

## Analysis – LGBTQIA+ communities

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Date: March 2022

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### Purpose

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During May and June 2021, the Joint Venture engaged with people across Aotearoa New Zealand to inform [Te Aorerekura – the National Strategy to Eliminate Family Violence and Sexual Violence](#). A key part of this engagement was the conversation with LGBTQIA+ communities impacted by violence. This paper reflects the community's experience with the family violence and sexual violence systems and the opportunities for improving how Aotearoa New Zealand work to prevent, respond, heal and recover from these forms of violence. Communities, organisations and individuals were generous in sharing their experiences, and through their insight government agencies have worked to develop a 25-year Strategy designed to achieve the moemoeā, or vision: All people in Aotearoa New Zealand are thriving: their wellbeing is enhanced and sustained because they are safe and supported to live their lives free from family violence and sexual violence.

This paper sets out themes that came out of hui, written submissions and conversations with LGBTQIA+ communities and uses, as much as possible, the words and voices of the people who shared their pūrākau (stories) and whakaaro (thoughts). The writing of this paper has been strongly informed by this community.

### Our engagement process with LGBTQIA+ communities

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Joint Venture agencies engaged with LGBTQIA+ communities by partnering with LGBTQIA+ organisations, who hosted and facilitated six engagement hui.<sup>1</sup> These hui had a diverse range of participants from across the LGBTQIA+ communities.

In addition to the hui, the JV received approximately 30 submissions via the submissions email and the Citizen Space survey with a specific focus on LGBTQIA+.

### What we know about LGBTQIA+ communities

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LGBTQIA+ people are part of every demographic group in Aotearoa New Zealand: every ethnicity, socio-economic status, disability group, age, religion and region.

This paper uses the term LGBTQIA+ communities but acknowledges there are other umbrella terms used to describe this population group including Rainbow and MVPFAFF, an acronym encompassing some of the Rainbow Pasifika identities (māhū, vakasalewalewa, palopa, fa'afafine, akava'ine, fakaleiti (leiti), fakafifine). Different people and groups may connect more strongly with different terms and descriptions.

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<sup>1</sup> Hui partners included, the LGBTQIA+ Violence Prevention Network, Hohou Te Rongo Kahukura – Outing Violence, InsideOUT, RespectED, Dunedin Pride, Gender Minorities Aotearoa, Te Ngākau Kahukura, Rainbow YOUTH, and Outline.



This paper uses the term LGBTQIA+ communities as an umbrella term to describe those whose sexual orientation, gender identity and expression, or sex characteristics differ from cisgender (meaning whatever gender you are now is the same as what was assigned for you at birth), endosex (meaning that your innate sex characteristics fit normative medical or social ideas for male or female bodies), and heteronormative majority binary norms.

This includes:

- Sexualities other than heterosexual (for example, gay, lesbian, bisexual, takatāpui, queer, pansexual, asexual)
- Genders other than cisgender (for example, transgender, takatāpui, whakawahine, tangata ira tane, ia, fa'afafine, fa'atama, genderqueer, fakaleiti, leiti, akava'ine, fakafifine, vakasalewalewa, non-binary)
- Innate variations of sex characteristics, i.e. intersex.

In Aotearoa New Zealand, takatāpui is a Māori term meaning 'intimate companion of the same sex.' It has been redefined to embrace all Māori who identify with diverse sex characteristics, genders and sexualities, such as irawhiti (transgender), whakawāhine (trans women), tangata ira tāne (trans men), lesbian, gay, bisexual, transgender, intersex and queer. The LGBTQIA+ community define being takatāpui as:

- Whakapapa (descent from ancestors with sexual and gender fluidity)
- Mana (authority and power to be who we are)
- Te mana whakahaere (autonomy and authority to be who we are and determine our future)
- Mauriora (cultural identity; claiming all of who we are in terms of culture, gender, sexuality, disability, and having our identities supported)
- Ngā manukura (leadership and inclusion; collaboration and alliances across all iwi, sexes, genders and sexualities).<sup>2</sup>

The 2018 national census did not include questions about sexual orientation, transgender status or intersex status and there is limited data to accurately quantify the number of LGBTQIA+ people in our population. However, indications are that they comprise between 6% and 15% of the population.

## **Research and data related to LGBTQIA+ communities and family violence and sexual violence**

There is a lack of quality data to inform family violence and sexual violence policy and actions for LGBTQIA+ communities. This engagement process made clear that more data and research

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<sup>2</sup> Trans 101 Glossary of Trans Words and How to Use Them, Gender Minorities Aotearoa.

is needed, and that research and data collection methods need to be designed by the LGBTQIA+ communities.

The 2019/2020 *New Zealand Crime and Victims Survey*<sup>3</sup> is considered problematic as it collects data on people who describe themselves as gay, lesbian, bisexual and 'other diverse sexualities', and consequently does not collect the detailed information that would make visible the experiences of all people with diverse sexualities and genders. Additionally, the sample size for people with diverse genders was too small to provide reliable results.

Results from this survey include data for lesbian, gay and bisexual participants, which indicate much higher rates of offences by family members, intimate partner violence and sexual violence than the average.

This survey found lesbian, gay, bisexual and people with diverse sexualities (9.2%) were more than five times more likely than heterosexual adults (1.7%) to have been the victim of one or more sexual assaults in the previous 12 months. People with diverse sexualities were victims of about two out of every 10 sexual assaults (36,000 out of 168,000 recorded).

Also, lesbian, gay, bisexual and those with diverse sexualities were at more than twice the risk of experiencing violence from family members than heterosexual people. The prevalence rate for people with diverse sexualities was 5.7%, compared with 2.1% for heterosexual people. Lesbian, gay, bisexual and people with diverse sexualities were three times as likely as heterosexual people to have experienced intimate partner violence over the previous 12 months.

The 2019 report *Counting Ourselves: The health and wellbeing of trans and non-binary people in Aotearoa New Zealand*<sup>4</sup> indicated that rates of sexual violence for trans and non-binary people are very high. Trans women (33%), trans men (50%) and non-binary participants (55%) all reported incidence of sexual assault at rates two to three times higher than for women in the general population, and seven to 12 times higher than for men in the general population. This number was even higher for disabled participants.

People who contributed to this report also identified the lack of support following an assault, from Police (7%) or from family or whānau (15%). Tangata whenua were more likely to get support from whānau (30%), while Asian participants (less than 2%) were less likely to get family assistance. Only 11% of participants had received support from a sexual abuse crisis service. It was most common for people to get support from friends, counsellors, partners or other trans and non-binary people.

Furthermore, 6% of people had become homeless because of violence from a partner or family member and people who left their homes struggled to find other housing options that welcomed trans or non-binary people. Employment discrimination and violence against trans and non-binary people also contribute to a cycle of homelessness.

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<sup>3</sup> Ministry of Justice. 2021. New Zealand Crime and Victims Survey. Key findings. Cycle 3. October 2019 – November 2020. Retrieved from: <https://www.justice.govt.nz/assets/Documents/Publications/NZCVS-Cycle3-A5-20210611-v1.0-fin.pdf>

<sup>4</sup> Access at <https://countingourselves.nz/index.php/community-report/>

## Gap analysis

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Based on the submissions from the six hui and the demographic information available, the following population cohorts may be under-represented in the analysis:

- LGBTQIA+ migrants and former refugees
- LGBTQIA+ refugees and asylum seekers
- Older LGBTQIA+ people
- MVPFAFF/Pacific Rainbow peoples
- Rural LGBTQIA+ people
- Intersex people. Analysis of submissions suggests there were few intersex respondents.

## Needs and issues

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Discrimination and stigma are key family violence and sexual violence drivers impacting on LGBTQIA+ people – at home, at school, and in the community. Issues raised by the LGBTQIA+ communities included:

- LGBTQIA+ people, particularly trans people, experience very high levels of violence in their family homes, due to stigma and prejudice
- Stigma and prejudice can be directed toward trans people as partners – societal norms suggest dating a trans person as abnormal, resulting in secrecy, fetishisation, and abuse of trans people
- LGBTQIA+ people sometimes avoid talking about violence in their communities due to the lack of understanding and support from the wider community
- 23% of trans students are bullied at least weekly (compared with 5% of cisgender students)
- Legalised and medically sanctioned, non-consensual surgeries on intersex infants are one of the most widely tolerated ways in which people with diverse sexes experience sexual violence and contribute to stigma and discrimination across people's entire lives.

In addition to the higher rates of family violence and sexual violence discussed above, the JV heard there are several compounding issues affecting LGBTQIA+ communities.

**Binary gendered response:** Responses to family violence and sexual violence often take a binary gendered response, for example awareness-raising usually targets relationships between men and women. This does not acknowledge family violence and sexual violence in LGBTQIA+ relationships, or people who do not fit binary norms of sex, gender, or sexuality. This can lead to family violence and sexual violence going unaddressed in LGBTQIA+ communities, as well as further entrenching harmful gender norms which contribute to family violence and sexual violence.

**Poverty:** LGBTQIA+ people, particularly trans people, are more likely to experience poverty. The median income of trans people is just half that of the general population. The JV was told that unemployment (and ineffective Work and Income benefit support) creates poverty and difficulties accessing services or leaving abusive situations. Sexual harassment in work is very common for trans people.

**Homelessness:** LGBTQIA+ people, particularly trans people, are more likely to experience homelessness. Housing was a central theme because the lack of housing inhibits the ability of trans people to leave abusive situations. One in four non-European trans people, and one in five trans people more broadly, experience homelessness.

**Stigma and discrimination:** Until recently, LGBTQIA+ communities were criminalised, and homophobia and transphobia within government practice remains. Stigma and discrimination cause psychological distress and prevent people from leaving abusive situations, which causes further psychological distress. ‘High’ or ‘very high’ self-reported psychological distress is experienced by trans people at nine times the rate of the general population. This is another significant barrier to leaving abusive situations. Over 10% of trans people are autistic, with some studies showing more than double that figure. Autistic trans people are statistically much more likely to also have PTSD, anxiety, depression, ADHD, and bipolar disorders.

“Re-traumatisation and barriers to safety are created by the current inadequate (or sometimes abusive) services, across all relevant government agencies.”

“There is no rainbow specific violence prevention programme that is culturally relevant to all parts of our community - these need to be developed and funded. If we want to end violence in our communities, we need to have autonomy and resources to do it.”

“People feel a lot of mistrust with government departments such as Corrections, MSD and Oranga Tamariki due to their historic treatment of rainbow people.”

“The professionals in our rainbow community are overworked and more vulnerable to burn-out. This is from advocating on all levels for people in their community, providing therapy, crisis work, training and government consultation, often unpaid. The rainbow community wants the people in their communities to have access to safe, best practice, so they will fill multiple roles to provide the best support to their community. Rainbow community organisations do not receive MSD or other sexual violence funding, but they are supporting survivors of sexual violence.”

## Services and supports

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### Family violence and sexual violence services and supports

The JV heard that there is a significant need for both targeted LGBTQIA+ and trans family violence and sexual violence services, as well as building the capability of universal family violence and sexual violence services to respond appropriately to LGBTQIA+ and trans needs, and not cause further harm.

People in LGBTQIA+ communities are highly unlikely to seek help from ‘mainstream’ violence services. Due to negative past experiences of homophobia, biphobia and transphobia, there is a perception in the LGBTQIA+ community that they will not receive appropriate responses. However, LGBTQIA+ organisations are poorly resourced to respond: 80% of staff are volunteers.

“Workforces often perpetuate and condone bullying and anti-rainbow norms and violence – this needs to be better addressed first.”

“There’s so little trans competence, it’s always the community who are doing the work and the training. The expertise is in community organisations.”

## **Non-family violence and sexual violence services and supports**

A range of other services (outside of specialist family violence and sexual violence services) are crucial to preventing and addressing family violence and sexual violence for LGBTQIA+ communities, including housing, healthcare, mental health, adequate income and employment. These are discussed further in the next section.

“There is a huge need for rainbow competency training for counsellors, mental health professionals, Police, Justice, OT. No one-size-fits all training – [it] needs to be tailored.”

## **Emerging themes from engagement**

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The following themes are summarised from the engagement discussions and submissions.

### **Draw on te ao Māori for solutions and honour Te Tiriti**

- Make sure Māori solutions are takatāpui and irawhiti inclusive – naming it is important. Look to kaupapa Māori frameworks
- Be open to alternative ways of finding solutions outside of the Crown and Western frameworks
- Acknowledge the role colonisation plays in violence and harm – historical and contemporary – and that homophobia, transphobia and racism are colonial legacies
- Note that mainstream ways of thinking are not always compatible with te ao Māori concepts; centre the approach on Māori
- Support de-colonisation and intergenerational trauma healing as prevention

- Provide more support for whānau of LGBTQIA+ young people to prevent family violence, including with Māori communities that don't believe 'LGBTQIA+' has a space in te ao Māori
- Authentically honour Te Tiriti – this is the foundation to build upon
- Enable mana motuhake – self-determination around boundaries.

“Western ways of thinking aren't always compatible with te ao Māori concepts. For example, mana is innate. In Western culture, you have to earn respect.”

“Understanding and recognition from government around homophobia, transphobia and racism being colonial legacies. If we were to create a strategy that honours colonisation and Te Tiriti, we need to make sure we are open to alternative ways of finding solutions outside of the Crown/Western framework.”

### **Invest in culturally appropriate, holistic prevention that addresses homophobia, transphobia and interphobia**

- Invest in prevention – changing beliefs and attitudes are a key part of this mahi to enable inclusive communities safe for everyone. Currently investment prioritises the ambulance at bottom of the cliff
- Culturally informed support should mean that prevention approaches are also developed through LGBTQIA+ and transgender cultural lenses
- Appropriate supports are required for different cultural needs (currently very Pākehā-focused)
- Healthy relationships education must include LGBTQIA+ identities and genders
- Prevention needs to address upstream factors including the social determinants of health, for example, poverty
- Prevention includes addressing heterosexism/homophobia, cissexism/transphobia, and other issues of stigma and discrimination against LGBTQIA+ people
- Address heteronormativity, cisnormativity and other issues of stigma and discrimination against LGBTQIA+ people to ensure inclusive prevention approaches.

“Many of the most urgent changes needed contained an element of cultural change - something we have seen previous governments improve with both legislative and broader leadership - for example, in response to drink-driving.”

“It is important for rainbow communities to develop their own prevention and response pathways, especially as there is a high level of distrust in systems like police and health.”

“Priority issue – prevention for queer people starts at home by making sure our families love, understanding and respect our lived experience and identity.”

## Invest in workforce capability and capacity

- Recognise that workforces often perpetuate and condone bullying, transphobic and homophobic norms and violence
- Competence to work with LGBTQIA+ and trans people is an issue across all workforces in family violence and sexual violence responses and adjacent organisations:
  - Frameworks, standards and training for counsellors, health professionals, and in statutory responses by Police, Justice, Oranga Tamariki, and others
  - Government contracts should require LGBTQIA+ competency.
- Most LGBTQIA+ and transgender organisation staff are volunteers and need training on family violence and sexual violence
- Increase capacity and resources for LGBTQIA+, particularly transgender communities doing prevention work. A sustainable model is needed for training and supporting volunteers, including more leadership pathways
- General LGBTQIA+ organisations are not sufficient to serve transgender communities
- Note there are challenges to increasing LGBTQIA+ capability and capacity:
  - LGBTQIA+ training can become a tick-box exercise. One size fits all training is not appropriate, it needs to be tailored for specific needs
  - There is a limited pool of LGBTQIA+ competent individuals and people competent with transgender issues available to upskill workforces.

“Training of mainstream organisations was discussed frequently in our focus groups. We consider effective training to come from an intersectional perspective (including diverse cultures, religions etc) and to be about interactive relationships with organisations who consider their own processes and policies in light of LGBTQIA+ FVSV experience, rather than training about ‘who we are’.”

“When government and funders exclude rainbow organisations by pushing for “community champions” (individuals who are funded to work with rainbow communities) this leads to burn-out and can be unsafe for these rainbow individuals as well as the people they are working with. This underpins some of the reasons why people in our community decide not to work alone and start up/join rainbow organisations.”

“If the government starts to resource across the board for rainbow competency in mainstream services, then recognise that the capacity of our community to do this work is currently limited. Our services need resources to support all of the training and prevention work happening so that it is done safely, for our workforce as well as for the safety of our communities who come into contact with mainstream services.”

## Support community-led approaches including through contracting practise

- Increase capacity and resources for LGBTQIA+ and particularly trans communities doing prevention
- Have a high trust model that dedicates resource to those who are from and within marginalised communities already doing this mahi; build capacity to allow them to deliver this support
- Change contracting practice to better support communities to lead work, particularly smaller organisations that cater for diverse LGBTQIA+ communities' needs.

“Support community collaboration rather than competition.”

“Fund and resource independent trans community initiatives, (independent from Police, govt. etc) including funding and resourcing the people already doing this work in the trans community and continue to consult the trans community.”

“Provide rainbow communities with consistent, enduring contracts and enough resources so that they can continue to grow our capacity to meet the needs of rainbow communities.”

“What’s your accountability to the community? There’s no sense of accountability to community by contractors not from the community ... If we’re from the community, we are accountable to the community.”

“Transformational rather than transactional approaches to work-we cannot do transformational work if it is transactional. This highlights relational dynamics as key to doing transformational work.”

## Prioritise ongoing high trust relationships with communities

- Strengthen government’s commitment and build relationships and trust with LGBTQIA+ communities
- Consistent engagement between government and LGBTQIA+ communities beyond strategy development, including through:
  - Co-design and collaboration at every stage
  - Events and opportunities to provide feedback on government policies
  - Attendance at community consultation events
  - Assistance from government to understand and input into government policy processes.

“Continue to consult the community. Trans involvement in processes, including resourcing trans people.”

“Government needs to talk to the right people to get the right feedback (and be clear on what a specialist is).”

## **Prioritise equity**

- Equitable investment is needed and should be proportionate to harm, to enable healing and recovery.
- Intersectional approaches to target the unique needs of people who are part of multiple communities.
- Sufficient investment to serve transgender people specifically.

“Need to acknowledge the diversity within the rainbow community.”

“Trans people as a group are at very high risk of experiencing violence – but there is no funding for trans people (funding for “rainbow people” does not count - that is not targeting trans people). When items say “trans people” they do not mean “rainbow people”, they specifically mean “trans people.”

“Trans visibility and cultural change must be ultimate objectives through every level - “trans visibility” means that trans people are always explicitly accounted for in policy and strategy and are involved in planning and implementing policy and resource creation.”

## **Improve data and research**

- Data and research commissioning needs to be led by LGBTQIA+ people to identify the information needed and how best to ask questions that will allow collection of this information, without exclusion. Prioritise research completed by the LGBTQIA+ rather than ‘outsider research’
- Some submissions highlighted areas where more data is needed, for example, disaggregated data for trans and cisgender LGBTQIA+ people. However, submissions also highlighted the need for caution with data sharing
- Privacy is a key consideration to ensure confidentiality for LGBTQIA+ people and lower the risk of institutional violence. Any sharing of identifiable information needs to be safe and ethical, guided by the person or people whose information it is.

“Rainbow communities are over researched with the same questions from different researchers which contributes to consultation burn-out.”

“Need for more and better data collection and research to counter under-reporting and to provide safety.”

“Data sharing to the government or between government agencies was identified as one of the key sources of retraumatisation, and creating barriers to accessing services.”

The emergent themes from LGBTQIA+ communities were:

- Te Ao Māori - draw on te ao Māori for solutions and honour Te Tiriti
- Prevention – invest in culturally-appropriate, holistic prevention that address homophobia, transphobia and interphobia
- Workforce – invest in workforce capability and capacity
- Community-led – support community-led approaches through contracting practise
- Relationships – prioritise ongoing high trust relationships with communities
- Equity – prioritise equity
- Data – improve data and research.

## **What the strategy needs to do**

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### **Name specific LGBTQIA+ communities, particularly trans people, and recognise intersectionality**

- Take an intersectional approach that does not silo stakeholder groups – for example, recognise that people are both tangata whenua and LGBTQIA+/takatāpui
- Specific communities/marginalised and minority groups need to be named or they will be forgotten in the process, for example, disabled LGBTQIA+ people
- Recognise the different LGBTQIA+ identities and communities and the unique ways family violence and sexual violence manifests
- Transgender people need to be a specifically named group in the National Strategy
- Gender definitions need to be expansive, to include transgender people and include a nuanced analysis of intersecting power dynamics.

“Need to think about intersectionality and fund those who do the weaving.”

“Authentic intersectional understanding needs to be in the strategy – not being boxed into categories weaving in the complexity, rather creating a specialisation ‘expert specialist in LGBTQIA+ violence’ and then end up having to do all the work across the country.”

“Intersectional LGBTQIA+ research in this area is a priority action.”

“Rainbow communities are just as diverse as the rest of the population - a one size fits all approach might not work for all of us.”

## **Expand the gendered narrative**

- Build a more inclusive understanding of gender to establish new services for people currently excluded, as well as across the existing responses to violence. Gendered responses can help tailor approaches and are helpful when they include trans people’s genders. Existing gendered responses are exclusionary
- Note that harm done to LGBTQIA+ women is more complicated than the ‘standard’ picture of violence. There is a need to understand the nature and extent of this violence
- Recognise the narrative that “men do violence to women” can perpetuate harmful societal norms.

“We need a commitment to ensuring that binarist (sic) assumptions aren't present in any government documents. It is a disservice to trans communities to have the experiences of trans women invisibilised (sic) by grouping cis- and trans-women together, by grouping cis- and trans-men together, and by erasing the experiences of non-binary people. It also will do nothing to address the distressingly high rates of violence against trans people.”

“We need to think about intersectionality-move away from a cis gendered understandings of sexual violence.”

“Discourse needs to be less gendered. Narrative that men do violence to women can be counterproductive. Power analysis is central to all of this work.”

“Society categorically promotes that men are a sexual threat and women aren’t. Although generally they misgender trans people in regard to this - i.e. they believe that cisgender men and transgender women are sexual threats, along with trans men IF those trans men look like cis men. This includes believing that cisgender women, and anyone who is seen as a cisgender woman, are incapable of doing sexual harm. Cisgender women commonly perpetrate sexual violence toward transgender people.”

## **Be holistic**

- Acknowledge family violence and sexual violence are connected to other forms of violence

- Develop understanding of a broader definition of violence, such as the one stated in the *Te Hau Tangata*<sup>5</sup> – family violence and sexual violence, violence toward whānau and violence from institutional and systemic discrimination.

“Family violence and sexual violence cannot be separated from institutional, community based and state violence that we face. Understanding and working sensitively with family violence and sexual violence means understanding violence in the context of colonisation.”

## Address historic and ongoing treatment of LGBTQIA+ communities by government

The Strategy needs to acknowledge and address both historic and current discrimination against transgender, intersex, and LGBTQIA+ communities from government policy and practice.

“People feel a lot of mistrust with government departments such as Corrections, MSD and Oranga Tamariki due to their historic treatment of LGBTQIA+ people.”

“It's hard for rainbow communities to feel heard by government when people with hateful and transphobic views continue to be employed and platformed.”

## Actions for eliminating family violence and sexual violence from LGBTQIA+ communities

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The LGBTQIA+ community told the JV that the following actions are needed to eliminate, or substantially reduce, violence in LGBTQIA+ communities.

### Principles for developing services and supports

- **Inclusive, accessible, affirming:** All universal services need to be inclusive of, and accessible to, LGBTQIA+ communities and the diversity of people within them, for example, trans people, takatāpui, disabled LGBTQIA+ people. Services need to demonstrate culturally-safe practice, i.e. developing services through LGBTQIA+ cultural lenses. All services need to be LGBTQIA+ competent
- **Twin-track:** Ensure mainstream services that respond to LGBTQIA+ needs, as well as specialist LGBTQIA+ and transgender services
- **Trauma informed, holistic, restorative:** Deliver restorative and rehabilitative approaches to people who do harm; create and normalise trauma-informed service

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<sup>5</sup> Interim Te Rōpū. 2021. *Te Hau Tangata: The scared breath of humanity*, The National Strategy for Eliminating Violence. Wellington. <https://violencefree.govt.nz/assets/National-strategy/1ed211b2fd/Te-Hau-Tangata.pdf>

delivery across all systems; invest in more long-term and holistic intervention programmes

- **Regional:** ensure geographic equity and targeting regional needs.

### **Types of services and supports needed for LGBTQIA+ communities**

- **Inclusive healthy relationships and health education:** Design and deliver all ages healthy relationships education; improve public understanding of what counts as sexual violence and abuse. Educate the public about LGBTQIA+ and particularly trans and intersex issues, ensuring trans people are incorporated into existing campaigns, for example, the 'It's not OK' campaign
- **Mental health:** Improve mental health services to ensure workforces are competent to deliver services for LGBTQIA+ people and address long waitlists for LGBTQIA+-affirming care
- **Health care:** Address the need for gender affirming healthcare in Aotearoa New Zealand is difficult for trans, non-binary and intersex people. People felt that this is a form of violence in itself and should not be a matter of convenience in terms of funding, but more a matter of life and death
- **Safe spaces:** There is a need for spaces for LGBTQIA+ people especially for those who do not feel safe in mainstream spaces
- **Housing:** Safe houses are needed for all genders experiencing violence
- **Navigators:** Advocates or navigators must be accessible to any LGBTQIA+ person who has experienced family violence and sexual violence
- **Justice:** Provide restorative justice processes that are separate from Police when needed. Communities should be able to offer holistic, safe and professional restorative justice processes
- **Employment support:** Support affirmative action to counter discrimination against LGBTQIA+ people in employment and effectively address sexual harassment in the workplace.

See also 'Government strategy, policy and practice' below for changes to specific government services.

### **Targeted services and supports needed for different LGBTQIA+ cohorts**

- **Trans people:** Ensure specific services and supports for trans people, not just as part of LGBTQIA+ services
- **Takatāpui:** Takatāpui have the right to access appropriate supports, including kaupapa Māori and mainstream
- **Disabled LGBTQIA+ people:** Include easier access to assessment and support for neuro-diverse and learning-disabled LGBTQIA+ people, recognising the higher rates of autism in trans communities

- **Pasifika communities:** Pasifika LGBTQIA+ communities have the right to access appropriate supports, including specialist Pasifika services and mainstream
- **Intersex communities:** Intersex people receive appropriate support and are not subject to legalised and medically sanctioned, non-consensual surgeries underpinned by gender preconceptions
- **LGBTQIA+ people who have experienced violence:** Support needs to include options for people who do not want to go through the justice system
- **Young LGBTQIA+ people:** Support needs to be available for young trans people not in school or with family. More resourcing is needed so that guidance counsellors in schools are all trained in understanding violence and trauma. Teaching empathy and emotional intelligence, self and community care, consent in a non-sexual context within schools to make it more normal and less awkward. Education about abuse and safer sex is needed including transgender content in curriculum. Learning environments need to be gender inclusive
- **Older LGBTQIA+ people:** There are high rates of violence among older LGBTQIA+ communities and a lack of support systems in aged care communities. Older people are forced back into the closet when going into aged care, often by family
- **LGBTQIA+ adults and parents:** It is important to respond to intergenerational trauma and issues in post-school populations, including workplaces and whānau. Support is needed for new parents
- **Rural LGBTQIA+ communities:** It is harder for rural communities to get support due to higher homophobia, biphobia and transphobia and fewer services available to them. There needs to be alternative vehicles for intervention and support (for example, farming services)
- **Families and whānau of LGBTQIA+ people:** There are specific dynamics of family violence for LGBTQIA+ people, and specific challenges for LGBTQIA+ people accessing support from family. Supports for families, whānau and caregivers, including LGBTQIA+ children in state care are needed
- **Friends and community of LGBTQIA+ people:** Including supporting people to respond to disclosures, as well as reach out.

## **Government strategy, policy and practice**

- **Eliminate tolerance for homophobia and transphobia within government:** Evaluate the culture and norms within government to identify and address unsafe practices for LGBTQIA+ people, including homophobic and transphobic actions and systems
- **Lift government LGBTQIA+ and transgender competency:** Develop a national standard for LGBTQIA+ and transgender competency, working with LGBTQIA+ and transgender people from different cultural groups. The public sector needs to commit to long-term training on LGBTQIA+ and transgender competency that should be led by community groups

- **Enable choice in interactions with government:** Support LGBTQIA+ and transgender people in deciding how they interact with government agencies
- **Legislative change:** A number of changes are needed including banning conversion therapy; providing more flexibility for people to use a chosen name in legal and other systems; making it easier to change name and gender markers; prohibition of surgery on intersex children; positive definition of consent; inclusive definition of women; legislative protection through the Human Rights Act; and hate speech laws
- **Careers:** Support LGBTQIA+ and transgender people into family violence and sexual violence sector careers, dismantling barriers in education
- **Leadership for LGBTQIA+ and transgender issues:** Improve accountability for government regarding LGBTQIA+ and transgender issues (note there is no specific ministry or department in charge of LGBTQIA+ issues). Employ more LGBTQIA+ and transgender people on government panels and advisory groups. Resource LGBTQIA+-specific advocacy and dedicated support within government, without taking away from existing funding for LGBTQIA+ and transgender communities.

The specific changes that can be addressed by each agency and organisation are outlined below.

## **Actions suggested for each agency**

### **ACC**

- People who have experienced harm overseas do not qualify for support through ACC, which is a huge barrier for LGBTQIA+ migrants and refugees to access helpful support
- End or reduce the gatekeeping for ACC sensitive claims, including the requirement to have psychological evaluations to access ACC support
- Support and encourage more LGBTQIA+ ACC providers
- Transgender people should not be turned away if the way they describe being abused does not fit cisgender, heterosexual frameworks.

### **Police and Justice system**

- Stop the 'Loves me Not' Police campaign
- Mental health crisis response should not be done by Police, as this is often traumatising and leads to unwillingness to seek crisis support
- Police are not the appropriate responders to all violence call-outs. Transgender and LGBTQIA+ people are less likely to consider calling Police due to histories of trauma and having received phobic responses from Police
- Police are not trusted by LGBTQIA+ and transgender communities. Any Police-led campaigns are problematic for these communities, not just 'Loves me not.' Police resources take away from community resources
- Diversity liaison officers do not work; Police is a cis and heteronormative environment

- Recognise transphobic and homophobic homes as unsafe. Young people should not be sent 'home' to abusive families by Police
- The Justice system can be severely retraumatising by removing a trans person's autonomy, and in some cases create new trauma. There is a need for people in the justice system to recognise transphobia in abusive relationships, and end the common practice of making custody decisions which enable or support transphobic abuse, and other common miscarriages of justice.

### **Ministry of Education**

- Change the ability for schools to block diverse sex education. This is institutional discrimination. Schools should follow the new relationship and sexuality education guidelines, rather than just be recommend by the Ministry that they do so. Young people are missing out
- Mandatory and clear curriculum for every school, with LGBTQIA+ inclusivity built into it from the outset
- Schools need to prevent bullying effectively and respond to it when it occurs. Schools with unresolved bullying complaints need to be held accountable
- Replace *'Mates and Dates'* programme.

### **Ministry of Social Development (MSD)/Work and Income**

- Address the discrimination faced by LGBTQIA+ people when accessing services
- Make an MSD webpage that lists resources available, such as emergency benefits. Include resources specific to the situations of abuse, specific for trans people
- Work and Income is not fit for purpose – it's opaque, has arbitrary standards and routinely abuses service users (including the sudden and arbitrary withdrawal of benefits, etc) which is experienced as a form of prolonged abuse, often triggering past abuse as well as preventing recovery. Dealings with MSD are often cited as the most stressful relationship in a person's life
- End the current system of arbitrary removal of support. Replace it with a system requiring proper review before individuals are cast back into poverty.

### **Oranga Tamariki**

- Address unsafe practice for support workers (for example, 'outing' young people to their parents and putting them in a more unsafe situation)
- Ensure foster care agencies are LGBTQIA+ and transgender competent
- Minimise state intervention in children's lives – many trans people do not seek support they are entitled to as they fear of losing their autonomy
- Collecting LGBTQIA+ data may increase vulnerability to sexual violence and family violence in Oranga Tamariki care, as this is data about the sexual preferences and the gender of children in care.

## Bottom lines for LGBTQIA+ communities

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Through the engagement process, LGBTQIA+ communities called for:

- Government acknowledgement of the intergenerational trauma of LGBTQIA+ and transgender ancestors, including LGBTQIA+ and transgender people of previous and current generations who have experienced life as a criminal
- Acknowledgement of the harm done to LGBTQIA+ and transgender communities by key institutions, especially Police and faith-based institutions
- A zero-tolerance policy towards heteronormativity and cis-normativity within government itself. It's hard for LGBTQIA+ communities to feel heard by government when people who voice and give effect to homophobic and transphobic views continue to be employed and given platforms for their views
- Systematic acknowledgement of transgender experiences: Trans visibility and cultural change that ensures inclusive approaches must be core objectives in improving wellbeing and eliminating family violence and sexual violence. 'Trans-visibility' means that trans people are always explicitly accounted for in policy and strategy and are involved in planning and implementing policy and funding decisions
- Access to gender-affirming healthcare in Aotearoa New Zealand is currently insufficient and inconsistent for trans, non-binary and intersex people. This is seen as a form of violence in itself and access to this care should be considered a human right
- Conversion therapy should be viewed as violence – it should be banned, but legislation may not totally stop it. Education about gender and sexuality is important
- Health system reform must make it impossible for doctors to continue the eugenic practice of imposing ableist, heteronormative or cis-normative sexual and gender standards on patients seeking endorsed transgender healthcare, following the National Guidelines for Gender Affirming Healthcare.