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By online submission and email: Secondactionplan@dss.gov.au

Submission on the Second Action Plan under the National Plan to End Violence against Women and Children 2022-2032

The LGBTIQ+ Domestic Violence Awareness Foundation (DVAF) is a national charity led by volunteers and committed to increasing awareness of domestic, family and sexual violence affecting LGBTIQ+ communities.

DVAF welcomes the opportunity to provide this submission in response to consultation on the Second Action Plan under the National Plan to End Violence against Women and Children 2022-2032.

We also acknowledge the significant and intersecting consultation processes currently being undertaken across the work of the Commonwealth Government:

1. The First Action Plan under Our Ways – Strong Ways – Our Voices: National Aboriginal and Torres Strait Islander Plan to End Family, Domestic and Sexual Violence 2026-2036 (Our Ways)
2. The Second Action Plan under Safe and Supported: The National Framework for Protecting Australia's Children 2021-2031
3. The Second Aboriginal and Torres Strait Islander Action Plan under Safe and Supported 2021-2031
4. The Second Action Plan under the National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030.

We note that this submission may provide useful information and context across these related areas of work. We welcome the Australian Government's coordinated approach to consultation, which helps reduce duplicative demands on organisations such as ours.

Available research indicates that more than 60% of LGBTQIA+ people have experienced domestic, family or intimate partner violence. However, evidence gaps remain. The trans and gender-diverse community and their experiences continue to be invisible in many common data sets, as is the experience of people with variations of sex characteristics. Despite the available evidence, there remains a fundamental lack of awareness, representation and understanding of the prevalence and nature of this abuse. As a result, LGBTQIA+ people can feel unseen and may have limited access to appropriate support.

Executive summary

LGBTQIA+ people experience domestic, family and sexual violence but remain invisible in national prevention, early intervention, response, recovery and healing services and system models. The Second Action Plan provides an opportunity to reform this, creating lasting and generational change. Inclusion of specific, measurable and accountable actions that target interventions across all pillars of the National Plan responding to the needs of the LGBTQIA+ community is essential. Developing a robust system in partnership with LGBTQIA+ community-controlled organisations and specialist domestic, family and sexual violence organisations to ensure that any investment is responding to the unique experiences of community is a concrete starting point of inclusion in the Second Action Plan.

Misogyny, rigid gender norms, homophobia, biphobia and transphobia are interconnected drivers of violence. An effective national response must retain a clear focus on violence against women and children while recognising how gendered violence is experienced across the diversity of lived experience, including identities, relationships, and family structures.

DVAF seeks to address these issues by advocating for improved visibility of LGBTQIA+ people's experiences and better responses when people reach out for help. Our aim is to support systemic and community change so that all people, regardless of sexuality, gender identity or sex characteristics, can feel seen, believed and supported through safe and inclusive responses.

Feedback against the consultation priority areas

DVAF does not deliver direct services and does not currently receive government funding to undertake its work. Our role is to raise awareness within LGBTQIA+ communities and among allies to develop resources for the service systems responsible for responding to people affected by domestic, family and sexual violence. Our e-learning modules have been developed as free and accessible resources to support more informed frontline responses to LGBTQIA+ community members who have experienced domestic, family and sexual violence, and to support allies and community members to respond to disclosures in inclusive and trauma-informed ways.

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1. Centrality of people with lived experience

People with lived experience must be central to this work. In many lived-experience mechanisms, there may be only one or two places for LGBTQIA+ communities within groups that remain predominantly cisgender, binary and heteronormative. While there are shared experiences across victim-survivor communities, there are also important differences. Broad lived-experience processes can unintentionally obscure the specificity and diversity of LGBTQIA+ experiences.

There is a need for dedicated spaces that recognise both the specificity and diversity of LGBTQIA+ communities, and that enable nuanced insight into the structural and system issues that compound harm in responses to domestic, family and sexual violence. We also support calls for nationally consistent guidance on engagement with lived experience consultation.

In healing and recovery contexts, victim-survivors often describe lived experience consultation processes that provide no remuneration, limited autonomy over how their stories are shared, and inadequate preparation, debriefing or follow-up about how their contributions influenced change. The Domestic, Family and Sexual Violence Commissioner has invested significant resources in developing a lived experience advisory mechanism, and DVAF would welcome nationally consistent standards for engaging lived experience. Lived experience is crucial to initiatives seeking to prevent and respond to domestic and family violence, but it must not come at the expense of further harm to victim-survivors.

2. Priority Area 2: Prevention and early intervention

While Australia has invested in improving community understanding and literacy about domestic and family violence, many public campaigns have been framed through heteronormative and cisgender assumptions. LGBTQIA+ community-controlled organisations have a strong history of delivering community-specific health prevention, early intervention and response services and can provide nuanced community responses including by addressing internalised homophobia, transphobia, underlying and pervasive community norms and assumptions about how domestic and family violence occurs. This work becomes foundational in building effective and sustainable responses for LGBTQIA+ community but also building cross sector upskilling and supporting the DFSV specialist service sector with models of inclusive practice and partnership.

Prevention efforts often focus on young people and education in schools. However, these efforts will not meet the needs of LGBTQIA+ Australians if schools avoid or exclude curriculum content relevant to LGBTQIA+ students, including sexuality, gender identity, relationships, respectful behaviour, consent and personal development education. Education and child-safety policy must recognise that parental authority, institutional autonomy and religious freedom do not displace the rights of children and young people to safety, education, bodily autonomy, accurate information and freedom from discrimination. Failure to act will undermine efforts to

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end violence in one generation and continue to embed structural inequity in community understanding of domestic, family and sexual violence.

3. Priority Area 3: Children and young people in their own right

Our work across Australia aims to raise awareness in LGBTQIA+ communities about domestic and family violence, including how it can occur in families of origin and intimate partner relationships. Through community engagement, face-to-face conversations at events and online outreach, we continue to hear about devastating family-of-origin violence affecting children and young people because of their gender identity or sexuality. This can include rejection, exclusion from home, threats of homelessness, surveillance and restriction of relationships, forced suppression of identity, withholding of affirming healthcare, technology-facilitated monitoring, and violence framed as parental discipline. Response systems often miss these experiences, with statutory services reluctant to intervene and police too often treating the issue as a private family matter, even when parents or caregivers may be causing harm. LGBTQIA+ children and young people must be recognised as victim-survivors in their own right. Current systems do not adequately recognise their autonomy, particularly for those aged 15 years and older, while also meeting their needs for care and protection. Responses often assume that a “protective” parent is the caregiver who is not using violence. However, for LGBTQIA+ children and young people, a protective parent in the context of intimate partner abuse may not be affirming and may restrict access to appropriate LGBTQIA+ healthcare, peer support or community connection.

4. Priority Area 4: People who use violence

Men’s behaviour-change (MBC) programs assume a cisgender male person using violence and a cisgender female victim-survivor. An area of emerging evidence and focus of public discourse which fails to recognise the core component of success of MBC programs which is not cessation of violence or “control of emotions” but the increase of safety for those experiencing harm from his use of violence. The work with those impacted by violence is central to the possibility of success of MBC programs particularly as we continue to have little to no data on long term desistance of use of violence post service intervention. These same principles can apply in the development and delivery of behaviour change interventions which target the use of violence in the context of LGBTQIA+ relationships and identities. LGBTQIA+ people are being misgendered, excluded or placed in inappropriate programs because of the rigid binary context of programs delivered for those using violence. There are examples in Victoria and NSW of service design and delivery which provides an avenue for suitably identified LGBTQIA+ community members to participate in behaviour change programs; this work should be scaled to meet the needs of community across the Nation.

DVAF exists because LGBTQIA+ communities have been falling through the cracks. Gender-based violence affects our communities and can manifest in similar ways to violence experienced elsewhere, but it also occurs within systems and structures that

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continue to treat LGBTIQ+ people as less equal. Gender-based violence is about power and control, and these dynamics are further weaponised in systems that are themselves built around power and control.

5. Priority Area 5: System integration and workforce

This is not simply a call for additional resources. We note the prevalence of data compiled by the Australian Institute of Health and Welfare, including findings from the 2019 Private Lives 3 survey, that one in two LGBTIQ+ people had experienced sexual assault and three in five had experienced violence in an intimate partner relationship.

Barriers to accessing help remain centred on stigma and discrimination across health services, policing and specialist domestic, family and sexual violence services that are not always equipped to respond outside a framework focused on men's violence against women. LGBTIQ+ specific abuse can include threats to out a person; deliberate misgendering; restriction of gender expression; control of hormones, medication or identity documents; threats to disclose HIV status or other private health information; isolation from LGBTIQ+ community networks; and the weaponisation of prejudice within police, courts, health, housing or other systems. These manifestations must be explicitly recognised in risk assessment, safety planning and service responses.

Mainstream service providers often identify the limits of their resources and express a desire to undertake community-specific training and improve their responses. However, they do not always know where to access appropriate expertise or have the resources to pay for it. Funded opportunities in some jurisdictions are sporadic and ad hoc, making it difficult to maintain training and development, particularly in the context of workforce turnover. There are also ongoing issues with referral pathways and available supports for LGBTIQ+ community members, including specific barriers for trans and gender diverse people in relation to refuge accommodation, housing and homelessness services that are often founded on cisgender and binary assumptions.

Policing continues to be a significant barrier for LGBTIQ+ community members seeking support, due to homophobic and transphobic responses to disclosures of intimate partner violence. These experiences are reported across the country and reflect more than a lack of technical understanding about police roles in responding to domestic violence. They also reflect broader cultural norms, misuse of power and control, and socially pervasive attitudes towards LGBTIQ+ people that drive harassment and discrimination.

There is significant work to be done to reform attitudes and behaviours within institutional systems, so they do not exclude LGBTIQ+ people or compound other forms of exclusion, including racism, ableism and discrimination. The experiences of Aboriginal and Torres Strait Islander LGBTIQ+ people, including Sistergirls and Brotherboys, who can be further marginalised in system responses, are of particular concern. Implementation must also recognise culturally and racially marginalised

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people, people with disability, older people, people in regional, rural and remote communities, migrants, refugees, people on temporary visas, people with variations of sex characteristics, and people experiencing homelessness or institutionalisation. This work must be undertaken through co-design and partnership with the relevant community-controlled organisations, rather than assuming one LGBTQIA+ measure will address all experiences.

This work is not solely about technical training, legislative reform or jurisdictional harmonisation. It requires acknowledgement of the power held by police within the response system and accountability for working with specialist community-controlled organisations to shift the attitudes and behaviours of those tasked with community safety and responding to victim-survivors.

Funding must support both mainstream system reform and the sustainable capacity of LGBTQIA+ specialist and community-controlled organisations. LGBTQIA+ organisations and DFSV specialist organisations should not be expected to provide unfunded advice, training, capacity building or cross sector partnerships which are not recognised or encouraged by funding models at the local or National level. The specialist and community-controlled sectors have a wealth of expertise and innovative approaches to responding to needs in the community; centring and valuing that expertise and the expertise of lived experience in reforming services and systems is vital. This work is required across Government-controlled service delivery and should harness the expertise of the community-controlled sector in uplifting the practice and responses across healthcare, education and statutory child protection systems to ensure LGBTQIA+ people are safe to disclose experiences of domestic, family and sexual violence and can access safe and inclusive responses.

Cross-cutting issue: Data, evidence and accountability

LGBTIQA+ people continue to be excluded from many data collection processes, limiting the information available to reflect the lived experiences of all Australians. Over the past five years, there has been a steady increase in data collection, research and evidence relating to LGBTIQA+ people across a range of domains. However, the evidence base continues to lag in relation to domestic and family violence.

Improved data collection is important, but the absence of comprehensive data must not delay action. Nationally consistent minimum data standards should support safe and voluntary collection of sexual orientation, gender, sex and variations of sex characteristics, with appropriate privacy and re-identification protections. Data should be disaggregated across police, courts, health, housing, homelessness, child protection and specialist domestic, family and sexual violence services, and should measure outcomes rather than merely whether a service claims to be inclusive. Service providers must be supported to strengthen prevention, early intervention, response, recovery, healing and accountability while the evidence base is strengthened through funded community-led research, evaluation and monitoring.

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Recommendations

DVAF recommends that the Second Action Plan include a dedicated LGBTQIA+ implementation stream with specific, funded and measurable actions, named responsible agencies, delivery timeframes, performance indicators and public reporting across prevention, early intervention, response, recovery, healing and accountability.

1. Map the services and supports available in each jurisdiction across the four pillars of the National Plan. Noting the difference between services operating with models of “inclusivity” and those that are identified as LGBTQIA+ specific services, programs or initiatives.
2. Provide sustained funding for LGBTQIA+ specialist training, workforce development and practice support across domestic, family and sexual violence, health, policing, justice, housing, homelessness, education and child protection systems.
3. Require police and justice systems to work with LGBTQIA+ and other community-controlled organisations to address homophobia, biphobia, transphobia, racism and other forms of discrimination, as well as recognising the need to shift the attitudes and behaviours of those frontline workers responding to domestic, family and sexual violence within the LGBTQIA+ community.
4. Adopt nationally consistent minimum data standards and reporting requirements across funded services, including government systems that meaningfully reflect the lived experience of LGBTQIA+ community members and their experiences of domestic, family and sexual violence
5. Establish nationally consistent standards for lived-experience engagement covering remuneration, informed consent, cultural and psychological safety, control over personal information, debriefing, feedback, follow-up, safe use of personal stories and the right to withdraw.
6. Ensure coordinated implementation across the Second Action Plan, Our Ways - Strong Ways - Our Voices, Safe and Supported and related national strategies, with specific partnership and shared decision-making with Aboriginal and Torres Strait Islander LGBTQIA+ people, including Sistergirls and Brotherboys.
7. Recognise LGBTQIA+ children and young people as victim-survivors in their own right across national action plans and related education, child protection, youth, health, housing and homelessness, and domestic, family and sexual violence policy frameworks, including those experiencing rejection, coercion or identity-based abuse within families, institutions and relationships.

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8. Establish LGBTQIA+ implementation and advisory mechanisms, including diverse representation of people with lived experience in existing advisory mechanisms as well as LGBTQIA+ service expertise and DFSV service expertise, to contribute to ongoing monitoring and evaluation of the second action plan.

Sadly, The LGBTQ Domestic Violence Awareness Foundation exists because LGBTQIA+ communities have been falling through the cracks. Gender-based violence affects our communities and can manifest in similar ways to violence experienced elsewhere, however it also occurs within systems and structures that continue to treat LGBTQIA+ people as less equal. Gender-based violence is fundamentally about power and control, and these dynamics are further weaponised in systems that are themselves built on power and control.

In a country where LGBTQIA+ people are still seeking full equality, including recognition of family units, identity documents that align with identity, and freedom from harassment and discrimination in public life, systems of power continue to communicate that LGBTQIA+ people are less deserving of safety and dignity. To end gender-based violence for LGBTQIA+ communities, Australia must address the systemic inequalities that enable violence and discrimination to remain the very real day to day experience for many people in our community.

We urge the Australian Government to begin addressing these issues through the Second Action Plan.

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