

## Items of Business – 2022 Annual General Meeting

Sydney Gay and Lesbian Mardi Gras received 12 Items of Business proposed as resolutions.

Following a review of these proposed resolutions, and consistently with the SGLMG's Constitution, the Board resolved to decline putting these resolutions to the members at the upcoming Annual General Meeting as they were invalid or incapable of being legally effective.

The Board further resolved to treat these proposed resolutions as questions. These questions have been answered and can be found below.

The proposers and seconders are invited to ask these questions again during the Annual General Meeting.

**Proposed Resolution 1:** Publicly endorse the Pride In Protest Oxford Street March for the community on 5 March 2023

**Question:** Will Sydney Gay and Lesbian Mardi Gras publicly endorse the Pride In Protest Oxford Street March for the community on 5 March 2023?

**Sydney Gay and Lesbian Mardi Gras response:** Sydney Gay and Lesbian Mardi Gras has previously supported rallies, including most recently a rally against the Religious Discrimination Bill in February of this year. Sydney Gay and Lesbian Mardi Gras welcomes the organisers to a meeting to discuss the rally. However, it is to be noted that from 05 March, Oxford Street will be closed as a community space for the Pride Villages.

**Proposed Resolution 2:**

- a) Expresses its support for the proposed claim for gender affirmation/transition leave on an annual basis for trans workers at Sydney University, and also recommends its application across the workforce.
- b) Condemns refusal by management to grant leave to trans workers and expresses solidarity with the NTEU in pursuing this claim.
- c) Requests that the Mardi Gras Board write to Pride in Diversity and advocate that Sydney University lose its status as a gold standard employer if it refuses to grant this claim.
- d) Notify Sydney University management's representative that if they do not fulfil best practice by granting the full claim of transition/gender affirmation leave on an annual basis, then they may lose their spot in the Parade.

**Question:**

What is Sydney Gay and Lesbian Mardi Gras' view of gender affirmation/transition leave at the University of Sydney? Will Sydney Gay and Lesbian Mardi Gras support the NTEU and lobby Sydney University on the issue of gender affirmation/transition?

**Sydney Gay and Lesbian Mardi Gras response:**

Sydney Gay and Lesbian Mardi Gras supports gender affirmation/transition leave and currently makes gender affirmation/transition leave and other forms of support available for all Sydney Gay and Lesbian Mardi Gras staff through our Gender Affirming Policy & Guidelines. Sydney Gay and Lesbian Mardi Gras confirms its aspiration for gender affirmation/transition leave to be made available across all industries to support our gender diverse communities. However, the Board

recognises that specific contractual terms are an operational matter for each individual organisation.

**Proposed Resolution 3:**

- a) Condemns the violent and brutal treatment of asylum seekers and refugees by the Australian government and the particular impact on LGBTQIA+ asylum seekers and refugees.
- b) Condemn the role that Qantas plays in deporting asylum seekers on behalf of the Australian government.
- c) Terminate sponsorship with Qantas on the basis of their violation of the human right to seek asylum and deportation of asylum seekers back to danger.
- d) Affirm ending mandatory detention, onshore and offshore detention, including reversing the repeal of Medevac legislation.
- e) Affirm granting the permanent protection for all refugees onshore, including those on Temporary Protection Visas, Safe Haven Enterprise Visas, evacuees brought by Medevac, those on bridging visas, and all other relevant visas.

**Question:** What is Sydney Gay and Lesbian Mardi Gras' view on Qantas deporting asylum seekers? Will Sydney Gay and Lesbian Mardi Gras review its partnership with Qantas?

**Sydney Gay and Lesbian Mardi Gras response:**

On 23 August 2021, Sydney Gay and Lesbian Mardi Gras joined a number of organisations to support the Afghan community in Australia and the LGBTQIA+ people, women, human rights defenders and minorities in Afghanistan who are in danger. Sydney Gay and Lesbian Mardi Gras stands with the Australian GLBTI Multicultural Council, Forcibly Displaced People Network and the Refugee Council of Australia supporting their seven steps urging the Australian Government to take action. The plea of LGBTQIA+ refugees will also be addressed in the Sydney WorldPride Human Rights Conference

Qantas has signed as a partner of Sydney Gay and Lesbian Mardi Gras and Sydney WorldPride 2023 following a review through the Ethics Charter. Sydney Gay and Lesbian Mardi Gras continues to work with these organisations and will use its platform and festival to speak out as necessary and encourages other community organisations to do the same during the festival and throughout the year.

**Proposed Resolution 4:**

- a) Disinvite Peter Dutton and Dominic Perrottet as Liberal party figureheads for pushing or failing to disavow homophobic and transphobic Federal and State legislation.
- b) Disinvite all Liberal MPs from the Parade.
- c) Remove the Liberal's float from the Parade.

**Question:**

Will Sydney Gay and Lesbian Mardi Gras consider disinviting Peter Dutton, Dominic Perrottet and all Liberal MPs from the Parade, and remove the Liberal's float from the Parade?

**Sydney Gay and Lesbian Mardi Gras response:**

The Sydney Gay and Lesbian Mardi Gras Parade has throughout its history been a symbol of love and

protest showing the world what we can achieve when we bring together our diverse community and work together. The Federal Opposition Leader and the Office of the Premier are not invited to Sydney Gay and Lesbian Mardi Gras events by Sydney Gay and Lesbian Mardi Gras. However, they may be invited as guests by our government partners.

All members of our communities and allies are welcome to march in the Parade, no matter their political affiliation. We encourage all floats to include direct or satirical political messages in their floats. Sydney Gay and Lesbian Mardi Gras does not believe that excluding individuals or groups from events is a useful or effective course of action to achieve social justice outcomes but is detrimental to our community.

**Proposed Resolution 5:**

That floats for the NSW Police, Australian Federal Police, NSW Corrective Services and the Australian Defence Force be removed indefinitely from the Mardi Gras Parade. For the reasons of;

- a) Responsibility for First Nations deaths in custody, and all other deaths in custody;
- b) Violence exhibited towards LGBTQIA+ people;
- c) In the case of the Defence Force, the waging of imperial war in Afghanistan and elsewhere.

**Question:**

Will Sydney Gay and Lesbian Mardi Gras consider removing the NSW Police, Australian Federal Police, NSW Corrective Services and Australian Defence force from the Parade indefinitely?

**Sydney Gay and Lesbian Mardi Gras response:**

The Sydney Gay and Lesbian Mardi Gras Parade has throughout its history been a symbol of love and protest showing the world what we can achieve when we bring together our diverse communities and work together.

The Board acknowledges the historic difficulties between the NSW Police and the LGBTQIA+ communities and acknowledges the ongoing difficulties experienced by LGBTQIA+ and First Nations people as expressed in the proposed resolution.

We also acknowledge the significant work that NSW Police has done in developing stronger relationships with Sydney Gay and Lesbian Mardi Gras and the community through NSW, through programs such as the Gay and Lesbian Liaison Officer (GLLO) program and the signing of the Mardi Gras Police Accord, which is undergoing a review after recent and extensive community consultation.

Sydney Gay and Lesbian Mardi Gras does not believe that excluding individuals or groups from events is a useful or effective course of action to achieve social justice outcomes.

Sydney Gay and Lesbian Mardi Gras proudly joined ACON and a number of LGBTQIA+ community organisations to call for a judicial inquiry into unsolved gay and transgender hate crimes, which is currently taking place.

**Proposed Resolution 6:**

Cancel the Mardi Gras Police Accord, and in doing so:

- 1) Condemn the use of drug dog programs used by the NSW Police and heavy police presence during Mardi Gras,
- 2) Abolish the use of so-called “decency checks” by police during the Parade, as they are an act of sanctioned sexual abuse and assault by police.
- 3) Stand for police abolition and stand in solidarity with Black Lives Matter and to end deaths in custody.
- 4) Support the right to protest and lift NSW’s repressive protest restrictions.

**Question:**

Will Sydney Gay and Lesbian Mardi Gras consider cancelling the Mardi Gras Police Accord and stand in solidarity with Black Lives Matter?

**Sydney Gay and Lesbian Mardi Gras response:**

Sydney Gay and Lesbian Mardi Gras is currently reviewing the Mardi Gras Police Accord which has undergone extensive community review and consultation. Through this process, marginalised groups will be given a voice in how Sydney Gay and Lesbian Mardi Gras events are policed and allow their experiences to be heard. An update on this process will be provided at the upcoming Annual General Meeting.

The Mardi Gras Police Accord is an operational document which outlines the way in which Sydney Gay and Lesbian Mardi Gras and the NSW Police will work together for the safety of our community at Sydney Gay and Lesbian Mardi Gras events.

Since the creation of the Mardi Gras Police Accord, there has been a reduction in the presence of sniffer dogs and the number of drug searches at Sydney Gay and Lesbian Mardi Gras events. Sydney Gay and Lesbian Mardi Gras is also able to provide education about police drug detection activities to the community through the Fair Play initiative. One section of the Accord pertains to decency inspections, and in line with the law, genitals are not permitted to be on display in public spaces which includes Parade – the Accord simply outlines that a representative of Sydney Gay and Lesbian Mardi Gras will work with a senior police representative to conduct a general inspection before the Parade to ensure if participants have to be approached, it is done by two trained representatives from both organisations to ensure the Parade participant feels safe. In the last five years, there have been no decency checks conducted.

Sydney Gay and Lesbian Mardi Gras considers these as positive outcomes for our LGBTQIA+ communities.

Sydney Gay and Lesbian Mardi Gras stands openly in support and solidarity with the #BlackLivesMatter movement and has proudly promoted a number of events and articles about the movement on its social media and during the Parade.

**Proposed Resolution 7:**

This motions requests the Board endorse an Equality bill that only features the following components:

- The full repeal of mandatory HIV testing laws.
- Right to Protest and Assemble. All new laws recently passed to suppress the right to protest in NSW must be abolished.
- Defund the police. The police must be defunded with funds reinvested into community services instead of policing.
- Independence of the Investigation of the Gay and Trans Hate Crime Inquiry. The Gay and Trans Hate Crime Inquiry must be conducted as a completely independent body from the NSW Police and Corrective Services.
- Conversion therapy in all of its many variations must be banned.
- Ending Religious Exemptions. NSW legislation allows for jobs, schools, social services, and in some circumstances sports to discriminate on a religious basis that can impact LGBTQIA+ people as well as other minorities. These exemptions should be abolished. Further protections for LGBTQIA+ youth in schools in the form of the Safe Schools program must be reinstated completely, and expanded to all schools, religious or not. De-registered courses that provided training to teachers as part of their ongoing training requirements must be registered again.
- Birth Certificate Reform. Currently individuals wishing to change the sex marker of their birth certificate must undergo often cost prohibitive gender confirming surgeries. Not only is this classist, but not everyone even wishes to undergo gender confirming surgeries. Instead the following should be proposed:
  - Birth Certificates should be disconnected from medical and surgical intervention. Existing policies of psychologist/doctor signoff, requirement of medical/surgical intervention, requirement of living under a certain name for one year (in the event of name change) should all be abolished;
  - Sex/Gender markers should be optional, individuals should have the right to choose whether the marker is present on the document;
    - Identification documents should reflect the gender/sex expression of individuals where applicable;
    - Flow on effect to all legal documents, where alterations to a birth certificate change all other forms of identification; and,
    - Changes to the Birth Certificate should be free of charge;
- Anti-discrimination and full decriminalisation for sex workers. Sex workers are highly represented in LGBTQIA+ communities. Currently sex workers face discrimination through incomplete decriminalisation legislation, which particularly impacts street-based sex work in addition to exclusion from services from housing providers, financial institutions, healthcare providers etc. due to absence from the current Anti-Discrimination Act;
- End the blood ban. Currently many LGBTQIA+ identifying individuals are restricted from donating blood due to homophobic/transphobic notions that LGBTQIA+ individuals are of high bloodborne disease risk, while the same scrutiny is not applied to people outside of our communities. This amounts to scapegoating. Discriminatory policies concerning the donation of blood must be overturned.
- Training on inclusion of workers and customers in the public sector must be funded similar to that of Safe Schools: for nurses, age care workers, etc;
- Work quotas for trans & non-binary people. A 1% quota in the public sector for trans and gender diverse workers must be instituted, or at least 1 trans worker per workplace (whichever is higher)

**Question:**

Can Sydney Gay and Lesbian Mardi Gras provide an update on its involvement in the development of the Equality Bill and what clauses it has supported?

**Sydney Gay and Lesbian Mardi Gras response:**

In 2021, Sydney Gay and Lesbian Mardi Gras entered into a partnership with Equality Australia to develop joint campaigns and regular engagement. As the Sydney Gay and Lesbian Mardi Gras team is small, this strategic partnership helps us fill the gaps in our resources and unites our organisations so we can activate our audiences and help push for LGBTQIA+ equality.

Alex Greenwich MP announced the 'Equality Bill' initiative in March 2022, and the 'Act For Equality' petition delivered by Equality Australia to Alex Greenwich was co-sponsored by Sydney Gay and Lesbian Mardi Gras.

Sydney Gay and Lesbian Mardi Gras has been vocal in educating people about different bills that affect our communities, and encouraging different actions that can be taken. We will continue to work with community partners to provide feedback on any proposed legislation that has an impact on our communities.

**Proposed Resolution 8:**

- a) End the sponsorship with American Express on the basis of their financial discrimination towards sex workers.
- b) That Mardi Gras condemn financial discrimination towards sex workers from any financial institution.
- c) Mardi Gras officially endorse the decriminalisation campaigns in Queensland and South Australia - with all the amendments to bills or recommendations supported by Scarlet Alliance and/or peer-based state organisations including Respect and SIN SA.
- d) Mardi Gras officially recognise that NSW has significant decriminalisation of many types of sex work, but that full decriminalisation should be passed into law.
- e) Mardi Gras officially endorses the sex workers on the Anti-Discrimination Act bill as put forward by Abigail Boyd, and calls for its inclusion to the Equality Bill in 2023.

**Question:** Will Sydney Gay and Lesbian Mardi Gras reconsider its sponsorship with American Express? What is Sydney Gay and Lesbian Mardi Gras' view on the decriminalisation of sex workers in NSW and Australia?

**Sydney Gay and Lesbian Mardi Gras response:**

Sydney Gay and Lesbian Mardi Gras recognises the rights of sex workers and stands with them against discrimination.

In the Board's view, the assertion that American Express discriminates against sex workers is inaccurate. American Express has signed as a partner of Sydney Gay and Lesbian Mardi Gras and Sydney WorldPride 2023 following a review through the Ethics Charter.

In a statement provided by American Express to Sydney Gay and Lesbian Mardi Gras, adult services that are legal in Australia, such as escort services and in-person adult entertainment, have the opportunity to apply to accept payment via American Express cards.

As a company, American Express does have a longstanding global policy that prohibits payments made by American Express cards for digital adult content. This is primarily because of the risks

associated with the industry, such as child abuse material, laws pertaining to consent and the inability to provide the myriad of necessary internal controls and monitoring required for oversight.

**Proposed Resolution 9:**

- 1) That Mardi Gras condemn the Perrottet government, and any subsequent government, for:
  - a) Their refusal to lift the wage cap for public sector workers, inflicting a real pay cut.
  - b) Their refusal to accept ratios or staffing requirements in sectors facing dangerous shortages: teachers and nurses.
  - c) Their refusal to accept casual to full-time/part-time conversions.
  
- 2) That Mardi Gras support the following unions in their industrial struggle:
  - a) Public sector unions struggling against these austerity measures and publicly support industrial action taken against them in the future: the RTBU, the NSWNMA, and The Teachers Federation.
  - b) The NTEU and the IEU, in private sector strikes, in particular NTEU struggling at NSW Universities to win better conditions for educators including transition leave for trans workers.

**Question:**

What is the Sydney Gay and Lesbian Mardi Gras' view of wage caps for public sector workers? Will Sydney Gay and Lesbian Mardi Gras consider supporting public sector unions?

**Sydney Gay and Lesbian Mardi Gras response:**

Sydney Gay and Lesbian Mardi Gras does not have enough information to engage on these matters and invites the proposer and seconder to meet with either representatives of the Board or Management to provide further information.

**Proposed Resolution 10:**

- a) Reverse the exclusion of the Teacher's Federation float with a formal and public apology to the members.
- b) Disinvite the Department of Education for failing to address a living wage, better working conditions for teachers.
- c) Officially endorse the striking teacher's industrial actions.

**Question:**

Will Sydney Gay and Lesbian Mardi Gras consider reversing the Parade Curatorial Committee's decision on the Teachers Federation float, disinvite the Department of Education and endorse striking teacher's industrial action?

**Sydney Gay and Lesbian Mardi Gras response:**

The 2023 Parade received an unprecedented number of applications and were only able to accept 70% of total applications received. After approvals were sent out, a number of Parade entries either joined or reduced their number of marchers.

As a result, Sydney Gay and Lesbian Mardi Gras invited The Teacher's Federation to resubmit their application to ensure it met the Parade submission criteria.

All applications are assessed against a selection criteria by a dedicated Parade Curatorial Committee to ensure the process is fair and unbiased. At the time of writing, the new submission is yet to be assessed.

Sydney Gay and Lesbian Mardi Gras does not believe that excluding individuals or groups from events is a useful or effective course of action to achieve social justice outcomes but is detrimental to our community.

**Proposed Resolution 11:**

Update the organisation name to one that is inclusive and reflective of the diversity of the entire community, whilst retaining the legacy of the 78ers, preferably before WorldPride 2023 but if not, to at least resume the consultative process with the membership.

**Question:**

Will Sydney Gay and Lesbian Mardi Gras update the name of the organisation before WorldPride 2023? Will Sydney Gay and Lesbian Mardi Gras resume consultation with the membership to update the name?

**Sydney Gay and Lesbian Mardi Gras response:**

It has been the view of the Board that the name Sydney Gay and Lesbian Mardi Gras does not represent the diversity of our membership or the communities we serve. We have previously sought feedback from the membership on appetite to update the name, however, this was not within the scope of the current review of the Constitution. We welcome feedback from members of our communities on the potential to update the name of the organisation.

An update to the organisation's name would require a special resolution to amend the Constitution. This would take time and require consultation with the membership. Although this is already on the future agenda, it will not be possible to do this before WorldPride 2023.