

## HIV is a virus, not a crime

Created 19 Sep 2008 - 4:03pm

A landmark statement has been issued by the National Association of People Living with HIV/AIDS (NAPWA) and other community organisations in response to an increasing climate of criminal prosecution of people living with HIV.

“Criminalisation is not and has never been an effective public health response to HIV prevention,” the [statement](#) [1] says. “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.”

NAPWA President Robert Mitchell explained that the organisation is distressed at moves both in Australia and overseas towards increasing criminalisation of HIV-positive people’s sexual lives. “While deliberate transmission of HIV is obviously abhorrent and something we would never condone, this does not justify the use of criminal laws to restrict or curtail the legitimate sexual activities of people with HIV. Positive people have the right to sex, privacy and liberty, just as anyone else does. As long as the sex is safe we reject moves towards compulsory disclosure of HIV status,” he said.

“Health agencies across Australia have agreed to adopt nationally consistent guidelines for the management of people who put others at risk of HIV. These guidelines emphasise education, counselling and the elimination of discrimination and stigma, and rightly treat public health orders and criminal prosecution as a last resort. Today we are calling on governments to implement these guidelines.”

The full text of the statement, and a list of signatories, is available online at <http://www.napwa.org.au/node/857> [1].

### Links:

[1] <http://www.napwa.org.au/node/857>