

## **Submission of the Rainbow Families Council Royal Commission into Family Violence**

Rainbow Families Council is pleased to be able to provide a submission to the Royal Commission into Family Violence.

Rainbow Families Council is a volunteer community organization based in Victoria, Australia. We support and promote equality for rainbow families – parents, co-parents, prospective parents who identify as lesbian, gay, bisexual, transgender, intersex and queer and their children and families.

The Council welcomes the inclusion in the Terms of Reference of a focus on the needs and experiences of particular groups including members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) communities.

The Council has prepared only a brief submission as we are an incorporated community group run by a volunteer committee of management and lack the sufficient resources to produce a detailed submission addressing all aspects of the TOR. Some members of the Council have been interviewed by other services which intend to provide more detailed submissions and as such we are confident that issues impacting on many people in same sex relationships, people who identify as LGBTI and Queer and including those with rainbow families, will be represented.

Wherever possible our submission aims to explore at the experience of prevention, early intervention and service delivery in relation to rainbow families specifically.

Rainbow Families Council acknowledges the incredible work of so many family violence advocacy groups, organizations and services who provide support and information to individuals and families. The Council thanks these organisations and services that specifically include and support the many diverse members of Victoria's LGBTI and Queer communities and our families.

More information on the advocacy and support provided by Rainbow Families Council can be found here: <http://www.rainbowfamilies.org.au/>

### **Introduction**

---

Rainbow families in Victoria are often created with much thought, intention and consideration. Some rainbow families consist of two mums, others have two dads, or a range of different gender co-parents. Many families include the donor in the family of origin, in others the surrogate mother and her family may also be part of the extended rainbow family. Some children live in step-parented families, or the children are fostered or on permanent care orders living with a same sex couples or an LGBTIQ single parent or carer.

Parents and carers may identify as LGBTIQ or be gender diverse. They may have a primary relationship that is with someone of the opposite sex or same-sex or poly relationship (where there may be three or more people involved in a relationship).

In considering our submission, we ask that you remember that the law reforms legally acknowledging rainbow families and same sex relationships in both Victoria and Australia are only very recent. The laws in Victoria to legally allow single women and lesbian couples access to assisted reproductive technologies and for children to have both mothers recognize came into effect on January 1, 2010. Similarly 85 areas of federal law were only amended in 2009 to acknowledge same sex relationships in many areas including family law.

Rainbow Families Council acknowledges that:

- family violence does not discriminate on the grounds of gender, sexuality or sex. Nor does it discriminate between family formations and relationships. To this end in some rainbow families there is family violence.
- family violence can be financial, emotional, psychological or physical and can take on many forms – lack of access to money, sexual cohesion, lack of access to transport or physical violence and abuse.

Furthermore Rainbow Families Council acknowledges that:

1. All children in a family violence situation suffer regardless of the sex, gender or sexuality of their parents, co-parents or carers.
2. Rainbow families in all their forms are not immune to the effect of family violence.

Yet unfortunately the social and support services available to LGBTIQ people and rainbow families experiencing family violence are insufficient, underfunded, hard to find, or just plain non-existent.

Our submission is in two parts:

- Part one identifies some issues that may be specific to people in rainbow families.
- Part two lists ideas for action.

## **PART ONE**

### **Some issues specific to people in rainbow families**

- a) Lack of adequate support for, and understanding of, rainbow families generally - from Maternal Child Health services, to relationship counseling for people in rainbow families, to post-natal health care that understand the dynamics of a new rainbow family all the way to kindergartens and primary schools being non-inclusive of rainbow families.
- b) The general impression that in many circumstances a family violence service may question or inadequately support a person from a same sex relationship or rainbow family - especially given that the predominant narrative in family violence services does not fit a situation where there is same sex intimate

partner violence or in relationships where a person may be transgender or bisexual, for example.

- c) A real fear of discrimination including homophobia or transphobia may lead to a member of a rainbow family not accessing a service including services such as counseling, financial aid, etc. - this may also be because of previous poor experiences with support services over a lifetime.
- d) Lack of information about where to go to for help as a person in a same sex relationship generally – there is very little LGBTIQ specific Victorian information nor any inclusive material available from many mainstream services.

**Other related concerns may be:**

- A concern that workers in a service you call or contact may know you or your partner either socially or professionally (especially if the staff are lesbian or same sex attracted and/or in a small community).
- Fear that a women’s refuge will refuse you or that you may be ostracized by the other clients for being lesbian, bisexual or a male-to-female trans person.
- Lack of refuge accommodation for gay or bi men, or men generally and their children when fleeing family violence.
- Lack of existing men’s behaviour change services specifically for trans men, bisexual or gay men and a lack of any such programs for same sex attracted women.
- A well founded fear of having to explain and re-explain your family structure and formation to new workers at each stage - the intake worker, the on-call worker, the counselor, the police, the duty solicitor etc. – compounding worries that you may be treated differently because you are in a same sex relationship or as a member of a rainbow family.
- In rural or regional areas, a lack of any local or nearby LGBTIQ support service or health centre generally let alone a family violence support worker.

**PART TWO**

**Ideas for action include**

- a) Respectful relationships programs in primary and secondary schools: such programs would include sexuality education (similar to the Catching On Early program) and be inclusive of family diversity and diverse family forms, as well as discussing sexuality, sex and gender diversity . There are over 6600 children living in same sex parented couple families in Australia (ABS census 2011) and many of these children do not have their family formation

recognised nor included in any mainstream childcare, kindergarten or school environment.

- b) Access to behaviour change programs for LGBTIQ people of any gender who are perpetrators of violence.
- c) Programs in which children from rainbow families who have been part of a family violence situation are provided with face to face support services with children in similar situations – where they may have two mums or two dads or more than two parents responsible for them is normalised and not perceived to be part of the problem.
- d) Trans male-to -female and female-to-male people may require specific service needs including refuge services for example and staff at all services must be provided with adequate training. This may also be the case for intersex people.

## CONCLUSION

Rainbow Families Council does not seek to replicate, provide nor deliver any family violence services.

Instead we would like to be able to refer *in absolute confidence* any of our lesbian, gay, bisexual, transgender, intersex, queer and gender diverse members and their families who require the advice and support of a family violence service.

To this end we would like be able to promote, through our website, on social media and at events, accurate and up-to-date information to our members and their families about:

- a) Family Violence services where staff have been provided training on working with rainbow families;
- b) Community legal centers where staff are trained in the complexities of family law as it pertains to rainbow families on a state and federal level;
- c) Social and support services, counseling services and family relationship services that have expertise in both family violence and rainbow families;
- d) Phone lines with staff ready to assist a person in a same sex relationships, or in a co-parenting situation, with accurate and meaningful advice;
- e) School based programs where respectful relationships and sexuality education is inclusive of rainbow families and diverse families, information about IVF, donors, fostering and adoption, and which allow for discussion about sexuality, sex and gender diversity from primary school through to secondary school.
- f) Promotional material including posters, booklets, apps, websites and flyers that specifically promote these services to the many LGBTIQ communities and rainbow families across Victoria, including rural and regional communities.

Thank you for the opportunity to make a submission. We respectfully acknowledge that we have not been able to address the many differing situations faced by rainbow families however hope that our submission, among others, will contribute positively to a broader discussion of family violence in our community.