

# THE WAY FORWARD

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**LGBTIQ Report**



**Government of South Australia**  
Department for Communities  
and Social Inclusion

## A message from the Premier

As Premier, I am passionate about fostering social inclusion and ensuring that members of the State's LGBTIQ community, in particular, have the capacity to thrive.

I want them to be able to lead, to participate, to have their contributions and status properly recognised and appreciated, and to be not held back in fulfilling their potential.

The 2014-16 South Australian Strategy for the Inclusion of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer People proved to be a useful means of bringing about practical change.

In recent times, for example, the Government has established a relationships register, allowed same-sex couples to adopt children and access IVF and surrogacy, simplified the process of changing one's sex on a birth certificate, protected intersex status from discrimination and signed-up South Australia to the PrEP HIV-prevention trial.

Also, in December 2016, I delivered, in Parliament, a formal apology to the LGBTIQ community for historical discrimination in South Australia.

This new paper aims to encourage discussion about where we, as a State, might go from here when it comes to addressing the prevailing concerns and needs of the LGBTIQ community.

I welcome the suggestions and viewpoints of all citizens, and I look forward to working constructively with those who want ours to be an even fairer and more inclusive place to live.



**Hon Jay Weatherill MP**  
Premier



# A message from the Minister for Communities and Social Inclusion

I support a vision for an inclusive South Australia where LGBTIQ people are welcomed, celebrated, and fully participate in all aspects of social and economic life. Three years ago, we published the 2014-2016 South Australian Strategy for the Inclusion of LGBTIQ People, which committed the State Government to working with the LGBTIQ community to address a range of issues.

The Department for Communities and Social Inclusion is particularly committed to embedding the considerations of LGBTIQ people in all portfolio areas, including Multicultural Affairs, Volunteers and Youth. Our Youth Strategy, youTHRIVE, incorporates an immediate action to connect with LGBTIQ young people to better understand their needs.

The Strategy outlined our State Government priorities for LGBTIQ inclusion over a two-year period. During this time, we have continued to work on our commitment towards improving policy and service delivery in the community.

We invite and welcome you to share your experience, knowledge and unique perspectives to help us continue to make positive, sustainable change for the LGBTIQ community.



**Hon Zoe Bettison MP**  
Minister for Communities  
and Social Inclusion





# Do you identify as a member of the LGBTIQ community?

## We invite your input.

The State Government is committed to building a socially inclusive community that values all of its citizens, encourages their participation in every aspect of community life, and builds their confidence and capacity.

Since 2012 there has been significant work aimed at improving the lives of LGBTIQ South Australians. 2014 saw the launch of the [2014 -16 South Australian Strategy](#) for the Inclusion of LGBTIQ People. The objectives of this Strategy were identified in collaboration with the Rainbow Advisory Committee, to reflect the priority issues of LGBTIQ communities.

Much has been achieved through the collaborative efforts of this Strategy, which will be evident from the following summary snapshot. With the conclusion of the Strategy, we are mindful of how we shape future action to ensure that we continue to build on our commitment to LGBTIQ inclusion.

Your input is invaluable to informing future directions. We want to hear about your issues, views and challenges. We want to know what you feel has been achieved.

We will use this information to inform relevant government agencies, to help shape ongoing priorities. The Department for Communities and Social Inclusion (DCSI) will be responsible for collating this information and for informing relevant government departments of your feedback.

The following document outlines the key objectives of the 2014-16 Strategy and asks you to consider the following questions:



**What do you think Government should focus on?**



**What would you like to tell specific government agencies?**



**What are we doing well?**

You can forward your feedback by 16 February 2018 to:



Department for Communities and Social Inclusion  
GPO Box 292, Adelaide, 5001



[DCSI.SocialInclusion@sa.gov.au](mailto:DCSI.SocialInclusion@sa.gov.au)



(08) 8415 4348

## Our Commitment to LGBTIQ Inclusion

The South Australian Government is committed to building a socially inclusive community that values all of its citizens, encourages their participation in every aspect of community life and builds their confidence and capacity.

The South Australian Government will continue to promote LGBTIQ inclusion in policy and service delivery across all areas of government. We will work in partnership with the LGBTIQ community and use their knowledge and expertise to continue to improve our policies and service delivery.

We will evaluate our progress across government every two years, in consultation with the LGBTIQ community, to ensure that we continue to build on these foundations.



# Achievements of the 2014-16 Strategy

## Some highlights

The 2014-16 Strategy has provided many opportunities for government agencies to engage with community and to support community organisations through funding to improve outcomes for LGBTIQ communities. The following are some highlights.

### 1 Legislative reform

South Australia's laws must be fair and equitable to protect the rights of every South Australian.

After one of the most comprehensive legislative reviews ever undertaken by an Australian government, the South Australian Law Reform Institute identified over 140 pieces of South Australian legislation requiring amendments to incorporate LGBTIQ inclusion.

*Statutes Amendment (Gender Identity and Equity) Act 2016* – removes discriminatory gendered language from **almost all** South Australian laws <sup>1</sup>

*Births, Deaths and Marriages Registration (Gender Identity) Amendment Act 2016* – will make it easier for people to change their sex or gender identity on their birth certificate <sup>2</sup>

*Relationships Register (No 1) Act 2016* – will allow unmarried couples, whether in heterosexual or non-heterosexual relationships, to register their relationships. It will enable recognition of same-sex couples for legal reasons including overseas marriages, medical emergencies and death certificates <sup>3</sup>

*Statutes Amendment (Registered Relationships) Act 2017* – bestows rights on couples in registered relationships

*Adoption Act 1988* – enables same-sex couples to adopt children in South Australia <sup>5</sup>

*Statutes Amendment (Surrogacy Eligibility) Act 2016* – permits same-sex couples to access reproductive services in South Australia and prevents discrimination against their children <sup>4</sup>

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<sup>1</sup> Bill passed by both Houses of Parliament on 26 July 2016 and commenced on 8 September 2016.

<sup>2</sup> Bill passed by both Houses of Parliament on 14 February 2017.

<sup>3</sup> Bill passed by both Houses of Parliament on 14 February 2017 and was brought into operation on 1 August 2017.

<sup>4</sup> Bill passed by both Houses of Parliament on 1 March 2017 and was brought into operation on 21 March 2017

<sup>5</sup> Amended in December 2016 and commenced in February 2017.

## Apology

On Thursday 1 December 2016, in the South Australian Parliament, Premier Jay Weatherill provided an official apology for the wrongs endured by members of the LGBTIQ communities as a result of discriminatory State laws.



This apology will start to heal a lifetime of being criminalised, medicalised and stigmatised, and helps me start to feel accepted and valued by the community I live in.

- Transgender woman and LGBTIQ community leader, HRLC media release 1 December 2016



This apology is a powerful symbolic act that helps to repair the harm caused by these unjust laws and affirms the dignity and value of LGBTIQ people and their families.

- Advocacy, Human Rights Law Centre, HRLC media release 1 December 2016



This apology validates the suffering – physical, mental, emotional and financial – that we have had to endure and continue to endure because of the laws that discriminate against us.

- Jo, in a same sex relationship, Adelaide, HRLC media release 1 December 2016



## Law reform - Gender identity

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These changes will deliver enormous benefits for trans, gender diverse and intersex people by allowing people to access official identification that matches who they are.

- Advocacy, Human Rights Law Centre, HRLC media release 9 December 2016

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With the ability to change their birth certificates without going to court, transgender people will no longer need to feel that they are being judged for being who they are.

- Kristyana Finch, Transgender Advocate and President of the Gender Diversity Alliance SA, HRLC media release 15 November 2016

### Ethan - a case study

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I realised when I was about 3 or 4 and even though I didn't know I was trans I just couldn't relate to being a girl. I can't wait to have my birth certificate reflect my true gender. I won't have to be scared or worried about my high school certificate saying that I'm a girl, or people finding out when I apply for a job.

- Ethan, 17 year old transgender teen, HRLC media release 9 December 2016

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As his mum I am just really grateful he'll be able to get his birth certificate changed. Not only will it be incredibly validating for him and boost his confidence but it will be really important at a practical level and remove one more source of discrimination in his life.

- Ethan's mum, HRLC media release, 9 December 2016

## Law reform - Families, IVF, surrogacy, adoption

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These reforms represent a much-needed tidy up of the statute book that recognise our relationships and ability to be loving parents, and allow trans people to be recognised as who they are.

- Anna Brown, Director of Advocacy, Human Rights Law Centre, HRLC media release 9 December 2016

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My partner Shane and I have been in a relationship for many years. We can offer a secure, financially stable, loving and nurturing home for children. Ultimately, it's love that makes a family and our sexuality is irrelevant.

- James Speechley, LGBTIQ Community Member, HRLC media release, 17 February 2017

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In late 2016, Premier Jay Weatherill apologised for laws that treated LGBTIQ relationships and families differently. From now on, all couples face equal treatment under South Australian legislation regardless of their sexual orientation.

- Lee Carnie, Lawyer, Human Rights Law Centre, HRLC media release 22 March 2017

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With the South Australian Premier's apology and the passage of this package of reforms through Parliament, we've seen discrimination removed from the statute books and a welcome affirmation of the dignity and validity of our relationships, families and very existence.

- Anna Brown, Director of Advocacy, Human Rights Law Centre, HRLC media release 17 February 2016

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There are many rainbow families already living in South Australia, but this reform will remove barriers to accessing treatment and ensure couples do not need to travel interstate to start their family.

- Lee Carnie, Lawyer, Human Rights Law Centre, HRLC media release 28 February 2017

## Law reform - general

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These reforms in Parliament are about giving a fair go to rainbow families, intersex and transgender people and ending legal discrimination. These reforms will not hurt anyone, but will make life easier for same-sex couples and individuals that yearn for their own family, trans people affirming who they are, and intersex people who experience misunderstanding and discrimination.

- Ms Zoey Campbell, Transgender advocate, SA Rainbow Advocacy Alliance, HRLC media release 15 November 2016



## 2 Engaging with LGBTIQ communities

In 2015-16, DCSI conducted the second [Rainbow Survey](#), the South Australian Government's general survey of the lives, opinions and experiences of South Australians who identify as LGBTIQ. Now online, the findings of this second survey (the first was conducted in 2012) provide further insight and updated information on a number of health and safety issues in LGBTIQ communities.

335 people completed the survey, which examined demographics, health/wellbeing and transgender health, experiences of discrimination and abuse, police services, and accessing services. The survey obtained valuable demographic information about respondents' location, cultural background, disability status and socioeconomic status. This data demonstrates the complexity and diversity of South Australia's LGBTIQ community, and fills a gap in public knowledge in the absence of demographic details about LGBTIQ people in the Australian Bureau of Statistics Census of Population and Housing.

Most respondents to the survey were positive about their lives and health in general. Notable issues identified included health issues and health service issues for transgender respondents, and perceived barriers to accessing services in the LGBTIQ community generally, including non-inclusive forms and assumptions based on heteronormativity. Suggestions to improve access to services included staff training, development of more inclusive forms, more specific services and greater engagement with the LGBTIQ community.

DCSI regularly communicates news and promotes engagement through the Rainbow Network, a distribution list of over 400 individuals from the LGBTIQ community, government agencies, councils and non-government organisations who support LGBTIQ inclusion.

State Government employees have participated officially in the Pride March since 2014.

The Equal Opportunity Commission of SA has highlighted the importance of LGBTIQ equality by holding a series of events and consulting with the community about their concerns.



## 3 Improving service delivery

### 'Inclusive Communities Benefit Everyone' across-government LGBTIQ training

In May 2016, to celebrate the International Day Against Homophobia and Transphobia, the South Australian Government launched a new online training tool to strengthen the public sector's understanding of the discrimination and exclusion experienced by LGBTIQ South Australians. Developed by the Department of the Premier and Cabinet (DPC), in collaboration with DCSI, this training is the first of its kind for an Australian government, and is available to all agencies across the public sector. It showcases the importance of respectful and inclusive behaviour towards LGBTIQ colleagues and community members.

### Inclusive forms and HR processes

South Australian Government agencies are also undertaking a review of forms, particularly around how we ask staff and customers to nominate their gender. While this is a sizeable task, it is a priority of our Premier, Jay Weatherill, and viewed as an important step on the road to equality. As an initial step, DPC partnered with the Department of Environment, Water and Natural Resources to pilot a review of government forms, which resulted in offering gender options other than male or female and a choice of titles other than Mr or Ms.

DCSI has also reviewed all Human Resources policies, procedures and forms to be more inclusive, and the across-government Rip it Up initiative is also evaluating forms to remove unnecessary fields or descriptions.

One of the biggest changes to State Government practice is a new payroll system that provides most employees with the opportunity to state – in their own words – the gender they identify with. This will have a wide-reaching impact across the public sector, in terms of demonstrating to LGBTIQ employees that they are valued members of the workforce.

### LGBTIQ inclusion embedded in organisational quality standards

DCSI will now ensure the quality improvement program for non-government organisations, the Australian Service Excellence Standards, uses inclusive language that supports specific groups, including the LGBTIQ community. DCSI staff also deliver presentations to community organisations about LGBTIQ inclusion, as part of the department's commitment to improving service delivery.

### Inclusive services

SAPOL's specially trained Gay and Lesbian Liaison Officers offer additional support to LGBTIQ victims of crime, developing mutual trust and partnerships between police and the community.

## 4 Supporting awareness raising and wellbeing

The South Australian Government has funded many initiatives that support awareness raising and wellbeing, including the following:



**Human Rights Law Centre** - to work with the community to create an LGBTIQ advocacy program to raise awareness and understanding of LGBTIQ issues.



The incredible LGBTIQ community organisations in South Australia are largely volunteer run and advocate passionately for their community with few resources. Without the funding for human rights we received from the South Australian Government, we wouldn't have been in a position to provide strategic legal support and advice to LGBTIQ community members, government departments and MPs on these important reforms

- Lee Carnie, Lawyer,  
Human Rights Law Centre



**SHINE SA** – for counselling services for trans\* and gender diverse people and their families.



In 2016, Adelaide's Feast Festival secured Raj House in the City's East End to create an arts hub to showcase South Australian LGBTIQ Queer Arts and Culture. This "Queer Arts and Cultural Hub" is a space for emerging LGBTIQ artists to create and workshop their art and nurture artistic originality.



... after 19 years, it was exciting for the festival to finally have its own venue to showcase queer art and culture all year round.

- General Manager, Feast Festival

[www.artsreview.com.au/feast-festival-creates-queer-arts-hub-in-adelaide/](http://www.artsreview.com.au/feast-festival-creates-queer-arts-hub-in-adelaide/)



**Bfriend** - for mentoring, support, information and referral services for people coming out and their families.

## 5 Supporting young LGBTIQ people

### Transgender policy in schools

In January 2017, the Department for Education and Child Development (DECD) unveiled new transgender student policy and procedures. This work aims to ensure schools provide consistent support for gender diverse students.

The 'Supporting same sex attracted, intersex and gender diverse students' procedure outlines school and preschool responsibilities in relation to State and Commonwealth legislation. The procedure applies only to transgender students who are currently transitioning and whose gender identity has been discussed with parents and confirmed by health professionals. It stresses the importance of schools working with gender diverse students to provide for the student's physical and psychological safety and wellbeing in the school environment. In addition, the procedure describes how schools should approach issues such as toilet and change room access, school uniform options and sleeping arrangements on school camps to ensure the needs of the student and wider school community are properly considered.

### The Safe Schools Anti-bullying Initiative

The Safe Schools Anti-bullying Initiative (SSAI) helps principals, teachers and students to support gender and sexual diversity in schools. SSAI is not a school subject in the curriculum but involves separate lessons on relationships and sexual health that are taught through the Australian Curriculum Health and Physical Education learning area.

Same sex attracted, intersex and gender diverse young people suffer high levels of verbal and physical homophobic and transphobic abuse, with 80% of it occurring at school. Safe, supportive and respectful learning environments are positive for students, leading to improved academic outcomes, increased confidence and improved attendance.

The SSAI will operate for 3 years, with SHINE SA delivering services and support to secondary schools, including staff development, advice and support, and promoting youth leadership, for example through the annual Action Day.

### Building capacity through the 2017 Youth Strategy, youTHRIVE

Thousands of young people across Australia are at risk of experiencing homophobic and transphobic behaviour, discrimination and isolation. These experiences can have serious consequences for the health and wellbeing of LGBTIQ young people. In South Australia, a small number of groups, often led by young people, provide safe places for young people to connect, share stories and express their views.

The South Australian Government's 2017 Youth Strategy, youTHRIVE, commits us to engaging with these groups to better understand their needs and to improve their connection to government and non-government organisations, services and resources.

## Same sex gender diverse formals - 2015 and 2016

Same sex gender diverse formals in 2015 and 2016 enabled LGBTIQ young people to celebrate a high-school rite of passage in a safe, inclusive environment where they could be themselves. The following quotes from participants demonstrate the success and personal significance of these events.

Watch a video where young people talk about their experience of this event:

 [www.youtube.com/watch?v=xpx399vAa44](https://www.youtube.com/watch?v=xpx399vAa44)

“ ...it was incredible because I’ve never been in a room with so many other LGBTIQ people.

“ My highlight of the night so far is probably just being able to meet so many incredible people, everybody is so friendly and non-judgemental. You can really be yourself.

“ I think it’s really important events like this take place because it can be really difficult for non-gender conforming and non-straight people to find a place in society where they feel they fit, especially at high school, it can be incredibly difficult...so being able to come to this event and experience exactly what I’m missing out on, it’s just like, it’s an experience, it’s something I’m going to treasure for the rest of my life, because I never got to have that at school.

“ I think it’s important because, well, a lot of, especially for like Catholic schools and stuff, their formals aren’t really inclusive for LGBTI people and it’s just nice having one where, like, you can bring whoever you want and everyone can just have fun.

“ Having an event like this is important because I know there are a lot of people that feel really isolated because they don’t see that there’s actually things going on to support LGBT youth and I know I’m one of those people and just coming to something like this and realising that there actually are things in place to help you and there are other people like you... it takes you back and makes you realise you’re not actually alone.

“ I went to the Minus18 Same Sex Gender Diverse Formal last Thursday, and I nearly cried SO many times at seeing a roomful of predominantly 15-18 year old same sex attracted and gender diverse people attending a high school formal like any other high school formal, without a care in the world. It was the school formal I wish I was able to have.

“ I had the best night and all without drinking or smoking. For the first time in years I was high on life.

## 6 Positive ageing in LGBTIQ communities

### Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) people ageing well

The Council on the Ageing (COTA) SA has joined forces with the SA Rainbow Advocacy Alliance (SARAA) to form a consumer-led LGBTIQ movement. The initiative aims to provide an ongoing forum for the participation of older LGBTIQ people to ensure advocacy for the needs of LGBTIQ people in all policy and service delivery relating to older people.

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This project will ensure that there is a strong LGBTIQ voice in all policy and service development for older people in SA, including through the advocacy and representation of COTA SA and SARAA.

- Andrew Birtwistle-Smith, Chairperson, South Australian Rainbow Advocacy Alliance, COTA Media Release 23 April 2017

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The project will give older people from around the state an opportunity to be part of a positive and forward thinking conversation about shaping their lives; to understand and connect with their community; and to determine the things that are important to them, including their hopes and aspirations.

- Desmond Ford, Manager of the LGBTIQ People Ageing Well Project, COTA Media Release 23 April 2017



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In 2015, the Catalyst Foundation received a \$5000 grant from DCSI to help us set up a hub for social activities with the LGBTI community over the age of 50 years. This initial grant has enabled Catalyst Foundation's LGBTI project area to run a regular calendar of monthly activities, provide information sessions and one on one support with the older LGBTI community that continues to grow and has become a much needed and popular social/information connection for older people in the community.

- Paul Stone, Catalyst Foundation

## Key objectives of the strategy

### Social and Emotional Health and Wellbeing

The State Government seeks to provide a safe and welcoming environment for people to feel part of their community. We will work towards improving health outcomes for LGBTIQ South Australians, ensuring that they access opportunities to help them lead active, safe and prosperous lives.

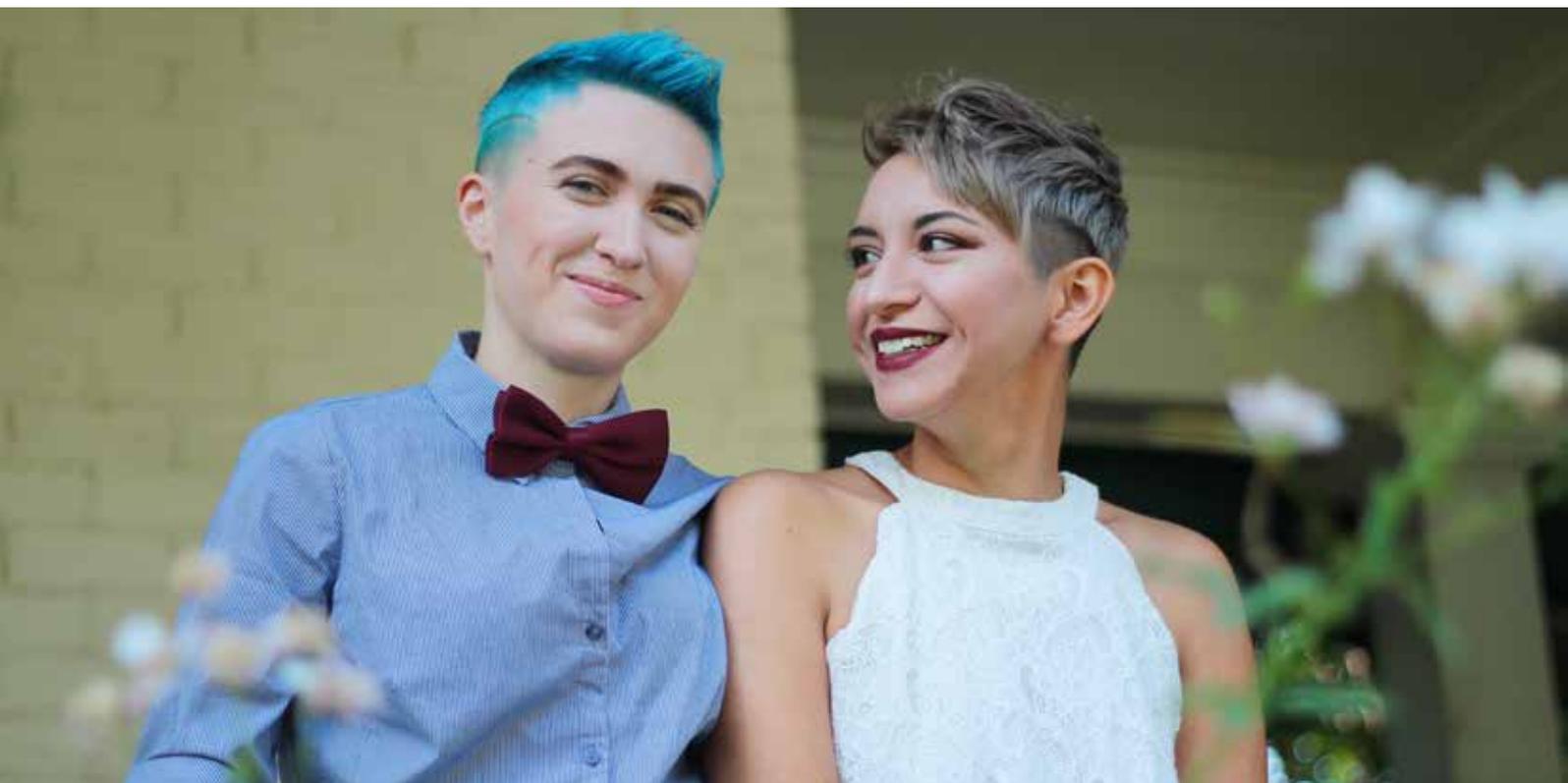
The South Australian Government is committed to improving policy and service delivery to ensure that LGBTIQ South Australians:

- lead safe, healthy, active lives
- have their priority health and safety issues identified and addressed
- have access to inclusive, comprehensive, high-quality health care services.

### Employment and Opportunities

Improving work opportunities for LGBTIQ people leads to enhanced health and wellbeing, economic status and opportunities for community participation, and to increased productivity for the community as a whole. Government workplaces must be fair, inclusive and supportive environments that value the contributions of all employees.

- Fair and inclusive government workplaces that increase opportunities for full participation in paid and unpaid work
- A State Government workforce that is representative of the diversity contained in the South Australian community.



## Awareness and Education

The State Government's seven strategic priorities emphasise the importance of safe, welcoming neighbourhoods where people can live active and healthy lives and feel part of their community. However, there is a tendency towards 'invisibility', little acknowledgement or lack of awareness of LGBTIQ people in the wider South Australian community or in government priorities, plans and publications.

- The contribution of LGBTIQ South Australians to the civil, economic and political life of the state is recognised and celebrated
- The strength and diversity of the LGBTIQ communities in South Australia is acknowledged and valued by all.

## Inclusive Service Delivery

State Government services significantly affect the lives of South Australians. It is crucial to deliver services in a way that makes them accessible to everyone in our community.

- State Government services are accessible to, and inclusive of, LGBTIQ communities in South Australia
- The State Government workforce is sensitive and aware of the needs of LGBTIQ South Australians and provides culturally competent services.

## Engagement with LGBTIQ Communities

The State Government must continue to solicit the skills, knowledge and opinions of LGBTIQ communities and stakeholders to maintain momentum and determine the best way forward.

## The way forward

While much has been achieved through the Strategy, the South Australian Government is committed to continuing to improve outcomes and to address the priority issues identified in partnership with the LGBTIQ community.

We invite you to provide us with feedback to help us to plan the way forward. We ask that you consider the objective areas from the Strategy, which are outlined below, with reference to the following questions:

**What do you think Government should focus on?**

**What would you like to tell specific government agencies?**

**What are we doing well?**

You can forward your feedback to:



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## Feedback

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