

# Does the ACT need an LGBTIQA+ peak body? A discussion paper.

Meridian acknowledges the Ngunnawal people as the Traditional Custodians of the land on which we work and live, and we pay our respects to Elders, past, present and emerging. We honour the lesbian, gay, bisexual, transgender, intersex, queer, and asexual activists and advocates whose courage, determination, and strength have helped to make this a more just society. We celebrate the rich diversity of people's bodies, genders, identities, sexualities, and relationships.

## Introduction

### What is a peak body?

Peak bodies within community sector play an important role in representing the interests of their members and communities to government, as well as strengthening the capacity of, and fostering collaboration within the sector.

**While there is no agreed definition of a peak, there is broad agreement that peaks are membership-based organisations that perform the following key functions:**

- Research, policy development, advice to government and their sector.
- Advocacy and representation to government and other decision makers.
- Information dissemination within their sector and to the community.
- Sector consultation and coordination within their sector.
- Sector capacity building to enable better service delivery and functioning of community organisations.

**Peak bodies exist at both National and State and Territory levels and have various membership models, including:**

- A national peak organisation represents State and Territory peaks, who in turn represent service providers in their jurisdiction. In the instance that the service providers are membership-based organisations, there is a line of representation from a service user to the national peak.
- A national peak represents service providers across Australia (i.e. State and Territory peaks do not exist).
- A State or Territory peak represents service providers, but they are not the member of a national peak.

## What peaks represent the community sector in the ACT?

There are numerous peak organisations in the ACT representing sub-sectors within the community sector, including (but not limited to):

- ACT Council of Community Services
- Mental Health Community Coalition ACT
- Carers ACT
- Youth Coalition of the ACT
- Health Care Consumers Association
- Alcohol Tobacco and Other Drug Association ACT
- People With Disabilities ACT
- Canberra Multicultural Community Forum
- ACT Shelter

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## Who represents organisations providing services to LGBTIQ+ people in the ACT?

LGBTIQ+ service providers are represented at a national level by LGBTIQ+ Health Australia. However, there is no peak organisation in the ACT representing organisations providing services to LGBTIQ+ people.

Substantial guidance and direction has been demonstrated by both A Gender Agenda (AGA) and Meridian in providing functions which might be provided by a peak. Other organisations including but not limited to Sexual Health Family Planning ACT (SHFPACT), the Junction Youth Centre, YWCA, Headspace and Diversity ACT also play an important role in supporting LGBTIQ+ individuals, families and community.

While there is no peak organisation, the leadership shown by the ACT Government on issues relevant to the LGBTIQ+ community has led to fundamental repositioning of these issues as central to policy making processes across health, social and economic policy. The strong leadership shown by ACT Government has not, at this time resulted in adequate funding for LGBTIQ+ as a subsector.

**It is interesting to note that no other state or territory has a locally based peak organisation.**

## Does the ACT need an LGBTIQ+ peak?

The need for a peak body for LGBTIQ+ services sector has been raised within the Office of LGBTIQ+ affairs, in the ACT Health Scoping Study, through individual advocacy with Government MLA's and by individual stakeholders. The arguments for and against establishing a peak body are outlined below.

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## What are the arguments for establishing an LGBTIQ+ health and wellbeing peak body in the ACT?

### **A peak body could increase the influence of LGBTIQ+ organisations.**

A growing sector needs coordinated action and a collective voice on issues of concern that is independent of government policy arrangements. The history of progress on LGBTIQ+ issues is one of constant vigilance for opportunities to improve outcomes while resisting political pressure to wind back hard-fought gains. A peak body provides an ongoing infrastructure for these coordinated and robust conversation within the LGBTIQ+ community and a mechanism for settling a collective position for advocacy. An effective peak can provide points of coalescence on key issues while preserving the ability of constituent organisations and individuals to express alternate views in their own capacity. In addition, an effective peak can also represent a diversity of views which share a common theme or principles, such as agency for individuals and compliance with Human Rights principles, while not binding a constituent organisation to a single detailed position. This means that a peak can advise government when there is a shared view- but also where there is a diversity in the sector. This is particularly useful for small or emerging organisations that serve underrepresented sectors of the community. Additionally, if well-conceived, governed, and respected a peak can speak with authority on issues of reform bringing the experience of knowledge of its constituent members to bear on issues of common focus. For example, conversion therapies or access to informed and supportive medical treatment.

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### **A peak body could increase the visibility of LGBTIQ+ organisations.**

While the current government is committed to consulting LGBTIQ+ organisations and communities in policy making, this cannot be guaranteed in the future. In a different political environment, the size of LGBTIQ+ service sector is not sufficient in and of itself to ensure consultation by government or representation to government on policy and service areas of concern. A peak body would ensure that LGBTIQ+ sector issues stay on the agenda. Additionally, an ACT peak body would ensure that the needs and interests of LGBTIQ+ communities in the ACT are represented in national research and advocacy.

### **A peak body would provide government with a central point of contact.**

While the Office of LGBTIQA+ Affairs currently provides a central point for contact and coordination on policy areas of interest and importance to the LGBTIQA+ community, there is no guarantee that future governments under fiscal pressure would retain the function or retain it in the Chief Minister's Directorate. If this function were not to exist, it would be essential to have a central point of contact to coordinate communications between the government and service providers working with and representing LGBTIQA+ people.

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### **A peak body would free time and resources for LGBTIQA+ organisations to redirect towards service delivery.**

Where there is no peak, there is increased demand on service providers to perform the functions that could be deemed the responsibility of a peak, such as undertaking research, writing government submissions, advocating for their communities and facilitating coordination within the sector. This takes away time and resources from their core function – service delivery. This will become increasingly important as expectations of service providers continue to increase while resources diminish. Additionally, a peak body could assist in the development and sustainability of smaller organisations which serve specific sub-populations within the LGBTIQA+ communities.

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### **A peak body maybe be less constrained by their financial dependence on government.**

While funding agreements do not prohibit community organisations from advocacy and lobbying activities, community organisations may choose not to challenge government policy or decisions in order to protect their relationship with their funder. While peak organisations are often also reliant on government funding, their relationship (and funding agreement) with government is built around the expectation that they will advocate to, and lobby government.

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### **A peak body would strengthen accountability within the sector.**

A peak body would provide a mechanism for driving increased accountability within the sector and an opportunity for developing consistent governance and policy. Organisations that serve the LGBTIQA+ community are at differing points in their development with different governance systems and maturity. A well-run peak body will help members develop consistency in governance, provide support in accessing suitable training and advice for members and advocate to government when additional training and capability building is necessary for the sector.

# What are the arguments against establishing an LGBTIQA+ health and wellbeing peak organisation in the ACT?

## **The LGBTIQA+ health and wellbeing sector in the ACT is not large enough to justify a peak.**

While LGBTIQA+ people access a range of services in the ACT, and in some instances these services deliver targeted programs to LGBTIQA+ communities, there are only two organisations with a membership base representing LGBTIQA+ people, and who provide specialist services to these communities – Meridian and AGA. Additionally, both these organisations are already represented by a peak (LGBTIQ+ Health Australia), albeit at a national level. Other organisations who deliver services to LGBTIQA+ people currently sit under other peaks such as the ACT Council of Community Services and the Youth Coalition.

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## **A peak body would add a layer of bureaucracy between LGBTIQA+ people and the government.**

The two LGBTIQA+ organisations (Meridian and AGA) are both peer-led and embedded in their communities, and as such, they are best positioned to represent and advocate for the needs of their members and service users. Adding another layer between LGBTIQA+ people and government may diminish, rather than strengthen their voice. Additionally, the ACT is a small jurisdiction with a highly educated, socially aware, and activist population. Existing organisations can access significant expertise for their boards and voluntary roles which allow a level of interconnectedness that it is harder to achieve in other jurisdictions. On the whole the community is small enough and interconnected enough that informal negotiations and coalescence on issue of concern can happen organically.

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## **LGBTIQA+ people should be represented across the community sector.**

LGBTIQA+ people have diverse needs and interests beyond their gender identity, sexuality and sex. These needs and interests should be represented by other peak organisations. Meridian and AGA already play an important role in strengthening the capacity of mainstream services to meet the needs of LGBTIQA+ people – this work could be expanded to support peak organisations to represent the needs and interests of LGBTIQA+ people.

## The key functions of a peak are being performed.

**Meridian has a proven record of effectively performing the functions of a peak, including advocacy and representation and sector development to the extent that it benefits the organisations focus.**

We recognise that the term LGBTIQA+ does not capture the diversity of identities, sexualities, relationships, bodies and experiences within our communities. However, we also recognise the value of the term when exploring collective experiences of stigma, discrimination, and marginalisation, and when advocating for more inclusive services. We use LGBTIQA+ to refer to people of diverse identities, sexualities, relationships, bodies and experiences, including but not limited to people who identify as lesbian, gay, bisexual, transgender, queer, agender, non-binary, gender fluid, asexual, pansexual, and people with intersex variations. Meridian provides services and supports broadly to the LGBTIQA+ communities and at times undertakes work that could be viewed as the role of a peak. AGA provide a specific peer-led focus on trans, gender diverse and intersex (TGD&I) communities. Both organisations are important but however because the health and wellbeing inequalities for TGD&I communities, AGA provides a unique understanding of this cohort and the opportunity for people to have an independent voice.

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## A peak organisation would draw resources away from service delivery.

The community sector, including the LGBTIQA+ sub-sector is underfunded. An LGBTIQA+ peak would draw financial resources away from service delivery, putting further stress on LGBTIQA+ organisations to deliver more services with less funding. Additionally, the ACT has a small pool of LGBTIQA+ people with expertise in the LGBTIQA+ sector to recruit from. A peak organisation would create greater competition for staff.

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## A peak organisation may not be financially sustainable.

A peak body that is reliant on government funding would be in a perilous position if government policy on funding peaks changed as was the case in the Commonwealth following the High Court decision in Williams. As such, a peak would need to secure independent funding, which would again be drawing resources away from service delivery.

## Next steps

The next step in determining if the ACT LGBTIQ+ sector and the ACT government would benefit from the establishment of a peak body is to consult with key stakeholders.

If establishing a peak organisation is explored further, it is recommended that consideration is given to how the peak organisation would:

- 1 Remain impartial when managing diverse interests in the sector given the level of interconnectedness within the LGBTIQ+ community and sector.
- 2 Ensure that large organisations do not overpower the input and influence of smaller or niche members.
- 3 Ensure that it does not draw funding away from service providers and secure independent funding.
- 4 Determine if the organisation should be peer-led.
- 5 Identify potential members and their appetite for a peak

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