

## LGBTIQ+ FEDERAL ELECTION SURVEY

1. How will your party develop policies and programs to meet the needs of LGBTIQ+ people and their families? Will you have a dedicated spokesperson, or Minister and branch or unit if elected to Government? Will you establish a community consultation mechanism such as advisory council? Will you establish a Commissioner for LGBTIQ+ people?

Too often, LGBTIQ+ communities are shut out of decisions that affect them. LGBTIQ+ issues need to be heard at the highest levels of government and implemented across portfolios. That's why the Greens would create an LGBTIQ+ Ministerial Advisory Group. This Group will sit within the Department of Prime Minister and Cabinet, and will provide strategic advice to ministers and ensure decisions affecting LGBTIQ+ communities are made only after meaningful consultation. The work of the group will be supported by working groups that will ensure a whole of government approach and diverse representation for LGBTIQ+ communities. The group will lead on the creation of a whole of government LGBTIQ+ strategy and will be resourced with public service secretariat support.

The Greens would also establish a Minister for Equality, which will ensure that issues affecting LGBTIQ+ communities are represented in cabinet. Having a minister responsible for LGBTIQ+ equality will raise the profile of the issues affecting LGBTIQ+ communities and will facilitate progress in the areas of legislative reform, community consultation and funding for LGBTIQ+ services and programs.

Finally the Greens would appoint an LGBTIQ+ Human Rights Commissioner. Appointing an LGBTIQ+ Human Rights Commissioner will ensure that LGBTIQ+ people are protected from discrimination on the basis of sex, sexuality, gender identity and intersex status. The LGBTIQ+ Human Rights Commissioner will work with communities and champion the rights of lesbian, gay, bisexual, intersex, trans and gender diverse Australians within the Government.

2. Will your party develop a whole-of-government LGBTIQ+ social inclusion strategy that identifies and addresses the specific needs of different parts of the community?

One of the core responsibilities of the Ministerial Advisory Group will be to work with the Department of Prime Minister and Cabinet to develop a whole-of-government plan to address the specific needs of different communities within the LGBTIQ+ rainbow.

This would be supported by appointing a Trans Advisory Board to the Department of Health and an Intersex Advisory Board with both the Department of Health and the Attorney General's Department.

It is vital that the government engage with and better understand the needs of transgender and gender diverse people and people with variations of sex characteristics.

3. Will your party commit to introducing protections for trans, gender diverse and intersex people into the *Fair Work Act*? Will your party remove religious exemptions from the *Sex Discrimination Act* and *Fair Work Act*? Will your party reform the sports exemption in the *Sex Discrimination Act* that impacts on trans, gender diverse and intersex sportspeople?<sup>1</sup>

The Greens will continue working to remove existing exemptions for religious organisations within the Sex Discrimination Act and the Fair Work Act across all layers of service provision.

Our anti-discrimination laws currently include an unacceptable exemption for religious organisations. This means that a religious hospital can refuse to employ a gay doctor; a faith-based homelessness shelter can refuse to accept a transgender resident; and a faithbased school can sack a teacher who marries their same gender partner. Successive Coalition and Labor governments have maintained these discriminatory laws. The Greens would remove these exemptions, and enshrine anti-discrimination in a comprehensive charter of rights. Our anti-discrimination laws should apply to everyone.

Part of this work would include revisiting the existing provisions in the Fair Work Act (which are now out of alignment with other pieces of legislation and their coverage of protected attributes) and ensuring that our national employment laws prevent discrimination against a person's gender identity, sexual orientation and intersex status.

For LGBTIQ+ people, stigmatisation, exclusion and discrimination are still significant barriers to sports participation, particularly in women's sport. The Greens support the removal of discrimination against transgender, gender diverse and intersex athletes in competitive sport, and will continue to work with and consult the transgender, gender diverse and intersex community on the best way of pursuing this.

4. Will your party take a leadership role in tackling the harm caused by LGBT religious conversion therapy? For example, will your party raise the issue at inter-ministerial forums; improve regulation of counsellors and other health practitioners; ensure school chaplains are not engaging in conversion therapy; and regulate the publication of damaging conversion messages on radio and online?

The Greens would stamp out sexual orientation and gender identity change efforts (otherwise known as 'conversion therapies'). We know from survivors that the ex-gay and ex-trans conversion movement extends further than formalised 'therapies' and that sexual orientation and gender identity change efforts pervade some religious communities, faith-based organisations, schools and the counselling industry in subtle and insidious ways. The Greens will support survivors of sexual orientation and gender identity change efforts to stamp out these practices and ensure that the specific needs of survivors are met.

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<sup>1</sup> Currently the SDA protects against discrimination on the basis of sexual orientation, gender identity and intersex status and the FWA protects against discrimination on the basis of sexual orientation only.

The Greens will:

- Invest \$1 million in LGBTIQ+ faith organisations across Australia to build capacity for self advocacy;
  - Invest \$500k into a public health and awareness campaign to explicitly target those at risk of the movement's influence and to refute its key messages and assertions;
  - Introduce regulatory and legislative enforcement of peak psychological and health bodies to prohibit the use of conversion 'therapy' by mental health professionals, including social workers, unregistered and registered health professionals, teachers and more. These regulatory enforcements will cover any attempts to change, suppress, cure, heal or repair the sexual orientation or gender identity of children or adults;
  - Criminalise any attempt to remove a person from Australia for the purposes of conversion change efforts; and
  - Consult the broader LGBTIQ+ community to determine whether criminal or civil penalties are appropriate for practitioners and referrers.
5. Will you commit to increasing funding of international LGBTIQ+ human rights and development to levels comparable with like-minded countries (scaling up to \$15m per year by 2022) and fund the establishment of a network of civil society organisations in Australia to influence and guide Government foreign policy and work on LGBTIQ+ rights?

The Greens have a plan to increase our aid and development budget to 0.7% of Gross National Income (GNI) by 2030, which would mean an additional \$10 billion over the next four years. As part of this program, the Greens would work specifically to ensure that funding for international LGBTIQ+ human rights and development work would match other OECD countries, and would be able to be scaled up to, at minimum, \$15 million per annum by 2022.

As part of our strategy for tackling HIV/AIDS, the Greens would also support the establishment of a network of LGBTIQ+ organisations, development agencies, human rights organisations, philanthropy and academia to promote and protect the rights of LGBTIQ+ people regionally and across the globe through an investment of \$200,000 per annum. While this body would be focused on fighting HIV/AIDS in our region, it would provide the platform for civil society to work together to guide Government foreign policy on LGBTIQ+ rights. Further funding could be made available via the Greens proposed \$70 million grants program.

6. How will your party improve the health and well-being of LGBTIQ+ people? How will you address the health disparities between LGBTIQ+ people and other Australians including the alarming rates of suicide, self-harm and depression, particularly cohorts such as transgender young people and bisexual women? Will your party commit to developing a LGBTIQ+ Health Strategy?

LGBTIQ+ people have health care needs which are not always met by the current system. The Greens will establish a national LGBTIQ+ health strategy to ensure all LGBTIQ+ people have access

to holistic and comprehensive health services regardless of whether they live in a capital city or a rural town. It will include national standards and training for health professionals to ensure they can provide world class care to LGBTIQ+ patients, particularly patients who are intersex or transgender.

In relation to mental health outcome, the Greens have a comprehensive plan to improve both the funding and accessibility of mental health services in Australia. This includes the provision of \$491 million in grant funding over the next decade for communities to implement assertive outreach programs, with guaranteed funding for programs targeting children and young people. We understand that specific models developed will depend on the needs of the community.

In addition to this, the Greens acknowledge that LGBTIQ+ people, particularly within the trans and gender diverse and bi+ community, have far worse mental health outcomes than other communities. That's why the Greens will establish a specific \$3 million grants program for organisations working on trans-specific mental health and a specific \$3 million grants program for organisations working on bi+ mental health. This funding would be used to create services where they don't currently exist, and expand services that are unable to meet current demand.

7. Will your party end medically unnecessary surgery and medical treatment performed on infants, children and adolescents born with intersex variations? Will your party fund peer support, and personal and systemic advocacy for intersex people? Will your party support the development of standards of care and effective oversight of medical interventions with meaningful community participation?

No one's body should be stigmatised, and the rights of people with variations of sex characteristics must be upheld. Intersex people have the right to bodily integrity, including personal consent to medical or surgical interventions.

The Greens will ensure that the rights of intersex people are protected in law by requiring fully informed personal consent before any deferrable medical interventions that alter sex characteristics can be performed.

We recognise the importance and benefits of affirmative peer support for people born with variations of sex characteristics and their families. Through the \$70 million LGBTIQ+ grants program, the Greens will invest in intersex-led peer support organisations to run in-person and online peer support programs so that no intersex person or their families need to feel like they are alone.

One of the roles of the Intersex Advisory Boards within the Department of Health would be to support the development of standards of care and effective oversight of medical interventions with meaningful community participation. This would work in complement with the Greens' plan to establish a national LGBTIQ+ health strategy.

8. Will your party ensure access to gender affirmation treatment for trans and gender diverse people through Medicare? Will your party commit to developing a Trans and Gender Diverse Health Strategy?

We acknowledge the diverse healthcare needs of transgender and gender diverse people. The Greens will invest \$1.7 million in the LGBTI Health Alliance and its partner organisations to facilitate health programs and initiatives that will benefit trans and gender diverse people in Australia. These programs will include training for medical professionals, so they can offer improved care pathways to trans and gender diverse patients.

We acknowledge the importance of accessing client-centred, high standards of healthcare regardless of whether you live in an urban centre or a regional town. We will ensure that these programs have a regional focus and will invest a further \$600,000 in funding for programs that prioritise First Nations transgender and gender diverse people.

Transgender and gender diverse people are best placed to determine their own transition pathways, which may include gender-affirming medical treatments such as hormones and surgical interventions. Under the current healthcare model, gender-affirming treatments are approved at the discretion of medical professionals which can lead to transgender, gender diverse and intersex people being unfairly denied the right to access these treatments.

The Greens will provide a way to appeal these determinations by ensuring that all people can access a dedicated complaints body to review medical decisions regarding gender-affirming treatments and surgeries.

Finally, as part of the Greens plan to establish a national LGBTIQ+ health strategy, the Department would be tasked with investigating access to gender affirmation treatment for trans and gender diverse people, including whether such treatments could be funded through Medicare.

9. How will you support and build the capacity of the LGBTIQ+ community including specific populations, Indigenous, multicultural and multi-faith LGBTIQ+ people? Will you introduce grants and funding opportunities for LGBTIQ+ (including population specific) community organisations?

The Greens would establish a \$70 million grants scheme for LGBTIQ+ community organisations to self-organise and advocate. Community organisations do vital work investing in the wellbeing of LGBTIQ+ people and their families, celebrating LGBTIQ+ culture and advocating for LGBTIQ+ rights. The Greens will establish a grants scheme that would enable funding of community organisations. There will be dedicated funding available to intersex organisations; LGBTIQ+ Aboriginal and Torres Strait Islander organisations; organisations working to fill the current gaps in data collection and research into LGBTIQ+ communities; advocacy organisations; organisations supporting rainbow families, and organisations supporting the resettlement of LGBTIQ+ refugees in Australia.

**10. Will your party provide funding and other support to Sydney Gay and Lesbian Mardi Gras to enable Australia to host World Pride in 2023, including funding support for their bid in October 2019?**

The Sydney Gay and Lesbian Mardi Gras will be able to bid into the Greens proposed \$70 million grants scheme, and assessment of any bid could be expedited to ensure that this be processed by October 2019.

**11. Will your party commit to removing all LGBTIQ+ refugees from offshore detention and support ongoing training of decision makers to ensure best practice in deciding LGBTIQ+ asylum claims?**

The Greens support ending Australia's offshore detention regime in its entirety. Australia's offshore detention and transit centres on Manus Island and Nauru are places of misery, death and torture that destroy innocent people and are a stain on Australia's national conscience. People have died, been assaulted and endured psychological torment, because Labor and the Liberals have refused to act with basic humanity by locking people up in indefinite detention. Australian governments have locked up refugees, stateless persons, and people seeking asylum on Manus Island and Nauru for an average of 826 days. Many have been there for more than five years. By ending offshore detention, and bringing every person detained on Manus Island and Nauru to safety and freedom in Australia, we will create a fairer and safer system that helps more people and meets our obligations under international law.

There are also many reports of applications for people seeking asylum based on LGBTIQ+ persecution being rejected because decision-makers don't believe the applicant. There are cases of rejection on the grounds that applicants didn't look or act in line with stereotypes associated with their sexuality; they couldn't name western gay 'icons'; they had been married or had children; or they didn't frequent gay clubs.

False assumptions of how an LGBTIQ+ person 'should' behave or the knowledge an applicant 'should' have about western LGBTIQ+ culture should have no influence over an applicants success. The Greens will ensure adequate and appropriate training for departmental staff so they are equipped to appropriately assess applications from LGBTIQ+ people seeking asylum. The Greens will also ensure adequate training and guidelines for the refugee review tribunal.

**12. What will your party do to ensure that all government funded services are inclusive of LGBTIQ+ people including, for example, LGBTIQ+ people with disability accessing the NDIS and rainbow families accessing early childhood services? Potential actions include contractually requiring service providers to provide non-discriminatory services and to undertake LGBTIQ+ culturally competency training.**

Access to government funded services is often selective, with many LGBTIQ+ people being denied access on the basis of nothing but their identity. This is because our anti-discrimination laws currently

include unacceptable exemptions for religious organisations. The Greens will remove these exemptions, and enshrine anti-discrimination in a comprehensive charter of rights. Our anti-discrimination laws should apply to everyone.

Additionally, further training and competency is required within both Government departments and government funded service providers. A key part of the role of the Minister for Equality and the Ministerial Advisory Group would be in supporting Government to identify competency gaps within different service provision frameworks and generating action plans to mitigate them.

- 13. Will your party ensure that family violence programs are inclusive of the specific needs of LGBTIQ+ people including young LGBTIQ+ people experiencing rejection and violence in the family home? Will your party commit to specific LGBTIQ+ family violence programs and services to address gaps in service delivery?**

The Greens will fully fund frontline crisis response service and primary prevention for domestic violence, at \$5.3 billion over ten years. This will allow for specialist services which are responsive to the needs of all people who are at risk of family violence, including LGBTIQ+ people. Part of this commitment includes increasing long-term secure funding support for organisations such as Our Watch, who focus on primary prevention and cultural change.

We will legislate to double domestic violence leave from five to ten days. Further, we will provide an additional \$200 million over four years to a Survivor Grant Fund, giving up to 50,000 survivors grants of up to \$4000 to minimise financial hardship when leaving an abusive scenario. The grants would be prioritised for people at highest risk of domestic violence, including LGBTIQ+ people.

The Greens plan to prevent family violence includes funding for crisis and temporary housing services, and would also be responsive to the particular needs of LGBTIQ+ people. The Greens' plan would provide dedicated, secure, long-term funding for specialist family and domestic violence services across the country to deliver outreach, crisis response, crisis accommodation, legal support, advocacy and post-crisis support to people who need it.

- 14. Will your party commit to reforming the *Family Law Act* to better protect and respect the diversity of rainbow families?**

The Family Law Act in its current form insufficiently protects rainbow families and their rights and reforming the Family Law Act will be a key part of any development of the Greens proposed Charter of Rights. A Charter of Rights would have the additional benefit of ensuring that LGBTIQ+ communities have robust and clearly defined rights and protections from discrimination rather than piecemeal and inconsistent protections spread across a number of different acts.

- 15. Will your party commit to developing and supporting curriculum and programs in schools that are inclusive of LGBTIQ+ children and children from rainbow families?**

Education, support and acceptance improves the mental wellbeing and lives of LGBTIQ+ young people and whole school communities. The Greens will scrap the the School Chaplains Program and invest the money in secular, unbiased and inclusive support for students through counsellors and anti-bullying initiatives such as the Safe Schools Program.

**16. Will your party continue to fund existing LGBTIQ+ health programs and LGBTIQ+ aging and aged care programs? Will your party fund the National LGBTI Health Alliance?**

The Greens would ensure that funding for existing LGBTIQ+ health and aging programs is preserved. As part of our development of a national LGBTIQ+ health strategy, the Greens would identify which programs need to be extended beyond current allocations and where new programs are needed to cover the many existing gaps in health and aging programs.

The Greens will also commit to invest \$1.7 million in the LGBTI Health Alliance and its partner organisations to facilitate health programs and initiatives that will benefit trans and gender diverse people in Australia. These programs will include training for medical professionals, so they can offer improved care pathways to trans and gender diverse patients.

**17. Will your party commit to conducting a review of the Australian Government Guidelines on the Recognition of Sex and Gender across departments and agencies in consultation with trans, gender divers and intersex people? As part of this review, will your party ensure that intersex people are no longer treated as a third sex/gender and that medical evidence is no longer required for change of sex/gender?**

The Greens have been questioning and challenging the Department's on both the design and implementation of the Australian Government Guidelines on the Recognition of Sex and Gender for the life of the 45th Parliament, particularly in relation to the treatment of intersex people as a third sex/gender and the status of trans and gender diverse changing gender or affirming a non-binary gender. Further work is clearly necessary, and part of the role of both the Ministerial Advisory Group and the Intersex Advisory Board within the Attorney General's Department will be to ensure that the Guidelines on the Recognition of Sex and Gender are in line with global best practice and effectively address the needs and concerns of trans and gender diverse people and people with variations in sexual characteristics.

**18. What action will your party take to improve data collection, including the census, on LGBTIQ+ population groups including families? Will your party commit to consulting with LGBTIQ+ community groups as part of taking this action?**

Although we know that LGBTIQ+ Australians lead diverse lives, come from a range of backgrounds and experience unique social and health challenges, currently there is a distinct lack of research into LGBTIQ+ communities and their families. Current and accurate data is necessary in order to ensure services are meeting the needs of these diverse populations. The Greens will ensure that organisations working to fill current gaps in research, evaluation and data collection have access to funding through the \$70 million LGBTIQ+ grants scheme.



The Greens acknowledge that the Australian census is currently not up to scratch when it comes to collecting appropriate data about LGBTIQ+ Australians. Further data would prove extremely useful for both service providers and the research community. Because of the importance of this data and the range of justifiable privacy concerns, the Greens would consult with LGBTIQ+ communities before adopting any changes for the 2021 census.