

WELCOME TO THE SEVENTH EDITION OF OUR

# MONTHLY NEWSLETTER

LGBTI LEGAL SERVICE INC



## AUGUST UPDATE

In the latest edition of our monthly newsletter, we welcome our new Social Worker, Courtney. We discuss the trans and LGBTIQ+ athletes who competed at the 2020 Tokyo Olympics and what the IOC has and will do to create an inclusive games for trans athletes whilst also maintaining fair competition. The newsletter also discusses the merger of the Family Court and the Federal Circuit Court into one Court. We also networked with QSTARS who provided us with an update on the services they offer and discussed appropriate referral methods.

## TRANS FAIR DAY

Trans Fair Day 2021 will be on Sunday, 5 September 2021 at the West End Croquet Club. Trans Fair Day is a community-focused event supporting positive mental and physical health for local Trans, Gender Diverse and Non-Binary people of all ages. We will be running a stall there so come along and say hi!

# Meet our new Social Worker, Courtney

**Hi! I'm Courtney,** I'm employed as a social worker at the Service for two days a week and I'm really excited to have started. I'm part of the LGBTIQAP+ community as well so working here is extra special for me. For the past 7 years, I have worked mostly in domestic and family violence and mental health as a clinician. However, I have also dabbled in youth work, housing/homeless and in Aboriginal and Torres Strait Islander health services.

Part of my role at the Service will be to offer a little extra support to clients who might be having some difficulties in addition to their legal issues – anything from housing/homelessness, mental health, domestic and family violence – or maybe even something specific to your experience as a LGBTIQAP+ person. I might be able to offer some brief counselling support, help with non-legal advocacy or maybe even just help you find the right service for your specific concern.

I'll also be working closely with the amazing legal team here to work on some community education information sessions relating to some of the issues impacting our community- so watch this space! I was asked to include some fun facts in my bio here, but I think I used up my word limit now so instead I've included a picture of my little dog "Nudi" (you're welcome).



LGBTI Legal Service pay our deepest respects to Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the lands on which we work and live. We recognise their continuing connection to land, water and culture. We acknowledge the Aboriginal and Torres Strait Islander LGBTIQ+ Sistersgirls & Brotherboys community and recognise the ongoing battle for visibility and inclusivity.

We pay respect to Elders past present and emerging. We acknowledge the wisdom, strength and truth telling of Aboriginal and Torres Strait Islander people. In the spirit of reconciliation, we are committed to fostering a culture of shared knowledge and learnings with Aboriginal and Torres Strait Islander people accessing justice.





# TRANS ATHLETES COMPETE IN TOKYO OLYMPIC GAMES

The 2020 Tokyo Olympic Games saw 183 publicly out LGBTIQ+ athletes compete, which was more than triple that of the 2016 Rio Games. This represents the progressive cultural change taking place for LGBTIQ+ athletes. The Tokyo Games were particularly significant because of the inclusion of transgender athletes. Canadian soccer player, Quinn (pictured middle), became the first trans and non-binary athlete to win a gold medal. New Zealand weightlifter, Laurel Hubbard (pictured right), became the first trans woman to compete in an individual event. Additionally, Alana Smith, who identifies as non-binary, also competed in the park skateboarding event for the United States.

The International Olympic Committee ("IOC") is in the process of reviewing its guidelines relating to trans athletes. The current policy, developed in 2015, permits trans women to compete in women's events if they can demonstrate that their total testosterone level in serum has been below 10 nmol/L for at least 12 months prior to their first competition, with any longer period of testosterone suppression to be based on a confidential case-by-case evaluation. The IOC is considering whether 12 months is a sufficient length of time to minimize any possible advantage a trans woman may have. According to the current guidelines, the athlete's testosterone level must remain below 10 nmol/L, monitored by testing, throughout the period of eligibility to compete.



*Quinn won gold after Canada upset tournament favourites, Sweden, in the gold medal match of the women's soccer.*

The IOC rules state that if an athlete affirms their gender, this affirmation cannot be altered for a minimum of four years. Currently, athletes who transition from female to male are eligible to compete in any male event without restriction. However, the IOC remains in an ongoing consultation process regarding a policy balance which will promote fair competition without excluding trans athletes.

Quinn, who plays for OL Reign in the National Women's Soccer League, was the first openly trans non-binary athlete to win a gold medal. Canada defeated Sweden in the women's soccer final via a penalty shootout after scores were tied 1-1 after regulation and extra time. Quinn came out prior to the Games to encourage others to follow suit. In an interview, Quinn said, "It's my hope that there are other people following in my footsteps and so I hope that it opens the door for other trans athletes being represented at the Olympics".



*Laurel Hubbard is the first ever trans athlete to compete in a women's Olympic event.*

Laurel Hubbard's competition in women's weightlifting also drew significant international media attention. The event received over triple its ordinary viewership. Unfortunately for Hubbard, she failed all three attempts at her 'snatch lift', which eliminated her from progressing to the next round of the event. Hubbard stated in an interview after being eliminated, "I would particularly like to thank the IOC, for I think really affirming its commitment to the principles of Olympism and establishing that sport is something for all people, that it is inclusive and is accessible."

Alana Smith was also knocked out in the early stages of the park skateboarding event.

The inclusion of trans and non-binary athletes at the 2020 Tokyo Olympic Games represent positive and progressive change that protects the inclusivity of all athletes wishing to compete in future Games. However, we hope that ongoing consultations in relation to Olympic policy result in further inclusion for LGBTIQ+ athletes whilst also maintaining fair athletic competition.

# A New Court - Reform or Reshuffle?

From 1 September 2021 a new Court, the Federal Circuit and Family Court of Australia (FCFC) became the single entry point for all family law matters. Earlier this year, Federal Parliament passed legislation to merge the Family Court of Australia with the Federal Circuit Court to form this new Court.

## **The FCFC has two divisions within the Court system:**

- FCFC Division 1, which functions like the previous Family Court of Australia; and
- FCFC Division 2, which functions much like the previous Federal Circuit Court.

Division 1 of the FCFC deals exclusively with family law matters while Division 2 of the FCFC will hear family law matters as well as other federal law matters, such as Workplace Law, Bankruptcy, Consumer Law, and Intellectual Property.

The FCFC will have a one set of Court forms and administrative rules for the Court's function and procedures. The newly merged Court is intended to streamline the process for family law matters to proceed to resolution.

All family law matters must be lodged in the FCFC Division 2 where a Judge or Registrar will commence the case management process to prioritise matters, schedule Court events and ensure the matter is heard in the most appropriate FCFC division. For matters already before the Court, transitional arrangements are in place. This means that the Court will ensure that all existing matters are dealt with as efficiently as possible to minimise any disruption in the initial period of the new Court's operation.

The merger has been widely opposed by members of the family law profession, with a concern that it will ultimately lead to less specialisation and that more funding for specialist family law Judges, rather than yet another revamp of the structure, is really what is required in the already overburdened system.

Advocates in the domestic violence sphere have been particularly concerned that Judges without extensive training regarding the complex intersection of family law and violence may be called upon to hear and determine matters involving these issues, further exposing vulnerable parties and children to such violence.

It remains to be seen whether the reforms are simply a reshuffle of Judges in a still under-resourced system, or whether more positive outcomes will follow for litigants who now have more timely access to Court intervention and easier to follow processes. More information about the Court merger can be found [here](#).



# Have you heard about **QSTARS**?

Last week, we met with Siofra from QSTARS. Siofra gave us a refresher on what services QSTARS offer and the process of referring any clients to them.

## A little bit about **QSTARS**:

QSTARS is a free, independent advice and referral service for all Queensland renters.

## **QSTARS** can assist you with:

- Advice and assistance to understand your tenancy rights and responsibilities.
- Support to resolve your tenancy issue.
- Helping you talk to your lessor or agent.
- Help write a letter or fill in tenancy forms.
- Help attend or prepare for a QCAT tenancy tribunal hearing.
- Referral to other services if needed.



You can contact QSTARS by calling them on **1300 744 263** or visit: **[www.qstars.org.au](http://www.qstars.org.au)**



## ***Trans Fair Day 2021***



We will be attending Trans Fair Day on Sunday, 5 September! Trans Fair day is a Community-focused event supporting positive mental and physical health for local Trans, Gender Diverse and Non-Binary people of all ages. There will be music, games, stalls and a whole lot of other fun activities. We will hopefully see you there.



**Follow us on social media to keep updated on news and upcoming events**



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LGBTI Community Legal Service



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