



Lives Behind The Laws

Impact of Anti-Discrimination Reform through a Lived
Experience Lens

Acknowledgement of Country

LGBTI Legal Service pay our deepest respects to Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the lands on which we work and live. We recognise their continuing connection to land, water and culture. We acknowledge the Aboriginal and Torres Strait Islander LGBTIQ+ Sistersgirls & Brotherboys community and recognise the ongoing battle for visibility and inclusivity.

We pay respect to Elders past present and emerging. We acknowledge the wisdom, strength and truth telling of Aboriginal and Torres Strait Islander people. In the spirit of reconciliation, we are committed to fostering a culture of shared knowledge and learnings with Aboriginal and Torres Strait Islander people accessing justice.

Panel



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Overview

Today, we will cover:

- the effect of the Anti-Discrimination reforms for nonbinary and intersex people;
- how CLCs can use these reforms to assist clients;
- how to provide culturally safe services to our community; and
- the importance of workplace inclusion in creating a safe service.

We will have time for questions at the end.

Can you explain what
intersex and non-binary
mean? What are the
differences?

Gender and Sex

- Gender and Sex are separate and distinct:
 - Gender refers to the socially constructed roles, behaviours, expressions, and identities of girls, women, boys, men, and gender diverse people. Gender is relational, hierarchical, historical, contextual and institutional.
 - Sex refers to a person's biological and physiological characteristics, such as reproductive organs, chromosomes, hormones, and other secondary sex characteristics.

Definitions

Intersex	Nonbinary
<p>Intersex Human Rights Australia states that Intersex people are those with innate sex characteristics that don't fit medical and social norms for female or male bodies, and that create risks or experiences of stigma, discrimination and harm.</p>	<p>A nonbinary person is someone who does not identify as exclusively a man or a woman.</p> <p>The term 'gender diverse' is often adopted as an umbrella term to refer to people who do not identify with a binary gender. This is because it is an inclusive term that can describe a large range of identities, such as people who do not have a gender (agender).</p>

Intersections and Differences

Intersex	Nonbinary
<p data-bbox="295 396 759 435">Intersex is not an identity.</p> <p data-bbox="295 496 1207 792">Intersex traits includes a wide range of underlying variations. These can be determined prenatally, at birth, during puberty and at other times, such as when trying to conceive a child. Each trait has its own characteristics and differing degrees of expression.</p> <p data-bbox="295 853 1182 1045">Some intersex people have negative experiences receiving healthcare due to their intersex status, particularly those who have been subject to involuntary sterilisation.</p> <p data-bbox="295 1106 1251 1298">A person's intersex status is separate from their gender. Like any other person intersex people may or may not identify with the gender they were assigned at birth.</p>	<p data-bbox="1286 396 1842 435">Nonbinary is a gender identity.</p> <p data-bbox="1286 496 2211 688">Nonbinary can be used to describe a wide range of identities where a person does not identify exclusively as a binary gender (e.g. gender fluid, demiboy & demigirl)</p> <p data-bbox="1286 853 2216 992">Some nonbinary people have negative experiences in receiving healthcare, particularly in accessing gender affirming care.</p> <p data-bbox="1286 1106 2219 1245">A person is nonbinary regardless of their gender expression or sex. There is no one way to be or look nonbinary.</p>

In your own words, what do
the legislative amendments
mean for people like you in
the community?

Amended:

gender identity, of a person—

- (a) is the person's internal and individual experience of gender, whether or not it corresponds with the sex assigned to the person at birth; and
- (b) without limiting paragraph (a), includes—
 - (i) the person's personal sense of the body; and
 - (ii) if freely chosen—modification of the person's bodily appearance or functions by medical, surgical or other means; and
 - (iii) other expressions of the person's gender, including name, dress, speech and behaviour.

Added:

sex characteristics, of a person, means the person's physical features and development related to the person's sex, and includes—

- (a) genitalia, gonads and other sexual and reproductive parts of the person's anatomy; and
- (b) the person's chromosomes, genes and hormones that are related to the person's sex; and
- (c) the person's secondary physical features emerging as a result of puberty.

A non-binary person walks
into your CLC. From the
moment of first contact,
what does an optimal client
experience look like?

What about CLCs who
don't see a lot of these
clients? How is this
relevant to them?

How should CLCs
address the cost of
compliance ?