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House of Representatives Standing Committee on Family, Community, Housing and Youth  
House of Representatives  
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CANBERRA ACT 2600

Please find below a joint submission of the ALSO Foundation (**{also}**) and the Victorian Gay and Lesbian Rights Lobby (the **VGLRL**) to the House of Representatives Standing Committee on Family, Community, Housing and Youth Inquiry into the Impact of Violence on Young Australians. {also} and the VGLRL wish to acknowledge the contribution of the National GLBT Health Alliance research on violence against GLBTIQ people, including young people, on which this submission is substantially based.

*About {also} and the VGLRL*

Established in 1980, {also} works to enhance the lives of Victoria's diverse gay, lesbian, bisexual, transgender, intersex and queer (**GLBTIQ**) communities. The {also} vision is the creation and celebration of a diverse, strong, safe and inclusive GLBTIQ community that contributes to and is respected by broader communities. We aim to realise this vision and improve the lives of GLBTIQ people by **celebrating** and acknowledging our communities' strengths and those of our supporters; **advocating** to secure equitable access to rights, entitlements and services; **leading** through building relationships and partnerships within and beyond our community; and **investing** in growing and developing individuals and groups within our diverse community.

The VGLRL aims to achieve equality and social justice for lesbians, gay men, queers, bisexuals and same sex attracted people in Victoria. We do this by working with the media, undertaking and supporting research, conducting community education and directly lobbying politicians across all levels of government. The VGLRL works cooperatively and constructively within the political framework, and the community at large, to achieve its aims. The VGLRL maintains a high level of community relevance through active collaboration with other organisations. Comprised of a

consultative membership base, the VGLRL is directly accountable to, and takes direction from, the GLBTIQ community.

As the two peak bodies that advocate for the rights of GLBTIQ people in Victoria, {also} and the VGLRL are in a unique position to offer a GLBTIQ perspective to the examination of violence and young Australians.

### **Same sex attracted and transgender young people in Australia**

Australian research has shown that between 7 and 11 per cent of young people are attracted to others of their own sex or are unsure of their sexual attraction (Lindsay et al., 1997; Smith et al. 2003, Smith et al 2009). The research also shows that same sex attracted and transgender young people are among the most vulnerable young people in Australia.

Two specific Australian surveys of the health and wellbeing of same sex attracted young people have been carried out in the last decade (Hillier et al. 1998; Hillier et al. 2005), the most recent one showing that:

- Over half the respondents had been verbally or physically abused because of their sexuality;
- School was the place where most of that abuse took place; and
- The majority of respondents felt unsafe in many different environments including school, at home and in the community (Hillier et al. 2005).

The levels of violence these young people were experiencing had increased between 1998 and 2005, escalating in schools in particular (Hillier et al. 2005). Young people living in rural and remote areas may experience additional fears about being 'outed' and rejected in smaller more conservative communities.

### **The term 'same sex attracted'**

The descriptive term 'same sex attracted' is used to describe young people who are not exclusively attracted to the opposite sex because young people tend to experience sexual attractions long before they adopt a sexual identity. Many of these young people struggle with their feelings in harsh and neglectful environments and experience the impact of sexual prejudice first hand. Using the term 'same sex attracted' does not foreclose on young people's sexual futures by using a firm identity. Young people who are same sex attracted today may or may not become the gay or lesbian adults of the future; however their current feelings do impact on their feelings of safety.

Indeed, young people do not need to actually be same sex attracted to be subject to heterosexist<sup>1</sup> violence. If they differ in any way from heterosexist norms (e.g.

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<sup>1</sup> This term, together with "sexual and gender prejudice", is used in this submission, in preference to the more familiar "homophobic", "transphobic", "transphobia" and "homophobia", as this more accurately reflects the cultural and social, rather than clinical, nature of stigma, hatred and prejudice based on sexual and gender diversity (see Herek, 2004).

effeminacy in males, athleticism in females), they can often be subject to bullying and violence. The problem is the sexual and gender prejudice of the perpetrator, not the actual sexuality or gender identity of the victim.

Transgender young people as a group experience similar violence, bullying, exclusion and isolation as same sex attracted young people. As much of the research quoted in this submission, while focusing on same sex attracted young people, mentions attacks on expectations about gender, it is highly likely transgender young people face similar, if not even more extreme, levels of difficulty.

### **Perceptions of violence and community safety among same sex attracted young Australians**

Young people need to feel safe and secure in their environments in order to successfully navigate the important challenges of adolescence; however, research shows that same sex attracted and transgender young people do not feel safe in many aspects of their lives. The experience of abuse has a direct impact on their feelings of safety. Australian research with 1749 same sex attracted young people (Hillier, 2005) showed that 44% reported suffering verbal abuse and 16% physical abuse because of their sexuality. The abuse impacted on many aspects of these young people's lives, including whether they felt safe. There was a significant relationship between experiencing abuse and feeling unsafe at school, home, sport, social functions and on the street.

In this research, the young people were asked to rate how safe they felt in each of five spaces: the street; at school; at home; at social occasions and at sport. The options were 'safe', 'OK' and 'unsafe'. Young people were least likely to feel safe on the street (43%) and at sport (42%). Fifty-eight percent of young people felt safe at school, 12% felt unsafe and the remaining 31% felt OK. Given that school is one place where young people are mandated by law to spend large parts of their lives in the care of trained adults, the finding that over 42% did not report feeling safe at school is of particular concern. It is perhaps unsurprising that same sex attracted and transgender young people tend to leave school at a younger age than their heterosexual peers (Dyson et al. 2003). Over 60% reported feeling safe at social occasions and 82% felt safe at home. This leaves nearly one in five who reported feeling only OK or unsafe at home. Feelings of safety were directly linked to the degree of violence these young people had experienced, some of it from parents.

Young people were asked if they had been verbally or physically abused because of their sexuality. Almost half reported being verbally abused (44%) and (16%) physically abused for this reason. Of those who had been abused, school was by far the most common context of abuse with 74% having suffered abuse there (89% of those still of school age). The street (47%) and social occasions (34%) were also common contexts for abuse. Young people were least likely to have suffered heterosexist abuse at sport (12%) and home (18%). There was a significant relationship between feeling safe and having suffered heterosexist abuse, with young people who had been physically abused feeling less safe overall than those who had

been verbally abused and both these groups feeling less safe than those who had not suffered abuse at all.

These findings are borne out by a study of GLBT Victorians aged from 14 – 65 years (Leonard et al, 2008) that demonstrated that the experience of violence was so endemic in this community that mostly it went unreported and was normalised as part of daily life. This research revealed that:

- Nearly one in seven GLBT respondents report living in fear of heterosexist violence;
- Nearly 85 per cent of GLBT respondents have been subject to heterosexist violence or harassment in their lifetimes;
- Seven in ten GLBT respondents have been subject to heterosexist violence while alone in the past two years;
- Eight in ten GLBT respondents have experienced heterosexist violence as part of a *same sex couple* or *group* in the past two years;
- One in four GLBT respondents have been subject to physical violence or the threat of physical violence over the last two years;
- In eighty-five per cent of cases, violence and harassment were preceded or accompanied by heterosexist language; and
- Approximately one in twenty GLBT respondents have been subject to sexual assault over the last two years

The same study found rates of family violence in same sex relationships to be similar to those in heterosexual relationships. There is strong anecdotal evidence that young people are particularly vulnerable if they are living with an older partner and there is a power differential in the relationship. Hillier and her colleagues (2005) found evidence of young same sex attracted people being subject to violence from their families with 18% of her participants not feeling safe at home. Family violence in same sex relationships is underreported for fear of not being taken seriously (Leonard, 2008) and services for male victims and female perpetrators are almost non-existent.

### **Links between illicit drug use, alcohol abuse and violence among young Australians**

For same sex attracted and transgender young people the links between illicit drug use, alcohol abuse and violence are not the same as for their heterosexual peers. While substance abuse might commonly be seen as a precursor to violence, for same sex attracted and transgender young people it is rather a consequence, being a form of self medication to ameliorate the impact of violence in their lives. These young people use drugs and alcohol at a greater rate than do their “mainstream” peers.

The most compelling data comes from a comparative analysis of the younger cohort in the longitudinal study of the health of Australian women. This data shows that young non-heterosexual women were significantly more likely to report risky alcohol use (7% compared to 3.9%), marijuana use (58.2% compared to 21.5%), use of other illicit drugs (40.7% compared to 10.2%) and injecting drug use (10.8% compared to 1.2%) [Hillier et al, 2004]. The same women were significantly more likely to report

being depressed (38% vs. 19%), higher levels of anxiety (17.1% vs. 7.9%) and having tried to harm or kill themselves in the last six months (12.6 vs. 2.7%) [McNair et al 2004].

In Hillier's research (2005) the picture is the same, with 7% of same sex attracted young men having injected drugs once a week or more, and 14% of young women. This compares to 1–2% of young people in general. In 1997, same sex attracted secondary school students were three to four times more likely than other students to report having injected drugs and had dramatically higher levels of alcohol, marijuana and party drug use (Lindsay et al. 1998). The link between these adverse health outcomes and discrimination and abuse has been made explicit by Hillier (2005) and her colleagues who found that young people who had been exposed to verbal and physical abuse were more likely to use a range of legal and illegal drugs than those who had not. The severity of the abuse was also found to directly correlate with the extremity of the alcohol and drug use.

### **The relationship between bullying and violence on the wellbeing of young Australians**

Violence compromises the safety and wellbeing of same sex attracted and transgender young people. A study of 5500 GLBT Australians found that young people had the worst self-reported health of all GLBT people which was a reverse pattern from ABS data which showed young people generally to have the best self-reported health (Pitts et al, 2003).

A clear relationship between bullying and violence on same sex attracted and transgender young people has been previously outlined in this submission. We argue that heterosexist violence and bullying is of a particular kind and has a different impact than other types of bullying.

Unlike other forms of bullying, there is an institutionalised history of support for sexual and gender related prejudice from the law, medicine and the church. Many of these things have now changed but this is not widely known and many people remain unsure about whether challenging such prejudice is acceptable. In addition, sexual and gender difference is still regarded as a moral issue by many people and therefore seen to be “trickier” to challenge in a school context than other forms of bullying, for example around body type or ethnicity.

Indeed those being bullied for the latter reasons are likely to have parental support for their difficulties, whereas same sex attracted and transgender young people are likely not to have told their parents and therefore have no parental support to counter bullying. Challenging heterosexist bullying is seen as personally stigmatising for some teachers who may not feel they have the support of parents or school leadership.

Finally, heterosexist bullying is embedded in student culture and language. “That’s so gay” is a ubiquitous pejorative term which may be negligently used but do great harm. The recent Suicide Prevention Australia (SPA) Position Statement: *Suicide and self harm among gay, lesbian, bisexual and transgender communities* (2009), found:

Studies conducted over the last decade reveal that GLB individuals attempt suicide at between 3.5 and 14 times the rate of their heterosexual peers (Bagley & Tremblay 1997; Garofalo et al. 1998; Herrell et al. 1999; National Institute for Mental Health in England 2007; Nicholas & Howard 2002; Remafedi et al. 1998), while findings from health assessment studies in North America reveal prevalence of attempted suicides among transgender communities ranges between 16 and 47 per cent (Bockting, Knudson and Goldberg 2006; Clements-Nolle et al. 2001; Keatley et al. 2006; Kenargy 2005; Leonard 2002; San Francisco Department of Public Health 1999) (2).

Research suggests that young people living in rural and regional areas may face added pressures due to increased levels of sexual prejudice and reduced access to GLBTIQ-related information, resources and organisations (Ministerial Advisory Committee on Gay and Lesbian Health, 2003). One report suggests that rural same sex attracted young people are six times more likely to attempt suicide than the population as a whole (Quinn, 2003). It is very likely that suicide in same sex attracted and transgender young people is under-reported as young people may take their lives rather than have family and friends find out, or families may wish to keep sexuality and gender issues out of any enquiry.

### **Strategies to reduce violence and its impact among young Australians**

A study conducted in 2005 found ample evidence of sexual prejudice in Australian society with 35% of Australians aged 14 and above believing that homosexuality was immoral and this belief being more widely held in rural areas than in large cities (Flood & Hamilton). Strategies which reduce sexual prejudice are necessary to curb violence against same sex attracted and transgender young people.

#### *Increasing engagement with sexual and gender diversity*

The American lawyer and researcher Gregory Herek has published a large body of work (Herek, 1987, 1988, 1989, 1990, 1991, 1993, 2000, 2004, 2007, 2009; Herek & Berrill, 1990(i) & (ii); Garnets, Herek & Levy, 1990; Berrill & Herek, 1990; Herek & Glunt, 1993; Herek & Capitano, 1996) that argues that one of the best strategies to combat anti-GLBTIQ violence is to encourage and maximise widespread personal contact with GLBTIQ people on the part of individuals and the broader community. Herek reports that simply having casual personal contact with GLBTIQ people does not necessarily affect personal feelings and attitudes about GLBTIQ people. Rather, individuals tend to hold favourable attitudes if they know two or more GLBTIQ individuals, if those people are close friends or immediate family members, and if there has been open discussion about the friend or relative's sexual orientation or gender identity.

This is why a holistic approach, encompassing interpersonal, sociocultural, and institutional aspects, is so essential. This requires a comprehensive strategy, ranging from community education campaigns through to legislative measures to end discrimination in all areas (including marriage and parenting rights), so that GLBTIQ people cease to be seen as “other”, threatening and thus as “legitimate” targets.

#### *Anti-discrimination legislation*

In terms of specific measures, there needs to be comprehensive legislation prohibiting discrimination against GLBTIQ people at both State and Territory and Commonwealth level. In particular, broad based, anti-discrimination legislation in all jurisdictions with minimal, if any, exemptions or exceptions, would be a powerful weapon, both real and symbolic, against hatred and sexual prejudice. While all State and Territory jurisdictions now have some form of anti-discrimination measures for GLBTIQ people, their range and scope differ considerably. There is currently only very limited legislative protection at the Commonwealth against discrimination based on sexual orientation and none on the basis of gender identity.

### *Human Rights Instrument*

Anti-discrimination legislation will be most effective if it operates in the context of a national human rights instrument, as recently recommended by the National Human Rights Consultation Committee. {also} and the VGLRL believe that a national human rights instrument can achieve a number of crucial outcomes for GLBTIQ people in Australia, such as:

- Correcting discrepancies in law and strengthening existing protections for GLBTIQ people;
- Ensuring that all legislation passed by the Federal Parliament is scrutinised for its consistency with basic human rights standards;
- Recognising and protecting universally agreed rights;
- Placing human rights above politics and arbitrary government action;
- Improving the quality of government policy making, decision-making and public administration;
- Ensuring that public funding is only accessible to agencies that offer services equally to all Australians irrespective of sexual orientation, gender identity or any other personal characteristics that are irrelevant to the provision of that service;
- Fulfilling Australian legal obligations under international law;
- Explicitly recognising the “fair go” spirit for GLBTIQ people that underpins and characterises society in Australia;
- Educating people about human rights and their system of government; and
- Promoting tolerance and understanding in the community.

### *Removal of discrimination in other legislation*

In addition, the last remaining specifically discriminatory provisions in existing legislation – notably in the areas of marriage, relationship recognition, parenting and adoption – need to be removed as a matter of urgency. Marriage and parenting play such a significant role in the cultural norms of Australian society that any exclusion or restriction of GLBTIQ people in these areas serves to reinforce the heterosexist attitudes that underpin violence.

### *Education strategies*

As noted in Gray et al (2007), legislation must be part of and supported by coordinated long-term education and awareness campaigns, which include a variety of approaches that target different sections of the community. These should be more than one-off initiatives notifying Australians of changes to legislation and of their new obligations and penalties. They should include broad, government-led campaigns that send a strong and

unequivocal message to the whole community that harassment of GLBTIQ people is unjust and against the law.

Public education campaigns seek to reduce heterosexist prejudice and violence by changing community attitudes and by initiatives that target the most likely perpetrators of violence and harassment. Targeted campaigns, which include strategies aimed at increasing the capacity of GLBTIQ people to respond to and encourage reporting of heterosexist incidents, will provide police and other government agencies with much-needed incidence and perpetrator data which they can use to design and implement more effective initiatives to combat sexual and gender prejudice and related violence. Sites for targeted community education campaigns could include football and other sporting clubs, trade unions and workplaces.

Legislative reform alone is not sufficient to generate and maintain behavioural change. Public education is needed to achieve the broader cultural shifts on which changes in individual and community attitudes and behaviours depend.

As part of this broader public education campaign, the Ministerial Council on Education, Employment, Training and Youth Affairs (MCEETYA) should lead the development of a comprehensive and mandatory approach to address sexual and gender based prejudice in education settings across Australia. Frameworks such as the Victorian Department of Education and Early Childhood's *Supporting Sexual Diversity in Schools* should be extended to all states and territories in Australia, as should curriculum development, professional and/or pre-service training for teachers to identify and respond to bullying and harassment on the grounds of sexual orientation and/or gender non-conformity, and development of targeted resources.

#### *Service delivery*

Commonwealth, State and Territory governments should provide greater capacity for the delivery of services and support services for parents and families dealing with sexuality and gender issues. Moreover, there should be increased public funding for LGBTIQ community-based organisations to support and advocate for LGBTIQ young people and to be in a stronger position to contribute to the development and implementation of inclusive policies and programs. This should include programs specifically designed to address heterosexist violence and abuse.

#### *Gay and Lesbian Liaison Officers*

There should be further development and promotion to young people of Gay and Lesbian Liaison Officer (GLLO) Programs within the police forces of in all states and territories to encourage reporting of heterosexist violence and abuse.



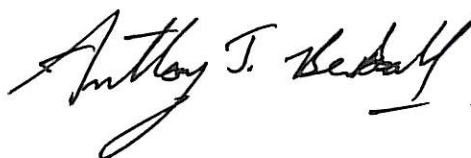
## Conclusion

{also} and the VGLRL would welcome the opportunity to provide the Committee with further information, including the provision of oral evidence if the Committee decides to hold public hearings. {also} and the VGLRL would also welcome the opportunity to work with governments to develop strategies to effectively reduce the extent and impact of heterosexist violence against young people.

Yours sincerely



**Jason Rostant**  
President  
{also} Foundation  
Mb: 0414 93 5692  
Email: [president@also.org.au](mailto:president@also.org.au)



**Dr Anthony Bendall**  
Co-Convenor  
Victorian Gay & Lesbian Rights  
Lobby  
Mb: 0419 367 138  
Email:  
[anthony.bendall@privacy.vic.gov.au](mailto:anthony.bendall@privacy.vic.gov.au)

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