

Submission on the *Health and Other Legislation Amendment Bill 2016*

July 21st, 2016

To the members of the Legal Affairs and Community Safety Committee,

This Bill is negligent in failing to protect the vulnerable. It would, for the first time in our legal history, permit older homosexual men to sodomise schoolboys with impunity.

Schoolboys are vulnerable and often sexually confused. Multiple lines of research confirm that around two thirds of schoolboys aged 16 who identify as homosexual will no longer identify as homosexual within a few years.ⁱ Their sexual identity is immature; the situation is fluid.

Permitting older, established homosexual men access to schoolboys who are in a stage of uncertainty and sexual fluidity is likely to have the effect of establishing those schoolboys in a homosexual identity and subculture which they might otherwise have avoided. Look at the evidence on the next page, where half of 16 year olds who identify as gay no longer identify as gay by age 18! That's why the law must wait until they are 18

Which member of the committee would want the law to give its blessing and protection to a middle aged man seducing their son at school?

A "Community Safety Committee" should be actively discouraging, not facilitating, entry for schoolboys into a homosexual subculture, given the grave associated health risks - including the obvious concern that new HIV/AIDS contracted in Australia remains largely (around 75%) a disease of men who have sex with menⁱⁱ; also the higher incidence of gonorrhoea and other STDs; also the strong association with excessive drug and alcohol use in the homosexual subculture and the associated mental health consequences.ⁱⁱⁱ

The "panel of experts" advising the Minister for Health expressed concern that a 16 year old schoolboy might fear legal consequences for his older sexual partner and this "may have implications in terms of the young person's access to appropriate medical treatment and also has the impact of stigmatising their relationship".

- The medical argument about impeding access to medical care for their STDs etc is, in my view, spurious: young people whether heterosexual or homosexual have sought and obtained treatment from GPs and sexual health clinics for decades and our role is supportive counseling and treatment, not policing.
- The "stigma" argument is worse than spurious: stigma is a necessary social response to delegitimise and deter such a relationship between an older predator and a school student.

If these two points about "access" and "stigma" are the best defence for this Bill, then that is lightweight in the face of danger to schoolboys aged 16 who are in an immature and sexually confused phase of their life.

I assume that sex between a 16 year old boy and another minor within two years of his age is already protected by the similar provisions for heterosexual minors; if not, that would be a less harmful amendment – since it still protects schoolboys from the essential threat of the mature homosexual male.

I oppose this regressive proposal, which might serve the interests of older homosexuals to lawfully obtain the object of their desire, but does not protect their schoolboy victims. By all means change the present legal term "sodomy" to "anal intercourse", but do not pass a law that puts schoolboys at risk.

On the next page I document evidence for the factual claims made in this brief submission, and I can supply further information and clarification if any committee member so requires.

Yours faithfully,



Dr David van Gend



REFERENCES

i EVIDENCE OF THE SPONTANEOUS MATURING AWAY FROM A HOMOSEXUAL IDENTITY

Research supporting the statement that “around two thirds of schoolboys aged 16 who identify as homosexual will no longer identify as homosexual within a few years”:

1. A large study in 2007 by Savin-Williams found that three-quarters of adolescents who had some initial homosexual attraction between the ages of 17-21 changed to experience only heterosexual attraction.
Savin-Williams, RC and Ream, GL (2007), Prevalence and Stability of Sexual Orientation Components During Adolescence and Young Adulthood, Archives of Sexual Behavior, 36, 385-394.

2. Another large study of some 14,000 young people by Ott and Corliss in 2010 found that two thirds of those who thought they might be homosexual eventually became exclusively heterosexual.
Ott, MQ, Corliss, HL, et. al. (2011), Stability and Change in Self-Reported Sexual Orientation Identity in Young People: Application of Mobility Metrics, Archives of Sexual Behavior, June; 40(30): 519-532.

3. The US National Health and Social Life Survey in the 1990s found that around 8% of students age 16 identified as homosexual, but that roughly halved to around 4% by age 18, and dropped again to 2.8% by age 25. That is more than a two-thirds drift away from a homosexual identity from age 16 to adulthood.

This finding was referred to in the testimony of psychiatrist Dr Jeffrey Satinover to the Massachusetts Senate in 2003 during its enquiry into same-sex marriage, recently imposed by the Massachusetts Supreme Court. He said, in part:

The most comprehensive, most recent and most accurate study of sexuality, the National Health and Social Life Survey (NHSLs), was completed in 1994 by a large research team from the University of Chicago and funded by almost every large government agency and NGO with an interest in the AIDS epidemic. They studied every aspect of sexuality, but among their findings is the following, which I'm going to quote for you directly:

- "7.1 [to as much as 9.1] percent of the men [we studied, more than 1,500] had at least one same-gender partner since puberty. ... [But] almost 4 percent of the men [we studied] had sex with another male before turning eighteen but not after. These men. . . constitute 42 percent of the total number of men who report ever having a same gender experience."

Let me put this in context: Roughly ten out of every 100 men have had sex with another man at some time - the origin of the 10% gay myth. Most of these will have identified themselves as gay before turning eighteen and will have acted on it. **But by age 18, a full half of them no longer identify themselves as gay and will never again have a male sexual partner.** And this is not a population of people selected because they went into therapy; it's just the general population. Furthermore, by age twenty-five, the percentage of gay identified men drops to 2.8%. **This means that without any intervention whatsoever, three out of four boys who think they're gay at age 16 aren't by 25.**

The NHSLs report in book form can be reviewed at
<http://books.google.com.au/books?id=72AH00rE2HoC&pg=PA4&lpg=PA4&dq=the+social+organization+of+sexuality+1990&hl=en#v=onepage&q=the%20social%20organization%20of%20sexuality%201990&f=false>

Dr Satinover's full testimony is reproduced with permission at
<http://www.catholiceducation.org/en/marriage-and-family/sexuality/testimony-before-the-massachusetts-senate-committee-studying-gay-marriage.html>

4. Inference from two Latrobe University studies, one on the prevalence of same-sex attraction among school students and one on the prevalence of same-sex attraction among the general population:

- The prevalence of homosexuality in the Australian population age 16 to 59 is 1.2% (being 1.6% men, 0.8% women) according to the Latrobe University study “Sex in Australia”, 2003. Bisexuality adds another 1.3%, giving a total of 2.5% (97.4% of Australians identify as heterosexual).
Anthony M.A. et al, (2003) Sex in Australia: Sexual identity, sexual attraction and sexual experience among a representative sample of adults. Australian and New Zealand Journal of Public Health 27 (2), 138–145 <http://www.blackwell-synergy.com/doi/abs/10.1111/j.1467-842X.2003.tb00801.x>
- The prevalence of same-sex attraction (however transient) among school students is roughly 10%, according to the Safe Schools Coalition Australia document, *All of Us*, based on the Latrobe research, “Writing Them In 3”. If this 10% is taken to include bisexual attraction and we compare that to the 2.5% figure above including both homosexual and bisexual adults, that still means there is more than a two thirds drift away from 10% to 2.5% for homosexual identity from the school years into adulthood.
All of Us (2016), p.8 <http://www.safeschoolshub.edu.au/common/downloads/All-Of-US-Online-Version-May-2016-v3.pdf>

Sexual identity is fluid at the vulnerable age of 16, and should not be set in developmental concrete by premature seduction by an older homosexual man and by initiation into the gay adult subculture.

ii EVIDENCE ABOUT HIV/AIDS PREVALENCE

Research supporting the statement that “Public policy should be actively discouraging, not facilitating, entry for schoolboys into a homosexual subculture, given the health risks”

- This is not controversial. Newspapers report, correctly, that “Gay men are still a primary target of anti-HIV campaigns, because 70 per cent of transmissions arise during sex between men.” (SMH, *Are we winning the war on HIV?* 18/9/15 <http://www.smh.com.au/national/health/are-we-winning-the-war-on-hiv-20150916-gjo6oa>) That is down from about 80% for most of the last quarter century.
See the latest Kirby Institute Report for details of HIV/AIDS and other STDs among homosexual men. <http://kirby.unsw.edu.au/surveillance/2015-annual-surveillance-report-hiv-viral-hepatitis-stis>

iii EVIDENCE ABOUT THE HIGHER PREVALENCE OF DRUGS / ALCOHOL / DEPRESSION

Research supporting the statement about “the strong association with excessive drug and alcohol use in the homosexual subculture and the associated mental health consequences”.

- This is not controversial. For example, the Australian Institute of Health and Welfare in 2010 found the prevalence of illicit drug use by homosexuals to be more than double that of heterosexuals (34% to 14%) while the rate of excessive alcohol intake was 25% to 16%.
<http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=10737421314>
- In Canada, where gay ‘marriage’ was legalised in 2005, homosexual lobbyists in 2009 still cited drug and alcohol abuse as much higher amongst the gay subculture.
Canadian homosexual lobby - submission to the Human Rights Commission at <http://www.xtra.ca/BinaryContent/pdf/human%20rights%20complaint.pdf>

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