

CORKHILL, Ms Heather, Member, Steering Committee, Rainbow Families Queensland

KANAPI, Mr Trevor, Member, Steering Committee, Rainbow Families Queensland

CHAIR: Welcome. We ask that during your evidence today you please refrain from using any unparliamentary language—and can I just say that I am not telling you this because I expect that it would happen—such as swearing or offensive terms, even if you are quoting someone else. We thank you for your cooperation in this place. If you would like, you can make a short opening statement, after which the committee will have some questions for you.

Ms Corkhill: We are both going to deliver an opening statement. Before we start, I want to disclose that I work for the Queensland Human Rights Commission but my views today are my own and are representing Rainbow Families only and not the commission.

Mr Kanapi: I thank the committee for allowing Rainbow Families to come today. First, I acknowledge the Aboriginal and Torres Strait Islander families as the traditional owners and custodians of the land that we are on today and may respects to elders past, present and emerging. With the indulgence of the committee, I also acknowledge our children and families. We have Mason, Jali, Taran and Violet here today so we certainly agree and support your comments around appropriate language.

Rainbow Families Queensland advocates on behalf of LGBTI+Q parents, carers and prospective parents and their children right across Queensland, including regional areas. Rainbow Families Queensland runs social groups, events, fertility information sessions, advocates and law reform issues, as well as providing a really positive connection with other rainbow families and supporting those families.

The LGBTI+Q community's mental health is in crisis with substantially worse mental health outcomes overall, demonstrated through the research and provided in our submission, particularly amongst our trans, gender-diverse and intersex community members. Like many marginalised communities, a major contributing factor to our poor mental health is the impact of stigma, discrimination and vilification. I want to reiterate that our organisation is coming from really true lived experiences of that. The impacts on our families or for anyone who experiences this is not okay, but particularly when it is with families or our children who experience it through no fault of their own, it goes to another level. Like all parents, we worry about our children but our worries are different from most families.

I also want to mention the intersectionality of our organisation and our community. We are an inclusive organisation. We have families from First Nations, people with disability, different religious beliefs and culturally and linguistically diverse people. At a minimum, it is acknowledging that hate speech can often be compounded by multiple factors within our communities.

Our worries are different, as I mentioned, from most families. Through no fault of our own, our children often have to learn about homophobia and transphobia too early in life and we have to take on the responsibility of building that resilience. Many of our families feel that public places are not safe places and that can often lead to social isolation. That hypervigilance has an impact on our community and it can often make us feel worse.

Ms Corkhill: At this stage there has been a significant field of research that says that our children in rainbow families are actually doing as well as if not better than children in other families. However, a 2014 study found that experiences of stigma related to being in a same-sex parented family, which can include bullying and social isolation, can be a risk factor for the wellbeing of children.

Rainbow Families Queensland collaborated with the Queensland Council for LGBTI Health to work on a community survey in relation to this process. Our community has indicated that 68 per cent had personally experienced vilification within the last five years and over 90 per cent believed that it happened to the LGBTI community as a whole. Hate speech, as Ghassan mentioned in the previous session, seems to be getting worse, evidenced by that Private Lives study. We have even observed this since the passing of marriage equality, with social media and the 24-hour news cycle providing a new platform for vilification like we have never seen before.

I want to touch on the period of the postal survey, which was really a perfect example of this where our capacity to safely and competently parent or children was subject to significant public debate for months. In some of the worst cases, we were called child abusers and paedophiles in vilifying pamphlets, posters, online and in the media.

In terms of what we feel needs to change, definitely I want to support the words of Ghassan from the previous session on the importance of updating definitions in a way that actually reflects our communities and ensuring that they are flexible enough so that when there are changes we do not wait 30 years for these definitions to be updated.

While this inquiry is mostly focused on serious vilification provisions, which of course is important, due consideration should be given to improving the civil vilification provisions in section 124A, simply because some parts of our community are fearful and distrustful of police, which contributes to low rates of reporting. Our communities may in fact be more likely to make complaints through the Queensland Human Rights Commission and this important avenue should not be forgotten through the inquiry process.

Again, I agree with Equality Australia that the harm-based approach recommended by the Victorian parliamentary committee, which reframes that test to prioritise the impact on marginalised communities and social cohesion as a whole instead of looking at the response of a third party to the treatment, is a really important reframe that could happen. We also recommend that the meaning of 'public' is amended to ensure that it clearly extends to schools and workplaces because in the community survey and certainly in some of our own experiences this is where some of the most significant impact in people's lives actually happens. It can be bad enough, of course, for a one-off incident on the street, but one can move past that a lot quicker than if it is an ongoing course of conduct in our schools or in our workplaces.

We also strongly support the need for an injunction, somewhat like a peace and good behaviour order designed to quickly stop vilification. This is particularly important in close living environments where neighbours are the source of the vilifying speech because going to the police may in fact aggravate the situation and so could even going to the Human Rights Commission. Sometimes you need a quick response to something like that.

Legislative approaches, of course, must be complemented with education for the community, for police and for schools. We ask that Queensland create meaningful reforms that send a strong message that hate speech will not be tolerated and that our families and, most importantly, our children deserve safety, respect and dignity. Thank you.

Mr POWELL: A lot of the conversation we have been having today has been around the poor behaviour of adults and serious vilification, hate speech and hate crimes where—not to lessen it—they really should know better and therefore they are welcoming penalty and offence. You both raise, though, how your children are being exposed to this at a very early age. Heather, you talked about the influence in schools. I hope I am not putting your words in your mouth, but you are not suggesting in any way we start prosecuting kids who are behaving poorly.

Ms Corkhill: No.

Mr POWELL: I am interested in how we would break down some of those behaviours in the schools or the bullying of your children. I am open to your suggestions and ideas.

Ms Corkhill: I think one thing would be to start to recognise and actually acknowledge the problem clearly. I know that the Queensland government uses the federal Bullying. No Way! program, which I am sure is excellent in many situations but it is very neutrally focused. It does not necessarily strongly recognise that particular marginalised communities may have a different experience of bullying. Specific education that is around homophobic and transphobic bullying and their impacts for school staff and students is absolutely critical, we believe, and I think also not being scared to start it too young. I understand that children in high school might have things like Wear it Purple Day and events and things where LGBTIQ+ people are celebrated, but often there is that fear of having those conversations with the younger kids. Certainly I have heard in primary schools things like, 'That is so gay'. It is certainly something that is very prevalent still and is not necessarily being addressed in a very systemic way. Particular schools are doing things really well. Sometimes it is beholden on us as parents as well to raise issues and actually get it moving whereas it does not seem to come necessarily from the school or at a systemic level.

Mr Kanapi: As Heather said, looking at the educational side with no bullying but also celebrating the diversity of families within that and recognising that.

Ms BOLTON: Further on from there and your comments about the different experiences of bullying within the education system, and maybe I am looking at this from a naive viewpoint, but if our children are all growing up understanding about acceptance, compassion, inclusion, what is appropriate and what is not—with those values and standards—instead of being specific as in vilification against race or vilification because of choice of partner, if we start differentiating are we not creating further differentiation, in a way?

Ms Corkhill: I think that those approaches such as to racism of a colour-blind approach have been known to fail. If you say we just have to treat everyone equally and you say that over and over again to kids—and I think that is still happening in schools because it is the messages that certainly I

am hearing back—that is just not enough. We have to recognise that, in fact, people are different and that has to be celebrated. As soon as we simply talk in general terms about compassion, understanding and acceptance, it does not seem to be very effective. I do not have the research in front of me but I think there is a field of research looking at what is more effective when it comes to breaking down stigma and discrimination.

Ms BOLTON: In that research, and I have asked this question before, are you aware of any that actually finds common denominators—as in, talking about as children grow to be adults? Is it based on fear or socioeconomic concerns? Is there any commonality or research that you have seen that actually turns someone into a perpetrator?

Ms Corkhill: I think I would have to take that on notice. It is not my area of expertise.

Ms BOLTON: That is fine, thank you.

Ms BUSH: Thank you for attending and for your submission, which again is very comprehensive and really useful. At risk of showing my ignorance, I am curious about the pronunciation of—and I notice Equality Australia had it also—Yogyakarta. Can you explain that to me?

Ms Corkhill: That was the meeting in Yogyakarta, Indonesia. That was the place where internationally renowned experts in LGBTI met and came up with some definitions. I believe it would be well placed for the government to frame it around those internationally recognised definitions of sexuality, gender identity and sex characteristics.

Ms BUSH: Yes, and they are the definitions that were picked up, I noticed, in another jurisdiction in Australia; is that correct?

Ms Corkhill: It has been picked up in the Health Legislation Amendment Bill when it was amended for conversion therapy. They have picked up 'sexuality' and 'gender identity' from those definitions, so it would actually create more consistency to have the same definitions across all legislation.

Ms BUSH: Great. With regard to the peace and good behaviour injunctions that you have mentioned, I am curious again if that is something that has been raised by your membership and whether that would help with the barriers, because I do recognise the barriers in reporting. Would that be helpful or would there still be barriers in reporting that over-the-fence kind of dispute, do you think?

Ms Corkhill: It is just an extra thing that we would have up our sleeve. I think it really depends. We are not one homogenous community; we have all different levels of capacity, education and disadvantage that we experience, so it is hard to say across-the-board. What I have certainly heard about is those terrible situations where you may have transphobic or homophobic neighbours and you cannot escape that situation without perhaps moving and uprooting your family. If that is happening to you, sometimes the police responses have not necessarily been particularly effective because it may not necessarily be unlawful. I do not know if those matters are suitable for conciliation through the Human Rights Commission either, so it seems like an additional option that might be worth looking at.

Ms BOLTON: Do you believe that restorative justice has a role going forward within all of these efforts in terms of engendering that greater understanding?

Ms Corkhill: I think it really depends on the degree of severity and then the individual people involved. Where we are talking about the extreme end of the scale where it involves violence or ongoing abuse, probably not. I think that the Human Rights Commission's conciliation process is a bit like that restorative process already, so I am not sure whether you are talking perhaps within that criminal space. I am not sure whether that is going to be effective, so I do not know.

Ms BOLTON: No, it was more in relation to when we were talking earlier about those minor offences, not violence. It was more the verbals.

Ms Corkhill: Yes, sure. I would have to think about what would be added to the already existing conciliation framework, because if there are parties that are willing to come together and talk about it there is an avenue already within expert fields to do that work. I am just not sure whether it would really bring much in terms of putting resources where they are most needed I think.

Ms BOLTON: Thank you.

Ms BUSH: Heather, in relation to children's experiences at school and the bullying and the 'no way' comment that you were making—and this is something you might be able to take on notice; I am not sure—we always hear about where it fails. I am sure the committee would be interested if you are aware of a school that does have a good practice in this regard. It would be interesting to know what are the elements of that that make it a responsive, good practice school. You might not be able to answer me today but that is perhaps something to think about.

Ms Corkhill: Sure. I probably could give just a shout-out to Miss Carlott at Seven Hills State School because she has just been incredibly supportive in the first year; my daughter is at prep. There were some things being said about our family being weird or different or whatever and coming up to Father's Day she has just done so much with the kids. We have been providing books that she can read. She is doing a lot of activities around different kinds of families and what that may look like. I just think if you have the right teachers and principal dedicated to it, they will just do a great job. It is just about replicating Miss Carlott's approach everywhere.

Mr Kanapi: I also want to give a shout-out. My son Mason is at a Catholic school in South Brisbane, St Sebastian's in Yeronga, and, yes, there were cases where children were told not to play with him because he has two dads and that is not their belief from other parents. The school was fantastic. That came up when the teacher was talking about particularly Mother's Day and around the diversity of families. She brought that into the classroom and had an open discussion with children and said they are all different—some have one parent, some have two and all manifestations in terms of the inclusivity and diversity of families. It was also reinforced right though, as Heather said, with the principal in terms of that support for excluding another child from playing is not okay and that does not happen in this classroom. In terms of beliefs outside of that, that is up to individuals. However, it was reinforced right through that school and also with the children and there was that sort of celebration of different families.

Ms BUSH: Yes, engaging in a conversation. Thank you.

CHAIR: That brings to a conclusion this session. With regard to the question, Heather, that you took on notice, are you able to supply the information to the secretariat by 17 September? We work on the basis that if you find something send it; if you do not just let the secretariat know.

Ms Corkhill: Sure.

CHAIR: Thank you for your written submissions and thank you for coming along today. I hope you have a good rest of the day.

Mr Kanapi: You too. Thank you very much.

Ms Corkhill: Thank you.

CHAIR: We are now going to take a break until 1.50. I just want to indicate that the LGBTI Legal Service that was to address us today unfortunately are unable to be with us today. However, the secretariat will reach out to see if there is another more suitable time when they can address the committee.

Proceedings suspended from 12.50 pm to 1.52 pm.