

Brief supporting Evidence Report 103

# POLICY AUDIT: SEXUALITY AND DISABILITY IN POLICIES AFFECTING CHINESE PEOPLE WITH DISABILITIES

**Sexuality, Poverty and Law**

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December 2014

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Researchers at Pink Space believe that in the current context in China, we are seeing the re-emergence of traditional patriarchal attitudes and behaviour. We assert that the heterosexual male is privileged in terms of sex, love, marriage, family and other aspects of social life, where heterosexual relationships and gender conformity are privileged over same-sex relationships, and gender non-conformity. In addition, as we outline in this policy audit, oppression and discrimination on the basis of gender, sexual orientation and gender identity are exacerbated for people with disabilities who experience significant social stigma on account of their disabilities (Charlton 1998). This can lead to multiple layers of discrimination, for example, for people with disabilities who are lesbian, gay, bisexual and transgender (LGBT).

This policy audit examines the cultural, political and economic spheres in China from the perspective of people with disabilities. Through a series of case studies we argue that the heteronormative assumptions that underpin disability policies do not recognise the sexual desires and sexual needs of people with disabilities. Therefore, laws, families and society at large treat sexual behaviours among people with disabilities as abnormal, and the disabled as people who need to be arrested, invisible and even criminalised.

Not only do the current laws and regulations fail to recognise people with disabilities as sexual beings and as having sexual needs, they also give power to guardians to have complete authority to control the sexuality of people with disabilities, all in the name of care, responsibility and law.

These omissions in law result in lack of sex education, services and opportunities for people with disabilities, and leave little space for them to fulfil their sexual needs and desires, but too many chances to get infected with sexually transmitted diseases and/or HIV, and experience sexual frustration and devastation.