

Gay and lesbian issues - discrimination

While gay and lesbian people are as diverse as the rest of the population, their shared experience of discrimination creates common health issues. Australian society generally regards heterosexuality as the most acceptable sexual orientation, which means that gay men, lesbians and bisexual people may be marginalised and discriminated against.

Transgender and intersex people may also experience marginalisation and discrimination in relation to their health and wellbeing. Intersex refers to a biological condition where a person is born with reproductive organs and/or sex chromosomes that are not exclusively male or female. The previous term for intersex was hermaphrodite.

Sexuality and violence

A 2008 study of 390 gay, lesbian, bisexual and transgender (GLBT) Victorians found that nearly one in seven reported living in fear of homophobic violence. This fear was justified in that nearly 85 per cent of respondents had been subjected to some form of homophobic violence or harassment in their lifetimes and one in two had experienced homophobic harassment or other non-physical abuse in the past two years.

In eighty-five per cent of cases, violence and harassment were preceded or accompanied by homophobic language. Sexual assault was also common, with nearly 5 per cent having been subjected to this form of violence over the last two years.

Among same sex attracted young people, violence and discrimination were also common. A 2010 study of 3134 young Australians found that 61 per cent had suffered verbal abuse because of their sexuality, 18 per cent suffered physical assault and 69 per cent suffered other forms of homophobia such as exclusion rumours and graffiti.

Homophobia and heterosexism

Homophobia means fear of homosexuality. Some people may feel threatened by people who have sexual preferences other than their own. They may express this fear in a variety of ways ranging from subtle discrimination to overt violence.

Heterosexism is the belief that everyone is, or should be, heterosexual and that other forms of sexuality are unacceptable. This belief may underpin a range of areas – for example, health policy, health services, welfare and education services – and can make gay and lesbian people feel invisible. This can have a range of impacts. For example, it may mean that the form you fill in at a medical service may have no place to record that your nominated next of kin is a same sex partner. If you are a young gay person, you may not be permitted to take a same sex partner to the school formal.

Health impacts

While many things have improved for gay and lesbian people over the past 50 years in Australia, there is still constant uncertainty about whether they will receive acceptance from families, friends, colleagues and services. The constant pressure of dealing with this uncertainty has an impact on health.

Gay men and lesbians have higher rates of mental health disorders than the rest of the population. They also have higher rates of obesity, smoking and unsafe alcohol and drug use, and are more likely to self-harm.

These conditions develop in response to different scenarios including:

- 'Coming out', only to be rejected by family members and friends
- Being bullied or taunted by schoolmates on a daily basis
- Homophobic jokes or harassment in the workplace
- Being threatened or bashed when out on the street
- Hiding part of yourself in social situations for fear of being rejected or marginalised
- Feeling guilt and shame about your sexuality in the face of negative messages being delivered by the society around you.

Gay men, lesbians and health professionals

Research suggests that gay men and lesbians have reduced access to medical care compared to heterosexuals. Some of the issues they face include:

- The majority of gay men and lesbians have had experience of homophobic health professionals. This may make them less inclined to seek medical help, or they may wait longer before they seek help.
- Health professionals, particularly in rural areas, may be inadequately informed about gay and lesbian health issues.
- Gay men and lesbians may experience difficulties communicating with medical professionals because of the fear that they may need to 'come out' during the consultation and risk receiving less favourable treatment as a result.
- The right to provide 'medical consent' may be refused to same sex partners, in spite of the fact that it is now illegal to do so.
- Gay men and lesbians may be reluctant to have their sexuality recorded in their histories due to the fear that others may gain access to their records.
- Reduced access to services leads to reduced levels of screening in gay and lesbian populations. This is likely to account for the higher levels of some cancers in these groups.

Many health services claim that they 'treat everyone the same', but this usually means that they treat everyone as heterosexual. Gay and lesbian people do not need special medical treatment, but they do need treatment that is fair and appropriate.

Equity and legal rights

Part of the reason gay and lesbian people experience marginalisation is that federal, state and territory laws do not offer gay and lesbian people uniform protection against all forms of discrimination. For example, Tasmania and Queensland don't have any legislative protection, while Victoria has recently introduced a range of new protective laws.

The *Statute Law Amendment (Relationships) Act 2001* (Vic) – called 'The Relationships Act' – means that Victorian gay men and lesbians have most of the same legal rights as heterosexual couples, although they cannot marry. Prior to these changes, Victorian laws governing such factors as property rights and stamp duty were applicable only to heterosexual couples.

In 2009, the Federal government went further and changed 58 laws that discriminated against gay and lesbian people and their families.

Victoria takes the lead on reforms

Legal recognition and protection of rights is a powerful step towards improving the health and wellbeing of gay and lesbian people. In 2003, Victoria was the first state in Australia to establish a Ministerial Advisory Committee on gay and lesbian health. The committee produced the *Victorian Health and Wellbeing Action Plan for Gay, Lesbian, Bisexual, Transgender and Intersex Victorians*.

The Victorian government has also been proactive in fighting homophobia in schools by establishing the Safe School Coalition of Victoria.

In 2009, the Victorian Government initiative *Well Proud – A guide to GLBTI inclusive practice for health and human services* was released. This is a set of guidelines for health services to improve sensitivity to issues for GLBTI people. They can be accessed on the Gay and Lesbian Health Victoria website.

Gay and Lesbian Health Victoria was established in 2003 and is funded by the government to provide training for health care providers, produce health resources and maintain a clearinghouse of health information for gay and lesbian people.

Where to get help

- Gay and Lesbian Switchboard Tel. (03) 9663 2939 or 1800 184 527
- Equal Opportunity Commission Victoria Tel. (03) 9281 7111 or 1800 134 142
- Victorian Gay and Lesbian Rights Lobby Tel. 0417 484 438
- Gay and Lesbian Health Victoria email:info@glhv.org.au
- Safe Schools Coalition of Victoria

Things to remember

- A person's sexuality has an impact on their health.
- The problem does not lie with GLBTI individuals, but with the attitudes and behaviour of the society around them.
- Research suggests that gay men and lesbians have reduced access to medical care because of their fear of discrimination.
- The constant pressure of dealing with the homophobia of others makes depression, among other mental health problems, relatively common.
- Health services need to take the initiative to make GLBTI people feel welcome and safe.

This page has been produced in consultation with, and approved by:

Gay and Lesbian Health Victoria

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