

HIV is a virus not a crime

The recent XVII International AIDS Conference in Mexico¹ and the 20th Annual Australasian Society for HIV Medicine Conference in Perth have renewed the international focus on effective HIV prevention and the important role of human rights.

There is more evidence now than ever regarding HIV transmission, impact and effective prevention programs.

Criminalisation is not and has never been an effective public health response to HIV prevention. It does not reduce HIV transmission – and the resulting stigma and discrimination increase barriers to effective health promotion. Current laws in certain Australian jurisdictions counteract the promotion of condoms, lubricant and shared responsibility, and the uptake of HIV testing and treatment, and therefore undermine effective public health.

HIV positive people live with full human rights that confirm their sexuality and relationships.

Australia has clear National Guidelines that identify a comprehensive process across government, community and health services to respond effectively in the rare cases where an individual is placed at risk of HIV, with legal action as a last resort.

Therefore we declare that:

- Laws that criminalise HIV positive people, including sex workers, are inconsistent with current good public health practice and should be repealed;
- National Guidelines have been agreed. Government, community and health services must now implement these agreed guidelines;

Current signatories:

- Ms Janelle Fawkes, Chief Executive Officer, Scarlet Alliance, Australian Sex Workers Association
- Dr Graham Brown, President, Australian Federation of AIDS Organisations
- Mr Robert Mitchell, President, National Association of People Living with HIV/AIDS
- Mr Mike Kennedy, Executive Director, Victorian AIDS Council / Gay Men's Health Centre
- Ms Trish Langdon, Executive Director, Western Australian AIDS Council
- Professor Marian Pitts, Director, Australian Research Centre in Sex, Health and Society, La Trobe University
- Professor John de Wit, Director, National Centre in HIV Social Research, University of NSW
- Annie Madden, Executive Officer, Australian Injecting & Illicit Drug Users League (AIVL)
- Stevie Clayton, Chief Executive Officer, AIDS Council of NSW

19th September, 2008

Footnote

1. Edwin Cameron, Judge on the Supreme Court of Appeal in South Africa, XVII International AIDS Conference