and marginalised people in the Northern Territory

South Australia (SA)

[AIDS Council of South Australia \(ACSA\) Provide a range of programs supporting LGBT health, with a focus on improving the health and wellbeing of gay and other homosexually active men, people who inject drugs, sex workers and people living with HIV/AIDS, in order to contribute to the overall wellbeing of the community](#)

[BFriend](#)

Run by UnitingCare Wesley Adelaide, the Bfriend program supports people who are newly identified as being same-sex attracted or questioning their gender identity

Southern Women's Health (Southern Primary Health)

Committed to improving women's health, equality and wellbeing. Based in outer southern Adelaide

[Feast Festival](#)

Adelaide's annual LGBTIQ arts and cultural festival - promoting positive lifestyles and embracing inclusivity

[Gay & Lesbian Community Services of SA](#)

A fully volunteer run and operated peer telephone support, referral and advocacy service for the LGBT community and the wider community of South Australia

[Sexual Health Information networking and education SA \(SHine SA\)](#)

SHine works in partnership with government, health, education and community agencies, and communities, to improve the sexual health and wellbeing of South Australia

Tasmania (TAS)

[Working it Out \(WIO\) Tasmania's sexuality and gender support and education service](#)

[Tasmanian Council on AIDS, Hepatitis & Related Diseases \(TasCAHRD\)](#)

Provide a range of programs supporting LGBT health, with a particular focus on prevention, advocacy and support for those affected by HIV/AIDS, hepatitis and related disease. Services include housing, needle exchange' drug information

[Tasmanian Council for Sexual & Gender Diverse People \(TCSGDP\)](#)

Develops local management plans in partnership with local government to provide strategies to allow LGBTI people in the region to "come out with pride" and live in their community with dignity as fully participating members

Victoria (VIC)

[Anti Violence Project of Victoria \(AVP\) Addressing violence within and against LGBT communities](#)

[Victorian AIDS Council/Gay Men's Health Centre \(VAC/GMHC\)](#)

Health promotion organisation whose primary focus is the health and well-being of HIV positive individuals and communities, the HIV vulnerable or at-risk communities, and the gay, lesbian, bisexual and transgender communities. Provide a range of programs, including counselling, legal advice, advocacy, peer support and emergency financial support

[Gay and Lesbian Health Victoria \(GLHV\)](#)

Dedicated to improving the response of the health system to GLBTI people.

[JobCo Employment Services Inc](#)

Is a not-for-profit organisation assisting the disadvantaged and long term unemployed to seek support services, training and employment options.

[Rainbow Network Victoria](#)

Network for people working with same-sex attracted or transgender young people in Victoria both within and outside of schools

[Zoe Belle Gender Centre](#)

Provides services to support and improve the health and wellbeing of Victoria's sex and gender diverse people. Is working to establish a physical centre.

[{also} Foundation](#)

Engage in a wide range of activities in the areas of advocacy, education and promotion to support a diverse, strong, safe and inclusive LGBT community that contributes to and is respected by broader communities. Auspices a number of advocacy and support groups

[Bisexual Alliance Victoria](#)

Provides support and raises awareness about bisexuality

[Victorian Gay and Lesbian Rights Lobby](#)

The peak Victorian advocacy organisation for LGBIQ Victorians, working closely with Transgender Victoria to achieve equality and social justice

[Way Out - Rural Victorian Youth & Sexual Diversity Project \(Cobaw Community Health\) Community-based health and welfare service](#)

[Rainbow Families Council](#)

Volunteer organisation working for equality for LGBTI-parented families

[Country Awareness Network \(CAN\)](#)

Providing community support, education, information, advice, referrals and advocacy regarding sexual health, HIV, hepatitis C to Victorian rural and regional communities

[Gay and Lesbian Switchboard\(Victoria\)](#)

Provide free anonymous telephone counselling, information and referral services for LGBT communities in Victoria and Tasmania

[TransGender Victoria](#)

Victorian transgender advocacy organisation

Western Australia (WA)

[True Colours Uniting Care West The True Colours Program aims to reduce emotional and social isolation of geographically isolated young people with diverse sexuality and/or gender](#)

[Gay & Lesbian Community Services of WA \(GLCS WA\)](#)

Provides telephone counselling and other support services to the LGBT community as well as education and training on LGBT issues

[GLBTI Retirement Association \(GRAI\)](#)

Advocates for retirement living and aged care needs of older members of the GLBTI community

[The Freedom Centre](#)

Supporting the health and diversity of young people's sexuality and gender

[Chameleon Society of Western Australia](#)

Supports transgendered people

[Western Australia AIDS Council \(WAAC\)](#)

Provide a wide range of programs supporting LGBT health, with a particular focus on holistic HIV prevention and the treatment and care of people living with HIV/AIDS

[Youthlink Health Dept of WA](#)

Mental Health Service for marginalised and at-risk youth

[WA Gender Project](#)

Lobby, education and advocacy group working to advance the human rights of transgender, transsexual and intersex people

Appendix 2

The Australian Federation of AIDS Organisations (AFAO's) members are the AIDS councils in each state and territory <http://www.afao.org.au/who-we-are>

- National Association of People Living with HIV/AIDS (NAPWA),
- the Australian Injecting & Illicit Drug Users League (AIVL),
- the Anwernekenhe National Aboriginal and Torres Strait Islander HIV/AIDS Alliance (ANA), and
- Scarlet Alliance, the Australian Sex Workers Association.

... which together represent 1,039 AIDS, drug injecting, aboriginal and Torres Straits Islander and sex worker organizations.

1. The National Association of People Living with HIV/AIDS (NAPWA has 13 member organisations: <http://napwa.org.au/members>

| | | | |
|-----|--|---|------------------|
| ACT | Positive Living ACT | 02 6257 4985 02 6257 2855 Fax 02 6257 4838 | Full member |
| NSW | Positive Life NSW | 02 9206 2177 1800 245 677 | Full member |
| NT | People Living With HIV/AIDS NT | 08 8941 1711 | Full member |
| QLD | Queensland Positive People (QPP) | 07 3013 5555 Freecall 1800 636 241 (within QLD) | Full member |
| SA | Positive Life South Australia Inc | 08 8293 3700 Fax 08 8293 3900 | Full member |
| TAS | TasCAHRD Positive Services | | Full member |
| VIC | People Living with HIV/AIDS Victoria | 03 9863 8733 Fax 03 9863 8734 | Full member |
| WA | HIV/AIDS Peer Advisory Network (HAPAN) | (08) 9482 0000 | Full member |
| | Body Positive New Zealand | +64 9 309 3989 Free phone 0800 HIV LINE (within NZ) | Associate member |
| NSW | PozHet - Positive Heterosexuals | 1800 812 404 | Associate member |
| NSW | Positive Aboriginal Torres Strait Islander Network | 02 8568 0300 | Associate member |
| VIC | Positive Women Victoria | 03 9076 6918 | Associate member |
| VIC | Straight Arrows | 03 9863 9414 Fax 03 9863 9421 | Associate member |

2. Australian Injecting & Illicit Drug Users League (AIVL).

<http://www.healthinonet.edu.edu.au/key-resources/organisations>

AIVL represents a total of 1,006 organisations, including:

- 216 government organizations,

- 748 non-government organisations (NGOs), and
- 42 other organisations.

3. The Anwernekenhe National Aboriginal and Torres Strait Islander HIV/AIDS Alliance (ANA) has 13 member organisations <http://napwa.org.au/members>

| State | Name | Phone | Membership |
|-------|--|---|------------------|
| ACT | Positive Living ACT | 02 6257 4985 02 6257 2855 Fax 02 6257 4838 | Full member |
| NSW | Positive Life NSW | 02 9206 2177 1800 245 677 | Full member |
| NT | People Living With HIV/AIDS NT | 08 8941 1711 | Full member |
| QLD | Queensland Positive People (QPP) | 07 3013 5555 Freecall 1800 636 241 (within QLD) | Full member |
| SA | Positive Life South Australia Inc | 08 8293 3700 Fax 08 8293 3900 | Full member |
| TAS | TasCAHRD Positive Services | | Full member |
| VIC | People Living with HIV/AIDS Victoria | 03 9863 8733 Fax 03 9863 8734 | Full member |
| WA | HIV/AIDS Peer Advisory Network (HAPAN) | (08) 9482 0000 | Full member |
| | Body Positive New Zealand | +64 9 309 3989 Free phone 0800 HIV LINE (within NZ) | Associate member |
| NSW | PozHet - Positive Heterosexuals | 1800 812 404 | Associate member |
| NSW | Positive Aboriginal Torres Strait Islander Network | 02 8568 0300 | Associate member |
| VIC | Positive Women Victoria | 03 9076 6918 | Associate member |
| VIC | Straight Arrows | 03 9863 9414 Fax 03 9863 9421 | Associate member |

4. Scarlet Alliance, The Australian Sex Workers Association, has 7 sex worker organisational members.

<http://www.scarletalliance.org.au/who/history/>

Scarlet Alliance Members in 2001:

- ▲ QLD: SQWISI
- ▲ VIC: Rhed (associate member)
- ▲ WA: Phoenix & SWOPWA
- ▲ ACT: ACTSWOP (associate member)
- ▲ NT: NTSWOP
- ▲ SA: SA SIN
- ▲ NSW: Sex Workers Outreach Project (SWOP), & Quewu – Queer and Esoteric Workers Union

