

2019

NSW STATE ELECTION

Responses to our Election Issues Questions



ABOUT ACON

ACON is New South Wales' leading health promotion organisation specialising in HIV prevention, HIV support and lesbian, gay, bisexual, transgender and intersex (LGBTI) health. Established in 1985 as the AIDS Council of NSW, our mission is to enhance the health and wellbeing of our communities by ending HIV transmission among gay and homosexually active men, and promoting the lifelong health of LGBTI people and people with HIV.

ABOUT THE GAY AND LESBIAN RIGHTS LOBBY NSW

Established in 1988, the NSW Gay & Lesbian Rights Lobby (GLRL) is the peak organisation for lesbian and gay rights in NSW. We provide referral and educative resources on gay and lesbian rights to the media, policy makers and the community. Our mission is to achieve legal equality and social justice for lesbians, gay men and their families.

ABOUT POSITIVE LIFE NSW

Positive Life NSW is the state-wide peer based non-profit organisation that speaks for and on behalf of people living with and affected by HIV (PLHIV) in NSW. We provide leadership and advocacy in advancing the human rights and quality of life of all PLHIV, and to change systems and practices that discriminate against PLHIV, our friends, family and carers in NSW.

ABOUT SWOP

SWOP is Australia's largest and longest established community-based, peer education sex worker organisation focused on HIV, STI and hepatitis C prevention, education and health promotion for sex workers in NSW. Our mission is to improve the health of all sex workers in NSW through innovative, holistic, and effective approaches to sexual health, and to improve the protection of their human rights.

| We acknowledge and pay respects to the Traditional Custodians of all the lands on which we work.

INTRODUCTION

As we look toward the State election of 23 March 2019, our organisations have asked candidates to commit to reforms to improve the health, wellbeing and inclusion of people living with HIV (PLHIV), sex workers and Lesbian, Gay, Bisexual, Trans and Queer (LGBTQ) people.

The responses of the following political parties and independent candidates are included in this document:

- The coalition, which is the incumbent government, made up of National Party and Liberal Party representatives
- NSW Labor Party
- NSW Greens
- Alex Greenwich, Independent Member for Sydney

We thank the parties and individuals surveyed for providing their responses to our election paper and hope that this publication will assist community members in making an informed choice on 23 March 2019.

Our communities are diverse and bound by a common fight against hate, discrimination and erasure - as well as key health challenges such as HIV. Together, we have achieved tremendous progress in the past decades, but much remains to be done to achieve equality.

We wish to acknowledge that the identities, paths and experiences of people in our communities can be intersectional and are shaped by a multitude of factors, including their socio-economic background and cultural identities. In particular, Aboriginal and Torres Strait Islander LGBTQ people face compounded disadvantage, structural barriers and discrimination in accessing health and social services, resulting in significantly worse health outcomes.

We also stand in solidarity with people born with variations of sex characteristics. Intersex Human Rights Australia, the national peak body for people born with variations of sex characteristics, is advocating on intersex-specific issues.

HIV AND SEXUALLY-TRANSMISSIBLE INFECTIONS

If elected, will candidates:

1. Maintain existing investment levels in HIV programming in NSW – including prevention and support for PLHIV?

Coalition: In 2018-19 NSW Health allocated \$21.9 million in services to strengthen HIV testing, treatment and prevention. Any future allocations will be determined in line with normal budget processes. Under the NSW Liberals and Nationals Government, we have implemented two strong, evidence based HIV strategies that set targets to dramatically reduce HIV transmissions in NSW. As part of that commitment the Government funded the most ambitious PrEP access study in the country called EPIC – NSW. From these measures, we are seeing record low new HIV transmissions in NSW. This strategic direction has broad commitment and if elected we will continue to strive towards further reductions in HIV notifications and will work with the partners in the HIV response to do so.

NSW Labor: Yes.

Alex Greenwich: Yes. I have long supported continued funding for HIV prevention and support and getting to zero transmissions by 2020. I have raised this with successive health ministers since being elected.

NSW Greens: Yes.

2. Create an affordability access scheme for people who are not eligible for Medicare which covers PrEP and HIV treatments?

Coalition: People who do not have access to Medicare and who are not eligible to receive subsidised PrEP via the Pharmaceutical Benefits Scheme (PBS) can access PrEP by personal importation. Overseas importation options offer generic PrEP at a price comparable or cheaper to PrEP through the PBS.

The NSW Government pays patient co-payments for Section 100 drugs and medicines to help ease the financial burden from treatment for other chronic conditions, including HIV. Local health districts are responsible for exploring options to enable access to HIV treatments for HIV positive patients who do not have access to Medicare.

The Bobby Goldsmith Foundation can also assist Medicare ineligible people with financial assistance to pay for HIV treatment.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens support an agreement with industry and the Commonwealth Government to provide PrEP and HIV treatment for people who are not eligible for Medicare. This would help treatment be more equitable. The Australian Greens are proud to have fought for the inclusion of PrEP on the PBS, ensuring that Medicare eligible people can access it.

3. Improve access to HIV testing and inclusive LGBTQ healthcare for culturally and linguistically diverse community members?

Coalition: NSW Health is working with ACON, Multicultural HIV and Hepatitis Service and other partners to better target HIV testing for culturally and linguistically diverse community members at risk of HIV, including: a focus on international student communities; health promotion activities in multiple languages; innovative testing options targeted at people born overseas; increased community engagement, such as peer workshops; and enhanced data collection for all new diagnoses to better understand gaps in testing.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

4. Oppose the introduction of mandatory testing of people whose bodily fluids come into contact with police (“spitting laws”)?

Coalition: In August 2016, the NSW Legislative Assembly Committee on Law and Safety included in its report on the inquiry into violence against emergency services personnel a recommendation that the NSW Government consider introducing legislation to allow mandatory disease testing of people whose bodily fluids come into contact with police and emergency services personnel. A cross-agency working group was established to develop an options paper.

The paper was released to key stakeholders for comment. The NSW Government is considering the options in light of the submissions received.

NSW Labor: Yes. Labor has no plans to change the current laws.

Alex Greenwich: Yes.

NSW Greens: Yes.

5. Repeal and replace Section 79 of the Public Health Act 2010 with a statement that is proportionate and reflects the science and community expectations about harms caused by the criminalization of STIs by October 2020?

Coalition: The NSW Liberals & Nationals Government will commence a statutory review in early 2020. As part of the review, consultation with the community will occur. Following the review, the Government will consider if any changes to section 79 are required.

NSW Labor: Labor will examine the results of the review.

Alex Greenwich: Yes. I opposed this provision when it was introduced and my successful amendments moved during debate will ensure they get reviewed within two years.

NSW Greens: During debate in the NSW Parliament in 2017 regarding s79, the Greens in the upper house raised serious concerns about the amendment, stating that “some elements of the bill seem at best contradictory—namely, the threat of criminal sanctions without any clarity of the concept of “reasonable precautions”.

The Greens support calls to repeal s79 of the Public Health Act 2010 and commit to working across party lines towards that goal as part of the statutory review of the Act in October 2019.

6. Grant a permanent legal exemption to allow members of the community to exchange sterile injecting equipment to reduce the transmission of HIV and other blood-borne viruses?

Coalition: The NSW Needle Syringe Programs (NSP) has made a significant contribution to preventing HIV and other blood-borne viruses among people who inject drugs. In NSW, HIV notifications remain low and stable among people who inject drugs (around 2 per cent).

While the distribution of sterile syringes through the NSP has increased by 33 per cent over the last five years, in 2017, 20 per cent of respondents to an annual survey reported receptive syringe sharing in the previous month. NSW Health continues to work with community organisations including The NSW Users and Aids Association (NUAA) on programs to reduce receptive sharing.

The Liberals and Nationals Government established a Special Commission of Inquiry to look at Ice and related drugs – the Inquiry is open to look into this matter and advise if further pragmatic steps need to be taken.

NSW Labor: This issue will be examined at Labor’s Drug Summit.

Alex Greenwich: Yes.

NSW Greens: Yes.

7. Support the trial of a needle syringe program in a NSW correctional facility?

Coalition: Treatment of blood borne viruses and the provision of condoms, dental dams and disinfectant that can be used to clean injecting equipment form the basis of harm reduction strategies in NSW custodial settings.

There is no prison Needle Syringe Program in NSW or other Australian jurisdiction. Use of needles and syringes in NSW correctional centres by non-clinicians is prohibited under the “Prisons (Syringe Prohibition) Amendment Act 1991 No 87 (NSW)”. Network clinicians carry out patient venepuncture in prison health centres under strict rules and regulations.

NSW Labor: No.

Alex Greenwich: Yes.

NSW Greens: Yes.

8. Provide funding to cover the shortfall after federal cuts of \$2.3 million, to address the higher impacts of STIs and later HIV diagnoses in Aboriginal and Torres Strait Islander communities?

Coalition: Overall, the NSW Ministry of Health provides over \$8.5 million in population health funding to more than 30 Aboriginal Community Controlled Health Service sites (ACCHSs) across NSW. This funding supports core preventative activities such as sexual health screening.

A Liberals and Nationals Government will instruct the Ministry of Health to work with the with NSW AMS’s to examine the impact of this cut from the Federal Government, and make representations accordingly.

NSW Labor: Labor will lobby the Federal Government to reinstate this funding.

Alex Greenwich: Yes.

NSW Greens: Yes.

LEADERSHIP FOR EQUITY AND INCLUSION

9. Support a coordinated ‘whole-of-government’ plan to improve inclusion, health and wellbeing of our communities, including routine public reporting on the implementation and progress of the plan?

Coalition: NSW Health recognises that LGBTQ people can face barriers to accessing health care services and have poorer health outcomes. In 2019, the NSW Ministry of Health will work with key stakeholders to develop a strategy that supports the health of the LGBTQ communities.

A Liberals and Nationals Government will oversee the development of a LGBTQ Health Strategy, led by the Ministry of Health.

NSW Labor: Yes.

Alex Greenwich: Yes. In Parliament I have asked for a comprehensive LGBTQ action plan with whole-of-government strategies that address inequality, discrimination and unfair treatment. The government should also include budget statement for vulnerable groups including LGBTQ communities.

NSW Greens: Yes. The Greens support the implementation of a department within the DPC to ensure LGBTIQ+ inclusion in policy discussion across the whole of government. Such a department should have a direct role in developing policy and strategy, promoting LGBTIQ+ inclusion, conducting research, collecting and publishing data on key indicators of LGBTIQ+ equality, and providing advice across the NSW Government about issues affecting the LGBTIQ+ community.

10. Require all government departments, government-funded services and government-funded research to include LGBTQ data collection as standard data items so that the health, wellbeing and inclusion of our communities can be better understood and improved?

Coalition: Information on sexual identity is collected in the NSW Adult Population Health survey. Additionally, NSW Health invests in LGBTQ specific research projects, such as the Sydney Gay Community Periodic Survey and Sydney Gay Asian Men Survey.

The NSW Bureau of Health Information is the NSW Agency that reports to Government,

the community and healthcare professionals about the performance of the NSW public healthcare system, including safety and quality, effectiveness, efficiency, cost and responsiveness of the system. A Liberals and Nationals Government will ask the Bureau to consult with the Ministry of Health, LHDs, ACON and others to determine the best way to include LGBTIQ people in NSW in these data.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens support mandated standard, opt in LGBTIQ+ data collection across all NSW Government Departments so that the health, wellbeing and inclusion of LGBTIQ+ communities can be better understood and improved.

11. Work towards three year funding grants for LGBTQ community organisations to ensure representation and continuity of service?

Coalition: Where no performance issues exist, all funding arrangements with non-government HIV and STI organisations, including those with LGBTQ focus, have been transitioned to a three year timeframe under the Partnerships for Health program for Ministerially Approved Grant program.

NSW Labor: Yes. Labor will review funding arrangements to make grants more efficient and provide greater certainty for LGBTQ organisations.

Alex Greenwich: Yes.

NSW Greens: Yes.

12. Fund an online survey open to NSW residents identifying as LGBTQ so as to hear their experiences living in their communities and accessing public services?

Coalition: The Liberals and Nationals Government is concerned about the experiences, barriers and issues for LGBTIQ people, their families and GPs in rural and regional areas. We would propose to work with ACON to develop and implement the survey as a form of needs analysis for the health and wellbeing of rural and regionally based LGBTIQ people, this families/carers and their GPs.

NSW Labor: Yes. Labor supports this with appropriate privacy provisions.

Alex Greenwich: Yes.

NSW Greens: Yes, so long as privacy and data security can be guaranteed.

13. Support the development of culturally appropriate peer education in line with principles of self-determination and empowerment to enable Aboriginal and Torres Strait Islander people to be leaders and advocates?

Coalition: The Centre for Aboriginal Health works with the Aboriginal Health and Medical Research Council to deliver training to staff in ACCHSs with a focus on education being provided by Aboriginal clinicians, and in some cases Aboriginal community members.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

LGBTQ HEALTH

14. Commit to work towards, and commence the establishment of, an integrated, multi-disciplinary, community based health centre located in the Inner West of Sydney led by ACON - in the first half of the next term of Government (by 2021)?

Coalition: The NSW Liberals and Nationals are pleased to provide a \$500,000 grant to ACON to complete a feasibility study for the Centre and will consider a further \$3 million investment following the completion of the study.

NSW Labor: Yes. Labor will allocate \$4.2mil for a NSW Pride Health and Community Centre in partnership with Inner West Council & ACON.

Alex Greenwich: Yes. Many LGBTQ people suffer poorer health, mental health and welfare than the wider population due to a range of factors including discrimination. I have asked the current health minister to provide a centre and am committed to working with ACON and my parliamentary colleagues to achieve this outcome and progress policies to improve LGBTQ health.

NSW Greens: Yes.

15. Support and provide funding for a suicide prevention campaign and community-based specific mental health services for people in NSW LGBTQ communities?

Coalition: ACON is funded \$500,000 over four years (2016-17 to 2019-20) for the ACON Suicide Prevention Initiative.

NSW Labor: Support in principle. Labor will review suicide prevention campaigns and funding to ensure they address the specific issues faced by the LGBTQ community.

Alex Greenwich: Yes.

NSW Greens: Yes.

16. Mandate state-wide LGBTQ sensitivity and inclusion training for existing mental health services.

Coalition: The NSW Government recognises that LGBTIQ communities are at an increased risk of developing mental health issues, and has responded by providing support services and funding. The workforce is being assisted through training and clinical education to ensure that frontline staff can respond to the needs of LGBTIQ patients, regardless of which mental health services they present to.

NSW Labor: Support in principle. Labor will review current training provision.

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens would like to see this extended to all NSW Government direct service providers, and direct service providers operating on NSW Government contracts.

17. Support and provide funding for LGBTQ community-based drug and alcohol services?

Coalition: LGBTI people are a priority population for NSW Health alcohol and other drug services. NSW Health supports a harm minimisation approach for all AOD services, and promotes stigma and discrimination training across the AOD sector.

The NSW Government established a Special Commission of Inquiry into Ice, which we expect to provide Government with a number of recommendations. A Liberals and Nationals Government will look at this recommendation alongside those from the Commission.

NSW Labor: Support in principle. The support and funding provided to the LGBTQ community will be included in the discussion at Labor's Drug Summit.

Alex Greenwich: Yes.

NSW Greens: Yes.

18. Mandate state-wide LGBTQ sensitivity and inclusion training for existing drug and alcohol services?

Coalition: LGBTI people are a priority population for NSW Health alcohol and other drug services. NSW Health supports a harm minimisation approach for all AOD services, and promotes stigma and discrimination training across the AOD sector.

NSW Labor: Support in principle. This issue will be included in the discussion at Labor's Drug Summit

Alex Greenwich: Yes.

NSW Greens: Yes.

19. Provide funding for smoking cessation programs for LGBTQ communities, including PLHIV?

Coalition: The NSW Government will invest more than \$13.5 million for tobacco control in 2018-19. This includes public awareness and education campaigns for smoking cessation, quit smoking support, enforcement of smoke free and tobacco retailing laws, and targeted programs for priority groups including LGBTI communities.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

20. Support and provide funding for the Health Centre to prioritise service provision for LGBTQ Aboriginal and Torres Strait Islander people, in view of documented higher rates of mental illness, suicide, HIV transmission via shared injecting equipment and cancer related mortality rates?

Coalition: NSW Health is providing core grant funding of \$25.5 million in 2018-19 to 41 Aboriginal Community Controlled Health Services (ACCHS) and related organisations to deliver services across 44 sites.

The Liberals and Nationals Government acknowledges the important role of Aboriginal Community Controlled Health Services. In the next term, if elected, the Government will ask ACCHS to participate in a survey of their service provision for LGBTIQ people, as well as to make recommendations about how this could be strengthened. In line with our commitments to self-determination and closing the gap, we will consider the outcomes of the survey and recommendations.

NSW Labor: Support in principle. This issue will be included in the discussion of Labor's Drug Summit

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens support evidence based funding decisions.

TRANS AND GENDER DIVERSE PEOPLE

21. Establish specific funding for trans and gender diverse community research, advocacy, health promotion and programs to address wider discrimination in schools, workplaces and other social settings?

Coalition: The NSW Liberals & Nationals Government are committed to ensuring that all residents of NSW can be their best and work and live in a respectful and healthy environment. Across the Government, we already have a number of well-funded programs such as the State's anti-bullying strategy that support these objectives.

NSW Labor: Support in principle. Labor will review current funding arrangements.

Alex Greenwich: Yes.

NSW Greens: Yes.

22. Ensure that trans and gender diverse people are included as a priority population in health planning to document and address health disparities and inequalities in NSW, including within the NSW HIV response?

Coalition: Transgender and gender diverse people are a priority population for public sexual health services. Accordingly, NSW Health provides a number of transgender and gender diverse specific health services.

In addition to strengthening the role NSW sexual health services in trans and gender diverse sexual health, we understand ACON has been working with Trans and Gender Diverse Community members to develop a Health Strategy, which will have a number of recommendations. A Liberals and Nationals Government will commit to looking at these recommendations with a view to informing further work in this area.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

23. Amend the Births, Deaths and Marriages Registration Act by repealing Section 32A, 32B and 32C to:

- Allow for access to amended identity documentation, which must not depend on surgery or other medical treatment or interventions;

- Allow for access to amend identity documentation and must not depend on approval by doctors or other medical professionals, and;
- Allow for access to amended identity documentation and should be granted on the basis of self-identification, through a statutory declaration?

Coalition: The NSW Government is committed to ensuring we respect the rights of all members of our community. The Attorney General has requested the Department of Justice prepare a public consultation paper on the requirements for registering a change of sex on the Register of Births, Deaths and Marriages to ensure our laws reflect community expectations and operate effectively in this complex area.

NSW Labor: Labor will review these provisions in consultation with the trans and gender diverse communities.

Alex Greenwich: Yes. My draft 2015 Births, Deaths and Marriages Registration Amendment (Transgender Persons) Bill aimed to achieve this change and I intend to work further to progress this reform. During debate on the transitional provisions for marriage equality which included removal of forced trans divorce laws, in response to my calls to repeal surgical requirements on trans people who want to update their state documents, the Attorney General committed to considering the matter further. While I agree that identity documentation should not depend on the approval of a medical professional, I will take a pragmatic approach and if passage of reform depends on this, I will progress changes with this requirement.

NSW Greens: Yes. The Greens want self-identification to be the key factor for those who wish to amend their identity documentation. It is unacceptable that changing identity documentation is reliant on surgical intervention or medical assessment. We believe a change of sex in identity documentation should be able to be done by a statutory declaration. This formed a central component of the recently announced Equality and Frivolity without Fear platform which outlined the NSW Greens plan for an inclusive and fun future for all of us.

In June 2018, NSW Greens MP and LGBTIQ+ spokesperson Jenny Leong made a commitment in the NSW Parliament to work across party lines to achieve these important amendments.

During a debate on the Miscellaneous Acts Amendment (Marriages) Bill 2018, which brought

NSW into line with Commonwealth legislation enshrining marriage equality across this country, Ms Leong said:

"I make a commitment to work with the member for Sydney and any other member of this place or the other place to advance the much-needed additional reforms dealing with trans rights in this State. New South Wales legislation requires a trans person to undergo surgical intervention before being eligible to change their gender on their birth certificate. Unfortunately, this bill does not seek to remove that requirement.

Many organisations are concerned about the impact this provision is having. It goes beyond the issue of marriage to the fundamental right of people to live free from discrimination and to have the right to be identified as they wish without being required to undergo surgical intervention. The Human Rights Law Centre provided a briefing to many members and said that this bill does not remove the other legal barriers to recognition of sex and gender in the Birth, Deaths and Marriages Registration Act 1995, which includes surgery and medical evidence requirements, limited sex and gender categories, and a limitation applying to those under the age of 18. As representatives of the diverse communities of New South Wales, it is important that we address the needs of those who feel excluded, who are experiencing discrimination, and who are being hurt or harmed as a result of bureaucratic decisions and processes that prevent them from living the lives they want to live while having their choices respected. I make a commitment today to work with the member for Sydney and across party lines to ensure that we address these concerns as a priority."

AGEING

24. Continue to recognise LGBTI people as a priority population in the next NSW Ageing Strategy?

Coalition: The NSW Ageing Strategy 2016-2020 recognises diversity with six specific diverse groups and includes people who are Lesbian, Gay, Bisexual, Transgender or Intersex (LGBTI).

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

25. Fund social inclusion programs for older isolated LGBTQ people?

Coalition: The NSW Ageing Strategy 2016-2020 recognises diversity with six specific diverse groups and includes people who are Lesbian, Gay, Bisexual, Transgender or Intersex (LGBTI).

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

26. Deliver more social housing that is appropriate for older people living with HIV across NSW?

Coalition: The \$22 billion Communities Plus program, part of the NSW Government's Future Directions for Social Housing in NSW strategy, is expected to deliver 23,000 social housing, 500 affordable housing and 40,000 private housing dwellings over 10 years. Fit for purpose social housing being delivered under the program is supporting vulnerable clients including older people.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens are committed to drastically increasing public and social housing in NSW to adequately service anybody who needs it.

27. Ensure that older people living with HIV receive specialist health care and support services?

Coalition: NSW Health recognises the importance of providing integrated care throughout the life of people living with HIV. In 2018/19, it is providing \$1,749,300 in funding to the Bobby Goldsmith Foundation to deliver community support for vulnerable people with HIV who have multiple morbidities, in conjunction with AIDS Dementia and HIV Psychiatry Service.

The NSW HIV Supported Accommodation Program provides accommodation to people who have HIV, and are unable to live independently in the community or who require some level of support with daily living.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

28. Commit to improving NSW performance against the Close the Gap targets, particularly mortality rates?

Coalition: The NSW Government is committed to Closing the Gap in health-related outcomes for Aboriginal people and continues to support health reform through the NSW Aboriginal Health Plan 2013-2023, delivering culturally safe services which better meet the needs of Aboriginal people.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.

EDUCATION

29. Update the NSW Anti-Bullying Strategy website to comprehensively address biphobic, homophobic and transphobic bullying in NSW schools?

Coalition: All content on the anti-bullying website is consistent with current research and was approved by three academic experts. The content provides an evidence-based model for addressing all types of student bullying behaviour that can be adapted at the local level to address specific local needs.

Students who are struggling in our schools, for whatever reason, need support and will continue to receive it in NSW public schools.

A future Liberals and Nationals Government will ensure teachers in NSW schools have sufficient resources available through the website to address bullying of this nature in our schools.

NSW Labor: Yes. Labor will review this strategy.

Alex Greenwich: Yes. I continue to talk to my colleagues about achieving this urgently needed change. It is a disgrace that it was not done before the marriage equality plebiscite.

NSW Greens: Yes. The information currently available on the NSW Department of Education's anti-bullying website is woefully inadequate and does not provide sufficient support for parents and teachers dealing with LGBTIQ+ specific issues.

The Greens are committed to working with the LGBTIQ+ community to develop materials to support a whole of school approach to these issues and ensure that the website is updated.

30. Work with LGBTQ communities to develop new resources to support teachers, parents and students, including training in LGBTQ issues and family diversity, to help deliver the anti-bullying program?

Coalition: The NSW Liberals and Nationals government has a strong focus on the wellbeing of all students. All students, including those who identify as gay, lesbian or transgender have a right to be treated equitably and with dignity.

The NSW Education Standards Authority (NESA) curriculum and NSW Department of Education policy documents and resources guide schools in their work to develop students into active and informed citizens. The general capabilities of the curriculum support the development of an understanding and appreciation of diversity and the Personal Development Health and Physical Education syllabus is designed to address issues of health, safety and wellbeing which include sexuality.

NSW Labor: Yes. Labor will look at this as part of the review of the strategy.

Alex Greenwich: Yes.

NSW Greens: Yes. The NSW Greens Sex, Sexuality, and Gender Identity Policy aims for the mandatory development and implementation of anti-homophobia, anti-biphobia, anti-transphobia and anti-intersexphobia policies and practices in all schools. This includes a comprehensive anti-bullying program developed by the LGBTIQ+ community, for the LGBTIQ+ community.

The Greens want all young people to feel safe and included while they are at school and are committed to working with the LGBTIQ+ community to ensure that there are specialised education and support programs available to LGBTIQ+ young people in our schools. This formed a central component of the recently announced Equality and Frivolity without Fear platform which outlined the NSW Greens plan for an inclusive and fun future for all of us.

31. Update the school catchment policy to accommodate diverse family structures including where parents live apart?

Coalition: Our policy on the enrolment of students in NSW public schools aligns with the Education Act 1990 (section 34.2) which provides for a child's entitlement to be enrolled in a NSW Government school based on the child's current residence, not the parental address.

Schools work with families, including those with co-parenting arrangements, to ensure that the best educational interest of the child is paramount in making enrolment decisions.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes. Families should have the flexibility to arrange their children's schooling in a way that is most convenient for them. That fact that school catchment policies continue to cater solely for single household families is not in step with community expectation and needs to be updated urgently.

32. Standardise all enrolment forms to stipulate "parents" instead of "mother" and "father"?

Coalition: The Department of Education's Application to enrol in NSW Government school form refers to 'parent/carers'. The form is available at <https://education.nsw.gov.au/public-schools/going-to-a-public-school/translated-documents/enrolment-application>

NSW Labor: Labor will work to ensure that enrolment forms accommodate the diversity of families that children and young people come from.

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens are committed to removing gender specific language from policy, legislation and forms across the whole of government in NSW, where that language has the potential to discriminate against certain groups. Gendered language has already been successfully removed from legislation around marriage and in some cases, adoption, but remains a major issue particularly in education and health environments.

In the next term of government, the Greens commit to conducting an audit to identify the full extent of this issue, and developing a plan to make the necessary amendments.

33. Provide specialist training for teachers and educators in family diversity, respecting the fact that children come from single parent families, LGBTIQ parent families, Aboriginal and Torres Strait Islander family structures, foster families and more?

Coalition: Teachers are able to access professional development and training from a wide range of sources. Many of these encompass matters relating to diversity in all its forms.

Training options exist, as outlined in our response. To ensure bullying is addressed, a Liberals and Nationals Government will ensure teachers have training to enable competent use of the enhanced resources to be provided on the NSW Anti-Bullying Strategy website (see Q 29).

NSW Labor: Support in principle, Labor will review current training to ensure that all teachers and educators are equipped to work with all families.

Alex Greenwich: Yes.

NSW Greens: Yes. The Greens are committed to working with the LGBTIQ+ community to develop materials for specialist teacher and educator training.

SAFETY AND JUSTICE

34. Support legislative and non-legislative action to eradicate the practice of “LGBTQ conversion therapy” and improve support for those who have experienced this type of practice?

Coalition: The NSW Liberals & Nationals believe we need to protect the rights and also the mental health of all members of the community. Therefore, we will raise the issue of ‘conversion therapy’ at COAG so that the concerning practice can be addressed at a national level.

NSW Labor: Yes.

Alex Greenwich: Yes. I moved a motion in Parliament condemning this practice and hope it can be ceased soon.

NSW Greens: Yes. The Greens categorically condemn the practise of “LGBTQ conversion therapy” and commit to working across party lines to ensure that it is banned in NSW as a priority in the next parliamentary term.

Efforts to change sexual orientation and gender identity and the ideology that drives the broader conversion movement is extremely harmful to LGBTIQ+ people, especially young people, and has potentially fatal consequences. The Greens are committed to improving available support services to those who have been subjected to the practise.

35. Fund LGBTQ-specific domestic and family violence prevention and support programs?

Coalition: A number of services provide specific support for lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) people, including the NSW Rape and Domestic Violence Services Australia, the 1800RESPECT Helpline and Mensline (GBTI inclusive). Warringa Baiya Aboriginal Women’s Legal Service is LGBTI inclusive and provides legal advice and support for domestic and family violence issues.

NSW Labor: Support in Principle. Labor will review current provision of services as part of our DV strategy to ensure all people experiencing violence can get the support they need.

Alex Greenwich: Yes. I have asked a number of questions in Parliament on this important issue.

NSW Greens: Yes. The Greens acknowledge that preventing and dealing with domestic and family violence in the LGBTIQ+ community requires a tailored approach. The Greens applaud the actions of the Victorian Government in funding specialist DV services for the LGBTIQ+ community and would support a similar initiative in NSW.

LEGAL PROTECTIONS

36. Support the development of a Human Rights Act for NSW?

Coalition: The Government is committed to protecting the human rights of all people in our community. The formulation of a bill of rights necessarily involves contentious choices about which rights should be included, and the relative strengths of those rights in inevitable cases of conflict.

The Government notes that a November 2018 report handed down by the NSW Legislation Review committee held that any consideration of a NSW bill of rights would need to be subject to a wider community debate.

NSW Labor: No. Labor has not supported a Human Rights Act. A Daley Labor Government will conduct a review of the impact of current legislation on civil liberties.

Alex Greenwich: Yes.

NSW Greens: Yes. The NSW Greens have long advocated for the Human Rights Act of NSW. While it is often assumed that human rights are a federal issue, there are many decisions

made at state government level that impact on our rights and civil liberties. A Human Rights Act for NSW would stop the government from making laws that undermine our rights.

We will continue to work towards a Human Rights Act in NSW because we believe it as the most effective way to:

- Protect access to housing, education and health care as basic human rights,
- Address violence against women as a human rights violation immediately through adequate funding, education programs and support services,
- Defend the right to protest and the right to strike, recognising that they are essential tools for social change and for the protection of our environment,
- Ensure that government funding is not be given to organisations that discriminate because of gender, sexuality, sex characteristics or any other reason,
- Decriminalise abortion and protect a woman's right to choose,
- Ensure that Aboriginal and Torres Strait Islander people have the right to self-determination, and hold distinct cultural rights that must be respected,
- End the police sniffer dog program and its intrusive public searches.

37. Amend the Anti-Discrimination Act 1977 as follows:

- **Include Sexual Orientation and Gender Identity as a protected attribute to allow for the inclusion of bisexual people and non-binary people;**
- **Introduce a stand-alone protected attribute of 'sex characteristics';**
- **Harmonise the Anti-Discrimination Act 1977 and framework to be consistent with the NSW Anti-Vilification framework, and;**
- **Repeal sections 56(c) and (d) which currently allow religious organisations as service providers, including in aged care, schools, hospitals, domestic violence and homelessness services, to refuse service on the basis of sexual orientation and gender identity?**
- **Repeal section 59A, which currently allows faith-based adoption agencies to refuse service on the basis of sexual orientation and gender identity?**

Coalition: The NSW Government is committed to stamping out discrimination across NSW. This is why the government introduced tough new laws targeting individuals who incite or threaten violence against people based on

their race, religion, sexual orientation, gender identity, intersex or HIV/AIDS status. The NSW Anti-Discrimination Act (ADA) also prohibits discrimination on the basis of sex, disability, race, homosexuality, marital or domestic status, age, transgender status and carer responsibilities and is supported by the Commonwealth's Sex Discrimination Act, which also disallows discrimination on the grounds of sexual orientation, gender identity and intersex status.

The operation of the ADA is currently under consideration following the December 2018 release of the Commonwealth Government's response to the Expert Panel report on the Religious Freedom Review. The Commonwealth Government has committed to consulting with the NSW Government about the Expert Panel's proposed reforms to the ADA and the terms of a potential reference to the Australian Law Reform Commission, including by referring recommendations to a proposed Council of Attorneys-General Working Group and the Council of Australian Governments (COAG) Education Council.

As part of this review process, there is an opportunity for the NSW Government to consider the operation of the ADA to ensure the Act continues to protect vulnerable groups from discrimination.

NSW Labor: Labor will review the 1977 Anti-Discrimination Act and these issues will be included as part of the review.

Alex Greenwich: Yes. I hope to introduce legislation to delete these ridiculous provisions that allow faith based organisations and service providers to discriminate against staff, clients and students well beyond what is required to protect religious freedoms. In 2014 I introduced legislation to remove the right for private schools to discriminate against LGBTI and other vulnerable students which got the government to ensure that the NSW Education Standards Authority investigates complaints about discrimination and potentially deregister any school not providing a safe and inclusive education environment for all students.

NSW Greens: Yes. NSW currently has some of the weakest anti-discrimination laws in the country and they are in urgent need of review. The Greens are committed to removing exemptions that currently allow for private educational institutions, religious organisations and small business to discriminate and updating the Act to provide stronger protections to everyone, including preventing discrimination on the basis of gender, sexuality and sex characteristics.

This formed a central component of the recently announced Equality and Frivolity without Fear platform which outlined the NSW Greens plan for an inclusive and fun future for all of us.

In November 2018, Greens MP and Education spokesperson Tamara Smith, in partnership with Greens MP and LGBTIQ+ spokesperson Jenny Leong introduced the Anti-Discrimination Amendment (Removal of Exemptions and Other Reforms) Bill 2018 to the NSW Parliament.

The bill aimed to strengthen protections for the LGBTIQ+ by including sexual orientation, gender identity and sex characteristics as stand alone protected attributes, harmonising language in the Act with the NSW Anti-Vilification framework, and repealing all sections which currently allow religious organisation, small businesses and private education authorities as service providers, to refuse service on the basis of sexual orientation and gender identity (including 56(c), 56(d), 59(a), 38(c), 38(k), 49(zh) and 49(z)).

Unfortunately the bill lapsed before it was able to be debated but the NSW Greens committed in re-introducing this bill as a priority when Parliament resumes.

SEX WORKERS

38. Remain committed to the successful and long-standing policy of decriminalised sex work in NSW and not support policies such as client criminalisation (commonly known as the 'Nordic model') that undermine and/or reverse current policy?

Coalition: The NSW Government has no intention of overturning its long-standing policy in this area.

NSW Labor: Yes.

Alex Greenwich: Yes. As a member of the Select Committee on the Regulation of Brothels, I provided a dissenting view against regulation, and I am pleased that the government ultimately agreed with this position.

NSW Greens: Yes.

39. Ensure that adequate resources are provided in order to formalise the development of Sex Worker Liaison Officers at key Local Area Command Police stations?

Coalition: As you will be aware, GLLO – LGBTIQ Liaison Officers are contact officers for the broader sexuality, gender diverse and intersex communities. Their training includes specific information on the history of the relationship between police and LGBTIQ communities, challenges and sensitivities experienced by some community members to engage with police and effective responses to people who become victims of crime. They also assist other police to respond to homophobic and transphobic incidents and work with the Bias Crimes Unit and other specialist areas.

Consideration of expanding this model to create Sex Work Liaison Officer Positions is a matter for the Commissioner of Police.

NSW Labor: Labor will review current arrangements.

Alex Greenwich: Yes.

NSW Greens: Yes.

40. Support the inclusion of sex work as a protected ground under the Anti-Discrimination Act 1977 (NSW)?

Coalition: Please refer to Question 37.

NSW Labor: Labor will review the 1977 Anti Discrimination Act and this issue will be included as part of the review.

Alex Greenwich: Yes.

NSW Greens: Yes.

41. Support specialised services targeting most at-risk forms of sex work, such as sex for favours, which disproportionately affects Aboriginal and Torres Strait Islander people?

Coalition: As the regulator of Work Health and Safety in NSW, SafeWork receives and investigates complaints relating to sex services premises. In order to protect the person making the complaint, inspectors do not reveal the source of the request to the workplace without their consent.

To further protect those at risk in the industry, SafeWork NSW is developing health and safety guidelines covering all types of sex work that occur in sex services premises in NSW. The guidelines set out the minimum standards for maintaining a safe and healthy environment and the rights of employees who engage in sex work.

NSW Labor: Yes.

Alex Greenwich: Yes.

NSW Greens: Yes.