



**Analysis: Final Report of  
Inquiry into family, domestic  
and sexual violence**

July 2021



## Introduction

LGBTIQ+ Health Australia (LHA) is the national peak organisation working to promote the health and wellbeing of LGBTIQ+ people and communities. LHA is uniquely placed with a diverse membership that spans across states and territories, and includes LGBTIQ+ community-controlled health organisations, LGBTIQ+ community groups and state and territory peak bodies, service providers, researchers, and individuals.

LHA is strategically positioned to provide a national focus to improving the health and wellbeing of LGBTIQ+ people through policy, advocacy, representation, research evidence, and capacity building across all the health portfolios that are of significance to our communities. We recognise that people's genders, bodies, relationships, and sexualities affect their health and wellbeing in every domain of their life.

## Background

In June 2020, the House Standing Committee on Social Policy and Legal Affairs adopted an inquiry into family, domestic and sexual violence. The inquiry was referred by the Minister for Women, Senator the Hon Marise Payne, and the Minister for Families and Social Services, Senator the Hon Anne Ruston. The Committee published its final report in April 2021 after receiving submissions from many organisations and holding public hearings.

LHA made a submission for the House of Representatives Standing Committee on Social Policy and Legal Affairs' inquiry into family, domestic and sexual violence in July 2020 and provided recommendations. Further to this, representatives from the LHA gave evidence at a public hearing in Sydney in November 2020.

Further information on the inquiry and its final report can be found at [https://www.aph.gov.au/Parliamentary Business/Committees/House/Social Policy and Legal Affairs/Familyviolence](https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Familyviolence).

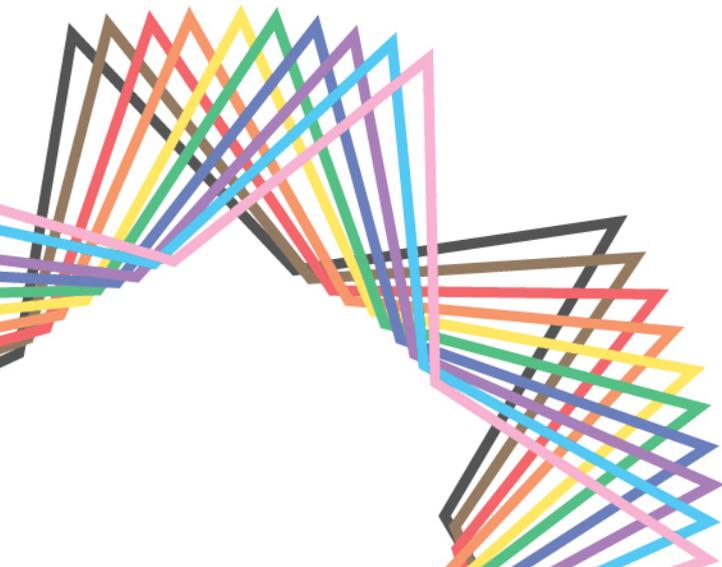
The table below provides a snapshot of where LHA recommendations have been adopted and where there is still work to be done. At the time of this inquiry, LHA operated under its former name as the LGBTI Health Alliance and reference to older documents generally refers LGBTI rather than LGBTIQ+.

**Addressed** = specific recommendations related to LGBTIQ+ people included

**Partially addressed** = broad recommendations included, but not specific to LGBTIQ+ people

**Referenced** = LHA input is referenced but not necessarily leading to action

**Not addressed** = no mention of the issue



Theme	LGBTIQ+ Health Australia’s calls to action	Final Report
<p><b>Quantitative measures for family violence reduction in LGBTI communities</b></p>	<p>Monitoring mechanisms needed to capture the necessary information to determine if existing policy initiatives are achieving their desired outcome of reducing intimate partner and family violence.</p>	<p>Addressed</p> <p>Recommendation 2</p> <p>Development of quantitative measures, agreed in consultation with non-government organisations, experts and victim survivors to reduce the rate of family, domestic and family violence in diverse communities, including LGBTIQI people.</p>
<p><b>National plan to reduce family, domestic and sexual violence</b></p>	<p>Government investment in research that focuses on the impact of intimate partner and family violence within LGBTI communities should be considered in the next <i>National Plan</i> to ensure future funding is better targeted towards and effective for LGBTI communities.</p>	<p>Addressed</p> <p>Recommendations 3, 4 and 5:</p> <p>National Plan to recognise the rights and needs of LGBTIQI people and to prevent all forms of family, domestic and sexual violence, with the name updated to reflect the broader scope.</p>
<p><b>Distinct needs of LGBTI people during COVID</b></p>	<p>It is vital that intimate partner and family violence services are responsive to the distinct needs of LGBTI people during this challenging time (COVID), and that a diversity lens is applied across all responses to future public health emergencies, to ensure marginalised populations are not left behind.</p>	<p>Partially Addressed, not LGBTIQ specific</p> <p>Recommendation 14:</p> <p>Include measures for domestic violence in the COVID pandemic.</p>
<p><b>Data collection</b></p>	<p>A National Minimum Data Set (NMDS) that includes sexual orientation, gender identity, and sex characteristics and relationships that is standardised and mandatorily collected is crucial to facilitating understanding of LGBTI people’s behaviours, experiences and identities within intimate partner and family violence services.</p>	<p>Addressed</p> <p>Recommendation 40:</p> <p>Improve data relevant to LGBTIQ communities, including:</p> <ul style="list-style-type: none"> <li>- developing guidelines for data collection,</li> <li>- inclusion in future censuses, and</li> <li>- funding a national research project.</li> </ul>

<p><b>LGBTI community-controlled services</b></p>	<p>To ensure services are culturally safe and appropriate for both victims and perpetrators of intimate partner and family violence within LGBTI communities, LGBTI community-controlled organisations must be involved in the planning and delivery of training to mainstream services.</p>	<p>Addressed</p> <p>Recommendation 41:</p> <p>Develop and implement targeted education and training within mainstream services in relation to LGBTIQ communities.</p> <p><b>Note:</b> LGBTI community-controlled organisations engagement in training is not mentioned.</p>
<p><b>Policies and programs</b></p>	<p>To ensure services are culturally safe and appropriate for both victims and perpetrators of intimate partner and family violence within LGBTI communities, LGBTI community-controlled organisations must be involved in the planning and delivery of training to mainstream services.</p>	<p>Addressed</p> <p>Recommendation 43:</p> <p>Develop policies and programs relating to family violence, affecting LGBTIQ communities in partnership between government agencies and LGBTIQ organisations.</p>
<p><b>National coordination and investment</b></p>	<ul style="list-style-type: none"> <li>• Further investment in specialist LGBTI services.</li> <li>• Develop nationally consistent, regular and targeted education and training within mainstream services and police, including in relation to the nature, features and dynamics of intimate partner violence and its particular impact on those from LGBTI communities.</li> <li>• Initiate a national education and awareness campaign in relation to intimate partner violence and its impact in the employment context.</li> <li>• Fund a national forum to undertake a review of best practice models for family violence among LGBTI communities to inform a response, including exploration of adopting the third-party reporting model as implemented in Scotland to respond to and address hate crimes, within the intimate partner and family violence sector.</li> </ul>	<p>Referenced (page 189)</p> <p>Referenced (page 208; not referring to LHA's recommendation)</p> <p>Partially Referenced; not LGBTIQ specific</p> <p>Referenced (page 209; not referring to LHA's recommendation)</p>
<p><b>Access barriers</b></p>	<ul style="list-style-type: none"> <li>• The Commission also found that LGBTI people experiencing intimate partner and family violence face a range of access barriers to service delivery and disclosure, including: <ul style="list-style-type: none"> <li>– privacy concerns</li> <li>– actual or anticipated stigmatisation or discrimination and that such disclosure will jeopardise their job or career, or that the</li> </ul> </li> </ul>	<p>Referenced (page 188)</p>

	<p>person/system to whom they disclose will not be responsive and affirmative</p> <ul style="list-style-type: none"> <li>- gendered concepts and language around intimate partner and family violence.</li> </ul>	
<b>Risks of sexual violence in LGBTIQ communities</b>	<ul style="list-style-type: none"> <li>• Across the LGBTIQ spectrum, we see populations that are at different risk compared to other populations. Very consistently, trans and gender-diverse people report much higher rates of sexual violence and they report much higher rates of intimate partner violence than other members of the LGBTIQ community. So, they are a particularly at-risk group.</li> </ul>	Referenced (page 187)
<b>Forms of intimate partner and family violence in LGBTQI communities</b>	<ul style="list-style-type: none"> <li>• The Australian Law Reform Commission (ALRC) Commonwealth Family Violence Inquiry in 2012 found that distinctive forms of intimate partner and family violence exist within LGBTI communities. These include: <ul style="list-style-type: none"> <li>- threatening to disclose an individual's sexual orientation, gender identity, and/or intersex status to family members, friends or colleagues</li> <li>- telling a partner that they will lose custody of their children as a result of their LGBTI status being disclosed</li> <li>- a perpetrator claiming that the police, justice system, and/or intimate partner and family violence support services are not culturally safe for LGBTI people and therefore will not help the victim</li> <li>- transphobic abuse whereby a person deliberately misgenders their trans partner, ridicules their body or gender identity, or prevents them accessing gender affirming care or services</li> <li>- threatening to or revealing HIV status or withdrawing care, where one partner or family member is dependent, for example arising from their HIV status</li> <li>- sexual violence, such as coercing a partner to have sex through manipulation of the victim's shame related to their sexual orientation and/or gender identity</li> <li>- physical violence committed by a family member due to their homophobia, transphobia and/or transphobia.</li> </ul> </li> </ul>	Referenced (page 187)
<b>Integrated, comprehensive support services and programs</b>	<ul style="list-style-type: none"> <li>• We believe that implementing a 'no wrong door' approach in the context of providing integrated, comprehensive support services and programs within the intimate partner and family violence sector is crucial.</li> </ul>	Not addressed