

DIVERSITY, EQUITY & INCLUSION:

Creating belonging and meaningful inclusion for people with innate variations of sex characteristics

Background:

Innate variations of sex characteristics

This is an umbrella term for traits that don't fit medical and social norms for female or male bodies, and that create risks or experiences of stigma, discrimination and harm. These variations are also termed intersex variations, or disorders or differences of sex development in clinical settings. The use of the umbrella term "innate variations of sex characteristics" links to national statistical standards, legislative protections from discrimination in most States and Territories (source: Intersex Human Rights Australia; Office of the High Commissioner for Human Rights).

Inclusion in LGBTI+ or LGBT+ inclusion programs

Currently, a diversity of programs aimed at LGBTIQA+ people or communities exist, some of which seek to include people with innate variations of sex characteristics and some of which don't. Further, use of particular house styles for acronyms by many institutions often has little relationship with the actual work and focus areas of such programs. Most programs, either by definition or de facto, focus on the needs and wellbeing of staff with marginalised sexual orientation or gender identities. This focus on a set of identities has frequently led to a mis-characterisation of intersex as a similar identity issue, in people with agency to express an identity, or it has led to the exclusion of intersex people and issues from such programs. Neither of these situations creates a sense of belonging, inclusion and engagement by people with innate variations of sex characteristics. People with innate variations of sex characteristics can't be confident that, when intersex is mentioned, we are actually understood and included.

ACON's LGBTQ Pride in Diversity program was reframed in 2019 at a point when Pride in Health and Wellbeing was established. In discussion with national intersex organisations. ACON recognised that the needs and circumstances of intersex people were not being met in the existing program, and could be impractical to meet, given a focus on staff identity. Intersex organisations identified risks - including reputational and safeguarding risks - where inclusion programs were created without attending to underlying human rights concerns that present concerns for the safety of service users.

Safety is a prerequisite for inclusion

The key problem is that safety has to be a prerequisite for meaningful inclusion. Over the last decade, Australia has seen world-first reports on the health and human rights of people with innate variations of sex characteristics, by the Senate (2013) and the Australian Human Rights Commission (2021). These have identified significant and ongoing concerns with current clinical practice. Much of this is disturbing, including evidence of harmful practices on children, before they can express their own values and preferences, and that preempt their right to consent. This creates a potential situation where, in response to the needs of LGBT staff, health and medical services might profess inclusion of LGBTI people and communities, while also being the location of human rights violations. This issue can also arise for universities with medical schools, where students may be educated in line with practices of concern.

A second issue is a perceived need, by intersex organisations, for training to be developed and delivered by people with lived experience. Qualitatively this is felt to be significantly different to training developed and delivered by endosex (non-intersex) people for endosex audiences. In response to training and materials that have contained unhelpful, false or misleading representations of intersex people, Intersex Human Rights Australia and Intersex Peer Support Australia established a new training program, the Yellow Tick program, just before the pandemic commenced.

Unique needs for people with innate variations of sex characteristics

Australian intersex activist Steph Lum said in a speech to the ACT LGBTIQ Ministerial Advisory Council in 2017, “intersex people are hugely diverse in both our bodies, and – just like non-intersex people – in our identities. And so when we are talking about inclusion, we are talking about including a hugely diverse group of people who all have different needs, understandings of themselves, and language to talk about themselves.”

Our population includes infants and children, and their parents, who often lack a community connection, or even access to affirmative words that can connect them with community. Our population also includes adolescents and adults who do not have LGBT identities. Many will not engage with programs focused on sexual orientation or gender identity, except as allies. Far from creating a sense of inclusion and belonging, such programs can create a sense of alienation due to misrepresentation of them and their needs as community members with marginalised sexual orientations and gender identities.

The Darlington Statement was released in March 2017 through a collaborative process between Intersex Human Rights Australia, Intersex Peer Support Australia and individuals with innate variations of sex characteristics. It outlined specific needs in areas of human rights, legal reform, health & wellbeing, peer support, allies, education, awareness, and employment.

The Darlington Statement outlined the specific and unique needs of the intersex community and called on individuals, organisations and government to consider them.

Where to from here?

We need to review and update our existing work relevant to workplaces:

- **In 2014, Dr Morgan Carpenter collaborated with ACON to produce a first-ever Employers’ Guide to Intersex Inclusion, available via <https://ihra.org.au/workplaces/>**
- **In 2017 we worked with the Victorian Gay and Lesbian rights Lobby to develop material for their Guide to union and employer representatives on LGBTI issues**
- **IHRA provides an introductory guide for workplaces on its website at <https://ihra.org.au/workplaces/>**

- IHRA, IPSA and LGBTIQ+ Health Australia also developed resources promoting inclusive practice, published in 2020 at <https://ihra.org.au/inclusion/>

We have some work coming online later this year/early 2025. The Yellow Tick online e-learning program, developed in collaboration with Intersex Peer Support Australia, was launched on 26 October 2024 and two additional modules are being prepared for completion by the end of the year.

We know that these resources are not enough to address the needs and circumstances of people with innate variations of sex characteristics in workplaces.

We aim to develop a new project specifically aimed at supporting workplace inclusion and belonging for people with innate variations of sex characteristics. We will provide training for diversity, equity and inclusion practitioners, and support policy development within workplace settings. We plan to offer consultation time and support capacity building.

To do this, we need to recruit a staff specialist to work with diversity, equity and inclusion practitioners, remotely and on-site. We seek to develop new resources, webinars and events for diversity, equity and inclusion initiatives. We are now seeking the support of a group of founding partners and supporters who, together, can help us to fund this work.

What is the financial investment, and what benefits will my organisation receive?

Two tiers of opportunity

We are proposing to create two tiers of opportunities - for Founding Partners and Founding Supporters.

We are seeking commitments for an initial 3 year period. We will need a minimum number of founding partners and founding supporters in order to proceed with this project.

Founding Partners

We are inviting a minimum of ten organisations or institutions to accept a role as a Founding Partner. Founding Partners invest \$10,000 each year for 3 years, and receive the following annual benefits:

- A \$3000 credit towards training and consultation. This can be used for webinar access for staff or students, face to face training, customised training or consultation. (Please note this is not inclusive of travel/accommodation expenses charged at cost). Total value: \$3000**
- 50% off further training & consultation until value reaches \$8000. (Please note this is not inclusive of travel/ accommodation expenses charged at cost.) Total value: \$8000**
- Invitations for five guests to a gala cocktail event over Intersex Awareness and Solidarity Months to celebrate the synergy and connection of our corporate, institution and governmental allies- a wonderful opportunity to network, socialise and celebrate! Food, drinks, entertainment and merriment included. (Please note that travel/accommodation is not included) Total value: \$1500**
- Access to recorded Yellow Tick Intersex Awareness webinar for use with staff/ students for 1 year, for unlimited use within your organisation or institution for 1 year) Total value: \$1500**
- Your organisation or institution named and recognised as a Founding Partner on a new project website, with at least one highlight post about your work on social media channels, including Facebook, Instagram and LinkedIn.**

And most importantly-

- Your organisation or institution valued as a Founding Partner and receives the gratitude and respect of IHRA for your commitment to improving the experience for people living with innate variations of sex characteristics.**

Total value: Priceless!

Founding Partner

Total Yearly Investment: \$10,000

Founding Supporters

We are inviting a minimum of ten organisations or institutions to accept a role as a Founding Supporter. Founding Supporters invest \$6,000 and receive the following benefits:

- **A \$2000 credit towards training and consultation: this can be used for webinar access for staff or students, face to face training, customised training or consultation. (Please note this is not inclusive of travel/accommodation expenses.) Total value \$2000**
- **25% off further training & consultation until value reaches \$4000. There is no time limit or expiry date on this offer. (Please note this is not inclusive of travel/ accommodation expenses.) Total value \$4000**
- **Invitations for two guests to a gala cocktail event over Intersex Awareness and Solidarity Months to celebrate the synergy and connection of our corporate, institution and governmental allies- a wonderful opportunity to network, socialise and celebrate! Food, drinks, entertainment and merriment included. (Please note that travel/ accommodation is not included) Total value: \$900**
- **50% discount on Access to recorded Yellow Tick Intersex Awareness webinar for use with staff/ students for 1 year (Please note this is for unlimited use within your organisation or institution for 1 year) Total value: \$750**
- **Your organisation or institution named and recognised as a Founding Supporter on a new project website.**

And most importantly-

- **Your organisation or institution valued as a Founding Supporter and receives the gratitude and respect of IHRA for your commitment to improving the experience for people living with innate variations of sex characteristics.**

Total value: Priceless!

Founding Supporter Total Yearly Investment: \$6,000