



BUILDING OUR COMMUNITY'S  
HEALTH & WELLBEING

**Submission to:**

Department of Families, Housing,  
Community Services and Indigenous  
Affairs

On the National Compact  
Consultation Paper

October 2009

## About ACON

ACON (formerly known as the AIDS Council of NSW) was formed in 1985 as part of the community response to the impact of the HIV/AIDS epidemic in Australia. Today, ACON is Australia's largest community-based gay, lesbian, bisexual and transgender (GLBT) health and HIV/AIDS organisation. ACON provides information, support and advocacy for the GLBT community and people living with or at risk of acquiring HIV, including sex workers and people who use drugs.

ACON is home to the Lesbian Gay Anti-Violence Project (AVP), the Community Support Network (CSN), the Positive Living Centre (PLC) and the Sex Workers Outreach Project (SWOP). ACON has its head office in Sydney as well as branches in the Illawarra, Northern Rivers, the Hunter region and the Mid North Coast.

ACON has over 150 paid staff members and over 1000 active volunteers. The primary source of funding for ACON comes from the NSW Department of Health.

## General Comments

ACON, as a community based organisation situated in the GLBT community, welcomes the opportunity to provide input into the development of a national compact between the Commonwealth Government and the Third Sector.

ACON notes and welcomes recognition from the Australian Labor Party that a "special effort is required to address the complex and diverse health needs of GLBT and intersex people".<sup>1</sup>

ACON is particularly interested in the principles of inclusiveness and diversity included in the *National Compact Consultation Paper* due to the longstanding exclusion of GLBT communities and their issues.

ACON also welcomes the principle of respect, particularly in relation to the enormous contribution of the Third Sector, and the strength and expertise of this Sector in their partnership with government.

## Diversity

Diversity is a social reality in all aspects of Australian society. Proactively acknowledging and engaging with diverse communities is essential for government policy to reflect the modern Australia. As the *National Compact Consultation Paper* states, diversity includes "equal respect and opportunity for all, regardless of culture, ethnicity, age, disability, gender, sexual orientation or religion is an important aspect of diversity". ACON fully endorses the inclusion of the principle of diversity in the National Compact.

ACON welcomes the inclusion of sexual orientation as a ground where equal respect should be protected as part of the principle of diversity. ACON however would note the non-inclusion of gender identity as also a ground where discrimination is not acceptable and equality is a key concern. Equality is a key concept in Australian society, and is particularly important for groups that have traditionally been or continue to be discriminated against in society. It is also important to translate the inclusion of sexual

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<sup>1</sup> Australian Labor Party, *ALP National Platform*, (2009) at [http://www.alp.org.au/platform/chapter\\_06.php](http://www.alp.org.au/platform/chapter_06.php)

orientation and sexuality in the principle of diversity into “actions relating to the principle of diversity”.

Considering the history and ongoing impact of discrimination and stigmatisation against the GLBT community by government and other service providers, the GLBT community, it is particularly important to redress this balance and ensure that all services, whether provided by government or by the Third Sector, does not discriminate on the ground of sexual orientation and gender identity.

To ensure that the GLBT community is on an equal footing with their heterosexual peers, a focus on substantive equality is required, rather than simply achieving formal equality. The GLBT community still experience high levels of violence, discrimination and abuse in their lives.<sup>2</sup> A large study into the health of the GLBT community indicated that around two thirds of GLBT respondents indicated that “fear of prejudice or discrimination caused them at least sometimes to modify their daily activities.”<sup>3</sup> A study into same-sex attracted young people reported that those who have experienced homophobic verbal abuse are twice as likely to self harm, and those who have experienced homophobic physical abuse are three times more likely to self-harm compared to those that have not experienced any homophobic abuse.<sup>4</sup>

Formal equality is essential but will not alone address the more systemic barriers to access such as discriminatory attitudes of service providers, and the continued effects of discrimination such as higher levels of violence against the GLBT community. ACON welcomes the 2008 law reforms achieving formal equality in many areas for people in same-sex relationships. ACON believes that these reforms, together with a national compact are important initiatives that pave the way for strengthened partnerships with the Commonwealth Government and GLBT organisations.

Moving towards substantive equality can be achieved through the National Compact, and the Third Sector has a significant role to play as service providers, opinion leaders and employers. The principle of diversity and the corollary principle of equality is a useful principle for the national compact to improve service delivery and the inclusion of the GLBT community through culturally appropriate services, respecting the diversity of their staff and clients and using culturally appropriate language and visual representations that reflects the diversity of the community.

In adopting a position of non-discrimination against same-sex de facto couples in legislation through the recent law reforms, the government has agreed to remove discrimination from law and policy. As such, the National Compact has an onus to promote non-discrimination through the principle of diversity in funding agreements.

#### **Recommendations:**

1. The National Compact recognises the importance of equality for all people, regardless of gender identity.
2. The National Compact include actions that relate to sexual orientation and gender identity under “Actions relating to the principle of diversity”.

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<sup>2</sup> M Pitts, A Smith, A Mitchell, S Patel, *Private Lives: A report on the health and wellbeing of GLBTI Australians*, Australian Research Centre in Sex, Health & Society, La Trobe University, (2006), pp. 50.

<sup>3</sup> *Ibid.*,

<sup>4</sup> L Hillier, A Turner, A Mitchell, *Writing themselves in again: 6 years on. The 2<sup>nd</sup> national report on the sexuality, health & well-being of same-sex attracted young people in Australia*, Australian Research Centre in Sex, Health & Society, La Trobe University, (2005), p. 45.

3. The National Compact emphasise the importance of substantive equality in addition to formal equality as a component of embracing diversity.
4. The National Compact further develops the concept of diversity to include practices that accepts diversity and equality, including:
  - a. Providing services that are culturally appropriate to different groups in the community
  - b. Respect the diversity of the staff and clients of service providers
  - c. Use culturally appropriate language in internal and external documents and advertisements
  - d. Have visual representations that reflects the diversity of the community, including GLBT members of the community.
5. The values inherent in the principle of diversity be made mandatory for Commonwealth Government funded programs, projects and organisations.

## **Inclusiveness**

The *National Compact Consultation Paper* states that “[t]he principle of inclusiveness recognises the need for real consultation, engagement and partnership approaches to create better policies, programs and services.” The principle of inclusiveness also includes the importance of advocacy of the Third Sector and the participation and inclusions of individuals and communities.

ACON recognises the essential role of advocacy that many organisations in the Third Sector take up to speak up for excluded, marginalised or minority groups. Community groups are a key link between government and the community, especially for excluded, marginalised or minority groups such as the GLBT community. It is essential that community groups have the capacity to provide policy advice to government that considers the interests of groups that are often left out in general policy discussions.

Partnerships between the Commonwealth Government and organisations that are based in the GLBT community can also be strengthened and further developed. This will assist the government in improving the participation and inclusion of the GLBT community in public processes to create better approaches to policy, program and service delivery.

### **Recommendations:**

6. The National Compact recognises the importance of advocacy work performed by Third Sector organisations and the need for the Commonwealth Government to fund such important work.
7. The Commonwealth Government develops partnership structures to improve the inclusion of the GLBT community to create better approaches to policy, program and service delivery.

## **Other Comments**

Given the recognition that “special effort is required to address the complex and diverse health needs of GLBT and intersex people”, all future consultation events in the development of a National Compact should include representation from GLBTI organisations. ACON stands ready to assist the government in this regard, particularly due to ACON’s long history of working with the GLBT community as the largest community based GLBT organisation in Australia with almost 25 years of experience.

Contributions of volunteers and work within the community by community members are enormous. The economic and social contribution of volunteers is well recognised, and in the development of the National Compact, further consideration should be given to how organisations that work with volunteers can be supported to expand the reach of their work. ACON currently has over 300 active volunteers involved in the delivery of client and community services.

Principles of effectiveness and sustainability are very important to ACON. Our work is based on need, evidence and is responsive to the changing needs of our community. To continue to deliver considerable benefits to the community into the future, ACON, as with all other non government organisations, needs sustained funding and support. Retention of workforce and continued presence in our community is fundamental to the achievements of ACON and other health organisations.

**Recommendations:**

8. All future consultations events in the development of a National Compact should include representation from GLBTI organisations.
9. The National Compact include further consideration on how organisations that work with volunteers can be supported to expand the reach of their work.

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