



Affirmative Practice Guide for Working with

LGBTIQAP+

**Sistergirl & Brotherboy Young People
Experiencing Homelessness in Brisbane**

This practice guide was developed by:



Dedicated to a better Brisbane

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We acknowledge the Aboriginal & Torres Strait Islander peoples on whose land we live and work, and pay our respects to Elders past, present and emerging, and also acknowledge that sovereignty was never ceded.

While every effort has been made to ensure the accuracy of the information contained in this guide, no responsibility is taken for reliance on its contents or the consequences thereof.

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Introduction

Whilst it is not exhaustive, this guide is intended as a starting point for improving practice within the youth housing and homelessness sector in Brisbane.

An important issue within the sector is how to best respond to the over-representation of LGBTIQAP+ Sistergirl and Brotherboy young people experiencing homelessness. This over-representation is well-documented^{1 2 3}.

Unfortunately, a range of factors have resulted in this community being made invisible, with many workers in the sector indicating that LGBTIQAP+ Sistergirl and Brotherboy young people aren't accessing their services. It's important not to assume that you will know when young people identify as LGBTIQAP+ Sistergirl or Brotherboy.

Luckily, workers and organisations can take many steps to make their practice more affirming and inclusive without needing to know which young people identify. Small and simple actions can make a big difference – the measure of success isn't the number of young people that 'come out' to you but how these young people feel about themselves and feel about accessing your service. If young people do feel safe to disclose, research has found having at least one accepting adult in their life can reduce the likelihood of attempting suicide by 40%!⁴

This guide is intended for anyone who is working with young people who are:

- Sleeping rough
- Couch-surfing
- Accessing immediate crisis accommodation
- Staying in transitional or community housing
- Seeking support to sustain their tenancy
- Seeking outreach/mobile support around housing and experiences of homelessness.

This guide has been informed by international and Australian best practice research, alongside consultation with young people and Brisbane-based organisations and workers.

It has also been developed in alignment with Open Doors' model for creating affirming cultures:

- Continue building knowledge and understanding
- Understand a person's individual identities and experiences within a broader socio-political context
- Support LGBTIQAP+ Sistergirl and Brotherboy inclusion and challenge discriminatory behaviours
- Privacy and confidentiality
- Apologise when you make a mistake and keep trying
- Ensure affirming referral pathways

¹ In Australian study by ABS, 20.8% of bisexual people and 33.7% of lesbian/gay people reported ever experiencing homelessness, compared to 13.4% of heterosexuals (ABS General Social Survey 2014).

² In Canadian study 29.5% of 1,103 respondents aged 12-27 who were experiencing homelessness identified as LGBTQ2S (Gaetz et al 2016)

³ A USA web-based survey of 354 agencies that used a combination of data from intake forms and staff estimates found LGBT youth represent between 30% and 43% of those served by drop-in centres, street outreach programs, and housing programs (Durso & Gates 2012)

⁴ The Trevor Project (2019) conducted a USA web-based survey of over 34,000 LGBTQ young people. They found 27.3% of young people without an accepting adult in their life had attempted suicide in the past year, compared to 17% with at least one accepting adult

How to use this guide?

One of the most powerful things services and workers can do is to build their collective understanding of identities. As such, the first section of this guide focuses on understanding the issues by learning more about young people's identities, terminology and experiences. The second section of the guide is a "how to" for creating a culture of affirmative practice. The third section outlines how to ensure young people's rights and information about making complaints. The fourth section unpacks legal considerations. The fifth section is a referral guide for connecting young people to supports. Finally, the appendices provide supplementary resources, such as printable bathroom signs and legal information fact sheets.

Before you begin, remember that learning new terminology and reflecting on practice can feel overwhelming. It's okay to mess up; **the important thing is to acknowledge when you make a mistake and keep trying.**

Understanding the issues

Understanding identity terminology

The first step to building affirmative practice is to understand more about the range of identities young people may have.

Below is a summary of common definitions developed with input from the Open Doors Youth Reference Group, consultation with community organisations and young people. These are intended to be introductory level definitions; how people define their own identity may vary. It is often helpful to ask young people about the labels and identities they use and what they mean to them.

Learning new terminology can be a difficult process but it is an ongoing and vital one.

- **A note about acronyms:** the acronym used in this guide is LGBTIQAP+ Sistergirl and Brotherboy. This stands for Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/Questioning, Asexual, Pansexual. There are many more identities that are part of the community and the + is often used as a way to intentionally signal inclusion of identities not explicitly listed. Different acronyms are used in the guide only where research specifically refers to a different acronym.
- **Agender** – someone who does not have a gender.
- **Asexual** (ace for short) – someone who experiences little to no sexual attraction. This can also be used as an umbrella term. Someone who is asexual may still wish to be in relationships, where they may be attracted to someone for other reasons.
- **Aromantic** (aro for short) – someone who doesn't experience romantic attraction. This can also be used as an umbrella term. Someone who is aromantic may still wish to be in relationships, where they may be attracted to someone for other reasons.
- **Bisexual** – someone who experiences attraction to two or more genders.
- **Brotherboy** – an Aboriginal or Torres Strait Islander gender diverse man (assigned female at birth) who lives and presents as a man. Brotherboys have a male spirit and a distinct cultural identity. Brotherboy's cultural, spiritual, and religious beliefs are pivotal to their lives and identities.
- **Cisgender** – an adjective to describe someone whose gender identity aligns with the sex they were assigned at birth.
- **Demisexual** – someone who can only experience sexual attraction or desire after an emotional bond has been formed.
- **Gay** – generally speaking, a gay person is a man who is attracted to other men. In addition, this term is sometimes used to describe anyone with a same gender attracted orientation, regardless of gender.
- **Gender diverse** – umbrella term for people whose gender identity is different to their sex assigned at birth.
- **Genderfluid** – someone who may feel that they have no set gender, or that it slides between different genders.
- **Homophobia/Transphobia/Biphobia/Acephobia/Interphobia** – internal or expressed prejudice against gay, transgender, bisexual, asexual or intersex people, respectively.

- **Intersex** – intersex people are born with physical sex characteristics that don't fit medical norms for female or male bodies. They have many different kinds of bodies and life experiences ⁵.
- **Lesbian** – generally speaking, a lesbian is a woman who is attracted to other women.
- **Non-binary** – someone who does not identify as either male or female. They may consider themselves as neither, both or somewhere along a spectrum of gender.
- **Pansexual** – someone who experiences attraction to all genders or attraction regardless of gender.
- **Sistergirl** – an Aboriginal or Torres Strait Islander gender diverse woman (assigned male at birth) who lives and presents as a woman. Sistergirls have a distinct cultural identity and often take on women's roles within the community, including looking after children and family. Sistergirls cultural, spiritual, and religious beliefs are pivotal to their lives and identities.
- **Transgender (trans)** – an adjective to describe someone whose gender identity does not align with the sex assigned to them at birth.
- **Trans man** (transgender man) – is a man whose sex assigned at birth may be something other than 'male'.
- **Trans woman** (transgender woman) – is a woman whose sex assigned at birth may be something other than 'female'.
- **Transmisogyny** – a term that specifically highlights the intersections of transphobia and misogyny and the violence and discrimination that trans women face, such as high rates of assault and murder.
- **Queer** – a term used by some people to describe a sexual orientation, gender identity or expression that is not "normative" in society. Historically used as a slur but now reclaimed by many in the LGBTIQAP+ Sistergirl and Brotherboy community and often used as an umbrella term. Be cautious with this term, especially with older members of the community.
- **Questioning** – an adjective to describe someone who is questioning their identity including sexual, gender, emotional and romantic attraction.

Practical tips: Personal pronouns

Personal pronouns are the words we use to refer to people when we don't use their name. They include: he, she, they, him, her, them, his, hers, theirs

It is important to use the correct pronouns when referring to someone, especially if that person is gender-diverse as it reaffirms their gender

If you don't know what pronouns to use, ask

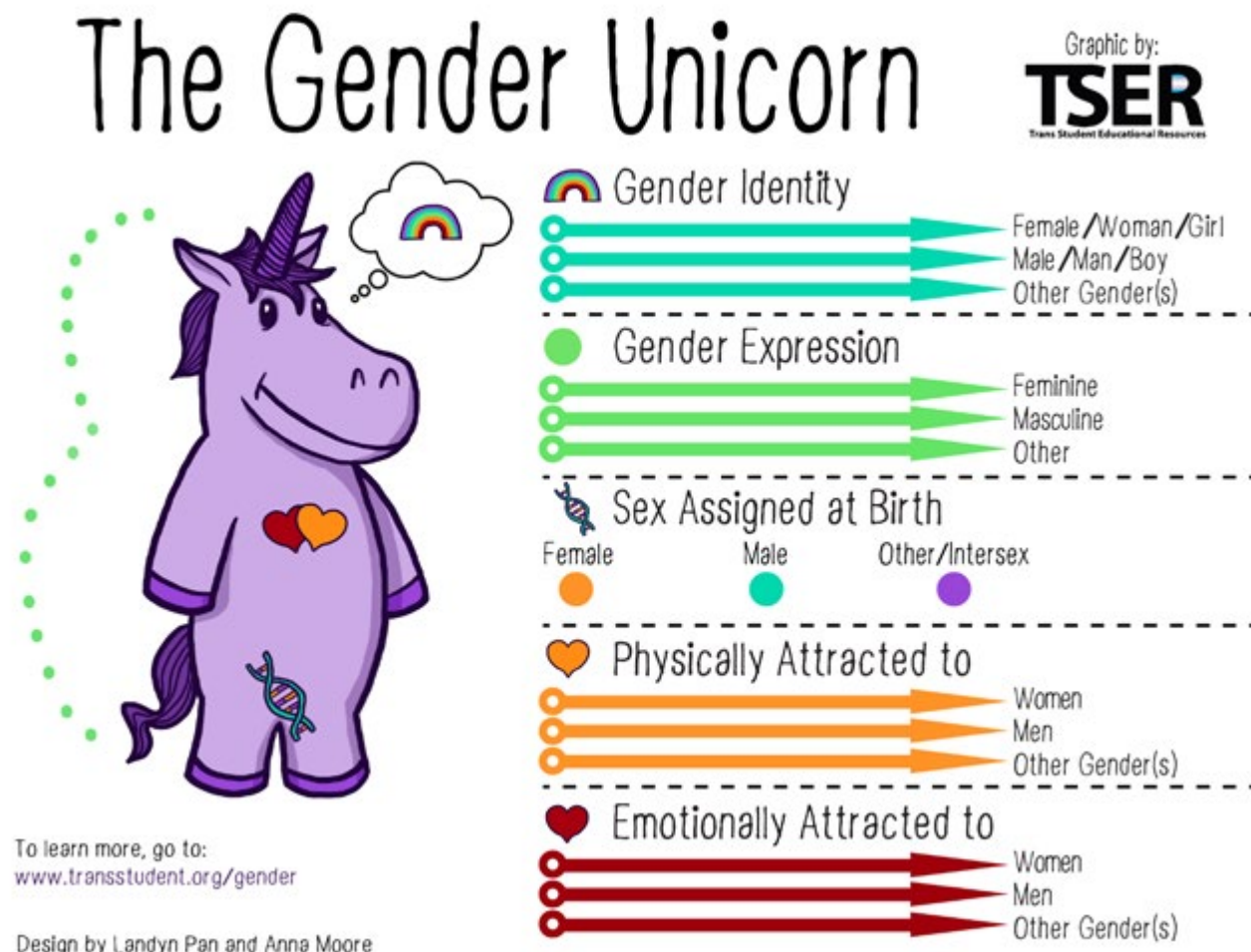
See [How to ask young people about their gender and pronouns](#) for further guidance.



⁵ Intersex Human Rights Australia 2018

Gender & attraction 101

It can be confusing for many people to understand the difference between gender identity, gender expression, sex assigned at birth, and romantic and physical attraction. The graphic and explanation below is a good starting point to gaining a better understanding of these concepts.



The explanations below are adapted from the Trans Student Educational Resources website <https://www.transstudent.org/>

- **Gender identity** – one's internal sense of being male, female, neither of these, both, or another gender(s). Everyone has a gender identity!
- **Gender expression/presentation** - the physical manifestation of one's gender identity through clothing, hairstyle, voice, body shape, etc. Most transgender people seek to make their gender expression (how they look) match their gender identity (who they are), rather than their sex assigned at birth.
- **Sex assigned at birth** - the assignment and classification of people as male, female, intersex, or another sex based on a combination of anatomy, hormones, chromosomes.
- **Physically attracted to:** Sexual Orientation. It is important to note that sexual and romantic/emotional attraction can be from a variety of factors including but not limited to gender identity, gender expression/presentation, and sex assigned at birth.
- **Romantically/emotionally attracted to:** Romantic/emotional orientation. It is important to note that sexual and romantic/emotional attraction can be from a variety of factors including but not limited to gender identity, gender expression/presentation, and sex assigned at birth.

Taking a closer look at

LGBTIQAP+ Sistergirl & Brotherboy experiences

LGBTIQAP+ Sistergirl and Brotherboy young people are not a homogenous group. There are a number of factors which may influence young people's experience of their gender and/or sexuality as well as their experience of personal, internalised, interpersonal, institutional and cultural discrimination:

- Socio-cultural background, race and religious affiliation
- Economic access and privilege
- Disability
- Geographic location and their access to information and support services
- Family relationships, school and community environment
- Whether or not they are 'out' and if they could 'pass' if they wished to

Minority stress & discrimination

Many of the statistics for LGBTIQAP+ Sistergirl and Brotherboy young people appear bleak: however, it is important to note that this is reflective of the impact of discrimination and minority stress. Affirmative practice by services and individual workers can make a significant positive difference in the experience of young people. But first, it is important to understand the impact of discrimination and minority stress.

Discrimination can be understood as being: personal or internalised; interpersonal; institutional and cultural (see Thompson & Zoloth 1990). To see a detailed extension of Thompson & Zoloth's model of homophobia as it applies to homophobia, biphobia, transphobia, acephobia and interphobia, see [Appendix 1](#).

Discrimination is interconnected with a concept known as minority stress. Minority stress refers to the mental health impacts of a hostile and stressful social environment caused by stigma, prejudice, and discrimination (Meyer 2003). It's important to recognise that this is not a failure of the individual but a response to "social processes, institutions, and structures" around them (Meyer 2003, 676).

There are four ways that minority stress impacts people (Meyer 2003):

- Stressful external events and conditions (such as discrimination and harassment)
- An expectation and constant vigilance of these events happening
- Internalised negative societal attitudes
- Hiding one's sexual orientation (or gender, or intersex status)

Spotlight:

Consider heterosexual & cisgender privilege

Privilege isn't about shame or blame but about considering how your identity might affect your experience of the world.

Do the following cause you to consider the risk of discrimination, harassment, violence or rejection:

- Expressing affection (such as holding hands) in public?
- Talking openly about your partner(s) or relationships?
- Disclosing your sexual orientation or gender to friends, (potential) partners, services or workplaces?
- Using a public bathroom?



Spotlight:

Looking at how minority stress plays out

Zoe is a 16-year-old lesbian who has recently been kicked out of home after her parents found out about her relationship with her girlfriend, Clare. She is couch-surfing between friends and the teachers at her school are worried about her and are trying to get her and her family to engage with a family support worker. Zoe doesn't want to be 'out' at school due to fear of rejection by her peers or teachers, so she is hesitant to disclose the reasons she can't stay at home.

Zoe is meeting up with Clare in a public park to talk about what has been going on and seek some support. However, in the past Zoe has been yelled at on the street by a group of men unknown to her for holding her girlfriend's hand. Zoe also isn't 'out' to the people she is staying with so lies about who she is going to meet. As Zoe is talking to Clare about her day, she considers reaching over to hold her hand but first looks carefully at their surroundings. She sees other people walking towards them and then decides against it.

Zoe shoulders the burden of both direct discrimination as well as constant vigilance of the possibility of harassment, rejection and violence. This cycle can exacerbate isolation and poor mental health during stressful situations.

Consider:

- What might you consider when supporting Zoe?
- How could you validate Zoe's experiences and resilience?



Spotlight:

Looking at the intersections

As Kimberlé Crenshaw (2018) explains when unpacking her theory of intersectionality, "identity isn't a self-contained unit, it is a relationship between people and history, people in communities, people in institutions."

Young people who are at the intersections of multiple marginalised identities often experience compounding minority stress.

Faith and religion

Young people may feel conflicted about their faith and their sexual orientation or gender. Young people from a faith background are more likely to have experienced social isolation, tolerated homophobic language and attitudes from their friends and family, and reported feeling less safe at home. They are also more likely to receive less support upon disclosing their sexuality or gender as well as more likely to report self-harm and suicidal ideation (Hillier et al 2010).

However, young people who were able to stay connected to their faith whilst having their gender and sexual orientation respected, identified this as a source of strength and a protective factor (Hillier et al 2010).

Intersections with race

QTIPOC (Queer, Trans, or Intersex, Person of Colour) young people also face discrimination based on race. Structural racism, especially when compounded by discrimination based on sexual orientation and gender identity and/or expression, is inextricably linked to higher rates of homelessness. This intersection can further affect access to education, employment, housing and targeting by police (see Olivet & Dones 2019).

Furthermore, young people who are marginalised on the basis of their race may also need to confront racism and navigate micro-aggressions within white-dominated LGBTIQAP+ Sistergirl and Brotherboy spaces. Hence, it can be particularly important for QTIPOC young people to be able to connect online or face-to-face with other QTIPOC (see Minus18 2019).

OMG I'm QTIPOC! is an Australian resource developed by young QTIPOC that explores being a person of colour, as well as being queer.

Aboriginal and Torres Strait Islander identity

As outlined in True Relationships and Reproductive Health information sheet titled Aboriginal and Torres Strait Islander Health: Cultural Identity, Sexuality and Gender Identity, "it is important to understand that for an Aboriginal and Torres Strait Islander person, their cultural identity will always be central, regardless of whether they also identify [within the LGBTIQAP+ Sistergirl or Brotherboy acronym or use other language to describe their sexuality or gender]". Furthermore, "a person's sexuality, age, disability and gender will have specific or multiple roles in knowledge, responsibilities and traditions."



Aboriginal and Torres Strait Islander LGBTIQAP+ Sistergirl and Brotherboy are at elevated risk of suicidal ideation and suicide attempts. The Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Project Sexuality and Gender Diverse Populations Roundtable Report found that “participants felt that the history of colonisation has contributed towards high suicide rates. Suicide and its risk factors in Aboriginal and Torres Strait Islanders is a complex, historically and culturally embedded, intertwined situation involving trans-generational trauma, grief and ongoing dislocation” (ATSISPEP 2015, 2).

Furthermore, Aboriginal and Torres Strait Islander LGBTIQAP+ Sistergirl and Brotherboy people navigate layered discrimination and trauma from “existing cultural trauma arising from a range of negative effects of colonisation throughout history, including dislocation from lands, genocide and violence, programs of assimilation and in particular, the Stolen Generations - the repeated forcible removal of children” (ATSISPEP 2015, 3). This is particularly relevant when considering navigating the child protection and criminal justice systems.

Connection to culture can be an important source of resilience and strength. Hence, the importance of connecting in to culturally appropriate community supports.

Learn more: Colouring the Rainbow: Blak Queer and Trans Perspectives has 22 First Nations people’s “inner reflections and outlooks on family and culture, identity and respect, homophobia, transphobia, racism and decolonisation, activism, art, performance and more, through life stories and essays.”

Spotlight: Looking at statistics for trans young people & their experiences of homelessness



The Trans Pathways study (Strauss et al 2017) found:

- 22% of participants experienced issues with accommodation, including a lack of stable accommodation, homelessness or couch-surfing
- 38.9% of those experiencing homelessness have accessed crisis accommodation
- 43.2% of trans young people who had accessed crisis accommodation felt their gender identity was not respected
- Trans young people who had experienced issues with accommodation, including homelessness, were 4.29 times more likely to have self-harmed and 5.31 times more likely to have attempted suicide

Statistics

Several significant studies have been undertaken in the Australian context to better understand the impact of discrimination and minority stress on LGBTIQAP+ Sistergirl and Brotherboy young people. Below is a small summary of findings.

Noteworthy findings from Trans Pathways (Strauss et al 2017)⁶:

- Almost 1 in 2 trans young people had ever attempted suicide (48.1%).

48.1%
**OF TRANS YOUNG
ATTEMPTED SUICIDE**



This is 20 times higher than adolescents (12-17 years) in the Australian general population. This is 14.6 times higher than adults (aged 16-85 years) in the Australian general population.

- 79.7% of trans young people had ever self-harmed
- 65.8% had experienced lack of family support

Noteworthy findings from Growing Up Queer⁷ for LGBTIQ young people:

- 41% had thought about self-harm and/or suicide; 33% had harmed themselves and 16% had attempted suicide
- 64% had experienced verbal abuse, 18% had experienced physical abuse
- Young people also frequently witnessed bullying and harassment when others came out leading them to keep their sexuality or gender identity to themselves. However, keeping this information secret often had negative health and wellbeing implications for them.



64%
**HAD EXPERIENCED
VERBAL ABUSE**

18%
**HAD EXPERIENCED
PHYSICAL ABUSE**

⁶ The Trans Pathways: the mental health experiences and care pathways of trans young people took place in 2017 and involved two anonymous online surveys with 859 trans young people aged 14–25 and 194 parents and guardians of a trans young person aged 25 or younger (Strauss et al 2017).

⁷ Growing Up Queer was a survey undertaken in Australia during 2012-13 and completed by 1032 young people aged 16 to 27 who identified as “gender variant or sexually diverse” (Robinson et al, 2014).

Statistics (continued)

“Many of the young people in this research experienced frequent and ongoing harassment, violence, marginalisation, ostracism from peers, and rejection from families, often resulting in feelings of despair, of being alone and of internalised homophobia or transphobia.” (Robinson et al 2014, V)

Noteworthy findings from Writing Themselves In 3 (WTi3)⁸:

- Higher rates of substance use: however, the researchers concluded, “many of these young people are in fact self-medicating to ease the pain of the rejection and hostility in their families, schools and communities.” (Hillier et al 2010, 54)
- “Rejection following disclosure was associated with higher rates of self-harm and suicide attempts in these young people.” (Hillier et al 2010, 73)

Homelessness and LGBTIQAP+ Sistergirl and Brotherboy experiences

As stated earlier, LGBTIQAP+ Sistergirl and Brotherboy young people are significantly over-represented in experiences of homelessness and accommodation issues. They are also much more likely to have their first experience of homelessness before the age of 16 (Gaetz et al 2016). Furthermore, they are at significantly higher risk of being sexually assaulted whilst sleeping rough⁹.

Growing Up Queer found that young people who were rejected by their families for homophobic and transphobic reasons, were often kicked out of home or forced to leave, which led many to access emergency accommodation, youth housing services and enter the child protection system (Robinson et al 2014, viii).

Some themes identified include:

- Family-of-origin rejection resulting in young people needing to leave home
- Being kicked out of shared accommodation, or being rejected by potential housemates due to their gender identity, gender expression or sexual orientation (Strauss 2017)
- Employment discrimination whilst transitioning, presenting as gender non-conforming or visibly ‘queer’, and therefore being unable to access affordable accommodation. Significantly, this can be more pronounced when a young person holds multiple marginalised identities that lead to intersections of discrimination (see Strauss 2017; Mallory & Sears, 2015)
- Over-representation of LGBTIQAP+ Sistergirl and Brotherboy identity involved in child protection systems (see Cook & Gentile 2019)
- Over-representation in youth justice system (see Smoot & Irvine 2019)
- Discrimination in the private rental sector and barriers to acquiring identification with the correct name/gender (McNair et al 2017)



⁸ The Writing Themselves in 3 survey took place in 2010 and surveyed 3134 “same sex attracted and gender questioning” young people aged 14 to 21 (Hillier et al 2010).

⁹ In study by Whitbeck et al (2004) 58% of gay, lesbian and bisexual young people reported being sexually assaulted whilst sleeping rough compared to 33% of heterosexual respondents.

Barriers to accessing support

In order to build affirmative practice, it can be helpful to consider some of the barriers that LGBTIQAP+ Sistergirl and Brotherboy young people face when seeking support.

McNair et al (2017) identified the following barriers for accessing housing support and disclosing information about sexual orientation or gender identity:

- Fear of and actual negative experiences with services
- Perceived and actual discrimination and pathologisation¹⁰ (can be more pronounced for faith-based organisations)
- Lack of safety due to violence and harassment
- Gender inappropriate placement
- Lack of gender appropriate facilities such as bathrooms
- Misgendering (referring to someone with the wrong pronouns, name, gender as well as overly gendered language)
- Heterosexist language (assumptions that everyone is heterosexual)
- Fear of being sent back to family of origin
- Services having limited knowledge about LGBTIQAP+ Sistergirl and Brotherboy identities

Young people may have trauma related to negative attitudes from faith-based communities and may therefore be hesitant to access services that are associated with faith-based organisations.

The highly gendered nature of accommodation options can also present a significant barrier to trans and non-binary young people accessing services, especially if their transgender or non-binary identity is linked to the reason they are experiencing homelessness (Abramovich 2016).

¹⁰ Pathologisation refers to the medical history of anyone other than cisgender or heterosexual being considered to have a mental illness and the history of interventions such as conversion therapy.

Section 2:

Creating an affirmative practice culture

Due to the significant barriers LGBTIQAP+ Sistergirl and Brotherboy young people face in accessing support, it is critical to create a safer environment and build affirming practices.

Cultural humility framework

Adopting a cultural humility framework is an important part of building an affirmative practice culture.

Cultural capability is sometimes framed as having an end-point whereby you acquire sufficient knowledge of certain cultures. Whereas, cultural humility involves:

- Openness to explore new ideas and to continuous learning
- Self-awareness and self-reflection
- Humility: having an approachable demeanour, recognising lived experience and positioning young people as experts in their own lives
- Recognising and challenging power imbalances and structures
- Developing mutually beneficial and non-paternalistic partnerships with communities

(See Tervalon & Murray-Garcia 1998; Chang & Dong 2012; Fisher-Borne, Cain & Martin 2015)

Affirmative practice checklist

On the following page is an affirmative practice checklist tailored to the youth housing sector context.

The suggestions below draw on practice examples shared by youth housing workers in Brisbane as well as the LGBTIQ+ Inclusive Practice Guide for Homelessness and Housing Sectors in Australia (Andrews and McNair 2020).

These recommendations are separated into “quick but effective changes” and “next steps” that will require more time and resources to implement.

These quick changes can have a significant impact because LGBTIQAP+ Sistergirl and Brotherboy young people will often look to the physical space, online presence of an organisation and initial interactions with workers to determine if it is a safe and appropriate service for them.



Affirmative practice checklist



Visual & physical environment

Quick but effective changes:

- ☐ Display posters, flags and brochures indicating that the service respects and supports LGBTIQAP+ Sistergirl and Brotherboy young people ([click for editable and printable posters for services](#))
- ☐ Designate at least one clearly signed gender inclusive bathroom, if possible this should be separate to the disabled bathroom ([see printable sign](#))
- ☐ If gender inclusive bathrooms aren't possible, label bathrooms to reflect facilities rather than gender - e.g. bathroom with urinals, bathroom with sanitary bin
- ☐ Include sanitary bins (and products) in all bathrooms



Next steps:

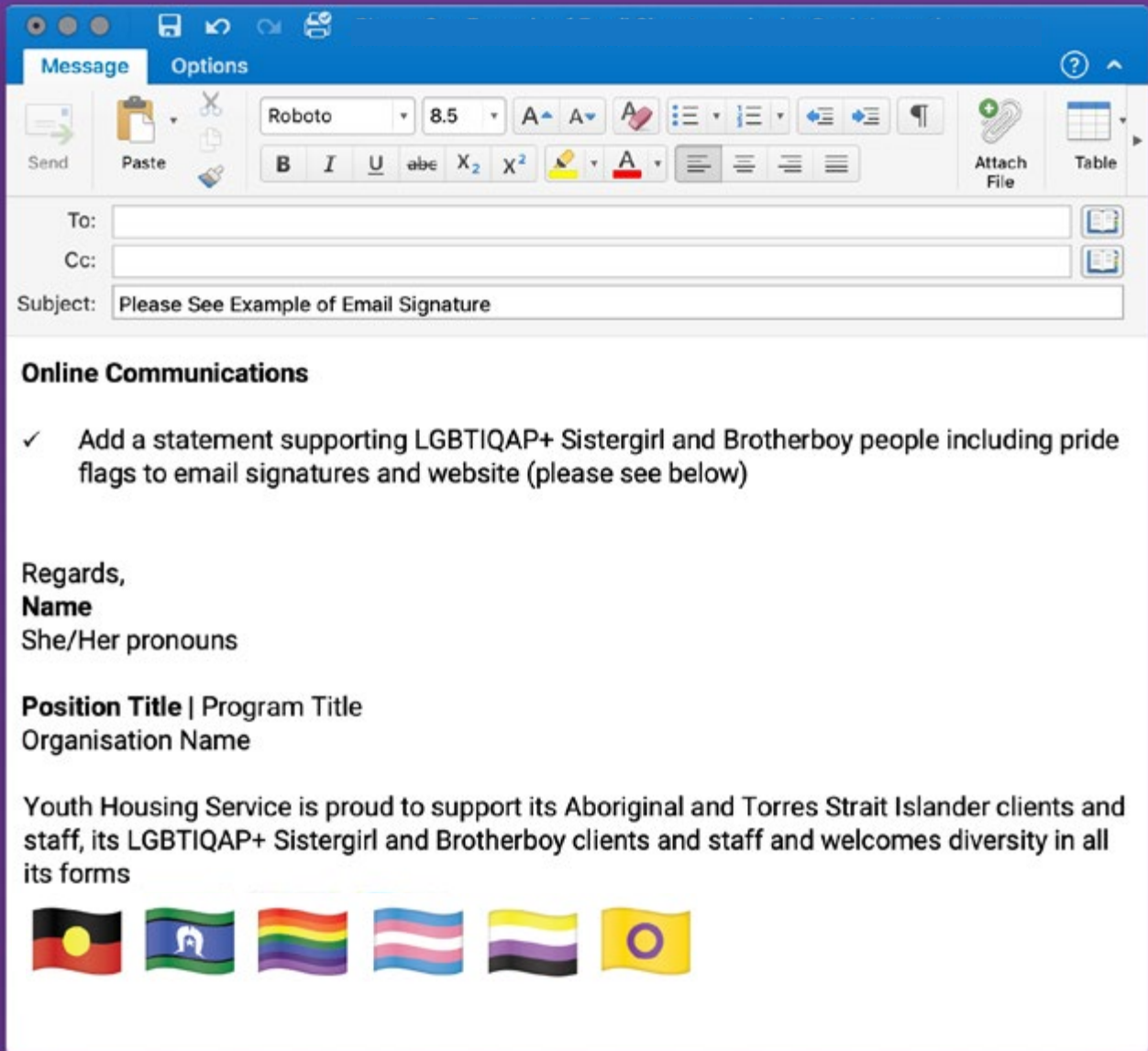
- ☐ Visual signalling through rainbow lanyards and pronoun or ally pins (these are available from [Minus18](#))
- ☐ When updating your service promotional materials, use inclusive language and consider including visual cues of being LGBTIQAP+ Sistergirl and Brotherboy inclusive



Online & electronic communication

Quick but effective changes:

- ☐ If staff feel comfortable to do so, include their pronouns in their email signature
- ☐ Add a statement supporting LGBTIQAP+ Sistergirl and Brotherboy people including pride flags to email signatures and website:





Quick but effective changes:

- ☐ Replace Male / Female options on forms using examples [below](#)
- ☐ Add pronoun field to forms
- ☐ Become familiar with and acknowledge significant [annual events](#) for LGBTIQAP+ Sistergirl and Brotherboy people

High priority changes:

Review intake procedures:

- ☐ Ensure staff are able to [ask about young people's gender and pronouns](#) in a respectful way
- ☐ Ensure service expectations make clear that discriminatory behaviour or comments towards young people about their sexuality or gender are not acceptable.

Next steps:

- ☐ Ensure practice and policy complies with legal and human rights requirements ([learn more here](#))
- ☐ Have clear trans and gender diverse affirming policies in place with regard to service provision
- ☐ Have a clear complaints pathway for addressing discriminatory experiences with staff or other young people accessing the service
- ☐ Include LGBTIQAP+ Sistergirl and Brotherboy identities in code of conduct, anti-discrimination charters and related documents
- ☐ Include information about how to manage disclosures of gender, pronouns and sexual orientation in confidentiality and privacy policies
- ☐ Provide ongoing training for staff, volunteers and board members (see [Where can I learn more?](#))
- ☐ Review organisational policies and procedures to ensure they are inclusive of LGBTIQAP+ Sistergirl and Brotherboy staff and clients (for example, leave policies that recognise alternative family structures)
- ☐ Recruit staff with LGBTIQAP+ Sistergirl and Brotherboy affirming attitudes and practices
- ☐ Develop partnerships with LGBTIQAP+ Sistergirl and Brotherboy organisations and community and attend relevant events
- ☐ Acknowledge the need for consistent efforts to create longer-term change
- ☐ Co-design and make changes based on feedback from LGBTIQAP+ Sistergirl and Brotherboy young people

Spotlight: Significant dates for LGBTIQAP+ Sistergirl & Brotherboy people



31st March:	Trans Day of Visibility (learn more here)
17th May:	International Day Against Homophobia, Biphobia, Interphobia and Transphobia (learn more here)
24th May:	Pansexual Visibility Day
June:	Pride celebrations to commemorate the Stonewall Riots
14th July:	International Non-Binary Day
30th August:	Wear It Purple Day (learn more here)
23rd September:	Bisexual Visibility Day / Bisexual Pride Day
September:	Pride celebrations in Brisbane
25th – 31st Oct:	Asexual Awareness week (learn more here) (dates change yearly)
26th October:	Intersex Awareness Day (learn more here)
12th – 19th Nov:	Trans Awareness week (learn more here)
20th November:	International Trans Day of Remembrance (learn more here)

Spotlight: Moving away from binary options on forms



Option 1: Example of blank gender field with affirming statement

Gender:

Pronouns: she/her | he/him | they/them | other: _____

Youth Housing Service supports LGBTIQAP+ Sistergirl and Brotherboy young people and encourages everyone to describe their gender in their own words.

Option 2 Example of expanded gender options

Gender: Male | Female | Non-Binary | Prefer to self describe _____ | Prefer not to say

Pronouns: she/her | he/him | they/them | other: _____

Spotlight: Where can I learn more?



[National LGBTI Health Alliance: MindOut webinars](#)

[Trans101 Gender Diversity Crash course](#)

[True Colours United](#)

[Twenty10 Resource Library](#)

[Mypronouns.org](#)

[YOUth & I: Australian-first intersex youth publication](#)

[Bisexual Inclusive Practice E-Learning Module](#)

[ABC "You Can't Ask That: Intersex"](#)

[ABC "Transblack"](#) follows the day-to-day life of four Aboriginal and Torres Strait Islander transgender men and women

[Read](#) about how to develop a model of care to support trans and gender diverse people experiencing homelessness

[Young and Queer Report: Youth Driven Ideas for a Better Victoria](#)

Worker practices

There are a number of ways that workers can make their practice more affirmative.

Practice tips: language & affirmative practice



Here are some affirmative practice tips adapted from a [resource](#) developed by the Victorian Government (2020).

- Don't assume that people are heterosexual or cisgender
- Respectfully ask what terms young people use to describe themselves, then use those terms
- Respect confidentiality – ask about boundaries and clarify if they would like you to use different names or pronouns in different contexts (for example, when talking with family or even different workers within your service)
- Use language that acknowledges that young people have diverse relationships and families. This can mean using words like 'partner' or 'parents,' particularly when describing groups of people
- Avoid referring to "both" or "opposite" genders as there are more than two genders.
- Make sure to use terms such as intersex, trans and gender diverse as adjectives rather than nouns (e.g. "a transgender young person" not "a transgender" or "a transgendered")
- Avoid gendered language (such as "sweetheart", "ladies" and "guys")
- Avoid referring to gender or sexual orientation as a preference or lifestyle choice
- Remember practice makes perfect, so keep trying!

How to ask young people about their gender and pronouns

Before asking, consider: there are many reasons that young people may choose not to disclose their gender or sexual orientation. Signalling inclusivity will help young people feel more comfortable to talk about their gender. However, they should never feel pressured to do so.

- Consider introducing yourself with your own pronouns
- Find a way to ask about gender that feels comfortable to you and practice
- Once you are comfortable with your approach, incorporate it as part of your practice to ask every young person



Example script for how to ask about young people’s gender:

“My name is X and I use she/her pronouns. Can you tell me how you describe your gender and what pronouns you use? It might seem like an obvious question, but I ask this because we often work with trans and non-binary young people and want to make sure we are respectful of everyone’s gender and using the correct pronouns.”

Do:

- Ask all young people what pronouns they use (not just young people you think are trans or gender-non conforming)
- Practice informed consent by explaining how this information will be stored
- Ask who they want you to disclose information about their gender and pronouns to
- Check if the young person wants you to use the same pronouns when talking about them to other people or in different contexts (for example, with family or service providers or even different workers within your service)
- Remember if someone doesn’t feel comfortable to share their pronouns with you or is unsure, you can always use their name instead of pronouns

Do not:

- Assume people’s gender or pronouns based on how they look. The only way to know is to ask someone
- Say “you don’t care what pronouns people use for you” if you are a cisgender person. This minimises the struggles trans and non-binary people have in getting others to use the correct pronouns for them
- Describe pronouns as someone’s “preferred pronouns”; everyone has pronouns
- Ask intrusive questions about genitalia, medical procedures or hormones

Once a young person has disclosed their preferred name, gender and pronouns, these must be respected. If you make a mistake, in general you should briefly apologise and correct yourself. “He needs accommodation. Sorry, I meant to say they need accommodation.” However, if someone repeatedly misgenders (using the wrong name, gender and pronouns) a young person, this is considered discrimination and can have legal consequences.

[Mypronouns.org](https://mypronouns.org) has comprehensive information about pronouns as well as how to address mistakes in different contexts.

Working around binary systems

In instances where the gender options don’t align with the young person’s gender (for example government forms or databases) acknowledge the limitations with the system and ask the young person what gender option they would like recorded.

For example, databases often only have binary gender options available; however, it is can sometimes be arranged for these to be modified. This is an example of the modifications Launch Housing made to their SRS system as outlined in the report “Developing a model of care to support trans and gender diverse people experiencing homelessness” (McNair, Andrews & Wark 2018, 14-15).

Recording this information helps address the invisibility of the over-representation of LGBTIQAP+ Sistergirl and Brotherboy people in experiences of homelessness and accommodation issues. However, you should always ask young people how they want their information recorded and seek informed consent whereby the young person understands where their information is being recorded and who can access it.

What to do if a young person comes out to you?

Don't assume that you will know if young people identify as LGBTIQAP+ Sistergirl or Brotherboy. Many young people will choose not to come out for a variety of reasons.

Furthermore, 'coming out' isn't a one-time event but rather a process, which is often "strategic" and differs across social contexts and relationships (Robinson et al 2014, 19). Young people are continually negotiating "just how out to be with different people" (Robinson et al 2014, 19).



The tips below are an adaptation of a model from Beyond That's So Gay: challenging homophobia in Australian schools (Witthaus 2010).

1. Listen and be present

- Be present and listen carefully to the young person
- Try to match the person's energy around the disclosure. For example, if they're not making it a big deal, you shouldn't either. If they're excited, it's appropriate to be excited with them. Alternatively, if they are very nervous, it may be helpful to respond with compassion and acknowledge their courage in sharing this information (see Ace-Thinks 2019).

2. Affirm and reassure the young person

- Depending on the context, it may be helpful to emphasise that any abuse or harassment they have experienced is an issue with their environment and not with them personally, their sexual orientation or gender identity itself
- Helping the young person not to internalise the abuse or harassment is important in reducing negative mental health effects

3. Confidentiality and privacy

- Ask for consent before sharing the information with colleagues, or anyone else, and clarify how and when you might share the information
- If the young person has disclosed information about their gender identity, clarify what pronouns they would like you to use when talking to them directly and what pronouns they would like you to use when talking about them in different contexts
- See [privacy, disclosure and confidentiality](#) section for information about legal obligations

4. Practice cultural humility

- Be upfront about your knowledge and experiences in this area. It's okay to acknowledge that you don't have all the answers
- Increase your knowledge of the young person's identity (see [Where can I learn more?](#))
- Be mindful of not expecting the young person to educate you about everything to do with their identity or expecting them to take on an educational role for your service

5. Provision of information and linking to support

- If appropriate, offer to assist the young person to find resources where they can learn more about gender identity, sexual orientation or intersex status
- Explore whether or not the young person has support structures in place
- Learn about local community supports and refer young people (see [referral guide](#))

Responding to the needs of LGBTIQAP+ Sistergirl and Brotherboy young people accessing accommodation

Trans and non-binary young people disproportionately experience homelessness and risk of violence, when in crisis accommodation, couch-surfing and sleeping rough (see Abramovich et al 2014). Trans people who have experienced homelessness due to anti-trans bias also have one of the highest rates of suicide attempts¹¹.



Safety in accommodation

- Ask young people if they have any safety concerns related to their housing and their gender or sexual orientation (for example safe access to bathroom facilities)
- Foster a climate of respect and set expectations with young people using the service that discrimination based on gender identity or sexual orientation are unacceptable
- Immediately respond to harassment or discriminatory behaviour

Referrals and vacancies

- Where safety concerns exist, consider single occupancy accommodation options where possible and appropriate (for example, some services in Brisbane prioritise LGBTIQAP+ Sistergirl and Brotherboy young people for single occupancy housing due to their added risk factors when sleeping rough or accessing shared accommodation)
- Make individualised placement decisions based on young people's self-identified gender and preference, in order to ensure the most emotional, cultural and physical safety
- Gendered vacancies are common practice for both gendered services and mixed gender accommodation services, often with the intention of creating "balance" or responding to house dynamics. When considering the need for a gendered vacancy, ask whether this need could be served by considering behaviour, needs and disposition of potential referrals instead?
- Where vacancies or services are gendered, make explicit that the service is inclusive (for example, "This vacancy is for young women. We encourage referrals for trans women.")

Casework

- Link to appropriate community supports
- Consider LGBTIQAP+ Sistergirl and Brotherboy young people may have specific health care needs
- Recognise trans and non-binary young people may need help to navigate systems, such as changing their legal name or gender (see [Justice Connect resources](#))
- Recognise LGBTIQAP+ Sistergirl and Brotherboy young people are likely to have more frequent and more negative interactions with police and provide information about their rights (see [factsheet](#))
- When making referrals, it can be helpful to check worker/service knowledge and understanding of LGBTIQAP+ Sistergirl and Brotherboy issues before referring young people

¹¹ A study by Haas, A., Rodgers, P., Herman, J. (2014) looked at the relationship between suicide attempts and a range of stressful life experiences that respondents described as occurring due to anti-transgender bias. The study found 69% of trans people who had experienced homelessness due to anti-transgender bias had attempted suicide.

Validate resilience

It is important to hold the tension between acknowledging the discrimination and difficulties that LGBTIQAP+ Sistergirl and Brotherboy young people face whilst also acknowledging their incredible resilience and strength.

The Writing Themselves in 3 report notes that young people are increasingly fighting back to claim their sexuality and gender, seeking out community with other identifying young people, and advocating for change (Hillier et al 2010, 104).

The importance of finding support, community and acceptance from other LGBTIQAP+ Sistergirl and Brotherboy people cannot be underestimated. Research shows it can alleviate minority stress (see Meyer 2003) and reduce the negative effects of discriminatory abuse on mental health (see Hershberger & D'Augelli 1995).

“Despite the homophobia, transphobia, and social and institutional exclusion that many gender variant and sexuality diverse young people experience, they are simultaneously dynamic, imaginative, creative, resilient, with many using experiences that are oppressive and injurious as points of inspiration to challenge the inequities that they often face.” (Robinson et al 2014, 15)

Young people engage in a range of strategies to deal with discrimination and feel better about themselves – such as staying connected through social media, connecting with community and social supports, and seeking out positive media representation. However, many young people also engage with coping strategies that may be viewed as “unhealthy” – such as self-harm, substance use or “reckless” behaviour, which young people often describe as important survival strategies (see Strauss et al 2017).

Practice tips: How to build resilience & minimise harm

- See our [referral guide](#) for ways to link young people in to community and supports including inclusive faith organisations and culturally appropriate supports
- Explicitly acknowledge young people's resilience and resistance and avoid deficit-based and damage-centred narratives to honour their dignity, worth and strength
- Understand “unhealthy” coping strategies as a response to oppression, discrimination and violence
- Adopt a harm minimisation approach, which validates such strategies as a survival mechanism. Harm minimisation may look like taking a non-judgemental approach to disclosures and reframing such behaviour as a way to manage feeling helpless, powerless or overwhelmed
- Workers may need to sit with the discomfort of young people engaging in “harmful” or “high risk” behaviour while helping them explore and build other coping strategies



Responding to anti-LGBTIQAP+ Sistergirl & Brotherboy attitudes and behaviour from young people

During consultation with workers in the youth housing sector, there was feedback that a significant issue was responding to homophobic and transphobic behaviour and comments directed towards other young people in drop-in spaces or shared accommodation, such as emergency accommodation.

Sometimes people are afraid of responding because they are worried about getting it wrong. How a worker responds to these situations will depend on the context as well as the individual worker's style and approach. However, the important thing is that the responses are immediate and consistent.

It is often easier to respond in the moment if you have laid the foundations during intake or when you begin working with a young person around values and expected behaviour. For example, referring back to an expectation that everyone will show respect for other people.

Whitthaus (2010) outlines several tips for responding to homophobia (which can also be extended to biphobia, transphobia, acephobia and interphobia):

- Creating emotional and cultural safety through mutual respect is often most conducive to being able to challenge attitudes
- Highlight discrepancies, irony and contradictions in young people's thinking. For example, unpack stereotypes others may hold about them to promote empathy. Use this empathy to promote understanding that other stereotypes may also be unfair.

Below are some example scenarios you may encounter when working with young people. These examples range from seemingly harmless through to overtly threatening.

Example scenario:

- Young people may describe situations or objects as “gay” as a negative descriptor

Possible response:

- Sometimes using humour can be an effective way to challenge this. For example, “I didn't know that a chair could be attracted to other chairs of the same gender.”

Example scenario:

- A young person may be seeking to fit in with an in-group and may use phrases like “most people think/say” to justify their beliefs

Possible response:

- Try redirecting them to ask what they think, in order for them to take responsibility for their prejudice. It may also be effective to challenge their assessment of what the majority thinks

Example scenario:

- Sometimes young people's transphobia and homophobia may be linked to ideas about gender, for example, they may believe that all men must be masculine and being gay is feminine

Possible response:

- Conversations about gender roles and assumptions can be one avenue to unpack these beliefs and seek to disrupt them. This may look like providing examples of people they know and respect who exist outside of these binary roles

Example scenario:

- A young person uses a slur or makes a threat of violence towards another young person due to their perceived sexual orientation or gender identity

Possible response:

- The **NAC model** (ARCSHS 2001) suggests **naming** the behaviour, referring to an **agreement** and **consequences** if the behaviour continues
- For example, "Talking about doing X doesn't line up with our agreement to respect each other in this space. Let's talk about where that is coming from but if it continues, we'll have to work out whether or not it's safe for you to keep staying here."

Section 3:

Ensuring young people's rights and making complaints

Supporting young people to advocate for their rights

When young people experience discrimination by services, they often need to navigate the tension between advocating for their rights and concerns about potential consequences (for example, access to support or services).

When supporting a young person to advocate for their rights or respond to discrimination:

- Where appropriate, encourage young people to address the issue with the worker directly
- Support young people to access internal complaints process (for example, complaint to director or management committee)
- Where appropriate, connect young people to appropriate legal support services or to access the complaints pathways outlined below.

Access to complaints processes

- **Internal complaints procedures**
Services should have a policy and procedure for dealing with complaints which should be readily available to all service users. Many external complaints processes require that an internal complaint has been made in order to commence action. Discrimination, including specific reference to LGBTIQ+ Sistergirl and Brotherboy young people, should be included in staff and volunteer Codes of Conduct, emphasising that discrimination by staff is regarded as a serious issue.
- **Queensland Ombudsman**
The Queensland Ombudsman is able to investigate the decisions and actions of state government agencies, meaning public authorities. If the service is a public authority (e.g. Department of Housing), the Ombudsman might investigate complaints relating to a decision to refuse someone a service, the way an application has been handled, the decision to exclude someone from a service, the conduct of an officer or a particular policy or procedure.
- **Office of the Information Commissioner**
Through the OIC, individuals can apply to have access to their personal information kept by government agencies and contracted service providers, or make a complaint about the use of the personal information. A complaint must first be made internally.
- **Human Rights Commission**
The Queensland Human Rights Commission handles complaints under the Anti-Discrimination Act 1991 (ADA) and from the 1 January 2020 will handle complaints under the Human Rights Act 2019. There is a 12 month time limit on making complaints under the ADA. Read more about making complaints here: <https://www.qhrc.qld.gov.au/complaints/making-a-complaint>

Police complaints

There are various ways to make a complaint in relation to police behaviour including by phone or on-line via policelink (<https://www.police.qld.gov.au/units/policelink-131-444>) You can find out more here: <http://www.legalaid.qld.gov.au/Find-legal-information/Criminal-justice/Police-and-your-rights/Complaints-about-police>

Speak with a lawyer

Young people can speak with a lawyer to understand what processes may be available to them as a result of some act or omission, or harm suffered by them. There are a number of Community Legal Centres operating throughout Queensland, which offer free and confidential legal advice: see <https://communitylegalqld.org.au/find-legal-help/find-centre> or call 07 3392 0092. You can also call Legal Aid Queensland's Client Information Service Centre on 1300 65 11 88.

Section 4:

Legal considerations

Privacy, confidentiality and disclosure

There are a number of legal frameworks relating to confidentiality and privacy obligations. This is particularly relevant in the context of a young person disclosing information about their gender identity, sexuality or intersex status. Disclosing such information without consent is colloquially known as "outing" someone, and could attract legal consequences. A young person's safety may also be at risk if such information is disclosed to family or other people accessing your service.



Under the Queensland Human Rights Act 2019, a person has the right not to have their privacy unlawfully or arbitrarily interfered with. Public entities are required to act and make decisions in a way compatible with human rights. See YAC's "[What are Rights?](#)" factsheet for more information.

You owe a duty of confidentiality to young people accessing your service, to ensure that information you receive in the course of your work is not disclosed to others without the young person's consent. Your legal obligations require considering the following questions:

- Has the young person told you something within their knowledge and control?
- Was the information confidential in nature?
- Would the young person expect that the information would not be repeated?

When giving consent to share information, that consent must be voluntary, given with knowledge of the choices and consequences, specific to the information and where the young person has capacity to give that consent. The consent must also be expressed – silence is not consent. See YAC's "[Can Young People Make Their Own Decisions?](#)" factsheet.

The duty of confidentiality is not unlimited. Generally, Queensland legislation concerning the sharing of sensitive information about a young person between government and non-government entities is predicated on sharing with the young person's consent. (See for example Chapter 5A Child Protection Act 1999). There are times when you when the law requires you to disclose information and even give evidence in court. You may also legally disclose information under duty of care obligations. However, it is difficult to imagine when there would be a legal justification for breaching confidentiality in terms of outing someone.

In practice:

Ask the young person how they would like you to treat that information.

Sometimes, young people may be willing to have information disclosed to some people and not others. You should clarify if they are comfortable with having the information shared and who with. This includes sharing the information with other staff members. Even if the young person has made the information known to some people, this does not mean they are comfortable having the information disclosed to everyone. For example, a young person may be quite open about their identity within your service but would not want the information disclosed to family.

Consider whether using the young person's pronouns around family members would risk outing them. You can always ask if the young person would prefer you use different pronouns in different situations.

Explain your obligations and policies

The obligations, exceptions and any related policy of your service should be explained to the young person so they understand how information they disclose will be treated.

Note: a service provider is under no obligation to report a criminal offence and has no legal duty to inform parents as to their child's whereabouts. Doing so may breach the young person's confidence. There are some situations where some services are obliged to advise Child Safety of the whereabouts of children who are on Child Protection Orders. Further, if the Family Court has issued a recovery order for the return of a child to their parent police may be given the power to enter and search a place for the child and it is an offence to prevent or hinder a person acting under authority of that order.

A breach of confidentiality means that you can be sued in court for damage caused. This may not be an accessible course of action for a young person who feels their confidence has been breached. They may instead wish to make a complaint through internal or external processes. It is likely, however, to have an impact on your relationship with the young person and potentially their ability to trust others in the future.

Negligence: duty of care obligations

Service providers owe a duty of care to their clients and other workers. This means you must not act (or fail to act) in a way that is likely to lead to harm.

If you breach the standard of care owed under that duty and another person suffers some kind of harm as a result, then that may amount to negligence at law.

The standard of care owed to clients, workers and others is generally determined based on general professional opinion, i.e. what a reasonable person would do in the same situation. Guidelines, particularly those that are government endorsed, are likely to be helpful in determining the standard of care owed.

There are a range of situations that could amount to negligence when providing services to young, identified people, although there are very limited examples of such cases in court.

Possible circumstances where negligence could arise?

- Disclosing information to a family member as to the young person's whereabouts without their consent in circumstances where it is reasonable to believe that the family member would cause harm to the young person and the family member does cause harm.
- Deliberately and consistently misgendering a young person resulting in psychological or physical harm as a direct result. This could also amount to discrimination.
- Directing a young person who presents as gender non-conforming to services which you knew would be, or were likely to be, inappropriate or unsafe, including gendered housing options, where the young person is subsequently harmed.

Vicarious liability for breaches by employees

Where an employee breaches their duty of confidentiality¹², acts negligently or engages in unlawful discrimination, **the employer may be liable for the wrongdoing**. The act or omission which amounts to the wrongdoing must have been committed by an employee in the course or within the scope of their employment¹².

Although this often turns on the particular situation, it is likely that actions taken by employees while providing services to clients or in relation to the provision of those services would fall within the scope of their employment.

¹² Coulthard v South Australia (1995) 63 SASR 531. Where the court held an employer would be liable, even for example for an unauthorised or prohibited act such as a breach of confidentiality, if the act is performed in the course of carrying out the employee's assigned or authorized duties ie acting in the course of doing what they are employed to do or under cover of the authority the employee is held out as possessing or of the position in which they are placed as a representative of their employer.

Employers are obliged to take all reasonable steps to avoid breaches of duties owed or unlawful discrimination.

In cases of discrimination, whether conduct falls within the course of work is applied more broadly, and the requirement to undertake all reasonable steps is stricter. This means it is easier to find vicarious liability in cases of discrimination. Some cases involving discrimination suggest the following may be reasonable steps:

- Provide appropriate and adequate training to all employees around their obligations
- Monitor the effectiveness of training
- Communicate policies effectively
- Review policies to ensure compliance with obligations
- Maintain appropriate supervision
- Follow through on any actions taken to minimise risk
- Provide appropriate internal complaints mechanisms and escalate as and when appropriate – be mindful of minimising potential for further harm to the victim, however the ultimate responsibility is in preventing harassment and discrimination¹³

For a more detailed understanding of how the law impacts on the role of staff who work with young people (10-17 year olds), contact the Youth Advocacy Centre. YAC is able to provide a training package for staff in relation to this which can be tailored to the needs of your organisation.

¹³ KW v BG Limited & Ors [2009] QADT 7 (Member Hogan) at [243] employer did not take reasonable steps to ensure its supervisors fully appreciated that it is their primary responsibility to act so as to provide a work environment free from harassment, and that the respect to be accorded to the wishes of complainants should be subservient to this overriding responsibility.

Section 5:

Referral guide

This referral guide is intended to assist services to connect young people with appropriate LGBTIQAP+ Sistergirl and Brotherboy supports and community. Community belonging and social connection can be particularly important for LGBTIQAP+ Sistergirl and Brotherboy young people who are navigating social isolation/exclusion or loss of social networks due to their identity.

PHONE & ONLINE SUPPORT

QLife

QLife provides Australia-wide anonymous, LGBTI peer support and referral for people wanting to talk about a range of issues including sexuality, identity, gender, bodies, feelings or relationships.

Website: qlife.org.au

Phone: 1800 184 527 (Available 3pm – 12am AEST)

Online chat (Available 3pm – 12am AEST): <https://www.qlife.org.au/resources/chat>

eheadspace

eheadspace provides free online and telephone support and counselling to young people 12-25 and their families and friends

Phone: 1800 650 890 (Available 9am – 1am AEST)

Online chat (Available 9am – 1am AEST) at: <https://headspace.org.au/eheadspace/>

Suicide Call Back Service

Suicide Call Back Service is a 24 hour, nationwide service that provides free telephone, video and online counselling to people who are affected by suicide.

Phone: 1300 659 467 (Available 24 hours a day)

Online chat and Video chat (Available 24 hours a day): <https://www.suicidecallbackservice.org.au/>

Asexual Visibility and Education Network

<https://www.asexuality.org/>

The AVEN community centres around the web forum, which provides a safe space for asexual and questioning people and their partners, friends and families to discuss their experiences.

COUNSELLING, PSYCHOLOGY & HEALTH SUPPORT

Queensland AIDS Council (QuAC)

A non-profit organisation that provides support services, information and counselling for sex and gender-diverse people in Queensland.

Website: qahc.org.au

Phone: (07) 3017 1777 Outside Brisbane: 1800 177 434

Clinic 30 (QuAC)

Clinic 30 offers:

- comprehensive sexual health & HIV testing
- mental health care plans
- a range of medical services that may be relevant to LGBTI people

Location: 30 Helen Street, Teneriffe (located at QuAC)

Phone: 3017 1777

Brisbane Gender Clinic:

The Brisbane Gender Clinic service based at the Queensland AIDS Council provides services to the trans and gender diverse communities every Wednesday. Bookings are essential, and due to the high demand for trans clinical services, a wait list is often in place.

Location: 30 Helen St Teneriffe QLD.

Phone: 07 3017 1777

Website: <https://www.brisbanegenderclinic.com.au/>

Queensland Children's Gender Service

The aim of the QCGS is to improve the health, wellbeing and function of Queensland children diverse in gender identity through affirmative, family focused, interdisciplinary assessment and specialist care.

Location: Queensland Children's Hospital. Level 3/ 501 Stanley Street, South Brisbane.

Phone: (07) 3069 7377

Email: CHQ-Gender@health.qld.gov.au

Website: <https://www.childrens.health.qld.gov.au/service-gender-clinic/>

Gender Service RBWH

The Gender Service is located at the Royal Brisbane and Women's Hospital and includes:

- Diagnosis and assessment of adults with Gender Dysphoria or gender non-conforming behaviour or identity.
- Time limited support from the Department of Social Work and Psychology for patients with social adjustments related to Gender Dysphoria.

Hotline: 1300 364 938

Website: https://metronorth.health.qld.gov.au/specialist_service/refer-your-patient/gender-services

Gladstone Road Medical Centre

Location: 38 Gladstone Road, Highgate Hill

Phone: 3844 9599

Website: <http://www.grmc.com.au/>

Stonewall Medical Centre

LGBTIQAP+ Sistergirl and Brotherboy oriented medical centre.

Location: 52 Newmarket Rd, Windsor

Phone: 3857 1222

Website: <http://www.stonewall.com.au/>

True Relationships & Reproductive Health

Location: Building 1, 230 Lutwyche Road

Phone: 07 3250 0200

Website: <https://www.true.org.au/>

Windsor QLD 4030

Relationships Australia (Rainbow Counselling)

Provided by counsellors with specialised skills, knowledge and experience in the area of LGBTI service provision, the service's central hub is in Spring Hill with a network of specially trained counsellors in regional venues.

Location: 159 St Pauls Terrace, Spring Hill

Phone: 1300 364 277 to book an appointment

Website: <https://www.relationships.org.au/services/rainbow-counselling-service>

Belinda Birtles: Clinical Psychologist

Phone: 0459 270 146 Reception: (07) 3105 2880

Email: belinda@brisbanesouthsidepsychology.com

Heidi Jansen: Clinical Psychologist

Phone: 0458 620 248

Email: Heidi.ReframePsychology@gmail.com

SOCIAL SUPPORT

Open Doors Youth Service

Open Doors Youth Service supports LGBTIQAP+ Sistergirl & Brotherboy young people aged 12-24 years across South-East Queensland.

Services include:

- Social groups
- Individual support and case management
- Brief interventions and ethical referrals

- Advocacy & Mediation
- Homelessness intervention and support
- Support around gender and/or sexual identity
- Alcohol and Drug support
- Suicide Intervention & Prevention Trial
- Art Therapy Group & Individual Session
- Events throughout the year

Location: 5 Green Square Cl, Fortitude Valley
Phone: (07) 3257 7660

Website: <https://www.opendoors.net.au/>

Social Group Collaborations

SAGA Group (Redcliffe)

headspace Redcliffe, Redcliffe Area Youth Space and Open Doors collaboration
12-24 years old

Website: <https://www.facebook.com/SAGA4020/>

Email: headspace.redcliffe@openminds.org.au

Chermside

Open Doors & Relationships Australia collaboration
16-25 years old

Email: enquirieschm@raq.org.au

Phone: 1300 364 277

Starburst (Taringa)

Headspace & Open Doors collaboration
16-25 years old

Location: Headspace Taringa, 5 Moorak Street

Contact: To register interest, call 3157 1655 or email headspace.taringa@openminds.org.au

Website: <https://www.facebook.com/headspacestarburst/>

Diverse City (Ipswich)

Headspace Ipswich & Open Doors collaboration
12-25 years old

Location: Headspace Ipswich, 26 East Street

Time: 2nd & 4th Mondays 3.30pm – 5pm

Contact: To learn more call 3280 7900 or email headspace.ipswich@aftercare.com.au

Logan

YFS Logan & Open Doors collaboration

12-24 years old

Location: YFS, 376 Kingston Rd, Slacks Creek

QSpace

QSpace is a non-profit service specifically for LGBTIQAP+ young people. QSpace is a social support group for young people aged 12-17 that meets once a week. QPlus is a social support group for young people aged 18-25 that meets every second week.

Location: Southport

Website: qspace.net.au

Phone: 0437 013 710 (Tuesday, Wednesday & Thursday)

Email: r.rive@wmq.org.au

Transcendence Social and Emotional Support Group (Spring Hill & Gold Coast)

Transcendence is a monthly social and emotional support group for transgender and gender-diverse individuals, or those questioning their gender identity.

No cost to attend, gold coin donation encouraged. No booking required.

Phone: 1300 364 277 and request a call back from one of their rainbow counsellors.

Website: <https://www.raq.org.au/courses/transcendence-social-and-emotional-support-group>

Intersex Peer Support Australia

Provides peer support between people with any intersex variation throughout Australia and Aotearoa/New Zealand.

Email: info@isupport.org.au

Phone: 0478 537 739

Website: <https://isupport.org.au/>

Facebook: <https://www.facebook.com/intersexpeersupport/>

Wendybird

Wendybird is a volunteer collective of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) people of individuals who value the role of community and belonging for all people, who are working together to intentionally create, grow and develop a safer and always supportive community that is diverse, welcoming and inclusive. Events held every 5 to 6 weeks. Check website for location, dates and details.

Website: <http://www.wendybird.com.au/>

Email: info@wendybird.com.au

Many Genders, One Voice

Many Genders One Voice is a Trans, Gender Diverse, Non-Binary, Sistergirl and Brotherboy Community Health Action Group.

Email: manygendersononevoice2015@gmail.com

Website: <https://www.manygendersononevoice.org/>

Facebook: <https://www.facebook.com/manygendersononevoice/>

Phone: (07) 3017 1701

PFlag

Parent and Friends of Lesbians and Gays Brisbane (PFLAG) is a support group for parents of LGBTIQ people in Queensland. They also strive to support LGBTIQ people who are, or fear, they may be abandoned by their families.

Monthly meetings at (QuAC office) 30 Helen Street, Teneriffe QLD 4006

Website: <https://www.pflagbrisbane.org.au/>

Phone: 0400 767 832

Backbone Youth Arts

Youth Arts organisation that has workshops, performances, festivals, events, resources and training.

<https://backbone.org.au/>

Location: 38 Lytton Rd, East Brisbane (East Brisbane Bowls Club)

Email: info@backbone.org.au

Phone: 3391 8239

CULTURALLY DIVERSE

DIG: Diverse Identities Gather

Social group for gender and sexually diverse people seeking asylum, and those from refugee and migrant backgrounds

Email: digather@gmail.com

<https://www.facebook.com/digmeanjin>

Rainbow Hub

The Rainbow Hub is a free space to support and empower international LGBTQI students and friends in Brisbane. They hold sessions fortnightly on different topics designed to connect people from different backgrounds who have at least two things in common: being queer and having chosen Brisbane as their new home.

Location: Student One building, Cinema Room, Ground Floor, 363 Adelaide St, Brisbane City

Website: <https://www.rainbowhub.com.au/>

Facebook: <https://www.facebook.com/brisbanerainbowhub/>

Instagram: www.instagram.com/brisbanerainbowhub

ABORIGINAL AND TORRES STRAIT ISLANDER

Indigilez Women's Leadership & Support Group

Leadership & Support Group for Aboriginal & Torres Strait Islander Lesbians and Same Sex Attracted Women

Website: <http://www.indigilez.org/>

Email: indigilezwomen@gmail.com

Gar'ban'djee'lum Network

Gar'ban'djee'lum is a Brisbane-based, independent social and support network for Aboriginal & Torres Strait Islander people with diverse genders, bodies, sexualities and relationships.
Contact Healthy Communities for more information (07) 3017 1737
Email: garbandjeelum@gmail.com

2Spirits Program (QuAC)

2Spirits provide one-on-one, family and community support, peer education, links to peer support networks and referrals to cultural safe services
Website: <https://quac.org.au/programs/2-spirits/>
Phone: (07) 3017 1777
Email: 2spirits@quac.org.au

SOCIAL MEDIA GROUPS

Australian Deaf LGBTIQ+ Community

<https://www.facebook.com/groups/adgla/>

Queer and LGBTI Friendly Accommodation in Queensland

<https://www.facebook.com/groups/LGBTIAccommodationQld/>

INCLUSIVE FAITH ORGANISATIONS

St Michael and All Angels Church

Location: 655 Brunswick St, New Farm
Phone: 07 3844 3557
Website: <https://stmichaelsnewfarm.org.au>

Metropolitan Community Church

Location: 52 Merthyr Road, New Farm (Uniting Church), Brisbane, Queensland, Australia
Phone: 0411 049 104
Website: <https://mccbrisbanechurch.org/>

West End Uniting Church

Location: 11 Sussex St, Highgate Hill
Phone: 07 3844 3557
Website: <https://www.westendunitingchurch.org.au/>

St John's Cathedral Anglican Church

Location: 373 Ann St, Brisbane
Phone: 3835 2222
Website: <https://www.stjohnscathedral.com.au/>

LEGAL SUPPORT

LGBTI Legal Service

Location: Level 2, 725 Ann St, Fortitude Valley (phone/video appointments available)
Phone: 3124 7160
Website: <https://lgbtilegalservice.org.au/>
FREE Legal Advice Sessions run every Wednesday evening from 6.00 pm. Consultations with our LGBTI-friendly volunteer lawyers are available by making a pre-booked appointment. Please contact Client Services if you would like to make an appointment. If you cannot attend our office, a telephone appointment can be arranged.

Queensland Human Rights Commission

<https://www.qhrc.qld.gov.au/>
Location: Level 20, 53 Albert St, Brisbane
Phone: 1300 130 670

Lesbian, gay, bisexual, transgender and intersex communities contact: Heather Corkhill - 07 3021 9116 or email heather.corkhill@qhrc.qld.gov.au

Justice Connect

A collaboration between people and organisations – such as pro bono firms, healthcare services, homelessness groups and more – to connect people with legal information, fact sheets and where to seek further help.
Website: <https://justiceconnect.org.au/>
A number of LGBTIQ specific fact sheets are available on their website:
Fact Sheet: How to legally change your name (Qld)
Fact Sheet: How to deal with gender discrimination (Qld)
Fact Sheet: How to change your gender status on formal documentation (Qld)
Fact Sheet: Your legal rights at school as a trans or gender diverse young person (Qld)
[Frequently asked questions about stage 2 hormone treatment](#)

Trans@School

Resource developed in partnership between the LGBTI Legal Service, Legal Aid Queensland and the Queensland Human Rights Commission, in consultation with the Queensland Children's Gender Service, young people, parents and educators.
Guide for schools: <https://www.qhrc.qld.gov.au/your-responsibilities/for-schools-and-universities/trans-@-school>
Guide for students: <https://www.qhrc.qld.gov.au/resources/for-lgbtqi-people/trans-@-school>

Youth Advocacy Centre

Free legal advice and representation for young people aged 10-17 years
Location: 4/162 Petrie Terrace, Petrie Terrace
Phone: 07 3356 1002
Website: www.yac.net.au

LGBTI Police Liaison Officers

Contact list for local LGBTI Police Liaison Officers: <https://www.police.qld.gov.au/sites/default/files/2019-09/QPS%20LGBTI%20Liaison%20Officer%20Contact%20List%202019%20v%201.3%20Internet.pdf>
Brochure: <https://www.police.qld.gov.au/sites/default/files/2018-07/LGBTI%20Liaison%20Officer%20Brochure.PDF>

ADVOCACY AND NETWORKS

Intersex Human Rights Australia

<https://ihra.org.au/>
IHRA is actively engaged in promoting recognition of intersex people in law and regulations, with a particular focus on improving recognition of our health needs and human rights.

Respect Inc

Respect Inc is a non-profit, peer-based organisation focused on protecting and promoting the rights, health & wellbeing of Queensland sex workers. They are a sex worker rights-positive and rights-focused community organisation.
Location: 28 Mein St, Spring Hill
Email: info@respectqld.org.au
Website: <https://respectqld.org.au/contact-us/>
Phone: 07 3835 1111 / 0424 657 064

RESOURCES FOR YOUNG PEOPLE & PEOPLE WHO CARE ABOUT THEM

ReachOut

ReachOut is Australia's leading online mental health organisation for young people and their parents. Our practical support, tools and tips help young people get through anything from everyday issues to tough times – and the information we offer parents makes it easier for them to help their teenagers, too.
Website: <https://au.reachout.com/identity-and-gender>

Twenty10

Provides local support for young people in NSW but also has a range of useful information and factsheets on their website.

Website: <https://www.twenty10.org.au/>

Regional support free call: 1800 65 2010 (10 am – 6 pm, Monday - Friday)

Email: info@twenty10.org.au

Minus18

Minus18 is Australia's national organisation for lesbian, gay, bisexual, transgender and intersex (LGBTI) youth. We're young people leading change, building social inclusion and advocating for an Australia free from homophobia, biphobia and transphobia.

Website: <https://www.minus18.org.au/>

Parents of Gender Diverse Children

Website: <https://www.pgdc.org.au/>

True All School Program

The True All School Program can help with student's transition at school by organising training/education at the school.

Website: <http://www.true.org.au/Education/allschool>

Phone: (07) 3250 0280

Email: schools@true.org.au

Reference list

Ace-Thinks (2019). "If someone is coming out to you...", 16 September. Available: <https://ace-thinks.tumblr.com/post/187758518969/if-someone-is-coming-out-to-youtelling-you-about>

Abramovich, A. & Shelton, J. (Eds.). (2017). Where Am I Going to Go? Intersectional Approaches to Ending LGBTQ2S Youth Homelessness in Canada & the U.S. Toronto: Canadian Observatory on Homelessness Press.

Abramovich, A., Burstow, B., Cole, A., & Sakamoto, I. (2014). Young, Queer and Trans, Homeless, and Besieged: A Critical Action Research Study of How Policy and Culture Create Oppressive Conditions for LGBTQ Youth in Toronto's Shelter System (ProQuest Dissertations Publishing).

ABS (2014). 'General Social Survey'. Canberra: Australian Bureau of Statistics. Available: <https://www.abs.gov.au/ausstats/abs@.nsf/mf/4159.0#Anchor5>

Aboriginal and Torres Strait Islander Suicide Prevention Evaluation Project (ATSISPEP). (2015). 'Sexuality and Gender Diverse Populations (Lesbian, Gay, Bisexual, Transsexual, Queer and Intersex - LGBTQI) Roundtable Report'. Canberra: The Healing Foundation. Available: https://www.atsispep.sis.uwa.edu.au/data/assets/pdf_file/0012/2857539/LGBTQI-Roundtable-Report.pdf

Andrews, C. and R. McNair. 2020. LGBTIQ+ Inclusive Practice Guide for Homelessness and Housing Sectors in Australia. Melbourne: University of Melbourne.

Australian Research Centre in Sex, Health and Society (ARCSHS). (2001). Safety in our schools: strategies for responding to homophobia. Melbourne: La Trobe University.

Cass, V. (1979). Homosexual identity formation: a theoretical model. Journal of Homosexuality, 4(3), 219–235.

Chang, E., Simon, M., & Dong, X. (2012). Integrating cultural humility into health care professional education and training. Advances in Health Sciences Education, 17, 269-278.

Cook, C. & Gentile, K. (2019). Foster care: the role and responsibility in preventing LGBTQ youth homelessness. In Price, C., Chanchan, D., Wheeler, C., Seip, N., & Rush, J. (Eds.). (2019). At the Intersections: A collaborative report on LGBTQ youth homelessness (pp.14-17). (2nd Edition) True Colors United and the National LGBTQ Task Force. Available: <https://truecolorsunited.org/wp-content/uploads/2019/04/2019-At-the-Intersections-True-Colors-United.pdf>

Crenshaw, K. (2018) 'Kimberlé Crenshaw: What is intersectionality?' National Association of Independent Schools. Available: <https://www.youtube.com/watch?v=ViDtnfQ9FHc>

Curran, G. (2002). Young queers getting together: moving beyond isolation and loneliness. Available: <http://hdl.handle.net/11343/38834>

Desmond-Harris, J. (2015). 'What exactly is a micro-aggression?' Vox February 16. Available: <https://www.vox.com/2015/2/16/8031073/what-are-microaggressions>

Durso, L.E., & Gates, G.J. (2012). 'Serving Our Youth: Findings from a National Survey of Service Providers Working with Lesbian, Gay, Bisexual, and Transgender Youth who are Homeless or At Risk of Becoming Homeless'. Los Angeles: The Williams Institute with True Colors Fund and The Palette Fund.

Fisher-Borne, M., Cain, J. M., & Martin, S. L. (2015). From mastery to accountability: Cultural humility as an alternative to cultural competence. Social Work Education, 34(2), 165-181.

Gaetz, S., O'Grady, B., Kidd, S. & Schwan, K. (2016). 'Without a Home: The National Youth Homelessness Survey'. Toronto: Canadian Observatory on Homelessness Press. Available: <http://homelesshub.ca/sites/default/files/WithoutAHome-final.pdf>

Haas, A., Rodgers, P., Herman, J. (2014). Suicide Attempts among Transgender and Gender Non-Conforming Adults: Findings of the National Transgender Discrimination Survey. Los Angeles: The Williams Institute. Available: <https://williamsinstitute.law.ucla.edu/wp-content/uploads/AFSP-Williams-Suicide-Report-Final.pdf>

Hatzenbuehler, M., & Pachankis, J. (2016). Stigma and Minority Stress as Social Determinants of Health Among Lesbian, Gay, Bisexual, and Transgender Youth: Research Evidence and Clinical Implications. *The Pediatric Clinics of North America*, 63(6), 985–997. <https://doi.org/10.1016/j.pcl.2016.07.003>

Hatzenbuehler, M., & Link, B. (2014). Introduction to the special issue on structural stigma and health. *Social Science & Medicine*, 103, 1–6. Available: <https://doi.org/10.1016/j.socscimed.2013.12.017>

Hatzenbuehler, M. (2011). The social environment and suicide attempts in lesbian, gay, and bisexual youth. *Pediatrics*, 127(5), 896–903. Available: <https://doi.org/10.1542/peds.2010-3020>

Hillier, L., Jones, T., Monagle, M., Overton, N., Gahan, L., Blackmen, J., & Mitchell, A. (2010). Writing themselves in 3: The third national study on the sexual health and wellbeing of same sex attracted and gender questioning young people. Melbourne: Australian Research Centre in Sex Health and Society.

Intersex Human Rights Australia (IHRA). (2012). Intersex for allies. Available: <https://ihra.org.au/allies/>

Kelleher, C. (2009). Minority stress and health: Implications for lesbian, gay, bisexual, transgender, and questioning (LGBTQ) young people. *Counselling psychology quarterly*, 22(4), 373-379.

Mallory, C. & Sears, B. (2015). Evidence of employment discrimination based on sexual orientation and gender identity: An analysis of complaints filed with state enforcement agencies, 2008–2014. The Williams Institute. Retrieved from: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/GeorgiaNDRReport-October-2014.pdf>

Marksamer, J., Spade, D., Arkles, G. (2011). A place of respect: a guide for group care facilities serving transgender and gender non-conforming youth. Available: http://www.nclrights.org/wp-content/uploads/2013/07/A_Place_Of_Respect.pdf

McNair, R., Andrews, C., Parkinson, S. and Dempsey, D. (2017). GALFA LGBTQ Homelessness Research Project: Risks, Resilience, and Access to Services in Victoria.

McNair, R., Andrews, C., Wark, A. (2018). Developing a model of care to support trans and gender diverse people experiencing homelessness. Available: http://www.lgbtihomeless.org.au/wp-content/uploads/2018/04/GALFA-TGD-inclusive-practice-pilot-Final-report_.pdf

Meyer, I. (2003). Prejudice, social stress, and mental health in lesbian, gay, and bisexual populations: Conceptual issues and research evidence. *Psychological Bulletin*, 129(5), 674–697. <https://doi.org/10.1037/0033-2909.129.5.674>

Miller, K. & Mahamati. (2000). Not Round Here: Affirming Diversity, Challenging Homophobia. Sydney, New South Wales: Human Rights and Equal Opportunity Commission. Available: https://www.humanrights.gov.au/sites/default/files/content/pdf/human_rights/Not_round_here.pdf

Minus18. (2019). For QTIPOC cuties, finding community is an amazing and empowering experience. Available: <https://www.minus18.org.au/index.php/articles/item/963-beauty-of-qtipoc-community>

Olivet, J. & Dones, M. (2019). Intersectionality and race: how structural racism contributes to homelessness among LGBTQ youth. In Price, C., Chanchan, D., Wheeler, C., Seip, N.

Ollis, D. Mitchell, A. Watson, J., Hillier, L. & Walsh, J. (2001). Safety in our schools: strategies for responding to homophobia. Melbourne: Australian Research Centre in Sex, Health and Society.

Price, C., Chanchan, D., Wheeler, C., Seip, N., & Rush, J. (Eds.). (2019). At the Intersections: A collaborative report on LGBTQ youth homelessness. (2nd Edition) True Colors United and the National LGBTQ Task Force. Available: <https://truecolorsunited.org/wp-content/uploads/2019/04/2019-At-the-Intersections-True-Colors-United.pdf>

QLife. (2016) QLife Tip Sheet: Young People. Available: <https://qlife.org.au/uploads/19-Young-People.pdf>

Ritter, K., & Terndrup, A. (2002). Handbook of affirmative psychotherapy with lesbians and gay men. New York: The Guildford Press.

Robinson, K. H., Bansel, P., Denson, N., Ovenden, G., & Davies, C. (2014). Growing up queer: Issues facing young Australians who are gender variant and sexuality diverse.

Rush, J. (Eds.). (2019). At the Intersections: A collaborative report on LGBTQ youth homelessness (pp.56-59). (2nd Edition) True Colors United and the National LGBTQ Task Force. Available: <https://truecolorsunited.org/wp-content/uploads/2019/04/2019-At-the-Intersections-True-Colors-United.pdf>

Smoot, N. & Irvine, A. (2019). Juvenile Justice Increased criminalization of homelessness and its impact on LGBTQ youth in the Juvenile Justice system. In Price, C., Chanchan, D.,

Wheeler, C., Seip, N., & Rush, J. (Eds.). (2019). At the Intersections: A collaborative report on LGBTQ youth homelessness (pp.18-21). (2nd Edition) True Colors United and the National LGBTQ Task Force. Available: <https://truecolorsunited.org/wp-content/uploads/2019/04/2019-At-the-Intersections-True-Colors-United.pdf>

Strauss, P., Cook, A., Winter, S., Watson, V., Wright Toussaint, D., Lin, A. (2017). Trans Pathways: the mental health experiences and care pathways of trans young people. Summary of results. Telethon Kids Institute, Perth, Australia.

Tervalon, M., & Murray-García, J. (1998). Cultural humility versus cultural competence: A critical distinction in defining physician training outcomes in multicultural education. *Journal of Health Care for the Poor and Underserved*, 9, 117-125.

The Trevor Project. (2019). National Survey on LGBTQ Mental Health. New York, New York: The Trevor Project.

Thompson, C. & Zoloth, B. (1990). Homophobia pamphlet. Campaign to End Homophobia. Available: <https://www.uh.edu/lgbtq/resources/pdf/homophobia.pdf>

Trans Student Education Resources. (n.d.) The Gender Unicorn. Available: <http://www.transstudent.org/gender>

True Relationships and Reproductive Health. (n.d.) Aboriginal and Torres Strait Islander Health: Cultural Identity, Sexuality and Gender Identity. Available: <https://www.true.org.au/Resources/shop#!/Cultural-Identity-Sexuality-and-Gender-Identity/p/120921393/category=37054002>

Victorian Government. (2020). LGBTIQ Inclusive Language Guide. Available: <https://www.vic.gov.au/inclusive-language-guide>

Witthaus, D. (2010). Beyond that's so gay: challenging homophobia in Australian schools. Victoria: Hawker Brownlow Education.

Whitbeck, L., Chen, X., Hoyt, D., Tyler, K., & Johnson, K. (2004). Mental disorder, subsistence strategies, and victimization among gay, lesbian, and bisexual homeless and runaway adolescents. *The Journal of Sex Research*, 41(4), 329–342.

Appendix 1: Levels of homophobia, biphobia, transphobia, acephobia and interphobia

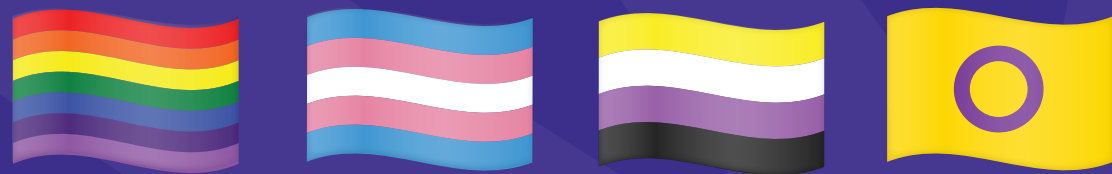
Thompson & Zoloth (1990) developed a model, which conceptualised homophobia as existing on four levels: personal or internalised; interpersonal; institutional and cultural. This model was originally developed as it related to homophobia. We have extended the model to include examples of homophobia, biphobia, transphobia, acephobia and interphobia. We have also drawn on examples and definitions from an extension of the model developed by Miller & Mahamati (2000).

	Definitions	Examples and consequences of homophobia, biphobia, transphobia, acephobia and interphobia
Personal or internalised	Exist as thoughts inside someone’s head coming from fear, dislike, discomfort and/or hatred of LGBTIQAP+ Sistergirl & Brotherboy people. (When this is experienced by LGBTIQAP+ people themselves, it is referred to as internalised.)	May lead to trying to prove one’s heterosexuality or show that you aren’t like “those other” LGBTIQAP people. Belief that LGBTIQAP+ Sistergirl and Brotherboy people are “unnatural”, sick or inferior. Stereotypes around bisexuals being confused, greedy, promiscuous, immoral. Belief that all people experience sexual and romantic attraction and that if you don’t you are “broken” or abnormal. Belief that there are only two genders. Belief that everyone must conform to binary understandings of their gender. Belief that the gender someone was assigned at birth is their “real” gender. Internalised homophobia, biphobia, transphobia, acephobia and interphobia often leads to poorer mental health outcomes including much higher rates of suicide attempts.
Interpersonal	Individual behaviour based on beliefs outlined above towards LGBTIQAP+ Sistergirl and Brotherboy people.	Violence, physical or verbal harassment, “jokes”, name calling, anti-gay and anti-trans hate crimes, other acts of individual discrimination. “Corrective” sexual violence. May include family rejection, co-workers being distant or cold, people dismissing non-heterosexual relationships.

Institutional	The ways government, businesses, churches and other institutions and organisations discriminate against LGBTIQAP+ Sistergirl and Brotherboy people.	Policies discriminating against non-heterosexual couples, such as agencies not allowing adoption. Forced “normalising” medical procedures for babies and children born with intersex variations. The significant barriers to access gender affirming healthcare. Failure to consider LGBTIQAP+ Sistergirl and Brotherboy identities in policy and planning decisions.
Cultural	Social standards or norms that support the over-representation of heterosexuality, and position cisgender people as ‘better’ and more morally correct.	Lack of positive media representation of LGBTIQAP+ Sistergirl and Brotherboy people. Noteworthy “bury the gays” trope where LGBTIQAP+ Sistergirl and Brotherboy characters are killed off shows at much higher levels. Extremely limited media representation or community understanding of asexuality and intersex status. Cultural beliefs that romantic and sexual relationships are always more significant

ALL GENDER RESTROOM

This is an inclusive bathroom



Printable download can be found here:

<https://www.yac.net.au/wp-content/uploads/2020/06/All-Gender-Restroom-Sign.pdf>

Did you know?

- LGBTIQAP+ Sistergirl and Brotherboy young people are significantly over-represented in experiences of homelessness^{1,2,3}
- Affirmative practice can significantly improve access to housing and support as well as mental health outcomes⁴

What does the LGBTIQAP+ acronym stand for?

Lesbian – generally speaking, a lesbian is a woman who is attracted to other women.

Gay – generally speaking, a gay person is a man who is attracted to other men. In addition, this term is sometimes used to describe anyone with a same gender attracted orientation, regardless of gender.

Bisexual – someone who experiences attraction to two or more genders.

Transgender (trans) – an adjective to describe someone whose gender identity does not align with their sex assigned to them at birth.

Intersex – intersex people are born with physical sex characteristics that don't fit medical and social norms for female or male bodies.

Queer – term used by some people to describe a sexual orientation, gender identity or expression that is not "normative" in society. Historically used as a slur but now reclaimed by many in the LGBTIQAP community and often used as an umbrella term. Be cautious with this term, especially with older members of the community.

Asexual (ace for short) – someone who experiences little to no sexual attraction. This can also be used as an umbrella term.

Pansexual – someone who experiences attraction to all genders or attraction regardless of gender.

Sistergirl – an Aboriginal or Torres Strait Islander gender diverse woman (assigned male at birth) who lives and presents as a woman. Sistergirls have a distinct cultural identity and often take on women's roles within the community, including looking after children and family.

Brotherboy – Aboriginal and Torres Strait Islander gender diverse man (assigned female at birth). Brotherboys have a male spirit and a distinct cultural identity. Brotherboy's cultural, spiritual, and religious beliefs are pivotal to their lives and identities.

What's the difference between gender and sex assigned at birth?

- **Gender identity** – "one's internal sense of being male, female, neither of these, both, or another gender(s). Everyone has a gender identity!"
- **Sex assigned at birth** – "the assignment and classification of people as male, female, intersex, or another sex based on a combination of anatomy, hormones, chromosomes." (TSER, n.d.)

Personal pronouns

- Personal pronouns are the words we use to refer to people when we don't use their name. They include: he, she, they, him, her, them, his, hers, theirs.
- It is important to use the correct pronouns when referring to someone, especially if that person is gender-diverse as it reaffirms their gender.

¹ The Trans Pathways study (Strauss et al 2017) found 22% of transgender participants experienced issues with accommodation, including a lack of stable accommodation, homelessness or couch-surfing.

² In this Canadian study 29.5% of 1,103 respondents aged 12-27 who were experiencing homelessness identified as LGBTQ2S (Gaetz et al 2016)

³ In Australian study by ABS, 20.8% of bisexual people and 33.7% of lesbian/gay people reported ever experiencing homelessness, compared to 13.4% of heterosexuals (ABS General Social Survey 2014).

⁴ The Trevor Project (2019) found young people with at least one accepting adult in their life were 40% less likely to have attempted suicide in the last year

- If you don't know what pronouns to use, ask
- If you make a mistake, in general you should briefly apologise and correct yourself. "He needs accommodation. Sorry, I meant to say they need accommodation."

Once a young person has disclosed their preferred name, gender and pronouns, these must be respected. **If someone repeatedly misgenders (using the wrong name, gender and pronouns) a young person, this is considered discrimination and can have legal consequences.**

Where to start?

Organisations can start with:

- Ensure practice and policy complies with legal and human rights requirements
- Have clear trans and gender diverse affirming policies in place with regard to service provision
- Have a clear complaints pathway for addressing discriminatory experiences with staff or other young
- Display posters, flags and brochures indicating that the service respects and supports LGBTIQAP+ •
- Designate at least one clearly signed gender inclusive bathroom, if possible this should be separate to the disabled bathroom (see printable sign)
- Provide sanitary bins (and products) in all bathrooms
- Using gender inclusive language on websites and publications. E.g. "our service supports young people" not "young men and women"
- Social media posts supporting the LGBTIQAP+ Sistergirl and Brotherboy community and acknowledging significant events
- Replace Male / Female options on forms using one of the examples below

Option 1: Example of blank gender field with affirming statement

Gender:

Pronouns: she/her | he/him | they/them | other: _____

Youth Housing Service supports LGBTIQAP+ Sistergirl and Brotherboy young people and encourages everyone to describe their gender in their own words.

Option 2 Example of expanded gender options

Gender: Male | Female | Non-Binary | Prefer to self describe_____ | Prefer not to say

Pronouns: she/her | he/him | they/them | other: _____

Workers can start with:

- Don't assume that people are heterosexual or cisgender
- Ask all young people about their preferred name, gender and pronouns
- Respect confidentiality – clarify if they would like you to use different names or pronouns in different contexts (for example, when talking with family)
- Learn about gender inclusive language
- Visual signalling through rainbow lanyards and pronoun or ally pins (you can purchase these from Minus18)

- Include your pronouns in your email signature (if comfortable to do so)
- Add a statement supporting LGBTIQAP+ Sistergirl and Brotherboy people including pride flags to your email signature

Position Title | Program Title
Organisation Name

Youth Housing Service is proud to support its Aboriginal and Torres Strait Islander clients and staff, its LGBTIQAP+ Sistergirl and Brotherboy clients and staff and welcomes diversity in all its forms



Example script for how to asking young people about their gender

"My name is X and I use she/her pronouns. Can you tell me how you describe your gender and what pronouns you use? It might seem like an obvious question, but I ask this because we often work with trans and non-binary young people and want to make sure we are respectful of everyone's gender and using the correct pronouns."

Referrals and vacancies

- Make individualised placement decisions based on young people's self-identified gender and preference, in order to ensure the most emotional, cultural and physical safety
- When considering the need for a gendered vacancy, ask whether this need could be served by considering behaviour, needs and disposition of potential referrals instead?
- Where vacancies or services are gendered, make explicit that the service is inclusive. "This vacancy is for young women. We encourage referrals for trans women."

Safety in accommodation

- Ask young people about any safety concerns they may have around their gender or sexual orientation and housing (for example safe access to bathroom facilities)
- Foster a climate of respect and set expectations with young people using the service that discrimination based on gender identity or sexual orientation are unacceptable
- Immediately respond to harassment or discriminatory behaviour

Casework

- Link to appropriate community supports
- Consider LGBTIQAP+ Sistergirl and Brotherboy young people may have specific health care needs
- Recognise trans and non-binary young people may need help to navigate systems, such as changing their legal name or gender (see Justice Connect resources)
- When making referrals, it can be helpful to check worker/service knowledge and understanding of LGBTIQAP+ Sistergirl and Brotherboy issues before referring young people

How to challenge anti-LGBTIQAP+ Sistergirl and Brotherboy attitudes and behaviour

- Create emotional safety through mutual respect
- Highlight discrepancies, irony and contradictions in young people's thinking. E.g. unpack stereotypes others may hold about them to promote empathy
- These attitudes may be linked to ideas about gender roles. Have conversations that unpack binary gender roles and provide examples of people they know and respect (e.g. celebrities) who sit outside these roles.
- When a young person uses a slur or uses a threat of violence, it can be helpful to name the behaviour, refer to an agreement and consequences if the behaviour continues. E.g. "Talking about doing X doesn't line up with our agreement to respect each other in this space. Let's talk about where that is coming from but if it continues, we'll have to work out whether or not it's safe for you to keep staying here."

References

- ABS (2014). 'General Social Survey'. Canberra: Australian Bureau of Statistics. Available: <https://www.abs.gov.au/ausstats/abs@.nsf/mf/4159.0#Anchor5>
- Australian Research Centre in Sex, Health and Society. (ARCSHS) (2001). Safety in our schools: strategies for responding to homophobia. LaTrobe University
- Gaetz, S., O'Grady, B., Kidd, S. & Schwan, K. (2016). 'Without a Home: The National Youth Homelessness Survey'. Toronto: Canadian Observatory on Homelessness Press. Available: <http://homelesshub.ca/sites/default/files/WithoutAHome-final.pdf>
- Strauss, P., Cook, A., Winter, S., Watson, V., Wright Toussaint, D., Lin, A. (2017). Trans Pathways: the mental health experiences and care pathways of trans young people. Summary of results. Telethon Kids Institute, Perth, Australia.
- The Trevor Project. (2019). National Survey on LGBTQ Mental Health. New York, New York: The Trevor Project.
- Trans Student Education Resources. (n.d.) The Gender Unicorn. Available: <http://www.transstudent.org/gender>

Appendix 2: Legal factsheets

Factsheet: Anti-discrimination and human rights



ANTI-DISCRIMINATION AND HUMAN RIGHTS

This sheet is intended to provide **general legal information** about the law in Queensland. It is not legal advice. If you have a particular legal problem you should contact a solicitor for legal advice. At the end is a list of agencies that might be able to assist you, including legal agencies.

The Queensland Human Rights Commission performs functions in relation to the *Human Rights Act* and the *Anti-Discrimination Act*. Their website provides extensive and valuable resources including information specific to LGBTIQAP+ people:

<https://www.qhrc.qld.gov.au/resources>

Human Rights

The Queensland *Human Rights Act* became law in 2019 commencing full operation on 1 January 2020. It provides for specific human rights which are to be protected in Queensland. These include:

- every person has the right to enjoy the person's human rights without discrimination
- rights to privacy and reputation
- every child (under 18) has the right, without discrimination, to the protection that is needed by the child, and is in the child's best interests, because of being a child.

The Act provides that it is unlawful for a public entity:

- to act or make a decision in a way that is not compatible with human rights; or
- in making a decision, to fail to give proper consideration to a human right relevant to the decision.

Your service provider may be a public entity. If you are not sure, you should enquire with the Queensland Human Rights Commission as to whether the *Human Rights Act* applies to decisions made by your service.

An individual can make a complain to the Human Rights Commissioner if they believe a public entity has acted in a way, or made a decision that is incompatible with human rights. If a complaint is accepted, the commissioner may investigate.

Alternatively, the *Human Rights Act* provides that where a person is undertaking proceedings against a public entity, for example in relation to discrimination or negligence, they can also argue there has been a breach of their human rights.

Discrimination

Discrimination on the basis of sex, age, impairment, gender identity, sexuality or association with an identified person (amongst

other attributes) is prohibited in work and work-related areas, education, provision of goods and services, accommodation areas, and administration of State laws and programs. The *Anti-Discrimination Act 1991* (the Act) defines **gender identity** to mean that the person: – (a) identifies, or has identified, as a member of the opposite sex by living or seeking to live as a member of that sex; or (b) is of indeterminate sex and seeks to live as a member of a particular sex. This contrasts with the definition in the federal legislation (see below).

Legal definitions may not always reflect the cultural understanding of various terms and may reinforce damaging attitudes. Be aware that for LGBTIQAP+ Sistergirl and Brotherboy people, engaging with the legal system can result in experiences of isolation and alienation, and compound existing trauma.

Discrimination can be direct or indirect; either treating someone less favourably or imposing a rule that disadvantages people with specific attributes over others. The person's motivation for discriminating does not matter – for example if you deny services to someone who is gender non-conforming because you are concerned other people who access the service may be prejudiced, that still amounts to discrimination.

The Act states that in supplying services (whether or not for reward or profit), a person must not discriminate against another person:

- by failing to supply the goods or services; or
- in the terms on which goods or services are supplied; or
- in the way in which goods or services are supplied; or
- by treating the other person unfavourably in any way in connection with the supply of goods and services.

In relation to accommodation services, a person must not discriminate against another person:

- by failing to accept an application for accommodation; or
- by failing to renew or extend the supply of accommodation; or
- in the way in which an application is processed; or
- in the terms on which accommodation is offered, renewed or extended; and
- in any variation of the terms on which accommodation is supplied; or

- in denying or limiting access to any benefit associated with the accommodation; or
- in evicting the other person from the accommodation; or
- by treating the other person unfavourably in any way in connection with the accommodation.

There are exceptions for services which are designed for a specific group, such as gendered services. Services seeking to rely upon an exception must ensure they are acting within the scope of any specific exemption. For example, denying a trans woman access to a service specific to women may still amount to discrimination.

The Act also provides that you cannot ask someone to supply information on which unlawful discrimination might be based. This might mean for example in conducting a job interview or providing accommodation you could not ask the person's sexuality or gender identity for the purposes of making your decision. This section would generally not present an issue, provided you can demonstrate "that the information was reasonably required for a purpose that did not involve discrimination." e.g.

to provide a more responsive service or for data purposes.

Complaints of discrimination are made through the Human Rights Commission.

The Qld Human Rights Commission provides a number of case studies of outcomes on its website:
<https://www.qhrc.qld.gov.au/resources/case-studies>

In addition, to state mechanisms responding to discrimination the Federal *Sex Discrimination Act 1984* provides protection from discrimination on the grounds of sexual orientation, gender identity, intersex status and more. This Act applies in a range of circumstances relating to workplaces, education, goods, services and facilities, and accommodation.

The Act describes *gender identity* as "the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth."

Complaints can be referred to the Australian Human Rights Commission.

Who can help?

Queensland Human Rights Commission www.qhrc.qld.gov.au	1300 130 670
Australian Human Rights Commission www.humanrights.gov.au	General Enquiries 1300 369 711 Complaints 1300 656 419
Youth Legal Advice Hotline	1800 527 527
Youth Advocacy Centre (YAC) www.yac.net.au	3356 1002
South West Brisbane Community Legal Centre www.communitylegal.org.au	3372 7677
Logan Youth & Family Legal Service www.yfs.org.au	3826 1500
Legal Aid Queensland www.legalaid.qld.gov.au	1300 651 188
Aboriginal & Torres Strait Islander Legal Service www.atsils.org.au	3025 3888 or (free call) 1800 012 255 (24hrs 7 days a week)
Translating & Interpreting Services (24hrs)	131 450
Kids Help Line	1800 551 800
Refugee and Immigration Legal Service www.rails.org.au	3846 9300
Community Legal Centres (CLCs) see www.naccl.org.au for your nearest CLC	

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POLICE POWERS AND RESPONSIBILITIES

This sheet is intended to provide **general legal information** about the law in Queensland. It is not legal advice. If you have a particular legal problem you should contact a solicitor for legal advice. At the end is a list of agencies that might be able to assist you, including legal agencies.

Remember, when interacting with police

- stay cool and calm
- you have a right to silence
- you can film in a public place. Ask a friend to film any interaction you have with police, or film for your friends. You might like to use the app Cop Watch.
- if you feel comfortable, you can ask whether an LGBTI Liaison Officer is available.

As soon as possible:

- write down what you can remember about the interaction; and
- get supporting information e.g. name and station police are from, photos of injuries, damage to personal property, medical reports.

Ask questions to politely clarify whether you have to do something or whether you are under arrest.

Right to silence

- you can refuse to answer police questions
- anything you say to police may be recorded or used in court or in the decision to arrest you
- the right to silence applies even if you have been arrested
- be mindful that if you are in custody, anything you say may be recorded.

You could say: "I don't want to say anything."

- If you choose to answer some questions but then refuse to answer others your choice to stay silent on that question may accidentally reveal information.

One exception to your right to silence

- there are laws requiring that you tell police your **name, address and date of birth** if they ask in particular circumstances
- you can ask why they are asking this or if you legally have to tell them. Try and remember the reason they give you as it may be relevant later

- failing to comply with their request may result in a charge
- you can ask the police for their identification. Try and remember their name.

Do I have to carry ID on me?

No. There is no law that says you have to carry ID, BUT if a police officer believes you have given a false name, address or age, they can detain you to figure out who you are. If you are driving a car (including on a 'L' or 'P' plate) then it is an offence to fail to produce your driver's licence if the police request it.

If your preferred name is not the same as your legal name

The police may charge you with an offence if you do not provide your legal name. Aim to stay calm and explain to the police that your legal name is ____ but you would prefer to be referred to as _____. If police refuse to use your name, or make fun of you or harass you, you should speak to a lawyer afterwards.

Can the police search me?

- the police can only search you in specific circumstances. You can read more about those circumstances here: <https://www.yac.net.au/searches/>
- it can be difficult to determine whether the police are allowed to search you as they only require a reasonable suspicion of one of the specific circumstances. This includes things like if they reasonably believe you have a knife or weapon, drugs or anything which may be evidence of an offence.
- if you have been arrested the police and watchhouse officers can search you.

What to do if police stop and search you:

- ask police why they intend to search you. If they cannot give you a reason or show you a warrant then they have no right to search you.
- remember the reason they give you.
- tell the police that you are not consenting to the search but are

- allowing it because they are claiming to have a legal right.
- avoid physically resisting. You may be charged with obstructing police if you misjudge the situation.
- ask and remember the identity of the police officers who are searching you.
- if anything is taken from you, you have the right to know where it is being taken and to be given a property receipt. Check that the property receipt is correct.

Contact a lawyer afterwards.

A police search can be confronting. There are specific requirements to be met when police are conducting searches in order to protect your dignity; however, any search is likely to feel invasive. Police may conduct a frisk search, which involves quickly running the hands over the outer garments and examining anything worn or carried, or a pat-down search. Police are allowed to conduct strip searches of young people; however, a support person should be present and this should only be conducted in a private place. A pat-down or strip search may be referred to as a personal search.

Police searches may be even more confronting for LGBTQIAP+ Sistergirl and Brotherboy young people or those experiencing body dysmorphia. **Content Warning//Transphobic language:** you should be aware that police policy when searching transgender people is:

“to discreetly enquire as to the person’s genitalia. Where the person has male genitalia, the person is to be searched by a male officer or watchhouse officer. Where the person has female genitalia, the person is to be searched by a female officer or watchhouse officer.”

You may like to request whether an LGBTI Liaison Officer is available or state that you would be more comfortable with somebody else conducting the search. Persons searching you should not make any comments about your body before, during or after the search and should remain mindful of any sensitivities.

If you believe you have been treated unfairly during a search, contact a lawyer. You may like to make a complaint against the police.

Do I have to do everything the police tell me to do?

- the police may give you a formal direction, like a “move on” order
- you can clarify by asking something like, “Do I legally have to do that?”
- if you do not comply with a lawful direction then you may be charged with an offence.

Move on orders are not the only types of directions that police can give however they are often given to young people.

Young people and the things they do are often judged because they are in groups and use public space differently to adults. These views alongside the way they dress, the way they look and what they do all impact on how they are treated. Young people who hang out in public spaces are often viewed negatively, even though they may not be breaking the law.

When can the police ask me to ‘move on’?

You can be asked to move on if your behaviour (or just you being where you are):

- is causing or has caused anxiety to someone and that feeling of anxiety is reasonable in the circumstances
- is or has been getting in the way of people going in or out of somewhere
- is disrupting or has disrupted an event, entertainment or a gathering place
- is disorderly, indecent, offensive or threatening

and you are in or near:

- a ‘public place’
- a ‘prescribed place’ - places which are named in the ‘move on’ laws
- any Government owned place that has its own laws which say you can be moved on: for example, Southbank Parklands.

If the police issue a move on order they must tell you why you are being moved on, where you must move on from specifically and how long for. If you do not leave, then the police can charge you with not complying with a lawful direction.

Security and local council officers do not have the powers of police officers to move

you from public or private places but they can ask you to leave and call the police if you do not go.

Whether you decide to move on or not, **remember to stay cool and calm.** You can ASK the police why you are being moved on. It is a good idea to write down everything you remember about what happened in case you want to do something about it later.

Do I have to go with a police officer?

You do not have to go with a police officer unless you are arrested.

The police can arrest you to question you if they believe that you have broken or are breaking the law. If you are arrested for questioning you do not have to answer any questions except to give your legal name, address and age.

When can the police take my photograph?

The police can only photograph you if you are arrested and charged. You do not have to agree to be photographed when being ‘street checked’.

Do I have to be in a line up or give a DNA sample?

No... You do not have to go with a police officer to be in a line up or to give them your DNA even if the police say they think you have broken the law. You should talk to a lawyer before agreeing to either of these things.

What if I am arrested?

You can ask why you are under arrest, but resisting arrest is an offence. You have the right to ask why the police officer is demanding you go with them. If you are not under arrest then you do not have to go with the police. If you are under arrest, a police officer must tell you why you are under arrest. Even if you have been arrested and charged you do not have to answer police questions.

A police officer is only allowed to use ‘reasonable force’ to carry out their job. Stay cool and calm, and talk to a lawyer later about what you can do if you think the arrest was unfair or wrong, or if the police injured you.

How long can the police hold me?

The police can arrest and hold you for questioning for up to 8 hours to investigate

an offence and question you about any offences they think you may have committed. Remember, you can be held for questioning but you do not have to answer any questions, except your name, age and address.

If they have decided to charge you they must decide as soon as reasonably possible whether to grant you bail or hold you in custody until you can appear before a Magistrate.

You may be held at the watch house or transferred to a detention centre. The segregation of prisoners is generally determined by gender with cultural considerations, which may be concerning if you are not cisgender. Police policy states:

(v) transgender prisoners should be placed in an empty cell, unless an empty cell is not available, in which case transgender persons are to be placed with prisoners who have the same type of genitalia;

Am I entitled to make a phone call?

Yes, as long as it is to speak with a support person and/or solicitor. If you are under 18, unless the police officer knows you have arranged for a lawyer to be present during questioning or you have spoken to a lawyer, the police officer must before questioning starts notify or attempt to notify a legal aid organisation (eg LAQ, ATSILS) that you are in custody for the offence. They also have to tell you that they are going to do this.

Who can I have with me during police questioning?

If you are under 18 you can have a ‘support person’. Generally, if you are under 18 and questioned by police, you must have a ‘support person’ with you but if you are being questioned about a minor offence such as obscene language or possession of property suspected of being stolen, a ‘support person’ is not required. The support person should be:

- a parent or guardian
- a lawyer
- a person who is acting for you who works in an agency that deals with the law
- a relative or friend you would like to have there
- if none of these are available, then a justice of the peace (JP).

You should tell the police which person you would like to have with you. The police should also give you the opportunity to talk to this person in private (where they cannot overhear you) before the questioning starts. Remember you can have both a lawyer and a support person at an interview.

What if I am charged with an offence?

If you are under 18 then you may be cautioned, sent to a Youth Restorative Justice Conference, sent to a Drug Diversion Assessment Program or sent to court. If you'd like to know more about going to court see: <https://www.yac.net.au/>

If you are required to go to court, or feel you have been treated unfairly by the police, you should contact a lawyer.

Keeping useful notes	
It's important to try and keep detailed notes of any concerning interactions you may have with police, or anyone you feel may have discriminated against you. These notes may be useful if you later decide to make a complaint or seek legal advice.	
<i>If you have any evidence of unfair treatment be sure to save it somewhere or print and keep copies, for example offensive emails, medical certificates showing you have suffered injury, or any other relevant documents.</i>	
Where did it happen	
Date and time	
Name and contact details for anyone else who saw what happened	
Name and badge number/station of police officers/ other party involved	
What happened? <i>Try and write down exactly what you saw and heard, including exactly what was said if you can remember.</i>	
Print your name	
Sign and date	

Who can help?

Youth Advocacy Centre (YAC) www.yac.net.au	3356 1002
Youth Legal Advice Hotline	1800 527 527
South West Brisbane Community Legal Centre www.communitylegal.org.au	3372 7677
Logan Youth & Family Legal Service www.yfs.org.au	3826 1500
Legal Aid Queensland www.legalaid.qld.gov.au	1300 651 188
Aboriginal & Torres Strait Islander Legal Service www.atsils.org.au	3025 3888 or (free call) 1800 012 255 (24hrs 7 days a week)
Refugee and Immigration Legal Service www.rails.org.au	3846 9300
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