Second Action

Plan (2022-2023)



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Design

After an open-call out on social media, twelve LGBTIQ+ illustrators across a range of backgrounds, identities and experience were commissioned to illustrate the Capital of Equality Strategy: Second Action Plan.

Under the umbrella of the acryonym LGBTIQ+, there is a profound diversity of lived experience, with multitudes of sexual, gender, bodily and relational being. The illustrators were asked to create representations that de-centred the normative Australian image of LGBTIQ+, bringing their personal take on identity, lived experience, community and the policies into their work.



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Introduction

What we have achieved so far



The Capital of
Equality Strategy
launched a
substantive body
of work to make
Canberra the most
welcoming and
inclusive city in
Australia for
LGBTIQ+ people in
their diversity.

In the First Action Plan (2019-2021) the ACT Government took action to promote understanding of LGBTIQ+ issues, deliver more inclusive and accessible services, and protect LGBTIQ+ people from harm. Here is a snapshot of achievements since 2019:

- We banned harmful sexuality and gender identity conversion practices. The Sexuality and Gender Identity Conversion Practices Act 2020 came into effect on 4 March 2021.
- We amended the Births, Deaths and Marriages Registration Act 1997 to improve processes for changing birth registration and birth certificates for trans and gender diverse young people. The Births Death and Marriages Amendment Act 2020 came into effect on 20 August 2021.
- We worked with the intersex community to develop a plan to prohibit deferrable medical interventions, and funded an Intersex Project Officer position at A Gender Agenda.
- We invested in LGBTIQ+ support systems for Canberra's schools including the Safe and Inclusive Schools initiative.
- We funded specialist, peer-led and community-controlled services, such as Meridian and A Gender Agenda, to provide life-saving psychosocial and peer supports to LGBTIQ+Canberrans.
- Through the Capital of Equality Grants Program, we provided \$300,000 to over

- **30 innovative initiatives** that gave LGBTIQ+ Canberrans opportunities for connection, belonging and community.
- We funded research to better understand the lived experiences of LGBTIQ+ Canberrans and barriers to equality. The ACT Health Directorate completed a scoping study to identify the barriers to accessing health services for LGBTIQ+ Canberrans.
- We invested in the <u>ACT component of the Writing Themselves In 4¹ study conducted by researchers at La Trobe University.</u> We now have comprehensive information about the health and wellbeing of 300 young sexuality and gender diverse Canberrans.

The First Action Plan laid a solid foundation to continue improving services and eliminate disadvantage, discrimination, and marginalisation for LGBTIQ+ Canberrans. We are proud of the strong track-record that has been set in Canberra. The Second Action Plan outlines key government actions to support LGBTIQ+ Canberrans from now to the end of 2023.

To develop the Second Action Plan, the Office of LGBTIQ+ Affairs undertook a series of community consultations to identify the most pressing issues that LGBTIQ+ Canberrans face. Working closely with diverse communities, we strengthened our commitment to visibility, safety, and inclusion of LGBTIQ+ Canberrans. Through the consultation process we have learned that:

- LGBTIQ+ people are subjected to domestic, family and sexual violence;
- There are LGBTIQ+ Canberrans (particularly young people, trans and gender diverse people and those who are from migrant or refugee backgrounds) who are experiencing homelessness;
- There is inequitable access to health services and LGBTIQ+ healthcare needs are not being met;
- There is limited access to LGBTIQ+ inclusive and culturally safe mental health services (in particular for trans and gender diverse people and those living on temporary visas);

¹ Hill, A. O, Lyons A, Jones J, McGowan I, Carman M, Parsons M, Power J, Bourne A. (2021). Writing Themselves In 4: The health and wellbeing of LGBTQA+ young people in Australia, National report, monograph series no. 124, Melbourne: Australian Research Centre in Sex, Health and Society, La Trobe University

- The burden of support falls on just a few grassroots organisations;
- There are still substantial data gaps for a range of experiences of LGBTIQ+ Canberrans;
- Discrimination in some areas of law and policy still exists; and
- Some LGBTIQ+ Canberrans (particularly those living on temporary visas) have been experiencing food insecurity.

We know that homo-, bi- and transphobia and intersexism thrives in societies where sexual, gender, relationship and bodily diversity are not respected and celebrated. We must continue working towards eliminating these harmful behaviours alongside ending the racism, xenophobia and ableism that many LGBTIQ+ individuals still experience.

To do so, we need to recognise a great diversity within the acronym of 'LGBTIQ+' understanding that there are more lived experiences in our communities that an acronym can capture and ensuring that we are attentive to experiences of all expressions of sexual, gender, relationship and bodily diversity.

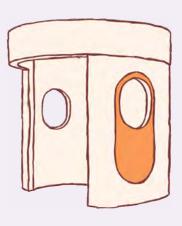
We recognise that making progress in this area means that sexualities and gender identities evolve over time, including after this Plan has been developed and published. As part of this Plan, we are committed to more community dialogue and research on what best represents inclusion, visibility and support for marginalised groups and acting on what we hear from community. Dismantling barriers and ending discrimination and harm most importantly requires structural change.

We want every LGBTIQ+ person living in Canberra, regardless of their identity, background, age, or migration status, to proudly feel Canberran, call Canberra their home, have a sense of belonging to the Canberra community, and be supported to reach their best potential.

We will not truly be the Capital of Equality and achieve full equality and inclusion for all LGBTIQ+ Canberrans without further education, legal reform, resourcing, and changes in broader community behaviour and attitudes. Achieving equitable outcomes for all LGBTIQ+ Canberrans requires shared responsibility between the government and community.

We have taken significant steps forward under the first action plan and recognise that more needs to be done.

We are continuing our journey with this Second Action Plan which builds on the progress achieved since 2019 and provides a strong footing for further action to support LGBTIQ+ Canberrans.



Introduction

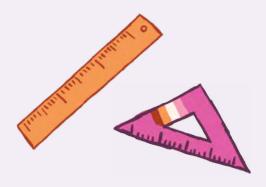
Who the Second Action Plan is for:

The Second Action Plan (the Plan) sends a message of inclusion, respect, and dignity to every Canberran and every visitor to the Territory. Canberra is a city of equality, and our actions reflect this. Actions outlined in the Plan will be implemented by the ACT Government and community partners in Canberra.

How we got here:

The Plan was developed by the Office of LGBTIQ+ Affairs which:

- undertook an analysis of existing research through a comprehensive literature review;
- ran a series of community consultations with a range of stakeholders such as LGBTIQ+ peer-led organisations, organisations and groups working with and/or led by LGBTIQ+ Aboriginal and Torres Strait Islander peoples and LGBTIQ+ culturally and linguistically diverse people including those who are migrants or refugees, as well as settlement and refugee support services, among others;
- sought advice on the priorities from the <u>Territory's LGBTIQ+ Ministerial Advisory</u> <u>Council</u>;
- analysed the lessons learned from implementation of the First Action Plan; and
- worked closely with all ACT Government Directorates to negotiate and finalise the actions.



Acronyms used:

ACT Australian Capital Territory

LGBTIQ+ is respectfully being used as an acronym inclusive of people of diverse sex, gender, variations of sex characteristics or sexual orientation. We recognise the great diversity among LGBTIQ+ communities. The '+' (plus) intends to capture various expressions of sexual, gender, relationship and bodily diversity.

What we are proposing:

Implementation of the First Action Plan (2019-2021) of the Capital of Equality Strategy, and development of this Plan, occurred during the COVID-19 pandemic. During this period, the ACT Government doubled down on its efforts to support LGBTIQ+ Canberrans by delivering commitments in the First Action Plan and investing in local, peer-led services like Meridian and A Gender Agenda to address specific vulnerabilities experienced by LGBTIQ+ Canberrans during the pandemic. This Plan reinforces those commitments, acknowledging not only that the pandemic is ongoing and has had a significant impact on many LGBTIQ+ individuals, but that there is more work to do to deliver equitable outcomes for all LGBTIQ+ Canberrans.

The First Action Plan laid a solid foundation for us to meaningfully embrace the great diversity within our city and has helped ensure everyone's rights and freedoms are respected. This Plan builds on that work and presents a range of actions that can be achieved by the end of 2023. The Plan is intended to be a live document and evolve as opportunities arise. Subject to future budget processes, some actions may be further enhanced.

The government will undertake a formal evaluation of the impacts of the Capital of Equality Strategy and its action plans in late 2023.

Focus area 1

Visibility and Inclusion

Improve information for LGBTIQ+ Canberrans in ACT Government communications

Resource annual events to celebrate the strength and diversity of LGBTIQ+ Canberrans Provide training on LGBTIQ+ inclusion across the ACT Government and community services Ensure LGBTIQ+ visibility across ACT Government work



Focus area 2

Better Community Support

Support Canberra's LGBTIQ+ peer-led organisations: Meridian and A Gender Agenda

Support local LGBTIQ+ projects through the Capital of Equality Grants Program

Focus area 3

Access to Inclusive Education

Embed inclusion of, and support for, young LGBTIQ+ people in schools

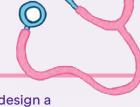


Focus area 4

Improving Health Outcomes

Improving access to mental health support for LGBTIQ+ Canberrans

Improve access to health services for LGBTIQ+ Canberrans



Co-design a gender-focused health service with NGOs and LGBTIQ+ stakeholders Focus area 5

Addressing Homelessness

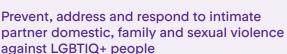
Address specific vulnerabilities of LGBTIQ+ Canberrans in relation to housing insecurity and homelessness



Focus area 6

Safety from Harm and Violence

Introduce new legislation to regulate medical interventions on intersex people



Focus area 7

Law Reforms for Equality

Review the Discrimination Act 1991 and consult on reforms to exceptions to better protect equality rights of the LGBTIQ+ community

Enhance ACT legislation to further embed inclusion and equality for trans, gender diverse, queer and intersex people

Focus area 8

Inclusive Data Collection

Establish a whole of government Data Collection framework for Sex, Gender, Sexual Orientation and Sex Characteristics

Flagship Actions

Support local LGBTIQ+ projects through the Capital of Equality Grants Program

Since 2019, we have supported 30 local community projects through the Capital of Equality Grants Program providing \$300,000 in funding. These projects included a range of activities such as community and cultural events, inclusive sports, research, capacity building and many others. 30 per cent of all allocated funds specifically supported local projects led by LGBTIQ+ Aboriginal and Torres Strait Islander and LGBTIQ+ culturally and linguistically diverse communities.

The Program allows a range of LGBTIQ+ led organisations and passionate individuals to create projects, opportunities, events, and resources that enrich the lives of LGBTIQ+ Canberrans and their allies. In the Second Action Plan we are supporting vibrant LGBTIQ+ communities in Canberra to thrive through the funding available under the Program. In response to what we heard from community, priority will be given to projects that build the capacity of diverse community groups including but not limited to those led by Aboriginal and Torres Strait Islander LGBTIQ+ peoples, LGBTIQ+ people with disability, LGBTIQ+ people from culturally and linguistically diverse, migrant or refugee backgrounds, older LGBTIQ+ people and others.

Forcibly Displaced People Network

LGBTIQ+ people seeking asylum, refugees and forced migrants experience unique challenges. When you are an LGBTIQ+ forcibly displaced person there are challenges that are connected to your sexuality, gender or intersex status, your refugee status and the combination of both. It starts with you experiencing trauma, violence and the loss of home simply because of who you are. It is not just that where you live there is discrimination but that you will either be killed or imprisoned. You must run to survive. The impacts of this are profound.

Unfortunately, there still exist barriers for LGBTIQ+ forcibly displaced people to access necessary services. Many services require training to understand the needs of these communities. The history of trauma often prevents people from fully engaging with LGBTIQ+ communities. Such experience often leads to isolation.

The Forcibly Displaced People Network (FDPN) was established to be a space of safety and understanding. It is an LGBTIQ+ refugee-led organisation. The establishment of FDPN

was possible thanks to the grant from the ACT government's Capital of Equality Grants Program. We were able to not only register the organisation as a charity that provides us with sustainability in the long-term but also establish our presence as an expert voice on LGBTIQ+ displacement and build networks of support. The opportunity to apply for the Capital of Equality Grants meant that we had sufficient resources for an effective start. Since 2020 we have been able to achieve much progress, provide financial support especially from the onset of the pandemic to LGBTIQ+ people seeking asylum and help build capacity of NGOs around Australia to work on this issue. Without the access to grants none of this would have been possible. We are proud to be working with the ACT Government on helping LGBTIQ+ forcibly displaced people to find safety and home.

Forcibly Displaced People Network is an LGBTIQ+ refugee-led organisation that promotes human rights and inclusion of LGBTIQ+ persons in forced displacement through peer support and strengthening services and policy responses.

PhotoAccess

Through the ACT Government's Capital of Equality Grants program, PhotoAccess has been able to deliver two major projects supporting Canberra's LGBTIQ+ community to contribute their stories to our city's history and identity, while also directly building LGBTIQ+ artists' abilities to participate in the local creative economy. In 2019, PhotoAccess commissioned LGBTIQ+ photographer Jane Duong and designer Victoria Firth-Smith to work with eleven Canberrans to create a striking public exhibition in ACT Libraries Civic celebrating diverse journeys to Pride. The following year, PhotoAccess partnered with Meridian, A Gender Agenda, and artist Jenni Savigny to support eight LGBTIQ+ people through a digital storytelling program documenting experiences of inter-generational change. The film collection was launched at a gala event, published online and lodged with the ACT Heritage Library.

Capital of Equality funding was essential to making these projects a reality. Due to the program grants, PhotoAccess was able to develop innovative projects that would have been impossible within normal operational resources and to do so in a way that meant participants were not excluded due to project cost. Participants reported that the funded initiatives increased their sense of welcome, value and belonging in Canberra, while partner organisations built strong relationships supporting future projects and over 20,000 people from the wider community engaged with project outcomes to develop their knowledge of LGBTIQ+ experiences.

<u>PhotoAccess</u> is the ACT and region's non-for-profit centre for contemporary photography, film and video and media arts.

Co-design a gender-focused health service with NGOs and LGBTIQ+ stakeholders

As a part of the First Action Plan, the ACT Health Directorate completed an <u>LGBTIQ+ Health</u> <u>Scoping Study</u> to identify the gaps, opportunities and barriers to access for health services for LGBTIQ+ people.

The LGBTIQ + Health Scoping Study identified a range of barriers to accessing gender-affirming health services in the ACT. Some of the experiences that LGBTIQ+ Canberrans shared in the Study were:

- When asked if LGBTIQ+ specific health needs were being met in the ACT, 36% of participants said no;
- 45% found affordability a barrier to accessing health services; and
- 49% found availability a barrier to accessing health services.

Trans and gender diverse Canberrans were more likely to have faced these barriers. The Study also found that many trans and gender diverse Canberrans cannot access specialist services in the ACT and are required to travel interstate and overseas in some cases to get access to gender-affirming healthcare.

To address these barriers and ensure timely access to gender-focused healthcare, in the Second Action Plan the ACT Health Directorate will work with NGOs and LGBTIQ+ stakeholders to co-design a gender focused health service informed by lived experience and previous work produced by community organisations.



A Gender Agenda

In the ACT there are no specialised clinical healthcare services or providers solely for trans and gender diverse people, with the burden of provision falling primarily on a small number of private clinicians, predominantly GPs and psychologists, who are overwhelmed by demand and have limited availability to take on new patients.

A Gender Agenda (AGA) and The Friday Centre play an important role in connecting trans and gender diverse people to healthcare services. Outside of this support trans and gender diverse people may access gender affirming health care via their GP, but this also relies on their GP being skilled and knowledgeable on trans health pathways and treatment guidelines. The Friday Centre at Havelock House is

currently receiving an average of up to five new enquiries per week specifically for referral to gender affirming healthcare or mental health services. This is double the number of new enquiries received in its first year of operation. AGA predicts that this demand will continue to grow, but a lack of accurate population data makes it difficult to estimate at what rate. Quality education and support for health professionals, as well as the development of clinical guidelines and referral pathways are a key component of expanding the availability of services. Co-design of the specialist health service in Canberra is a welcome development.

<u>A Gender Agenda</u> aims to support the goals and needs of the intersex, transgender and gender diverse communities of Canberra and the surrounding region.

Introduce new legislation to regulate medical interventions on intersex people

As part of the First Action Plan, the ACT Government committed to collaborating with intersex people, human rights organisations and healthcare professionals to develop a plan to protect the human rights of intersex people in medical settings. This work is in recognition of the Darlington Statement and calls by the intersex community to prohibit deferrable medical interventions. Over the past two years, the ACT Government has embarked on a major project with intersex people, healthcare specialists, human rights and legal experts, to design important protections for intersex people that will be implemented through this Plan.

This proposed approach has two core components. Firstly, a regulatory framework that will ensure people with intersex variations are not subject to deferrable medical interventions without their informed consent. This will include professional oversight of medical decisions in situations where an intersex person is too young or unable to provide their own informed consent. Secondly, improvements to services to increase the availability and quality of care for intersex people and their families, especially when making healthcare decisions.

In 2022, the draft legislation outlining the proposed approach will be subject to community consultation, while developments continue on care pathways for psychosocial and peer support and training for health professionals. This will mean the ACT Government can ensure that

intersex Canberrans have access to high-quality healthcare that respects their bodily integrity and upholds their right to make their own decisions about medical intervention.



Intersex Human Rights Australia

Today, as has been the case for decades, the intersex community is one that has been continuously defined by trauma. Generations of intersex people who have been deeply harmed by unconsented medical intervention, are pouring everything they have into protecting the next generation. Through visibility, resilience, and pride, the turn of this narrative has been slow and inevitable for one simple reason, the harm must stop. Only then can we truly begin to heal and learn to embrace the potential we have always had as intersex people.

With legislation we may finally be able to realise this dream of protection that is far reaching and will not be undermined. Where our community have lived with the scars of good intentions and unchallenged norms, we now have the opportunity to live in a world where the harm has stopped. This is our chance to be world leading on a profound human rights issue, setting the standard that others must follow. It is the most exciting time we could hope to be an intersex rights activist. I am proud of the community that has fought tirelessly for this reform.

Intersex Human Rights Australia is a national body by and for people with intersex variations that promotes the human rights, self-determination and bodily autonomy of intersex people in Australia.

Enhance ACT legislation to further embed inclusion and equality for trans, gender diverse,

queer and intersex people

In 2019 the ACT Government commissioned Equality Australia to undertake <u>a legal audit</u> of ACT legislation to ensure that all people, including trans, gender diverse, queer and intersex people, have equal legal status and recognition under ACT law.² The audit identified several areas where ACT laws could be updated to better protect LGBTIQ+ people's human rights, remove discriminatory provisions, accurately reflect contemporary understandings, and ensure that ACT laws do not have a harmful impact on the community.

As a part of the implementation of the audit's recommendations, some additional reforms under the *Births, Deaths and Marriages Registration*Act 1997 are planned. This includes upholding the autonomy and self-determination of trans and gender diverse Canberrans by improving the process for registering a change of sex, and updating the sex and gender descriptions used with the 'x marker' to ensure that options available are in line with current best practice. We will also review the use of the term 'intersex' in the *Legislation Act 2001* and consider how to amend this definition and other uses of the term 'intersex'



in ACT laws. This will ensure it is used appropriately and is inclusive of all people born with variations in sex characteristics.

Many LGBTIQ+ people have to consider alternative fertility options to grow their family, though there may be barriers to doing this in the ACT. The ACT Government is considering establishing a regulatory framework for Assisted Reproductive Technology in the ACT, including consideration of the position of sexuality and gender diverse people. The ACT Government will also work with other jurisdictions to consider national harmonisation and updates to existing surrogacy laws.

2 Equality Australia (2019). ACT LGBTIQ+ Legal Audit: Reforms for an inclusive ACT.

A Gender Agenda

Trans people often must switch schools after affirming their gender. Without a formal change of name or gender on identification, some schools would insist on addressing students by their legal names. Other schools may use both students' preferred names and legal names. A young person shared with us that when attendance is taken at schools, teachers would sometimes call out their legal name, and they have to explain to the teachers several times that they don't identify themselves with the legal name.

Another young person shared that student identity cards are the only photo ID most young people possess (albeit not government-issued), as one cannot obtain a learners' driver licence before turning 15 years and nine months old.

Being the only photo ID for young people, a student identity card is often used in other circumstances as well. Apart from the student identity card, a birth certificate is usually the only other proof of identity but it cannot be used as a photo ID, and if not updated for gender, can 'out' these people in circumstances where they aren't comfortable revealing the details. Giving these people the ability to change their identification to match their identity ensures safety, identity and recognition of self

<u>A Gender Agenda</u> aims to support the goals and needs of the intersex, transgender and gender diverse communities of Canberra and the surrounding region.

Establish a whole of government data collection framework for Sex, Gender, Sexual Orientation and Sex Characteristics

"Data has never mattered more. Our lives are increasingly shaped by it and how it is defined, collected and used. But who counts in the collection, analysis and application of data?"

> Dr Kevin Guyan, the author of Queer Data³

Effective policies rely on accurate population data. When data collection processes are not inclusive of diverse sex characteristics, gender identities, and sexual orientations, these communities become invisible to policy makers and service providers. The ACT Government has committed to improving the collection, discoverability and sharing of gender, sex, and sexual orientation data through the Second Action Plan 2020-22 of the ACT Women's Plan 2016-26, the Capital of Equality Strategy, and the Parliamentary and Governing Agreement of the 10th ACT Legislative Assembly.

The ACT Government has embarked on a major project to develop a whole of government data collection framework for Sex, Gender, Sexual Orientation and Sex Characteristics. This work will draw on existing guidance, including the 2020 ABS Standard for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables, to establish common definitions and variables, and create a framework that is suitable for the ACT context. This new data collection framework will apply to both data collected within internal government systems, as well as those used in community-facing government service delivery including health services. This will improve the ACT Government's ability to track the wellbeing of population groups through the ACT Government Wellbeing framework, and to develop public policy and plan services for the LGBTIQ+ community.

3 Guyan, K. et al (2022). Queer Data: Using Gender, Sex and Sexuality Data for Action. Bloomsbury Publishing.

Meridian

At Meridian we have worked diligently to ensure our data collection is not only relevant and consistent but also inclusive and welcoming. We ensure our clients feel safe when completing our intake and other forms and surveys.

However, current data collection practice in general is not consistent with, or supportive of, program aims. While this may seem to be an ongoing 'technical' problem for which services can find workarounds, the existence of deficient and non-inclusive data collection is actively undermining program aims and effectiveness.

We know that for programs to be effective, and for our community to feel safe accessing and participating in those programs, data collection needs to be consistent, inclusive, and contextually appropriate.

At Meridian we believe that successful, and indeed optimal, outcomes for service delivery,

particularly therapy, are built on the therapeutic relationship. If we start the relationship by collecting poor data, then the client has an immediate safety issue with the service, no matter how inclusive other practices and processes may try to be.

While we can customise our data collection practices, there need to be standard approaches across government and community services to ensure that we can capture people's lives and experiences in appropriate and comprehensive ways. The establishment of the government data collection framework for Sex, Gender, Sexual Orientation and Sex Characteristics is a much needed and welcome step in this direction.

<u>Meridian</u> is a community-controlled, peer-led organisation that provides health and social support services to our communities in the ACT region.

Focus area 1:

Visibility and Inclusion

Why is this needed?

Despite significant progress achieved towards LGBTIQ+ equality in the ACT and across Australia, many LGBTIQ+ people still experience discrimination and may not feel included in all areas of public life.

- Only 28.7% of LGBTIQ+ people feel accepted at a mainstream event or venue and 30.5% feel accepted in public spaces, compared to 67.5% of LGBTIQ+ people feeling accepted at LGBTIQ+ events.⁴
- LGBTIQ+ people from multicultural backgrounds experience additional layers of discrimination with 33% report being treated unfairly by others because their ethnicity, cultural identity or heritage compared to only 6.5% of LGBTIQ+ people from Anglo-Celtic background reporting similar experiences.⁵
- About half of LGBTIQ+ people with disability report feeling less connected to the Australian LGBTIQ+ community. 77.7% of LGBTIQ+ people with disability report being treated unfairly by others because of their disability or long-term health condition.⁶
- 40.4% of young LGBTQ+ Canberrans report experiencing verbal harassment, 28.4% sexual harassment, and 8.9% physical harassment.⁷

Visibility of sexual, gender and bodily diversity plays a key role in fostering understanding, increasing the awareness about communities and shines a light on any barriers to equality that need to be removed. In 2019, 63% of LGBTIQ+ Canberrans reported feeling a sense of belonging in Canberra.⁸ Yet, despite much progress, experiences of discrimination against LGBTIQ+ people are still common. These experiences may also be compounded by racism and ableism for those LGBTIQ+ people who are Aboriginal and Torres Strait Islander, from culturally and linguistically

diverse backgrounds and those living with disability. Trans and gender diverse Canberrans report being subjected to transphobia in public settings, including being misgendered, harassed or actively refused services.

"Queer,
trans and
gender diverse
people are scared
to catch buses. They
do not go shopping
because they do not
know what to expect.
They are not eating or
drinking in public because
they cannot use public
bathrooms out of fear of
being harassed. They
are scared to go
out alone".

Community consultations stakeholder

Ensuring visibility of LGBTIQ+ communities as well as targeted training, celebration of pride and resilience of these communities and their inclusion in all areas of policy are essential to achieving inclusion and equality.

- 4 Hill, A. O., Bourne, A., McNair, R., Carman, M. & Lyons, A. (2020). *Private Lives 3: The health and wellbeing of LGBTIQ people in Australia*, ARCSHS monograph series no. 122, Melbourne, Australia: Australian Research Centre in Sex, Health and Society, La Trobe University. Percentage is based on the total sample of 6,835 responses).
- **5** Private Lives 3. (percentage is based on the sample of 1,750 responses).

- **6** Private Lives 3 (percentage is based on the sample of 6,524 responses).
- 7 In this instance and any subsequent references to the Writing Themselves In 4 Report, the acronym is used as in the original. The authors of the report were unable to recruit young people born with variations in their sex characteristics.
- 8 Schirmer, J. (2020) Living well in the ACT region: exploring the wellbeing of ACT residents in 2019-20.



Action	Responsible Directorate	Priority Cohort
1. Improve information for LGBTIQ+ Canberrans in ACT Government communications The aim is to centralise information and improve discoverability of LGBTIQ+ affirmative services and supports in Canberra.	Lead: Chief Minister, Treasury and Economic Development Directorate; Access Canberra	LGBTIQ+ communities (with a particular focus on diverse experiences)
2. Resource annual events to celebrate the strength and diversity of LGBTIQ+ Canberrans	Lead: Chief Minister, Treasury and Economic Development Directorate	LGBTIQ+ communities
3. Provide training on LGBTIQ+ inclusion across ACT Government Directorates and community services	Lead: Chief Minister, Treasury and Economic Development Directorate and all Directorates	LGBTIQ+ communities



Action	Responsible Directorate	Priority Cohort
4.1. Reflect the voices of LGBTIQ+ people in urban planning and design This action includes close engagement and consultation with LGBTIQ+ communities in Canberra on a range of construction projects of the City Precinct Renewal Program, including proposed designs for upgrading Lonsdale Street in Braddon, to reflect the voices of the community, represent LGBTIQ+ identities, and consider their needs for issues such as safety in using public spaces. 4.2. Engage LGBTIQ+ people with disability in the development of the ACT Disability Plan This action includes close engagement with LGBTIQ+ people with disability to ensure representation of their voices and needs in the ACT Disability Plan. 4.3. Ensure inclusive representation of sexual, gender and bodily diversity in communications This action includes work to consider the adoption of more inclusive wording to describe sexual, gender and bodily diversity and the naming of government entities representing these communities. 4.4. Commemorate women and non-binary people in public art commission artwork by a female or non-binary artist celebrating a significant woman or non-binary individual through public art.	Lead: City Renewal Authority (action 1.4.1.) Community Services Directorate (action 1.4.2.) Chief Minister, Treasury and Economic Development Directorate) (action 1.4.3 and 1.4.4.)	LGBTIQ+ communities (with a particular focus on diverse experiences)

Focus area 2:

Better Community Support

Why is this needed?

Specialist peer-led and community organisations play a key role in supporting LGBTIQ+ communities including through advancing their rights, providing services to improve their health and wellbeing, providing a safe and welcoming place to come together as a community as well as reducing barriers to service access.⁹

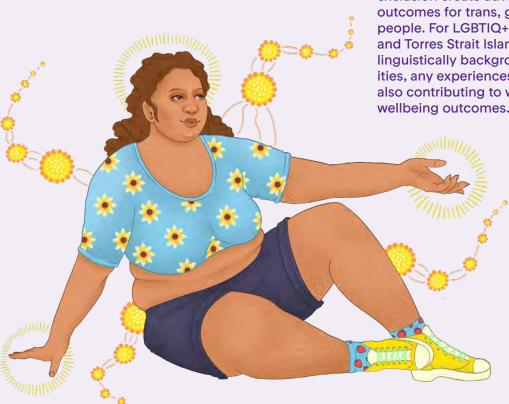
We know that LGBTIQ+ individuals report poorer health and wellbeing outcomes than non-LGBTIQ+ peers.

9 Meridian (2021). The role of peer-led services in improving the health and wellbeing of LGBTIQ+ people. Canberra.

"Poorer health
outcomes are not
inherent to the identities
of LGBTIQ+ people; they
are the consequence
of discrimination, social
disempowerment, and lack
of access to relevant
services."

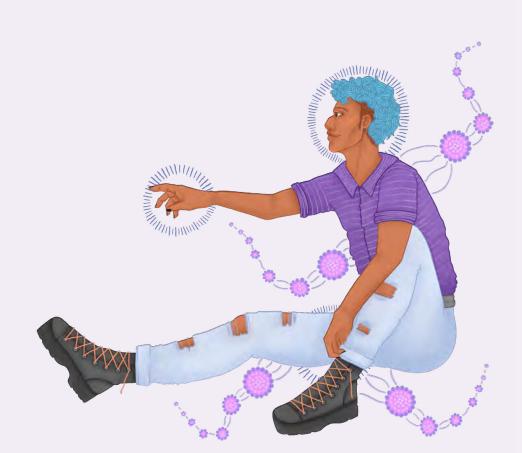
-Meridian (2021)
The role of peer-led services in improving the health and wellbeing of LGBTIQ+ people.

Transphobia, discrimination and intersexism when coupled with higher unemployment rates, poverty, experiences of violence and social exclusion create adverse health and wellbeing outcomes for trans, gender diverse and intersex people. For LGBTIQ+ people who are Aboriginal and Torres Strait Islander, from culturally and linguistically backgrounds or living with disabilities, any experiences of racism and ableism are also contributing to worsened health and wellbeing outcomes.



Support for LGBTIQ+ peer-led organisations and other community-driven and grassroots projects is vital to ensure the wellbeing of LGBTIQ+ communities in Canberra, their inclusion and belonging.

Action	Responsible Directorate	Priority Cohort
5. Support Canberra's LGBTIQ+ peer-led organisations: Meridian and A Gender Agenda This action includes extending the Supporting and Strengthening ACT LGBTIQ+ Communities Program to 2024, funding A Gender Agenda to operate The Friday Centre and continue intersex peer support, and funding Meridian to operate the CBR Pride Hub.	Lead: Chief Minister, Treasury and Economic Development Directorate	LGBTIQ+ communities Trans, gender diverse and intersex people
6. Support local LGBTIQ+ projects through the Capital of Equality Grants Program In the next two years, the Capital of Equality Grants Program will continue and focus on projects that build the capacity of diverse community groups including but not limited to those led by Aboriginal and Torres Strait Islander LGBTIQ+ peoples, LGBTIQ+ people with disability, LGBTIQ+ people from culturally and linguistically diverse, migrant or refugee backgrounds, older LGBTIQ+ people and others.	Lead: Chief Minister, Treasury and Economic Development Directorate	LGBTIQ+ communities (with a particular focus on diverse experiences)



Focus area 3:

Access to Inclusive Education

Why is this needed?

The Writing Themselves In 4 report found that 57.2% of LGBTQ+¹⁰ young people in Canberra felt unsafe or uncomfortable at secondary school due to their sexuality or gender identity. Only 22.9% of LGBTQ+ respondents reported that they could safely use bathrooms and changing rooms that match their gender identity at secondary school. In addition, LGBTQ+ young people reported hearing negative remarks about:¹¹

- Sexuality (65.7% of respondents)
- Gender identity or gender expression (51.5% of respondents)
- Transgender people (41.9% of respondents), and
- People with variations in sex characteristics (12.9% of respondents)

"I want to
see queerness
normalised and
being talked about at
schools. I don't want
to hide who I am"

Community consultations stakeholder

While these statistics are sobering, the study also brought to light experiences in the ACT to be celebrated. The study highlighted that the ACT is seeing some positive difference in schools with 39.2% of participants reporting feeling that they could safely engage in public affection with other LGBTIQ+ people at secondary school and 52.0% reporting that they could safely attend a school dance with someone of the same gender. Feeling safe to identify and be yourself in schooling is extremely important for LGBTIQ+ young people and the ACT is leading the way for self-expression at school.

Action	Responsible Directorate	Priority Cohort
7. Embed inclusion of and support for young LGBTIQ+ people in schools This includes the continuation of the Safe and Inclusive Schools Initiative, review and update Directorate forms to reflect diversity of families and gender inclusivity, adoption of a statement on LGBTIQ+ inclusion and policies and procedures that provide advice to schools to support young people to affirm their gender and sexuality at school.	Lead: ACT Education Directorate	LGBTIQ+ young people



Focus area 4:

Improving Health Outcomes

Why is this needed?

The health outcomes for LGBTIQ+ Canberrans are significantly worse than their peers in Canberra. The Living well in the ACT region report identified a number of areas where LGBTIQ+ Canberrans fall behind their peers:¹²

- 52.4% of LGBTIQ+ Canberrans in 2019 and 67.9% in 2020 reported moderate to high distress compared to the ACT average of 30.3% in 2019 and 46.5% in 2020.
- 44.7% of LGBTIQ+ Canberrans in 2019 and 61.2% in 2020 reported having fair or poor mental health compared to the ACT average of 22.9% in 2019 and 38.9% in 2020.
- LGBTIQ+ Canberrans were less likely to find it easy to access mental health services, with only 20.0% reporting this was easy, compared to 37.7% of other ACT residents.¹³

Looking into mental health of young LGBTQ+ Canberrans, Writing Themselves In 4 reported that:

- Around 10% of young LGBTQ+ Canberrans had attempted suicide in the 12-month period before the survey and 28.7% had done so at some point in their lifetime;
- 41.2% had self-harmed within the past 12 months.

"The number of youth that contemplated suicide and the number of youth that attempted suicide because they cannot present in their identity at school, at home is an incredible scary figure."

- Community consultations stakeholder

Availability of services that meet the health needs of LGBTIQ+ individuals, tailored health information and trained staff in understanding LGBTIQ+ experiences across the Government and community partners are key to improving health and wellbeing of LGBTIQ+ Canberrans.

- 12 ACT Health Directorate (2021). LGBTIQ+ Health Scoping Study report. Canberra; Schirmer, J. (2020). Living well in the ACT region: exploring the wellbeing of ACT residents in 2019-20.
- 13 Living well in the ACT region
- 14 Writing Themselves In 4

Action	Responsible Directorate	Priority Cohort
8. Improve access to mental health support for LGBTIQ+ Canberrans This includes ongoing funding to Meridian and A Gender Agenda as well as implementation of relevant mental health recommendations from the LGBTIQ+ Health Scoping Study.	Lead: ACT Health Directorate	LGBTIQ+ communities

Action

Responsible Directorate

Priority Cohort

9.

Improve access to health services for LGBTIQ+ Canberrans

The action involves a consultancy to assist with implementation of recommendations of the LGBTIQ+ Health Scoping Study. It also includes shorter-term actions to improve availability of health information and access to health services for LGBTIQ+ Canberrans including development of LGBTIQ+ resources for LGBTIQ+ Aboriginal and Torres Strait Islander peoples; work to identify and remove barriers to gender affirmation surgeries and procedures, and engagement and consultation with LGBTIQ+ communities in Canberra on a variety of health matters.

Lead:

ACT Health Directorate



LGBTIQ+ communities (including with a particular focus on diverse experiences)

10.

Co-design a gender-focused health service
This work will be informed by lived experience
and previous work produced by community

10.

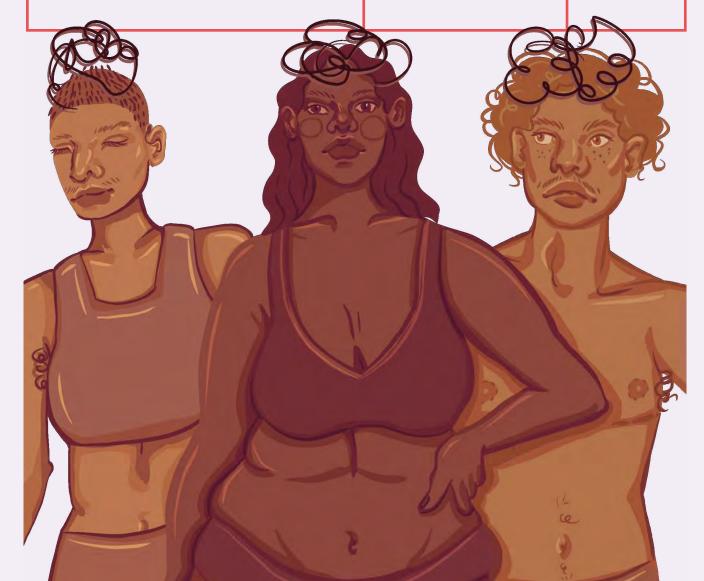
organisations

Lead:ACT Health Directorate

Support:

Canberra Health Services

Trans and gender-diverse people



Focus area 5:

Addressing Homelessness

Why is this needed?

A growing body of evidence in Australia suggests that a higher proportion of LGBTIQ+ people have experienced homelessness than the general population.¹⁵ Yet there is still limited data in Australia that captures these experiences in detail, as many surveys and services are not required to record diverse genders, sex characteristics or sexual orientation of people they work with.¹⁶

- 22% of LGBTIQ+ people report having ever experienced homelessness;¹⁷
- 34.3% of trans men, 33.8% of non-binary participants and 31.9% of trans women reported ever experiencing homelessness compared to 19.8% of cisgender women and 16.8% of cisgender men.
- In the ACT, 20.8% of young LGBTQ+ people reported having experienced homelessness in their lifetime with one fifth of them stating that their experience/s of homelessness were related to their gender identity or sexuality.¹⁸

Meridian's <u>LGBTIQA+ Housing Position Paper</u> states that:

"risks of
homelessness are
exacerbated for LGBTIQ+
people who experience
intersectional disadvantage,
such as younger and older
people, people with disability,
Aboriginal and Torres Strait
Islander people, and
culturally and linguistically
diverse people, including
refugees and asylum
seekers".

There are also specific barriers for LGBTIQ+ people to access support that are linked to one's migration status¹⁹, accessibility and cultural competency and safety of available supports as well as a fear of discrimination when accessing mainstream housing and homelessness services.

¹⁵ McNair, R., Andrews, C., Parkinson, S. & Dempsey, D. (2017). GALFA LGBTI homelessness research project.

¹⁶ Andrews, C., Shelton, J. & McNair, R. (2019). Developments in responding to LGBTQ+ homelessness in Australia and the United States. Parity, 32(3), 21.

¹⁷ Private Lives 3 sample of 6,835 responses

¹⁸ Private Lives 3 sample of 6,835 responses

¹⁹ Forcibly Displaced People Network (2020). Submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs on Homelessness in Australia. Canberra.

Action	Responsible Directorate	Priority Cohort
Address specific vulnerabilities of LGBTIQ+ Canberrans in relation to housing insecurity and homelessness This action entails evidenced based policy development to address specific vulnerabilities that LGBTIQ+ Canberrans face in relation to housing insecurity and homelessness, building on existing data such as Meridian's 2021 LGBTIQ+ Housing Position paper. Housing ACT will undertake mapping of services to identify systemic issues and data gaps in relation to housing and homelessness experiences for LGBTIQ+ Canberrans, and plan for potential future actions to address issues. Housing ACT will include consideration and linkages with LGBTIQ+ Canberrans as part of the strategic planning and partnership process with the specialist homelessness sector. This process is currently underway.	Lead: Housing ACT Support: Chief Minister, Treasury and Economic Development Directorate	LGBTIQ+ communities



Focus area 6:

Safety from Harm and Violence

Why is this needed?

Reforms for intersex people

LGBTIQ+ people can be subjected to forms of harm and violence that are driven by normative ideas about sex and gender, relationships and bodies. For intersex people, these ideas have led to normalising medical interventions on their sex characteristics that are performed when they are too young to provide informed consent and to decide whether these are the right decision for them. In the First Action Plan, we began the work of developing reforms to protect intersex people from such harm, and ensuring that they and their families have access to high-quality healthcare that respects their bodily integrity and autonomy. These reforms will now be implemented and are needed to empower and equip medical practitioners to provide the best possible care for intersex people, and to protect their human rights.



Action	Responsible Directorate	Priority Cohort
12. Introduce new legislation to regulate medical interventions on intersex people	Lead: Chief Minister, Treasury and Economic Development Directorate ACT Health Directorate Canberra Health Services Justice and Community Services Directorate Development Directorate	Intersex people

Safety from domestic, family and sexual violence for LGBTIQ+ people

"Nearly every client who I see experienced some form of violence."

- Community consultations stakeholder

Several Australian studies have found that LGBTIQ+ people report high levels of verbal and physical abuse, harassment and sexual assault, including within their homes.²⁰

- 41.7% of LGBTIQ+ persons reported ever being in an intimate relationship where they felt they were abused in some way by their partner/s;²¹
- 38.5% of LGBTIQ+ persons reported ever feeling abused by a family member (family includes both birth and chosen family);²²
- Family violence and rejection from family were two major causes of homelessness for some LGBTQ+ young people;²³

Almost one in two LGBTIQ+ people reported being coerced or forced into sexual acts that they did not want to engage in, with sexual assault more commonly reported as perpetrated by former and current intimate partners and friends.²⁴ Intersecting identities can compound the experience of sexual violence, especially for people from culturally and linguistically diverse backgrounds. LGBTIQ+ people who come from a culturally and linguistically diverse background suffer additional layers of complexity, such as sanctions or punishment from their community if they are outed. Trans women of colour who are sexuality diverse and migrants of lower socio-economic status face multiple forms of marginalisation that put them at high risk of sexual violence.²⁵ LGBTIQ+ refugees are likely to have experienced sexual violence yet will have limited opportunities to address these historic experiences once in Australia.26

- 20 Carman M, Fairchild J, Parsons M, Farrugia C, Power J and Bourn A (2020). *Pride in Prevention: A guide to primary* prevention of family violence experienced by LGBTIQ communities, La Trobe University
- 21 Private Lives 3 Report (percentage is based on the total sample of 6,835 responses).
- **22** Private Lives 3 Report (percentage is based on the total sample of 6,835 responses).
- 23 Writing themselves in 4; acronym used as in the report.
- 24 Private Lives 3 Report
- 25 Ussher, J. M., Hawkey, A., Perz, J., Liamputtong, P., Marjadi, B., Schmied, V., Dune, T., Sekar, J.A., Ryan, S., Charter, R., Thepsourinthone, J., Noack-Lundberg, K., & Brook, E. (2020). Crossing the line: Lived experience of sexual violence among trans women of colour from culturally and linguistically diverse (CALD) backgrounds in Australia (Research report, 14/2020). Sydney: ANROWS.
- 26 Hopkinson, et al. (2017). 'Persecution Experiences and Mental Health of LGBT Asylum Seekers', *Journal of Homosexuality*, 64(12), 1660–6.

What we will do

Responsible Directorate Priority Action Cohort 13. LGBTIQ+ **Prevent, address and respond to intimate** Office of the Coordinator communities partner domestic, family and sexual violence General for Family Safety against LGBTIQ+ people The Office of the Coordinator-General for **Support:** Family Safety will continue to progress Chief Minister, responses that recognise the needs of Treasury and Economic LGBTIQ+ communities, including through ACT **Development Directorate** actions under the National Plan to Reduce Violence against Women and their Children (2022-2032). The refresh of the ACT Domestic Violence Prevention Council will ensure a greater focus on linkages and responses to diverse communities, including LGBTIQ+ Canberrans. The final report from the Sexual Assault Prevention and Response Steering Committee, released in 2021, recommended specific responses for LGBTIQ+ communities. The Sexual Assault Prevention and Response Program will be engaging closely with LGBTIQ+ stakeholders during the implementation period with an overarching aim to reflect LGBTIQ+ experiences in prevention efforts and improve service delivery for these communities.

Focus area 7:

Law Reforms for Equality

Why is this needed?

Despite much progress achieved in the ACT, there are still barriers for LGBTIQ+ people to achieve full equality in the legal realm.

Private Lives 3 data suggests that:

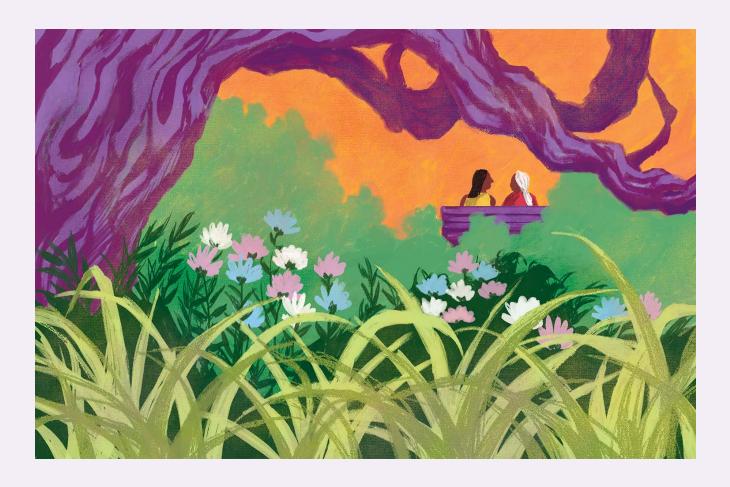
- 57.0% of LGBTIQ+ persons²⁷ reported that they had been treated unfairly because of their sexual orientation
- 77.5% of trans and gender diverse participants²⁸ reported that they had been treated unfairly to some degree because of their gender identity.

In 2020, as a part of the First Action Plan, the ACT Government commissioned comprehensive reviews of gender recognition and anti-discrimination laws to be more inclusive of the diversity of LGBTIQ+ people living in the ACT.³¹ The LGBTIQ+ Legal Audit identified several areas for reform. This Plan will advance these reforms for equality of all Canberrans.

27 Private Lives 3 Report28 Equality Australia (2019) ACT LGBTIQ+ Legal Audit: Reforms for an inclusive ACT.

"Despite the ACT Government's strong track record to date, there are demographic groups within the LGBTIQ+ community where targeted legislative and regulatory reform is required to remove discrimination and promote equality, visibility, diversity and inclusion. Ensuring that discrimination is removed from ACT law and that individuals are effectively protected from discrimination is essential to enable all people to participate fully and invest their talent, passion, knowledge and ability in the ACT."

> - ACT LGBTIQ+ Legal Audit



Action	Responsible Directorate	Priority Cohort
Enhance ACT legislation to further embed inclusion and equality for trans, gender diverse, queer and intersex people This action includes making improvements to the change of registered sex processes, updating the use of the 'X marker' on birth certificates, and reviewing the definition of intersex used in legislation.	Lead: Justice and Community Safety Directorate Access Canberra Chief Minister, Treasury and Economic Development Directorate	Trans, gender- diverse, intersex and queer people

15.

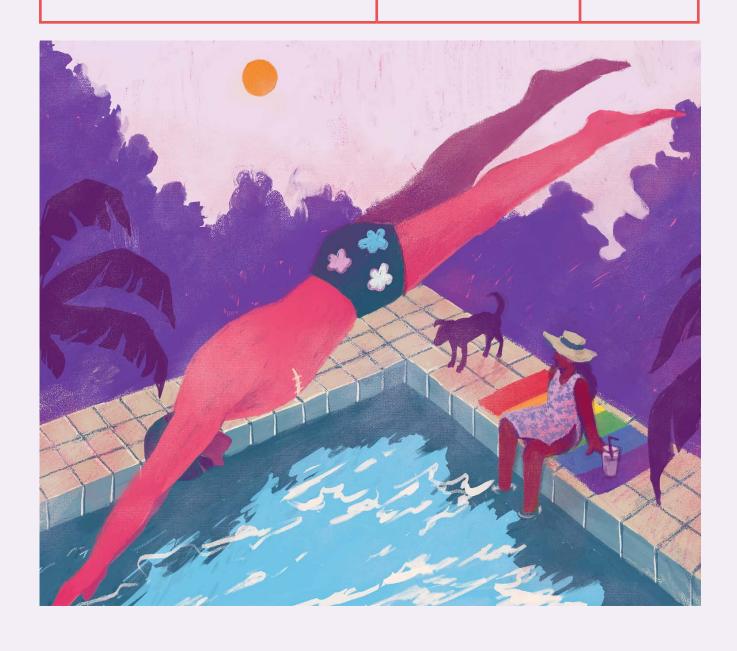
Review the Discrimination Act 1991 and consult on reforms to exceptions to better protect equality rights of the LGBTIQ+ community

This work will involve a review and consultation on a further tranche of reforms to the Discrimination Act 1991, including reforming exceptions that permit discrimination to ensure that these are consistent with the Human Rights Act and the equality rights of the LGBTIQ+ community.

Lead:

Justice and Community Safety Directorate

LGBTIQ+ communities



Focus area 8:

Inclusive Data Collection

Why is this needed?

Inclusive and robust data is a key to both visibility and to identifying the gaps and barriers that hinder full inclusion of LGBTIQ+ people. There are many areas where no data is collected on gender, sexual orientation or sex characteristics, including within the ACT Government. This means that we do not have a complete picture of community needs. If data collection processes are not inclusive across government, it can cause additional barriers for LGBTIQ+ people accessing services. This issue is heightened in health care settings where LGBTIQ+ people in need are not seeing themselves reflected in services and are not comfortable accessing them. For example,

the LGBTIQ+ Health Scoping Study found that only 54% of respondents indicated that they were comfortable to disclose their gender or sexual identity to health professionals in the ACT. The lack of disclosure has a twofold effect: (1) the services the person is accessing may not meet the needs of the individual as key information is missing and (2) key data is lost that can help to build a larger understanding of the Canberra communities health care needs.



Launched in 2020, the ACT Wellbeing Framework recognises that some groups within the community may experience lower than average wellbeing and commits to breaking down data to examine the variability of wellbeing outcomes across the community. Only one third of existing data is disaggregated by LGBTIQ+ status.

As a part of the Second Action Plan, the ACT Office for Women, the Office of LGBTIQ+ Affairs, and the ACT Data Analytics Centre are working with representatives from all ACT Government Directorates to develop a standards-based approach to collecting, managing and sharing gender, sex, and sexual orientation data.

Action	Responsible Directorate	Priority Cohort
16. Establish a whole of government Data Collection framework for Sex, Gender, Sexual Orientation and Sex Characteristics The new data collection framework will draw on the 2020 Australian Bureau of Statistics Standard for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation Variables. 16.1. Review the data collection methodologies and frameworks for LGBTIQ+ people in healthcare settings The action involves the review of the data collection methodologies and frameworks for LGBTIQ+ people at a clinical level, to improve how the numbers and care needs of LGBTIQ+ community members are recorded, including data that identifies intersectional needs, while respecting the identity, dignity and privacy of individuals. 16.2. Incorporate data on wellbeing of LGBTIQ+ Canberrans incorporated into ACT Wellbeing Framework This action will involve providing a more comprehensive story and data about the wellbeing of LGBTIQ+ Canberrans through the wellbeing website and data dashboard.	Lead: ACT Data Analytics Centre, Chief Minister, Treasury and Economic Development Directorate, Community Services Directorate (action 1.16) ACT Health Directorate (action 1.16.1) Chief Minister, Treasury and Economic Development Directorate (action 1.16.2.)	LGBTIQ+ communities

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Website: act. gov.au/labila

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