

# National Human Rights Consultation Submission

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**Submission Text:**

I am sixth generation Australian and during my early adolescence to late teens suffered physical abuse in this country due to homophobia - both by a failed education system and by Australia's law enforcement and society. I was identified as gay because I was very good at art as this was a defining factor against Aussie manhood. A detailed study titled "One of the Boys - Masculinity, Homophobia, and Modern Manhood" by Professor David Plummer PhD - was one such study that confronted this early homophobic abuse so prevalent in Australian male youth culture, it was also a study forced into publication abroad because it caused discomfort here at home. Coming out was hard due to such abuse and at 22 I was in my first gay relationship. Regretfully I was diagnosed HIV+ from this first relationship - a situation that I had to show compassion and forgiveness that far exceeded my knowledge of life, love and relationships. I did not receive compassion and my relationship, my sexuality and my health diagnosis was damned by politicians, society and religious figures. It did not shame me, it only scarred my very belief in what humanity stands for. HIV cemented hatred and homophobia deeper into the minds of an already homophobic and misogynistic Australia. I fled this country using a work visa opportunity available in the UK. I did not leave Australia like other young Australians did, I left for my own dignity and because of a physical attack that had me hospitalised. The media and the social condemnation was too much and when my death was a reality, I needed to escape homophobia to have room to live and to mourn my mortality in peace. It is interesting to read a report by the Criminology Research Council and University of Newcastle, 1994-2001 concerning the murders of gay Australians showed a sharp rise in violence and murder during the time span I feared for my safety. My abuse at High School obviously had made me intuitive. I made good in the UK. I did all I wanted to do with great success and was offered a position in the USA - an offer I could not accept as I was banned from entering the USA because I had the HIV virus. I returned to Australia with the knowledge I would never have the opportunities I had abroad. During the late 1990's I returned back to Australia and into a homophobic atmosphere still driven by hysteria.

Sadly it was, and still is an abuse I cannot fight without justice for support. I would like to separate my virus from my sexuality but in the eyes of most, it is a combined force that is both convenient and deeply rooted. This is solely due to the lack of recognition or social visibility within society - being gay in Australia conjures a negative and demeaning image. I believe my abuse occurred because I was part of a group of vilified people in a country where homophobia is ingrained into the minds of the general population no matter how much or how little I knew or was involved in this vilified "gay community". Homophobia is a continuum and Australia itself remains the abuser - made up of a mix of politicians, public servants, religious figures and heavily driven by a media that fuels selective moralistic judgment into the minds of Australian society. I am also a credible witness to this homophobic hatred as I am a long term survivor of HIV and saw this country at its worst. Out of Victoria I am one of seven alive today without voice to expose what I experienced and with no justice for any form of compensation. I have never experienced a rewarding society. Ignored is the fact that in a negative social atmosphere towards me and towards my mortality, I willingly sampled drugs for HIV control as I bled, bloated, fainted and vomited as they studied the affects of these drugs. Myself and many others will never be recognized for what we did. We all had the choice to refuse and I learnt the will to live outweighs the negative feelings I had so far encountered. I only rely on my own created faith that nature made me immune to all drugs and that nature is why I am

here today 22 years on. This reality gives me a feeling of creation and replaces a spirituality that could not be nurtured any other way. . Being a survivor means nothing to others and the scope of this personal and deeply spiritual achievement far exceeds humanity, compassion and justice. For me it has been a long and ongoing experience with much emotional damage. As a direct result of homophobia I never formed any trust in regards to my country. I have no connection with Australia. The pain continued on many deep levels. During the late 90's I was one of a very small group that survived lymphoma. Usually cancer is treated with sorrow and compassion, I fought this in silence as I knew my cancer was connected with a virus that was deeply connected with sexuality and was not willing to fight homophobia when I had my own fight for health. I used my life insurance to better my situation and obtained two masters degrees in conservation and Heritage, a sad and blinded attempt to find a sense of love and citizenship in a country I would not find or even replicate any positive feeling for. HIV was forgotten in the minds of most and pills had erased the importance of HIV recognition from the spotlight, gays were not dying therefore the media went elsewhere. So today I continue to leave Australia as often as I can even though I am tiring against my fight for justice. I have never and will never believe our national anthem as Advance Australia Fair to my reality is a national lie. I have not watched or read Australian media for many years and that has given me some peace. I also realise I face a new generation most did not live to see. Homophobia has taken a turn where religion and politics have combined. HIV is not a weapon anymore, marriage and socially equality is and I only see homophobia today uses gay men and women as a patch to cover the real threat to humanity caused by greed, lack of compassion and institutionalized social ignorance. Religion exists in a dangerous time of global emotional destitution and religion's perceived importance claims to serve humanity yet condemns gay men and women as sub species not fit for salvation. I see homophobia is well and alive, it just changed its direction. Australians have a great way of ignoring what they don't want to know regardless of how humanitarian the issue may be and law assures protection for a selected few. Homophobia creates a lack of concept within the society it exists. It dictates boundaries for compassion that inevitably violates the basic teachings of human rights in regards to equality. Selective compassion already exists - Australians wept for the 201 who died in the recent bushfires yet openly despised, damned and condemned over 1000 Australian men, women and children as they died from an illness marred with homophobia regardless of ones sexual identity. A virus was labeled and made worthless for compassion due to homophobia and we as a nation chose hate over compassion due to this. I will not forget that my country seriously wished me harm. Silence does not remove the issue of homophobia, it hibernates the reality that underlies our culture - it has, can and will harm again given the right environment.

As for HIV, I no longer fight for justice regarding what I experienced during my long battle against discrimination. I think it unfair a man can sue for one million dollars for suffering work related abuse over a one year period because he was Asian and multiculturalism is a political power tool serving government agendas. It was demeaning for the man abused and I'm glad he got justice. I also become furious at such selective sympathy and wrote to the Human Rights Commission outlining 22 years of abuse regarding HIV and homophobia. Granted I got a phone call and was told they did not know much about HIV. I learnt I have no case for abuse as law dictates I cannot identify mass culture as the culprit - I clearly identified those who generated and fed the abuse. It was the Government, the media and selective religious leaders that all combined to generate this as every stand against HIV or sexuality as a whole affected me directly. Law recognizes pretty much one oppressor and one victim and both need to be identifiable. I was told to join a group. So far I have lived through numerous and unjust forms of discrimination and all the while trying to stand after each knockdown. I have no issue I have not fought. I tried to leave yet my avenue for progression was cut short by an unjust international law to return me to a country I have no love for. It is a country that has reduced me to being on a disability pension as it is convenient to further discredit me. I only see myself as a disabled Australian citizen because the damnation had gone on too long that I just

lost my soul in regards to trust and respect. I know who I am - I am a part of my family and I am better than the stigma of HIV or pathetic and unfounded stereotypes. The worst is that such abuse has me suffering economically and banks move in on the vulnerable and have charged me so much money for minimal over-withdrawals. Today I am fighting legalised and insane greed within a culture I already dislike. This is the extent of injustices if left unchecked. Where does this end - an academic survey by some graduate outlining poverty linked to HIV and sexuality?

I hope this committee formulates a way to recognize human rights for all and to try curb the abuse against gay men and women. Homophobia goes deep. In Dec 2008 it was of great concern that a statement made by Pope Benedict abused the right to equality by condoning the rejection of gay men and women - it is more disturbing when letters written to Government expressing this concern were ignored. I know our current laws are not enough and abuse can become a serious problem for gay Australians. I have survived one social holocaust in this country, I do not want to see another. As for me, I don't see any guiding light and rely on the fact I am inventive and strong. I find spirit in myself and formed contract work that has me traveling the world a few times a year. Getting out of Australia gives me peace when I see no justice here. I live with my parents to keep my middle class appearance and am awaiting a court case that is looming because I stand against my bank's corporate greed. I only hope one day I will face a just legal system and be compensated for the incredible and vulgar injustices I have experienced and if I receive such justice I hope that I can leave this country and live in a society that have the capably for diversity due to population size and for its global positioning.