

1.0 Introduction

1.1 **headspace** welcomes the opportunity to lodge a submission to the Senate Legal and Constitutional Affairs Committee discussing the Marriage Equality Amendment Bill 2010, which seeks to remove all discriminatory references from the Marriage Act 1961 to allow all people, regardless of sex, sexuality and gender identity, the opportunity to marry.

1.2 **headspace** endorses the Marriage Equality Amendment Bill and supports the removal of any discriminatory practices. **headspace** believes that the current laws are outdated and have a negative impact on the mental health of young people who are Gay, Lesbian, Bisexual, Transgender and Intersex (GLBTI).ⁱ It is time for change.

1.3 In this submission we will focus on the impact that the current laws have on the mental health of young Australians who are GLBTI and bring the voices of young people to this debate. We will recommend that the Bill is passed.

2.0 Mental health impact of the current laws

2.1 The ages between 12 and 25 years are a critical period for the development of identity, and uncertainty and questioning regarding gender identity and sexual preference are common. Young people who are GLBTI face particular pressures in their relationships with family, peers and at schools, which can lead to vulnerability to depression, homelessness and drug use in response to lack of acceptance and bullying [1,10,11].

2.2 Young Australians who are GLBTI have a higher risk than their peers of having or developing mental health issues including depression, anxiety, suicide ideation, and substance use [1-9]. This higher risk is significantly related to homophobic abuse, difficulties associated with disclosure, community attitudes, and discrimination [1,10,11].

2.3 A study of over 3,000 young Australians who are GLBTI found that young people suffer high levels of homophobic abuse in the communities that they live in: 61 per cent reporting verbal abuse; 18 per cent physical abuse; and 26 per cent other forms of homophobia, including social exclusion and humiliation [1].

ⁱ **headspace** uses the term GLBTI to include young people who same sex attracted or gender questioning through being gay, lesbian, bisexual, transgender or intersex— in response to advice from its Youth Reference Group.

2.4 Homophobia has a significant impact on young people's health and wellbeing, with an increased likelihood of self-harm, suicidal behaviour, and substance use. Of the young people who reported being verbally abused, 10 per cent had attempted suicide and 40 per cent had thought about suicide; over 30 per cent had harmed themselves and a further 40 per cent had thought about harming themselves [1]. These figures increase for young people who have reported that they have been physically abused with nearly 40 per cent reporting that they have attempted suicide, 60 per cent reporting they have thought about suicide, over 50 per cent have harmed themselves and 60 per cent have contemplated harming themselves [1]. These findings are supported by other studies [10, 11].

2.5 The current marriage law that continues marriage inequality perpetuates the discrimination and homophobia that young Australians are experiencing. Respect and acknowledgment of sexual orientation and gender identity is fundamental to addressing homophobia. **headspace** believes that the Marriage Equality Bill will send a positive message and have an impact on homophobic attitudes and subsequently the mental health and wellbeing of young Australians who identify as GLBTI.

3.0 The views of young people

3.1 Important to this debate are the views and lived experiences of young people as these laws impact on their current rights and also their hopes for the future. Involving young people in decisions ensures appropriate design and delivery of laws and improves their experience of community life. In addition, the active and informed participation of young people is likely to result in laws and policies that are more effective and relevant to their needs. This will result in better outcomes for young Australians.

3.2 With this in mind we asked young people what they thought about equal marriage and received an overwhelming response.ⁱⁱ Strong themes emerged from the submissions with young people advocating that supporting equal marriage is about:

- equality and fairness,
- human rights,
- separating church from state,
- sending a message that GLBTI are worth the same,
- improving the mental health of young Australians,
- recognising that young people who are GLBTI are valued members of Australian communities, and
- love.

ⁱⁱ All responses were collated into a document 'Your Voice- Equal Marriage' and presented to the Prime Minister on 29 November 2011.

“Equality just isn’t about having the same rights and opportunities as everyone else. It is also about being respected, being valued and being given the chance to be the same as everyone else in society.”

3.3 Young people support equal marriage - 93 per cent of the submissions **headspace** received were in support of marriage equality. Responses were received from young people who identified as GLBTI and others advocating on behalf of their family and friends.

“My best friend is gay. And I would love for him to be able to get married one day, and be able to be as happy as any heterosexual man can be with the one they love.”

3.4 Young people are calling for change. The responses highlighted the need for equality and that denying equal marriage rights is archaic and has no place in Australia today. Many highlighted that Australia is trailing behind the social reforms taking place in Europe and parts of the U.S.A.

“A repeal of the ban on same sex marriage is but one issue toward a progressive and inclusive Australia.”

“To see that our country is still so stuck in the mud about stereotypical genders and who should love who makes me feel sick. It’s not enough we’ve already messed up with aboriginal rights and women’s rights, but now we are making a fool out of our apparently ‘open, relaxed and multicultural society’ by dictating whether or not you’re allowed to fall in love with someone. Things need to change.”

3.5 The current law is causing harm. The stories and views reflected the research highlighted in this submission. Young Australians are attempting suicide and deliberately harming themselves because of the lack of rights that GLBTI have including the right to marry. Young people told us that the inability to marry sent the message that they are worth less than their peers, legitimises homophobia, and fuels feelings of self-hate and low self esteem.

“I feel like this is because we are being sent a message that we are ‘not right’ in some way, and that this means that we don’t deserve the same rights.”

“If society does not show acceptance, how do you expect the individual to accept themselves?”

“It would be fantastic to know that 10 years from now, I could have a wife. Instead I have to listen to my friends talk about their future husbands and kids and know that I may never have those opportunities, and every time it kills me a little bit inside.”

“I spent nearly all of my teen years in a dark place, believing I was painfully different to everybody around me, feeling as though there was something wrong with me, something broken.”

4.0 Conclusion

“I hope that one day people can be completely open and honest about their sexuality, without having to worry about how people are going to react. I hope that one day, people can just be completely accepting of other people’s sexuality, and treat those people like everyone else. I hope that one day we will allow two people who love each other to get married, whether they are of different genders, or the same. I hope that one day we will all be treated equally. That’s the way it’s supposed to be.”

4.1 **headspace** believes that young people who are GLBTI are at higher risk of experiencing mental health concerns due to the difficulties associated with 'coming out' and social attitudes such as denying them the chance to marry - not due to their sexual or gender identity. This marginalisation and discrimination creates vulnerabilities that can seriously affect health and wellbeing. Young people are supportive of equal marriage and are calling for politicians to listen to their views and change the law.

4.2 **headspace** recommends that the Marriage Equality Bill is passed.

Appendix 1: About headspace

headspace, the National Youth Mental Health Foundation, is a world-first initiative providing youth-friendly early intervention services to Australians aged 12-25.

Established in 2006, **headspace** has provided services to more than 63,000 young people at 40 centres (scaling up to 90 centres by 2015) across Australia, and through its online and telephone mental health support service **eheadspace**.

headspace provides assistance across four core streams of mental health, physical health, alcohol and other drug, and vocational assistance and advice, and we aim to empower young people to seek assistance early. Any young person who needs support, advice or just someone to talk to about a mental health problem, can walk into a **headspace** centre and be treated with respect and compassion, within a confidential and safe environment. A family member can also refer a young person to **headspace**.

Because 75 per cent of all mental health problems begin between the ages of 12 and 25, our services provide high quality early intervention services for mental health challenges commonly experienced by young adults, with the aim of preventing long-term adverse effects.

Our recently-launched schools suicide postvention program, **headspace** School Support is gearing up to assisting schools across the country deal with the complex issues they may confront in the aftermath of a student suicide.

headspace national work is driven through four core platforms: building knowledge in evidence based treatment, community engagement and awareness-raising, provision of training and education and driving service sector reform.

headspace prioritises the views of young people, both at a service-provision level and at a policy level, through our headspace National Youth Reference Group. Our workers listen to and try to understand the needs of young people so they can realise better health and wellbeing. We also work with other mental health and community agencies to improve the lives of young people.

A recent Independent Evaluation of **headspace**ⁱⁱⁱ was favourable in its view of the **headspace** model, its appeal to young people, and the quality of care provided across the four core streams.

ⁱⁱⁱ Muir K., Powell A., Patulny R., Flaxman S., McDermott S., Oprea I., Gendera S., Vespignani J., Sitek T, Abello D. and Katz I. (2009). Independent Evaluation of **headspace**: the National Youth Mental Health Foundation. Social Policy Research Centre, University of New South Wales. Available at: <http://www.headspace.org.au/about/news-and-media/resources/>

Appendix 2: References

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