Mr Edward O’Donohue, MLC  
Chairperson  
Scrutiny of Acts and Regulations Committee  
Parliament House  
Spring Street  

EAST MELBOURNE VIC 3002  

Dear Sir,  


The issues raised in this submission relate to Sect 30: Scrutiny of Acts and Regulations Committee and the possibilities for extending the scope (outlined in Sect 44(2) of the Charter of Human Rights and Responsibilities Act 2006  

The Rainbow Network is a network of workers dedicated to meeting the needs of same sex attracted and gender questioning youth in Victoria. The strong union of workers from across the state, regional and metro, includes teachers, youth workers, psychologists, nurses, GPs, community workers and police officers. Set up in 1998, Rainbow Network Victoria began as a small group of workers who began meeting informally to discuss issues within their work. Since then, with the emergence of more and more support groups and a growing recognition of the needs of same sex attracted and transgender young people, the network has continued to grow. There are now over 200 members.  

The purpose of our submission is to 1) show our strong support for Victoria’s Charter of Human Rights and Responsibilities Act 2006 2) express our concern about the lack of protection for the rights of same sex attracted and gender questioning youth and 3) draw to the attention of the recent La Trobe University research into the need to acknowledge and addresses the
particular needs of same sex attracted and gender questioning young Victorians.

Released last year, La Trobe University’s national ‘Writing Themselves in 3’ report found that thirty-eight per cent of surveyed SSAGQ youth reported being treated unfairly because of their sexual orientation. Based on a survey of 3134 people aged between 14 and 21, the study also found that 79 per cent of students attracted to the same sex had been physically assaulted or verbally abused. One in six people who had experienced homophobic bullying had attempted suicide at least once. The research clearly shows the negative impact of homophobia and discrimination on the wellbeing of SSAGQ young people and the need to address the long-term protection of SSAGQ young people.

Rainbow Network Victoria welcomed the Victorian Charter of Human Rights and Responsibilities 2006, as an important step to a future where gender and sexual diversity is valued and nurtured in our society. Today, the gap between increasing social acceptance and ongoing homophobia still exists in Victoria. For same sex attracted and gender questioning (SSAGQ) young people, the Charter’s protection of the rights to non-discrimination, privacy and reputation, freedom of expression, and safety of person is pivotal. SSAGQ young people are vulnerable to discrimination and vilification as they explore their sexual or gender identities in environments that are often hostile to people who are not exclusively heterosexual and gender normative. The alienation of this vilification and discrimination is also likely to be more absolute. SSAGQ youth, especially those from rural and regional areas, may feel alone and without support and, unlike young people who identify with other minority populations, SSAGQ young people cannot be sure of support from their families or communities-of-identity.

Rainbow Network Victoria believes that providing adequate support for sexual and gender diversity is critical to the mental health and well-being of all young people. Where discrimination on the basis of sexual or gender identity takes place and services fail in their obligations of promoting the rights and
wellbeing of young Victorians, these failures need to be highlighted and rectified. We welcome this review and encourage extending the scope of the Charter to strengthen the protection for the rights of same sex and gender questioning youth. We look forward to a constructive process that considers as a key measure how the Charter is affecting those who are most vulnerable to exclusion and discrimination.

Yours Sincerely,

Roz Ward and Annie Hooper

Rainbow Network Victoria