



working it out

Tasmania's gender, sexuality and intersex
support, education & advocacy service

WIO's submission for the Inquiry into Discrimination and Bullying in Tasmanian Schools (2024)

"I have come to see that the gaps and silences in our schools and curriculums around LGBTIQ students, and diverse families, contribute to bullying. They leave ALL our students growing up with the false belief that there is something wrong with being who they are. This creates an environment that allows violence, discrimination, ridicule, bullying to occur - unless we all do something, we allow this"

- Teacher, Southern Primary School

Andrew Badcock
Manager Policy & Support
Working It Out
278 Argyle Street, Hobart

Contents

Introduction	3
Background, National & Tasmanian Context	4
a) inquire into and report upon direct and indirect discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff;	5
b) inquire into and report upon the measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff;	9
c) examine the obligations and duties of Tasmanian schools under the Anti-Discrimination Act 1998 and other relevant statutes and policies in regard to students and staff;	10
d) examine and recommend what efforts are being made and should be made towards meeting those obligations by Tasmanian schools in regard to students and staff;	13
e) examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff;	14
f) determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace safety and career development;	14
Summary of actions to address bullying, discrimination and harassment of LGBTIQA+ students in Tasmanian schools:	16
References	17

Introduction

[Working It Out](#) (WIO) has prepared this submission for the Inquiry into Discrimination and Bullying in Tasmanian Schools. This submission will highlight the persistently common rates of LGBTIQ+ bullying, the harmful impacts and consequences, what is known to improve outcomes, current activities addressing LGBTIQ+ bullying and marginalisation, and the barriers to successful change. This submission will answer the following sections of the inquiry:

- a) *inquire into and report upon direct and indirect discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff;*
- b) *inquire into and report upon the measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff;*
- c) *examine the obligations and duties of Tasmanian schools under the Anti Discrimination Act 1998 and other relevant statutes and policies in regard to students and staff;*
- d) *Examine and recommend what efforts are being made and should be made towards meeting those obligations by Tasmanian schools in regard to students and staff;*
- e) *Examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff;*
- f) *determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace safety and career development;*

Background, National & Tasmanian Context

WIO has worked with the Tasmanian Department for Education, Children and Young People (DECYP) for over twenty years and is a member of DECYP's LGBTIQ+ Working Group. We are a contributor to the development of the *Supporting Sexuality, Sex and Gender Diversity in Schools* policy and guidelines, as well as the *Guidelines for Inclusive Language* document. This work led to the creation of the Tasmanian LGBTIQ+ anti-bullying capacity-building program called the Valuing Diversity Framework (VDF). We work primarily to create systemic change in schools, but also offer direct support to young people and their families. While WIO may hear instances of bully and harassment from teachers and staff in Tasmanian schools, this is not our primary area of work.

Research shows that bullying, discrimination, and exclusion have detrimental effects on mental health, general wellbeing, academic performance, school attendance, and overall life satisfaction. A large national study called *Writing Themselves In 4* (Hill et al. 2021) asked over 6000 LGBTQA+ young people across Australia aged 14 to 21 about their general life domains. The result found the following mental health outcomes for young LGBTIQ+ Tasmanians:

- 83% of LGBTIQ+ Tasmanian young people reported high or very high levels of psychological distress in the past 12 months, compared to 27% nationally.
- 89% had experienced suicide ideation at some time in their lives.
- 11.6% of people had attempted suicide in the past 12 months (3.8% nationally), 32.7% ever in their lives (5.3% nationally).

In 2021, WIO conducted consultations with LGBTIQ+ students across three Tasmanian schools, which included one college, high school, and primary school in the north, north-west, and south (Jarvis 2021). The majority of LGBTIQ+ students reported feeling unsafe at school, and all students surveyed spoke of a lack of positive LGBTIQ+ representation, images and narratives at their school/college. These experiences align with national research finding “*gender and sexual identities continue to remain marginalised within formal school education in Australia*” (Ullman 2021, p.6). Schools that implement inclusive LGBTIQ+ policies and actively address discrimination against LGBTIQ+ students achieve improved wellbeing and educational outcomes (Ullman 2021; Hill et al. 2021). Unfortunately, when implementation is optional, few schools apply the solution and are significantly less likely to do so if they are a religious school (Ullman 2021). This lack of inclusive policies highlights current deficiencies to stopping LGBTIQ+ bullying, where Tasmanian schools often only address the presenting symptoms but not the underlying problems, creating environments and incidents where unsafety occurs (Grant et al. 2018).

a) inquire into and report upon direct and indirect discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff;

In the 2021 consultation with Tasmanian LGBTIQ+ students (Jarvis 2021), over 65 students participated in one-hour sessions and were asked to reflect on two questions around what were the most important health, safety, and wellbeing issues for them, and what more could be done to increase their sense of safety, wellbeing and belonging at school, with family, and in the wider community.

78% of students reported
that they felt unsafe at school.

100% of students spoke about the lack of
positive LGBTIQ+ images, representation,
and narratives at school.

The survey findings highlight that LGBTIQ+ students are marginalised, bullied, and left disadvantaged by school systems. Common issues were: queerphobic comments from other students (in the classroom, schoolgrounds, online, and on school buses), teachers permitting LGBTIQ+ slurs or seemingly ill-equipped to understand LGBTIQ+ identities and issues when responding to relevant school issues, and invisibility of affirming LGBTIQ+ content for students.

Summarised statements by Tasmanian students experiencing direct and indirect discrimination:

- *We still hear negative slurs like faggot, tranny, lezzo, that's gay, don't be so gay, God hates you, you're sick in the f***ing head', 'You are an abomination'.*
- *There are no consequences, teachers let things go, leaving us feeling unsafe.*
- *We witness transphobic and homophobic bullying that's not picked up on.*
- *People (teachers) say there is no tolerance, but they let it go sending out a message that it is ok. And, for us as students leaving us knowing that no one will do anything.*
- *There are teachers we can talk to, but we don't feel confident that they wouldn't share our questions, or identities with others (without our consent).*

- *Teachers use of LGBTIQ+ language has increased since training but only marginally. They still seem to find it awkward and uncomfortable and gloss over things.*
- *Histories are not taught. We know nothing about our history, so then how can straight and cisgendered students understand anything when we don't? We are being taught things by people who don't really know, who don't have the confidence to teach.*
- *We really need people with lived experiences to come in as guest speakers and talk about histories, to talk about what it's like to be LGBTIQ+ in Tasmania, or to be raised by an LGBTIQ+ family.*
- *I never see affirmative materials in my school that welcome LGBTIQ+ students or families, there is a lack of positive representation.*
- *If safe sex is taught it rarely focuses on LGBTIQ+ students. Leaving us thinking there is something not ok about our desires, it also means we are more at risk of sexually transmitted diseases, of unwanted pregnancies, etc; like we don't have rights and that makes us feel dysphoric like we can't connect to our bodies.*
- *People ask us questions no matter what our age and we have to educate them - how come? Change rooms are a real problem. Toilets too but change rooms more so particularly when things are held off campus and you don't know the safe places to get changed. Why don't all toilets have sanitary units?*
- *School events, sports events - listening to people talk about unfair advantage.*
- *Cyber bullying and social media are a source of bullying.*
- *School buses are a source of bullying (arrive to and from school feeling anxious - particularly a problem for students who are going home to unsafe houses).*
- *Teachers who make fun of us, don't listen, misgender.*
- *Our privacy doesn't matter at school.*

Specific to the experience of Intersex students:

- *Intersex students receive indirect discrimination within educational settings due to the taught idea that bodies are binary, their bodies are not described within current Tasmanian educational curricular, and when they are (e.g. year 10 biology – genetics), they are described as a mutation and not part of our species' diversity.*
- *Intersex students who have traits that are federally seen as social disabilities within that legislation are not given reasonable adjustments and supports due to:*

- Those professions that enable reasonable adjustments and supports are not given the professional development needed to observe intersex variations or the supports they need to access and stay engaged in educational settings,
- Parents/caregivers not aware that a particular diagnosis can be given reasonable adjustments and supports within educational settings, therefore not disclosing intersex variations.
- Intersex students being labelled as “lazy” or “accident prone” instead of being given reasonable adjustments and supports due to their intersex variation traits.

Based on our work within Tasmanian schools, LGBTIQ+ Schools Inclusion Officers summarise the following bullying and harassment behaviours towards other students based on their sexuality and/or gender diversity:

- Name calling
- Threats and physical intimidation
- Physical violence
- Targeting over social media / online
- Exclusion from groups / spaces / activities
- Being deadnamed and misgendered

Bullying and harassment from peers can be both overt and obvious, as well as insidious and underhanded – making it difficult for adults to recognise, let alone respond to in a timely and appropriate manner.

Examples of direct and indirect discrimination based on sexuality, gender, and body diversity include:

- Lack of representation within the curriculum
- Lack of inclusive / safe options in school sports, school sports carnivals, etc.
- Lack of inclusive / safe facilities (i.e. no or insufficient non-gendered toilets, changerooms)
- School staff not responding to bullying adequately (or at all)
- Invisibility through the use of heteronormative or endosexist (a system, practice, or bias privileging people without variation of sex characteristics - endosex - over people with variation of sex characteristics) language and assumptions.

Much of the above is perpetuated by teachers (and other staff in schools) who are unsure how much they are allowed to say, how much they should say, and how much they will be supported by the school leadership, department and wider school community. Teachers set the tone in our schools, and silence – for whatever reason – in the face of LGBTIQ+ bullying, harassment and discrimination is complicity. WIO has even heard instances of teachers actively bullying/harassing students through derogatory comments and actions, for example:

- A teacher misgendering a male identifying transgender student and following up by telling him, *“It’s because you are such a pretty girl.”*
- During a Health and Physical Education (HPE) lesson about sexuality and relationships, a queer identifying student asked, *“what about asexuality?”* to which the teacher replied, *“That’s not real - it’s a made up thing.”*

LGBTIQ+ students in some faith-based and independent schools have had their reports of being bullied be minimised, ignored or brushed off. Students and parents report ‘traditional’ (non-inclusive) notions of family, gender and sexuality being promoted within the school culture and curriculum. In one instance, having their bullying behaviour go unchecked even after it was reported empowered and emboldened the bullies to ‘up the ante’ by blocking doorways, physically surrounding a lone queer student and, eventually, physical assault. Further, some schools have refused to affirm, acknowledge or respect a student’s gender identity by prohibiting them from wearing particular ‘gendered’ uniform items (including a tie of a slightly different shade). WIO’s LGBTIQ+ School Inclusion Officers are aware of many instances of parents / guardians withdrawing their LGBTIQ+ child(ren) from faith-based schools after accepting the fact that they will not be affirmed or supported in this system.

Bullying, harassment and discrimination of LGBTIQ+ students persist in our schools today, in part because homophobia, transphobia and intersexism continue to be a pervasive part of our society as a whole. To create meaningful, lasting and impactful change, strong leadership and concerted, sustained effort is required at all levels of government and systems.

b) inquire into and report upon the measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff;

Positivity towards, and inclusion of, gender and sexuality diversity within the curriculum has visible benefits of students reporting less bullying and harassment (Ullman 2021). The inverse is also true where schools with limited curricular visibility leads to homophobic and transphobic victimisation, and poorer outcomes in belonging, attainment and aspiration.

The recent development of the DECYP policy which mandates support for LGBTIQ+ students has been a positive step forward to giving strong and visible leadership backing for LGBTIQ+ students, teachers, staff and rainbow family (noting active leadership is a key component for successful cultural and system change). However, many schools remain hesitant about visibly supporting their LGBTIQ+ students because of fear or community backlash.

Based on the evidence we do know about affirmation, inclusion, and visibility, the core pillars of the WIO's Valuing Diversity Framework (VDF) for Tasmanian government schools are:

- a) **Community** - Engaging with community & school associations, advising on policy development.
- b) **Learning** - Delivering professional learning to staff in schools, developing inclusive curriculum resources.
- c) **Affirmation Planning** - Safety planning, working with students, carers / parents and schools.
- d) **Pride Groups** - Training school staff as pride group adult advisors and supporting student-led Pride groups in schools and colleges.

In 2021, when we asked Tasmanian LGBTIQ+ students *“What more could be done to increase your sense of safety, wellbeing and belonging at school, in your family, and in the wider community?”* they said:

- *Keep doing what you're doing [to Working It Out]*
- *Make sure there are real consequences for negative behaviours even if seemingly small (put out fires), this is the same for attitudes, language as well. Treat it like racism, or sexism.*
- *More education, more openness - less fear.*

- *Address the myths, have people come in to talk to share real lived experiences - to address impacts of homophobia and transphobia.*
- *Stop teaching people there are only two genders. It is damaging and keeps people thinking we are making it up, attention seeking and then we must defend ourselves.*
- *Don't refer to LGBTIQ+ young people in class in ways that set them up: "Would you date a trans person?"*
- *Education about language and the acronym. Also, use of 'that's gay'. Someone kicked a soccer ball it was a bad shot and people said, 'Oh, that was such a gay shot', and everyone laughed.*
- *Don't hire teachers who are transphobic and homophobic.*
- *We need more events at school. More information, flyers with more information.*
- *We need more positive stories / teachings that support us.*
- *Schools need to challenge religious hatred by speaking back to some of the misinformation about the bible, or even teach religion in ways that include us. God doesn't hate us.*

[also see final section for identified localised Tasmanian actions to address discrimination]

c) examine the obligations and duties of Tasmanian schools under the Anti-Discrimination Act 1998 and other relevant statutes and policies in regard to students and staff;

The Tasmanian Anti-Discrimination Act 1998 (ADA) protects attributes including *sexual orientation, gender identity and expression, & intersex status* from **indirect and direct** discrimination (treating less favourably because of a particular characteristic) harassment (including sexual harassment), vilification, inciting hatred and ridicule, and victimisation of any conduct (including language) that offends, humiliates, intimidates, insults or ridicules someone on the basis of a protected attribute. This law has protected LGBTIQ+ staff and students for over 26 years and effective at ensuring all LGBTIQ+ people in schools are legislatively protected.

The Department for Education, Children and Young People (DECYP) have clear policies and guidelines trying to protect LGBTIQ+ students. DECYP recognises that Tasmanian government

schools have a responsibility to ‘provide a safe, supportive, and inclusive learning environment for all students, staff and families including those who identify as LGBTIQ+’ (DECYP 2023).

Tasmanian Guidelines and standards:

- Tasmania’s School Strategy
- Tasmania Social Inclusion Strategy
- DECYP’s *Supporting Sexuality, Sex and Gender Diversity in Schools* policy and guidelines [guidelines being revised]
- DECYP *Inclusive Language* Guidelines
- DECYP Respectful Schools Guidelines
- Child and Youth Safe Standards

National Guidelines and standards:

- Guidelines for the Inclusion of Transgender and Gender Diverse People in Sports
- Australian Professional Standards for Teachers (via AITSL)
- Australian National Curriculum (via ACARA)
- Melbourne Declaration of Education Goals
- Child Safe Standards

More information about DECYP’s position can be found here:

<https://www.decyp.tas.gov.au/learning/lesbian-gay-bisexual-transgender-intersex/>

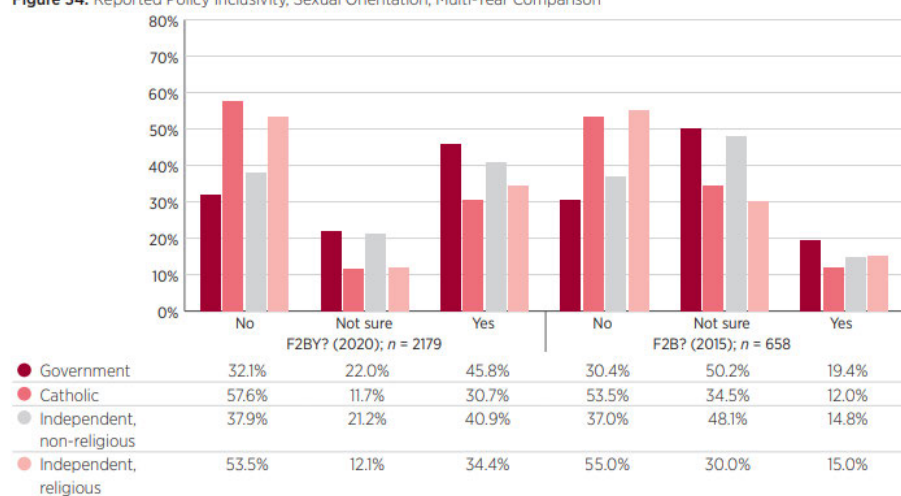
However, while school inclusive policies are known to better protect students from homophobic, transphobic, and intersexism bullying, locally and nationally there remains barriers and resistance from implementing affirming activities that protect LGBTIQ+ students and staff.

A study into teachers and school staff approaches to LGBTI-inclusion in Tasmanian schools (Grant et al. 2018) found that perceptions and awareness of school and departmental policy does influence staff expectations and how they perceive what is possible or impossible for supporting LGBTIQ+ students. The lack of inclusive policies in schools were identified as a barrier of inclusive practices. Similarly, while the Tasmanian Anti-Discrimination Act protects all LGBTIQ+ staff and students, the lack of awareness of this protection or even positive adherence by schools means LGBTIQ+ affirming content is intentionally excluded in school settings (Grant et al. 2018). There remain issues when the rights of LGBTIQ+ students intersect with the rights

of parents. Students have rights under the Act, but without supportive parents (who hold more positioning power) these are rarely enforced - even at the detriment of the student's wellbeing. This is a hard area to test as students would need to challenge parents under the Anti-Discrimination Act, which almost no student would have the agency to do.

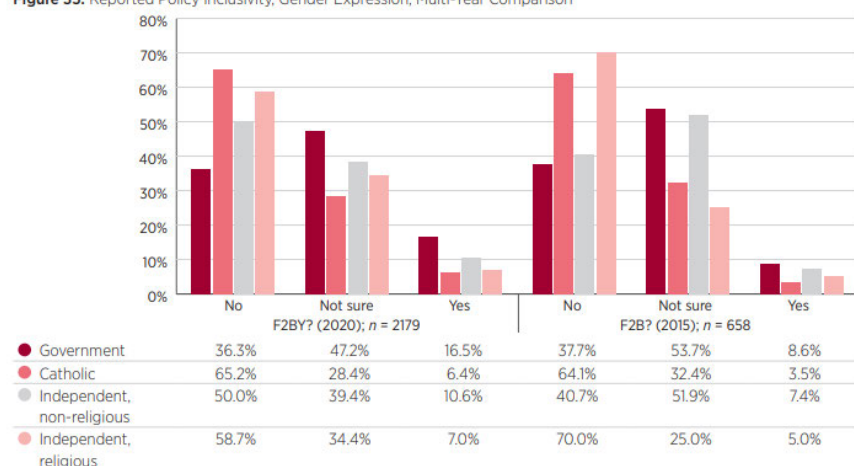
Below are two charts highlighting low reported policy inclusivity for sexual orientation and gender expression. Note that policy inclusivity is significantly lower or absent in religious and independent schools.

Figure 34: Reported Policy Inclusivity, Sexual Orientation, Multi-Year Comparison



(graph from Ullman 2021)

Figure 35: Reported Policy Inclusivity, Gender Expression, Multi-Year Comparison



(graph from Ullman 2021)

d) examine and recommend what efforts are being made and should be made towards meeting those obligations by Tasmanian schools in regard to students and staff;

“If there had been a diversity [Pride] group at my previous school, I wouldn’t have internalised my hatred for myself.... I got to a point where it was either come out or drop out. This group has meant I can show up at school.” – LGBTIQA+ Tasmanian student

WIO’s Valuing Diversity Framework (VDF) takes a holistic, long-term approach to supporting schools to reduce stigma, celebrate diversity and create inclusion. The two LGBTIQA+ School Inclusion Officer roles are state government funded positions whose services are available to DECYP schools free of charge to help build inclusivity and combat LGBTIQA+ bullying in Tasmanian Schools. With LGBTIQA+ School Inclusion Officers, schools have the opportunity of receiving professional guidance for better support to LGBTIQA+ and questioning students and their parents / guardians / carers right across the state of Tasmania. The intended outcomes are schools equipped to then complete this independently and confidently. Specifically for intersex students, the currently rolled out Better Lives project helps to build health and education professionals’ capacity to ensure reasonable adjustments and supports are given.

Activities being made include:

- Training and professional learning
- Advising on policy development
- Developing inclusive curriculum resources
- Affirmation and safety planning for young people
- Working with families
- Helping school staff to set up and maintain school-based pride groups.
- Consultation with school support staff and leadership

While WIO has a funding agreement with DECYP for the next 2.5 years, historically funding has been insecure and manifestly inadequate. Two staff meeting the needs of all Tasmanian Government schools and students/families from early childhood to year 12 is insufficient and there are no resources to help support the private sector. In addition, there are no specialist mental health services to support LGBTIQA+ young people who are experiencing distress. True support for LGBTIQA+ students must be backed up by proper resourcing and services.

e) examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff;

The findings in *Free2Be... Yet?: The second national study of Australian high school students who identify as gender and sexuality diverse* (Ullman 2021) recommend the following solutions:

- School leaders, teachers and all school-based adults require professional development that addresses expectations for inclusivity of gender and sexuality diversity and provides guidelines for inclusive language and related curriculum resource integration;
- Local school wellbeing and harassment policies must articulate gender and sexuality diversity as protected identity characteristics. All members of the school community must be aware, not only of the existence of these policies, but how they will be uniformly implemented by school-based adults to identify and prevent bias-motivated harassment of gender and sexuality diverse students;
- Schools must implement a whole-school approach which prioritises the affirmation and acceptance of diversity, including gender and sexuality diversity, and educative responses to bias-motivated harassment over punitive responses.

[also see final section for identified localised Tasmanian actions to address discrimination]

f) determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace safety and career development;

We draw upon two major surveys of young Australians. *Writing Themselves In 4* (Hill et al. 2021) and Mission Australia's annual Youth Survey in 2023 (McHale et al.). This survey captured demographics of gender diverse young people.

For school experiences, findings from the surveys show:

- More than three-fifths (60.2%) said that in the past 12 months they felt unsafe or uncomfortable at secondary school due to their sexuality or gender identity.
- 38.5% of LGBTQA+ secondary students missed days at school in the past 12 months because they felt unsafe or uncomfortable.

- A higher proportion of gender diverse young people (64.3%) reported barriers that impact on the achievement of their study/work goals after school compared with males (29.1%) and females (40.3%).
- A higher proportion of gender diverse young people reported that they did not plan to complete Year 12 (5.2% of gender diverse young people compared to 4.1% of males and 1.6% of females).
- Gender diverse young people were less likely to approach their teacher, but more likely to approach the school counsellor.

Summary of actions to address bullying, discrimination and harassment of LGBTIQA+ students in Tasmanian schools:

This submission has provided an overview of experiences for LGBTIQA+ students, the current structures that aim to protect them, and the barriers that continue to be faced. Actions to improve outcomes for Tasmanian LGBTIQA+ students and staff include:

- A rich, diverse and representative curriculum – from the early years onwards
- A re-think of “ways of doing” that divide students on the basis of sex assigned at birth
- Strong and vocal leadership and support from DECYP and government to overtly signal safety for LGBTIQA+ students and staff
- Normalise the sharing / communicating of pronouns in school protocols
- Professional learning on LGBTIQA+ cultural safety and inclusive practice for all school staff (aligned to the *Supporting Sexuality, Sex and Gender Diversity* Policy for DECYP schools)
- Opportunities to celebrate LGBTIQA+ students, staff and community
- Establishing of pride groups in schools, with support (funding, staffing, training, space) to make them successful and sustainable.
- Visible messaging on anti-discrimination rights in Tasmania.
- Ensuring schools have, effectively distribute, and make visible LGBTIQA+ affirming policies.
- Specifically for intersex students:
 - Continue rolling out the Better Lives project (intersex capacity building within health and education) to professionals employed to observe where reasonable adjustments and supports are needed for students.
 - Enacting and writing policy, procedure and protocol that addresses The Darlington Statement points on education needs (intersex human rights consensus document).

We welcome the opportunity to contribute further should the inquiry seek to learn more and seek to identify solutions to address the bullying, harassment and discrimination of LGBTIQA+ students in Tasmanian schools.

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- (Submission contributions by Daniel Howard and Kelli Charles - LGBTQA+ School Inclusion Officers, & Simone-lisa Anderson - Better Lives Project Officer)