

Equality Tasmania LGBTIQ+ Community State Election Survey 2025

Equality Tasmania has surveyed parties and candidates on issues of concern to the LGBTIQ+ community during each state election since 1989. We ask for your responses to the following questions to better inform the LGBTIQ+ community and our families and allies about their voting options.

The relatively large number of questions in this survey is because we have sought views on services as well as law reform, and because of the ongoing threats to landmark reforms already achieved.

There are 5 sections in this survey:

- 1. Details + permission*
- 2. Legislation needed in the next term of government*
- 3. Protecting existing rights and freedoms*
- 4. LGBTIQ+ health and wellbeing*
- 5. Government, parliament and the LGBTIQ+ community*

There are spaces provided at the end of each section for you to elaborate on your answers.

Section 1: Details and permission

Question 1: What is your name:

If filling this out on behalf of multiple members or a whole party, please indicate all names which we should include when publishing the survey answers.

David O'Byrne

Question 2: What is your political party/affiliation:

Independent

Question 3: Short summary of your values towards and support for LGBTIQA+ communities

We will publish this at the top of your survey response on our website. Please keep this below 300 words.

I am a strong ally of LGBTIQA+ Tasmanians, and have proudly voted in favour of marriage equality and on other matters relating to LGBTIQA+ equality and justice in the Tasmanian parliament. I am in favour of proposals to ban conversion therapy and medically unnecessary surgeries on intersex babies. I also support better access to gender-affirming medical care in Tasmania as I know this can be difficult for people to access. I am also in favour of the Sentencing Amendment (Aggravating Factors) Bill 2025 tabled earlier this year to better protect LGBTIQA+ people from hate crimes.

Question 4: Permission to publish answers

To ensure we meet our obligations under the Electoral Act we ask for your permission to publish your responses to our questions. Do you consent to Equality Tasmania publicly sharing your answers to this survey?

Yes

Section 2: Legislation needed in the next term of Government

Question 5: Conversion practices

Background:

Conversion practices are attempts to change, suppress or eradicate someone's same-sex attraction or gender identity based on the false, misleading and pseudoscientific claims that people who are same-sex attracted or have a transgender identity are broken and can be fixed. Some Tasmanian religious leaders have admitted they continue to conduct conversion.

According to research commissioned by the current Tasmanian Government, 1 in 5 LGBTIQA+ Tasmanians have been through formal conversion practices. La Trobe University research shows conversion survivors are 3 to 4 times more likely other LGBTIQA+ people to have PTSD and to have attempted suicide.

A 2022 report from the Tasmanian Law Reform Institute recommended that conversion practices be prohibited. It also recommended religious practice, parental guidance and medical practices not be restricted unless they promote or perpetrate conversion practices.

In December 2023 the Tasmanian Government released a bill that will allow most conversion practices to continue. This is because it says conversion practices are not conversion practices if there is consent (it is not possible to consent to treatment based on false and misleading claims) and if self-defining health service providers consider it appropriate (conversion perpetrators often falsely call themselves "therapists" or "counsellors"). The bill also has weak enforcement provisions and no provision for education of communities where conversion may occur.

The Government bill has not been tabled. Meanwhile, a private members bill has been drafted and is ready to be introduced.

All states and territories have prohibited conversion practices except for WA and Tasmania. Tasmania risks becoming a haven for such practices if we don't act soon.

TLRI MR here: <https://www.utas.edu.au/about/news-and-stories/articles/2022/tlri-recommends-reform-of-laws-covering-lgbtqa-conversion-practices>

TLRI report here: https://www.utas.edu.au/_data/assets/pdf_file/0004/1585921/2022.CP.Report32.final.A4_securedwcopy.pdf

Conversion practices in Tasmania here: <http://equalitytasmania.org.au/home/endconversion/>

Evidence of ongoing conversion practices here: <https://www.examiner.com.au/story/7406885/launceston-church-makes-no-apologies-for-using-conversion-therapy/>

	Yes	No	Undecided, or uncertain, or need more information
Question 5			
<i>Do you want to see an end to conversion practices in Tasmania?</i>	x		
<i>Will you enact or vote for a prohibition on conversion practices based on the recommendations of the Tasmanian Law Reform Institute?</i>	x		
<i>Will you support sufficient resources to ensure allegations of conversion practices can be investigated and there is education about the legislation?</i>	x		

Question 6: Intersex surgeries

Background:

About 1.7% of the Tasmanian population are people with innate variations of sex characteristics (intersex). Currently in Tasmania medically unnecessary cosmetic surgeries and other unnecessary medical interventions are being inflicted on intersex infants and children to “normalise” them. These surgeries often need to be corrected as the child grows and can cause great psychological and physical harm later in life. A prohibition on these surgeries has been recommended by a 2020 TLRI report (Legal Recognition of Sex and Gender) and enacted in the ACT. Victoria will follow by the end of 2025.

TLRI MR here: https://www.utas.edu.au/_data/assets/pdf_file/0007/1342078/Legal-Recognition-of-Sex-and-Gender-Media-Release-Final-Report.pdf

TLRI report here: https://www.utas.edu.au/_data/assets/pdf_file/0007/1342078/Legal-Recognition-of-Sex-and-Gender-Media-Release-Final-Report.pdf

	Yes	No	Undecided, or uncertain, or need more information
Question 6			
<i>Will you enact or vote for a prohibition on medically-unnecessary interventions on children with innate variations of sex characteristics based on the recommendations of the TLRI?</i>	x		
<i>Do you believe this should be a high priority?</i>	x		
<i>Will you support the provision of redress for those who have undergone damaging, medically-unnecessary and non-consensual medical interventions?</i>	x		

Question 7: Hate crime

Background:

Tasmanian sentencing law allows for a sentence to be aggravated (increased) if racial hatred was a motive for the crime. However, hate on the basis of other attributes including sexual orientation, gender identity and sex characteristics cannot be an aggravating factor in sentencing. This sends the message that hate-motivated attacks against LGBTIQ+ people are less serious than those against members of racial minorities.

In 2024 the Sentencing Advisory Council issued a report recommending the extension of aggravated sentencing to include hatred on the basis of additional attributes, including the attributes mentioned above. Earlier this year the State Government introduced legislation to implement the recommendation. As well as including the attributes mentioned, it also included provisions allowing “demonstrated hostility” to be evidence of a hate, a provision we support.

The remaining issue is ensuring police have the training and data-collection systems to identify, gather evidence of, record and lay charges in relation to hate as a motive for crime.

Sentencing board inquiry here: <https://www.sentencingcouncil.tas.gov.au/projects>

Government bill here: <https://www.parliament.tas.gov.au/bills/bills2025/sentencing-amendment-aggravating-factors-bill-2025-bill-18-of-2025>

	Yes	No	Undecided, uncertain, or need more information
Question 7			
<i>Will you enact or vote for reform of the Sentencing Act that allows for aggravated sentencing when a crime is motivated by hatred on the basis of a range of attributes including sexual orientation, gender identity and variations of sex characteristics?</i>	x		
<i>Are you committed to the passage of this reform by the end of 2025?</i>	x		
<i>Will you support more resources to enable police to be trained to identify, collect data on, record and prosecute crime motivated by hate?</i>	x		

Question 8: Stalking law reform

Background:

In Tasmania there is a continuing problem of same-sex couples, and LGBTIQ+ people more broadly, facing harassment, bullying and stalking by neighbours, particularly in rural areas. However, police cannot gather evidence or bring charges under relevant legislation (section 192 of the Criminal Code) until they have consent from the Director of Public Prosecutions making it very hard to enforce the law. NSW has removed this onerous provision.

	Yes	No	Undecided, uncertain, or need more information
Question 8			
<i>Will you support changes to section 192 of the Criminal Code to ensure victims of those crimes can be sure police are empowered to gather evidence and bring charges without having to seek prior consent of the DPP?</i>	x		

Question 9: Expungement of historical criminal records

Background:

In 2016 the Hodgman Liberal government passed a law allowing criminal records of those convicted under Tasmania's former laws against homosexuality and cross-dressing to be expunged (erased).

A subsequent independent review of the operation of the law, commissioned by the Government, recommended a series of reforms in areas like administrative procedures and promotion of the scheme. It also recommended financial redress for those whose application for expungement is successful.

In 2023 the current Government introduced a bill implementing all the Review's recommendations except financial redress. During debate on the bill in the House of Assembly in September last year an amendment providing redress and allowing for an independent assessor to determine the appropriate amount was successful. During subsequent debate in the Legislative Council, the bill was sent to the Gender and Equality Committee for further discussion about redress. The Committee recommended the following payments, contingent on the successful expungement of a historical record for homosexuality or cross-dressing: **\$15,000 if the victim was charged** but not convicted, **\$45,000 if they were convicted**, and **\$75,000 if they were gaoled or subject to other punishments**. An amendment implementing the Committee's findings has been drafted.

A copy of the independent review and a guide to the issue of redress is available from us on request.

The amended bill can be found here: <https://www.parliament.tas.gov.au/bills/bills2024/expungement-of-historic-offences-amendment-bill-2024>

The Gender and Equality Committee report can be found here: <https://www.parliament.tas.gov.au/committees/joint-committees/sessional-committees/gender-and-equality-committee/completed-inquiries/expungement-of-historical-offences-amendment-bill-2024-inquiry>

	Yes	No	Undecided, uncertain, or need more information
Question 9			
<i>Will you enact or vote for financial redress as recommended by the Independent Review and the amounts recommended by the Gender and Equality Committee?</i>	x		

	Yes	No	Undecided, or uncertain, or need more information
Are you committed to the passage of this reform by the end of 2025?	x		

Question 10: An LGBTIQ+ Inclusion Act

Background:

The current Tasmanian Government has proposed a Disability Inclusion Bill that will entrench the rights of people with disability, entrench the relationship between people with disability and the Government, establish a Disability Commissioner and legislate for goals related to respect, equality and inclusion.

More about the Disability Inclusion Bill here: <https://www.dpac.tas.gov.au/divisions/cpp/community-and-disability-services/disability-inclusion-bill-have-your-say>

	Yes	No	Undecided, or uncertain, or need more information
Question 10			
<i>Do you support an LGBTIQ+ Inclusion Act similar to the proposed Disability Inclusion Bill?</i>	x		
<i>If unsure, do you support an inquiry into the need for an LGBTIQ+ Inclusion Act?</i>	x		

Question 11: A Human Rights Act

Background:

A Tasmanian Human Rights Act was proposed by the Tasmanian Law Reform Institute in 2007. Such an Act will ensure the human rights of all

Tasmanians, including sexual and gender minorities, are respected.

TLRI MR here: https://www.utas.edu.au/_data/assets/pdf_file/0005/283730/Human_rightsfinalversion_media.pdf

TLRI report here: https://www.utas.edu.au/_data/assets/pdf_file/0003/283728/Human_Rights_A4_Final_10_Oct_2007_revised.pdf

	Yes	No	Undecided, or uncertain, or need more information
Question 11			
<i>Will you enact or vote for a Tasmanian Human Rights Act in line with the recommendations of the TLRI?</i>	x		

Question 12: Please elaborate on any of your answers regarding legislation due in the next term of government.

Section 3: Protecting existing rights and freedoms

Question 13: The Anti-Discrimination Act

Background:

The Anti-Discrimination Act has been in place for quarter of a century. In that time it has helped foster a fairer and more inclusive Tasmania.

For the last 25 years the Act has prohibited discrimination by faith-based schools and services against LGBTIQA+ students, staff and clients. National research has shown this has fostered more inclusive faith-based schools and services. Other states are now adopting similar protections.

Attempts have been made in the Tasmanian Parliament to roll back these protections, mostly unsuccessfully. In 2022 the Federal Government attempted to take away these protections as part of its Religious Discrimination Bill. But that bill failed in the House of Representatives.

Section 17 of the Act has helped curb bullying against people with disability, racial minorities, women and LGBTIQA+ people by prohibiting humiliating, intimidating, insulting and offensive behaviour. By far, the majority of complaints under this provision are from people with disability. Weakening this section will take their rights and protections away.

In 2016 the State Government attempted to weaken the protections provided by section 17 by allowing humiliation and intimidation etc in the name of religion. That failed in the Legislative Council. In 2022 the Federal Government attempted to do exactly the same as part of its Religious Discrimination Bill but, as mentioned, that also failed.

	Yes	No	Undecided, uncertain, or need more information
Question 13			
<i>Will you vote against any attempt to remove existing protections for students, staff and clients of faith-based schools and services?</i>	x		
<i>Will you vote against any attempt to weaken or otherwise amend section 17 of the Anti-Discrimination Act, including any attempt to allow intimidation and humiliation etc in the name of religion?</i>	x		

Question 14: School discrimination

Background:

Evidence to a Tasmanian parliamentary inquiry into discrimination and bullying in schools has revealed that the Tasmanian Catholic Education Office does not abide by the state's Anti-Discrimination. It does not promote gay teachers to senior positions, simply because of their sexual orientation. Neither does it recognise the identity of trans and gender diverse students. This means parents of Catholic school students are not getting the best teachers for the job. It also means the wellbeing of trans and gender diverse students is at risk. See Attachment 3 for the details.

The CET claims its actions are permitted by an exemption in the federal Sex Discrimination Act. However, this is not the case.

The Sex Discrimination Act states in section 10(3):

"This Act is not intended to exclude or limit the operation of a law of a State or Territory that is capable of operating concurrently with this Act."

On this basis the Australian Law Reform Commission has stated:

"Commonwealth anti-discrimination laws indicate that they are intended to operate concurrently with state and territory anti-discrimination laws, and a person may seek remedies under the law most favourable to them. The practical effect of this is that, if a state or territory law provides greater protection from discrimination than the Commonwealth Sex Discrimination Act (for example, because it has a more restrictive exception for religious educational institutions or covers additional attributes), religious educational institutions in that state or territory must comply with the more restrictive state or territory law."

Meanwhile, Tasmania's Acting Anti-Discrimination Commissioner, Pia Saturno, has said while Australia's constitution stated federal law prevailed over state law, Australian and Tasmanian anti-discrimination law were designed to co-exist. She has noted the federal law stated it was not "intended to exclude or limit the operation of a state or territory".

Yes	No	Undecided, uncertain, or need more information
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Question 14

	Yes	No	Undecided, or uncertain, or need more information
<i>Do you believe Tasmanian Catholic and other faith-based schools should abide by state law and not permit or perpetrate discrimination?</i>	x		
<i>Do you support the reinstatement of the Tasmanian parliamentary school discrimination inquiry after the election so it can finish its work?</i>	x		
<i>Do you support a specific inquiry into discrimination against LGBTIQ+ people in Catholic schools by the Tasmanian Anti-Discrimination Commissioner and/or the Non-Government School Registration Board?</i>	x		

Question 15: Gender recognition laws

Background:

Since 2019, Tasmanian law allows trans and gender diverse people to amend their birth certificates to reflect their gender identity without the need for expensive and invasive surgeries. It has also allowed adults the choice to remove gender from their birth certificate, and parents the choice to omit gender from their child's birth certificate (details of sex are still kept by the authorities). Hundreds of Tasmanians have taken this option.

This reform was recommended by Equal Opportunity Tasmania following public consultation. The reform was confirmed by the Tasmanian Law Reform Institute following further consultation.

There were predictions these reforms would put women's safety at risk. However, there have been no examples of this in Tasmania. The reform has been endorsed by Tasmanian women's groups including Women's Health Tasmania, the Women's Legal Service and women's refuges.

TLRI MR here: https://www.utas.edu.au/__data/assets/pdf_file/0007/1342078/Legal-Recognition-of-Sex-and-Gender-Media-Release-Final-Report.pdf

TLRI report here: https://www.utas.edu.au/__data/assets/pdf_file/0007/1342078/Legal-Recognition-of-Sex-and-Gender-Media-Release-Final-Report.pdf

	Yes	No	Undecided, or uncertain, or need more information
Question 15			
<i>Will you vote against any attempt to weaken or otherwise amend Tasmania's gender identity recognition laws?</i>	x		

Question 16: Respecting parental rights and opposing censorship

Background:

There are moves in America and Australia to ban age-appropriate LGBTIQ+ books in schools and public libraries. There is also an attempt to whip up a moral panic about drag story time.

Tasmanian parents should have the right, freedom and choice to allow their children to access age-appropriate materials that will prepare their child for a world that includes LGBTIQ+ people. Drag Story Time at the Launceston library in February 2022 illustrated how valuable parents believe these rights and freedoms to be with many taking their children to the event.

Furthermore, young people who are LGBTIQ+, and the children of same-sex couples, deserve to see themselves and their families represented alongside with other young people and families. This has a proven positive impact on their mental health and sense of belonging.

	Yes	No	Undecided, or uncertain, or need more information
Question 16			
<i>Will you respect parental choice and freedom, and oppose censorship, by allowing schools and libraries to include age-appropriate LGBTIQ+ books in their collections?</i>	x		

	Yes	No	Undecided, uncertain, or need more information
Will you respect parental choice and freedom, and oppose censorship, by not speaking out against age-appropriate drag story time?	x		

Question 17: Please elaborate on any of your answers regarding the protection of existing rights and freedoms.

We are particularly interested in hearing what else you will do to ensure all Tasmanian schools abide by state anti-discrimination law.

Section 4: LGBTIQ+ health and wellbeing

Question 18: Government LGBTIQ+ Strategy and Action Plan

Background:

After commissioning and releasing Tasmania's largest ever LGBTIQ+ community survey, *Telling Us the Story*, the current State Government has been developing a new LGBTIQ+ Strategy and Action Plan. The draft Strategy was finalised by the Government in June. The 2025 State Budget allocated \$500,000 over two years for the implementation of the Action Plan due to be released at the end of 2025.

For a copy of *Telling Us the Story*: https://www.dpac.tas.gov.au/__data/assets/pdf_file/0025/247147/LGBTIQ-Tasmanians-Telling-Us-the-Story-Survey-Report-May-2022.pdf

	Yes	No	Undecided, or uncertain, or need more information
Question 18			
<i>Do you support the development and implementation of an LGBTIQ+ Strategy and Action Plan based on the 'Telling Us the Story' report, with appropriate funding?</i>	x		
<i>Are you committed to the release of these initiatives by the end of 2025?</i>	x		

Question 19: Mental health

Background:

Research shows LGBTIQ+ Tasmanians have some of the highest rates of psychological distress of any population group in Australia. The State Government's Rethink mental health strategy includes LGBTIQ+ Tasmanians as one of three priority groups. The State Government has funded a project to scope and design a dedicated Tasmanian LGBTIQ+ mental health service.

Rethink and LGBTIQ+ Tasmanians (p12): https://www.health.tas.gov.au/sites/default/files/2022-10/Rethink%202020%20-%20FY23%20Implementation%20Plan%20-%20Accessible_0.pdf

LGBTIQA+ mental health scoping project (scroll down): https://www.premier.tas.gov.au/site_resources_2015/additional_releases/delivering-better-mental-health-services-through-the-rethink-2022-23-implementation-plan

	Yes	No	Undecided, or uncertain, or need more information
Question 19			
<i>Do you support a dedicated Tasmanian LGBTIQA+ mental health service?</i>	x		

Question 20: Service delivery and policy-making

Background:

Working It Out receives funding from the State Government to provide support for LGBTIQA+ people and their families and to conduct education and training.

Working It Out and Equality Tasmania have received funding for three years to advise the State Government on policy development.

	Yes	No	Undecided, or uncertain, or need more information
Question 20			
<i>Do you commit to maintaining funding that will enable statewide service delivery by Working It Out?</i>	x		
<i>Do you support a continuation of this funding to advise on policy development?</i>	x		

Question 21: Community fund

Background:

The State Government has an LGBTIQ+ community fund from which it disburses funds for important community projects. The fund is currently \$65,000 per year. There are consistently more funding requests than money available.

	Yes	No	Undecided, uncertain, or need more information
Question 21			
Would you support increasing this fund to at least \$130,000 per year?	x		

Question 22: Housing and substance abuse strategies

Background:

The statewide Tasmania Project survey has shown that LGBTIQ+ Tasmanians have higher rates of housing risk than other Tasmanians. Research also shows higher rates of substance-harm. Both are due to the experience of stigma, exclusion and discrimination. As a result, LGBTIQ+ people are named as a priority group in Tasmania's housing and substance-harm strategies. See the following links for more.

Housing Tasmania action plan:

https://www.hometasmania.com.au/_data/assets/pdf_file/0027/276930/Housing_Tasmania_Strategy_Action_Plan_2023-2027.pdf

Tasmanian Government Drug Strategy: https://www.health.tas.gov.au/sites/default/files/2024-04/tasmanian_drug_strategy_2024_-_2029.pdf

	Yes	No	Undecided, uncertain, or need more information
Question 22			

	Yes	No	Undecided, uncertain, or need more information
<i>Do you support funded programs to reduce the levels of housing risk and substance abuse in Tasmania's LGBTIQ+ community?</i>	x		

Question 23: Trans and gender diverse health care

Background:

A recent study commissioned by Equality Tasmania found trans and gender diverse people face long wait times, poor communications from health care providers and other barriers to affirming health care, which force them to seek care interstate.

There have been some calls for an inquiry into gender affirming health care for young trans and gender diverse people. There are strict medical guidelines for such care in Australia, which are consistently under review. Peer-reviewed research shows young trans and gender diverse people benefit from affirming care. Many trans and gender diverse people fear an inquiry into such care will become a platform for hatred and misinformation.

In June 2024 the State Government wrote to the Federal Minister for Health saying any review of gender affirming care should occur at a national level. In January this year federal health minister, Mark Butler, asked the National Health and Medical Research Council to conduct a review.

	Yes	No	Undecided, uncertain, or need more information
Question 23			
<i>Do you support increased funding for the Sexual Health Service to meet demand and reduce wait times, as well as ongoing professional development for healthcare providers working with the trans and gender diverse community?</i>	x		

	Yes	No	Undecided, or uncertain, or need more information
<i>Will you oppose a state inquiry into health care for young trans and gender diverse people?</i>	x		

Question 24: Clinic

Background:

Local and national research shows LGBTIQ+ Tasmanians face difficulties accessing health services due to discrimination and lack of awareness of our health needs from health care providers.

	Yes	No	Undecided, or uncertain, or need more information
Question 24			
<i>Do you support a dedicated, multidisciplinary, LGBTIQ+ healthcare centre?</i>	x		
<i>If not, do you support a needs analysis to determine if such a service is required?</i>	N/A		

Question 25: Legal Service

Background:

Many LGBTIQ+ Tasmanians are not aware of their legal rights. This is because of a recent legacy of not being treated equally by the law and because the Tasmanian Government has not promoted relevant law reforms.

	Yes	No	Undecided, uncertain, or need more information
Question 25			
<i>Do you support a dedicated LGBTIQ+ legal service?</i>	x		
<i>If not, do you support a needs analysis to determine if such a service is required?</i>	x		

Question 26: Please elaborate on any of your answers regarding the health and wellbeing of LGBTIQ+ populations.

Section 5: Government, parliament and the LGBTIQ+ community

Question 27: Professional development for government employees

Background:

Professional development about discrimination and cultural awareness has improved government services to LGBTIQ+ Tasmanians. However, lack of funding has meant only a minority of service-providers have received this professional development.

	Yes	No	Undecided, or uncertain, or need more information
Question 27			
<i>Do you support funding to ensure all school staff, health staff, police and emergency services staff, prison staff and Service Tasmania staff have professional development in the issues facing LGBTIQ+ Tasmanians?</i>	x		

Question 28: Consultation and representation

Background:

Tasmania has a proud record of Government liaison with the LGBTIQ+ community but there are still gaps. This has resulted in Tasmania leading the nation in many areas of LGBTIQ+ policy development.

	Yes	No	Undecided, or uncertain, or need more information
Question 28			

	Yes	No	Undecided, or uncertain, or need more information
<i>Do you support the continuation of the existing government / LGBTIQA+ reference groups in the departments of education, health, police and emergency services, justice and across the whole of government (some of which have been in place for a quarter of a century)?</i>	x		
<i>Do you support the appointment of an equality minister in the State Government?</i>	x		
<i>Do you support the appointment of an LGBTIQA+ Commissioner (see LGBTIQA+ Inclusion Act above)?</i>	x		
<i>Do you support the establishment of a Parliamentary LGBTIQA+ Friendship Group?</i>	x		
<i>Do you support a Tasmanian LGBTIQA+ Staff Pride Network across the public sector (there are already agency specific networks in Police and Emergency Services, State Growth and Health)?</i>	x		

Question 29: Please elaborate on any of your answers regarding the government's engagement with the LGBTIQA+ community.