

# Joint Statement: Ten Organisations Call for People with Disability's Access to NDIS Funded Sexuality Services to be Protected

## This statement is endorsed by:

- People with Disability Australia
- Women with Disabilities Australia
- Touching Base
- First Peoples Disability Network
- Children and Young People with Disability Australia
- Down Syndrome Australia
- Disability Advocacy Network Australia
- Community Mental Health Australia
- National Ethnic Disability Alliance
- Australian Autism Alliance

## The Joint Statement:

Ten organisations, including People with Disability Australia (PWDA), Women with Disabilities Australia (WWDA) and Touching Base, have signed this joint statement to strongly condemn recent comments made by Minister for the National Disability Insurance Scheme (NDIS) Bill Shorten regarding the exclusion of sex work and sexuality services from the NDIS.

The NDIS is designed to improve the quality of life of people with disability in Australia. It provides funding for people with disability to access reasonable and necessary supports, to pursue their goals, live independently, and participate fully in the community.

The exclusion of sexuality and sex work services from the NDIS would undermine the fundamental human rights and the choice, control and access of people with disability to essential supports that enable full participation in all aspects of life, including sexual expression, health, reproduction and relationships.

Sexual supports are critical to the well-being of people with disability. They are not mere luxuries but, as the Federal Court recognised in 2020, are reasonable and necessary supports that contribute to our holistic health and quality of life. The NDIS must continue to recognise sex, sexuality, and relationships within the context of disability and ensure access to a range of safe sexual supports and services that meet the diverse needs of NDIS participants.

The range of available sexual supports and services should be extensive and diverse and able to be tailored to the unique experiences and requirements of each participant. These supports include, but are not limited to:

- Consent education prioritising harm prevention and supporting healthy and consenting sexual and romantic relationships
- Therapies to support healing from sexual abuse and trauma
- Non-sexual touch and intimacy
- Engagement with sex workers for support facilitating mutual consenting physical contact in a safe and supportive environment
- Access to sexual aids and sex-related assistive technology
- Pelvic floor physiotherapy to address sexual dysfunction and pain
- Reproductive supports for people with spinal cord injuries
- Therapy including relationships and marriage counselling.
- Gender affirming care

These supports can be life changing. They foster positive relationships with one's own body, particularly for those who experience their bodies as medicalised. They build confidence in sex, intimacy, and touch within safe and supportive environments, and provide outlets for self-expression and pleasure.

The comments from the Minister reflect a concerning narrowing and prescriptive definition of NDIS supports, which fails to encompass the critical needs of many people with disability and to uphold our choice and control. We call on the Minister to retract his comments and commit the National Disability Insurance Agency (NDIA) to co-designing with the disability community a comprehensive sexuality policy that

acknowledges and respects the diverse sexual and intimacy needs of people with disability. The disability community has long called for such a policy to ensure that sexual supports are accessible, reduce fear and stigma associated with seeking these supports, and provide clear, consistent guidelines for the approval and use of NDIS funding for these purposes.

People with disability are often denied full autonomy over their own bodies and are subjected to beliefs that they are either asexual or hypersexual. Our right to make informed choices about our bodies, sexual and reproductive health, and intimate relationships must be upheld. Many people with disability require specific supports to enjoy sexual expression and fulfill their sexual needs safely. Despite these needs, people with disability already face significant barriers in accessing NDIS funded sexual supports and services. These barriers are compounded by inconsistent decisions and retractions by the NDIA, which create confusion and financial insecurity for participants. A clear and co-designed sexuality policy within the NDIS framework would be a positive step towards addressing these barriers.

**We urge Minister Shorten to reconsider the position on sexuality services and to deliver on their co-design promises by engaging with the disability community in developing a framework for NDIS funded sex work and sexuality services that truly reflects the needs and rights of people with disability.**