



Rainbow Territory

Submission to the Modernisation of the *Anti-Discrimination Act 1992* (NT) Discussion Paper

Rainbow Territory aims to create a safer, fairer, and more inclusive Northern Territory

23 January 2018

www.outnt.info/rainbowterritory/

1. Summary of recommendations:

- 1) Sexual orientation be defined as a person's capacity for emotional, affectional and/or sexual attraction to individuals of a different gender identity, the same gender identity or more than one gender identity.
- 2) Gender identity be included as a protected attribute as defined in the *Discrimination Act 1991* (ACT).
- 3) Sex characteristics be a protected attribute, defined as "each person's physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty".
- 4) Protection against vilification be extended to attributes of disability, sexual orientation, religious belief, gender identity, sex characteristics, and HIV/AIDS status.
- 5) Vilification protections extend to those who currently have or have previously held the protected attribute, associate with another person with the protected attribute, or are incorrectly assumed to possess the protected attribute.
- 6) A limited defence to vilification mirroring s67A(C) of the *Discrimination Act 1991* (ACT) be provided.
- 7) Domestic and family violence be included as a protected attribute.
- 8) Accommodation status be included as a protected attribute.
- 9) Socioeconomic status be included as a protected attribute.
- 10) The Act be broadened to include protection from discrimination on the basis of use of specifically trained assistance animals such as therapeutic and psychiatric seizure alert animals.
- 11) A representative complaints model be introduced in as set out in the Discussion Paper.
- 12) The requirement for clubs to hold a liquor licence in order to come within the ambit of the Act be removed.
- 13) Restrictions on areas of activity on sexual harassment be removed.
- 14) The definition of service be amended to extend coverage to include workers.
- 15) Section 51(d) be amended to provide clarity as to what would be considered a body established for religious purposes and ensure this would not include a school.
- 16) The exemption in relation to sexuality in 37A be repealed.
- 17) No exemptions be permitted in relation to sexuality or gender identity on a permanent or temporary basis.
- 18) No expansion of exemptions that would permit discrimination by religious educational institutions under any other protected attributes, including marital status, pregnancy, and/or parental status.
- 19) The exclusion of Artificial Reproductive Technology (ART) from the definition of services be removed.

- 20) The definition of work be broadened to include volunteer, shared workplaces and anything akin to a work arrangement.
- 21) Section 24 of the Act be amended to clarify that it imposes a positive obligation.
- 22) The name Anti-Discrimination and Equal Opportunity Commissioner be adopted.
- 23) The current three-year term of appointment for the ADC Commissioner be retained.
- 24) Parenthood be replaced with family, carer or kinship responsibilities.
- 25) Marital status be replaced with the term relationship status.

2. Introduction

2.1 About Rainbow Territory

Formed in September 2014, Rainbow Territory is an unfunded community group that advocates for the human rights of people living in the Northern Territory ('NT') who identify as Lesbian, Gay, Bisexual, Transgender, Queer and Intersex ('LGBTQI'). We aim to develop a safer, fairer, and more inclusive NT by contributing to law and policy reform and increasing community visibility and connectedness.

We welcome the opportunity to make a submission to the *Modernisation of the Anti-Discrimination Act Discussion Paper* ('the Discussion Paper') released by the NT Department of Attorney-General and Justice ('the Department').

We note that some issues contained in the Discussion Paper are relevant to commitments made by the Labor government set out in a letter to Rainbow Territory dated 30 June 2016.

Specifically, these commitments were that if elected, Labor would:

- support changes to anti-discrimination laws to end discrimination against women of diverse sexualities accessing artificial fertilisation procedures; and
- legislate to prevent vilification on the basis of sexual orientation or gender identity.

Rainbow Territory does not speak on behalf of the entire LGBTQI NT community, only on behalf of our members and supporters. Regarding any proposals for reform relating to sex characteristics and gender identity, we strongly recommend the Department actively seek the input of both local and national intersex and gender identity organisations, advocates, and individuals who are intersex and gender diverse.

2.2 Experiences of the NT LGBTQI community

For many decades, laws in the NT have entrenched discrimination against LGBTQI people. Many people in the NT live with the legacy of this systemic homophobia, transphobia, and discrimination in their everyday lives.

When the Anti-Discrimination Act bill was first introduced in 1992, after a two year consultation period, sexuality was not listed as a protected attribute. Sexuality was included only after a concerted campaign by NT LGBTQI activists and their supporters, including religious leaders.¹

The campaign to include sexuality as a protected attribute was successful, but an exemption (an earlier version of the current s37A exemption) permitted discrimination based on sexuality for all employment that involved working with children.² This baseless and unjust exemption misleadingly represented to the broader community that members of the LGBTQI community posed a risk to children. This exemption remained until 2004.

Former s37 exemption amended in 2003

37 Exemptions – sexuality

A person may discriminate against another person on the grounds of sexuality in the area of work where:

- (a) the work involves the care, instruction or supervision of children; and
- (b) the discrimination is reasonably necessary to protect the physical, psychological or emotional well-being of children, having regard to all the relevant circumstances of the case including the person's actions.

¹ See page 4 of this submission for NT News comment discussing the history of this campaign

² See this page of the submission

words or less. Send your letter to 0801, or email ntnmail@ntnews.com.au. Please include your name, home address or phone number. Your address will be withheld on request. We reserve the right to edit letters.

curity at the Casuarina Interchange either until much later. Why is that Gunna?

The intoxicated male then went to sleep, woke up, moved to behind the bus driver and went to sleep there. I told the driver, "He's gonna fall off the seat onto the aisle". He said he couldn't do anything about it. Two stops later the man falls, narrowly missing smashing his head on a metal corner. What would the consequences have been for the driver if he had split his head open?

**Expert Bus Traveller,
Casuarina**

Equality for all

THE proposed amendments to the Anti-discrimination Act are indeed long-overdue (*NT News*, June 24). For nearly 30 years the Rainbow community has been seeking equal treatment under NT law. Lobbying of the then-CLP Government by the community in 1989 seeking protection from discrimination was met with rejection. At the time the NT and Queensland were the only two jurisdictions not to have enacted such legislation.

I was a co-author of a detailed law reform submission in 1990 that sought protection

for trans citizens from discrimination. The report also called for equal treatment under NT law for same-sex relationships as for heterosexual ones.

When in 1992 the CLP finally detailed its draft legislation, it announced it would exclude lesbian and gay citizens from protection against discrimination. One Cabinet minister labelled the Coalition for Lesbian and Gay Rights, of which I was convenor, as 'a rat-bag minority', but this was far from the truth.

The Coalition was proud the mainstream community joined it in condemning the CLP's position. The *NT News* said the position was 'based on silly fears and prejudices'. *Sunday Territorian* columnist John Loizou chaired a packed public meeting at which senior CLP and ALP party figures called for full and equal protection. Anglican Bishop Richard Appleby and Uniting Church Synod Secretary Henry Newland wrote to Cabinet declaring their opposition to exemptions based on sexuality. A host of professional bodies and non-government organisations paid for an open letter in the *NT News* urging the CLP to reverse its position.

Today, as then, the majority of Australians expect governments to reject out-dated fears and prejudices. It is time Rainbow Territory and its community are no longer treated as second-class citizens.

Dr Dino Hodge, Vic

The passing of the *Law Reform (Gender, Sexuality and De Facto Relationships) Bill 2003* (NT) by the Labor government provided greater legal protection and equality for LGBTQI community members, including in relation to accessing superannuation and pensions, the age of consent, rights in de facto relationship property law matters, and the s37 exemption.

Despite these reforms, LGBTQI people in the NT continue to experience inequality under a range of NT laws, including the *Anti-Discrimination Act 1993* (NT) ('the Act'). This legislative inequality contributes to and compounds the challenges LGBTQI people continue to face, including the following identified by the Australian Human Rights Commission in their 2015 Sexual Orientation, Gender Identity and Intersex Status (SOGII) report:

- "Poor community understanding and visibility of the distinct issues that affect people on the basis of SOGII status, particularly in relation to gender identity and intersex status;
- State-sanctioned structural discrimination on the basis of SOGII status, which has flow on impacts in legitimising institutional and interpersonal discrimination;
- A lack of cultural competency and understanding of the distinct needs of LGBTQI people in the provision of public services, including education, health and aged care;
- The intersection of the human rights of LGBTI people with the rights of others, notably in relation to religious freedom;
- Attitudes from people from different cultural backgrounds that have a negative attitude toward SOGII issues and their rights, especially children during the developmental stage of their life when they need support; and
- Unacceptably high rates of marginalisation, bullying, harassment and violence."

Among LGBTQI populations, research clearly indicates that discrimination, abuse (both verbal and physical), exclusion, and prejudice are key contributors to the increased rates of depression, anxiety, and self-harm experienced by our community.³ A comprehensive and progressive Anti-Discrimination Act will be instrumental in transforming social attitudes towards LGBTQI people and will enhance the ability of LGBTQI Territorians to fully participate in society and live free, healthy, and open lives without being subject to discrimination.

In 2015, Rainbow Territory conducted a survey of over 100 LGBTQI community members. Participants were asked about their experiences while living in the NT and whether they had experienced any forms of abuse and/or discrimination. 61% of participants reported that, while living in the NT, they had experienced verbal abuse while 22% experienced physical abuse, and 19% experienced domestic abuse.⁴

In a recent survey by Rainbow Territory in relation to mental health and suicide prevention services, we asked the question "what impact does homophobia, transphobia and/or biphobia have on your mental health and/or suicide risk?". We include some of the responses here because discrimination under law is a form of systematic homophobia/biphobia/transphobia:

³ Leonard, W., Lyons, A., & Bariola, E. (2015). A closer look at Private Lives 2: Addressing the mental health and well-being of lesbian, gay, bisexual and transgender (LGBT) Australians. Monograph Series No. 103. The Australian Research Centre in Sex, Health & Society, La Trobe University: Melbourne.

Rosenstreich, G. (2013) LGBTI People Mental Health and Suicide. Revised 2nd Edition. National LGBTI Health Alliance. Sydney.

⁴ Rainbow Territory (2015), Rainbow Territory Community Survey *Final Report*, p2

Some extracts of responses to the question (60 people in total responded to the survey):

- “It's been a limiting, distressing, fear-based factor throughout all of my working and personal life, since age 11”
- “It is devastating. I used to believe that what doesn't kill you makes you stronger but I don't believe that anymore. As you get older, fighting the same fight your entire life just makes you tired. It is dispiriting, dehumanising and humiliating. You wonder constantly at the point of it all, as your energy wanes and the fight is never-ending. When a victim of a crime survives, they have a chance to heal and move on. However, government sanctioned bullying and homophobic hate doesn't stop after school.”
- “You know the statistics. It is tougher sometimes. To respect yourself even if someone in power does not.”
- “I don't disclose information about my sexuality because i don't think it will be helpful or well received. It adds a layer but i am old enough and experienced enough that this is not a major cause of issue for me because i am confident about my identity.”
- “Well it's hard to say, really. Aside from this past few months with the marriage equality thing, I have generally never really explicitly thought "wow, a whole portion of the Australian population thinks I'm a lesser human for being queer, and that makes me sad". I think on a micro/daily level it all adds up to mental health stress though”
- “I've found Darwin much more accepting than other communities and I don't hide my sexuality as much as I usually do. The community support is nice. The same sex marriage survey was very hurtful and distressing with many ads on social media and in my mailbox telling out and out lies and the community feeling more able to express those anti lgbtqia feelings”
- “None”
- “little”

Little research has been undertaken on the experiences of transgender and gender diverse people living in the NT. However research conducted by Dr Stephen Kerry at Charles Darwin University indicates that the NT trans community experiences a lack of access to appropriate health care, lack of social connectedness, racism, and transphobia.^{5 6 7} Dr Kerry also concludes, in a review of trans literature, that trans people living in Australia experience a range of issues including economic instability, social exclusion, mental illness, and abuse.⁸ Human rights issues pertaining to intersex people in the NT have received little to no attention in law, policy, media, health, public discourse, and academia.

Rainbow Territory understands that not all discrimination can be dealt with by a change in law, and that policy reform, education, and community empowerment is part of social change. However, legal changes, especially to the Act, can significantly advance efforts to create a safe, fairer and more inclusive NT for all, including LGBTQI people by increasing the enforceability and protection of human rights. We outline our recommendations for changes to the Act below.

⁵ Kerry, S (2017) *Trans in the NT: A report of the health needs of transgender and sex/gender diverse people living in Australia's Northern Territory*, Casuarina: Charles Darwin University, p2

⁶ Kerry, S. (2017). Transgender people in Australia's Northern Territory. *International Journal of Transgenderism*, 18(2), 129-139. doi: 10.1080/15532739.2016.1254077

⁷ Kerry, S. (2018). *Trans Dilemmas: Living in Australia's Remote Areas and in Aboriginal Communities*. London: Routledge.

⁸ Kerry, S. (2014). Sistergirls/brotherboys: The status of indigenous transgender Australians. *International Journal of Transgenderism*, 15(3-4), 173–186. doi: 10.1080/15532739.2014.995262

3. Response to discussion questions

1 *Is updating the term sexuality to sexual orientation without labels appropriate? Are there any alternative suggestions?*

Rainbow Territory supports the use of the term sexual orientation, rather than sexuality. However, our preferred definition differs from that used in the *Sex Discrimination Act 1984* (Cth). The Commonwealth's use of the term sexual orientation provides important protection for people who identify as gay, lesbian, or bisexual. However it does not afford protection for other sexual minorities such as people who identify as asexual or demisexual.

Rainbow Territory recommends a definition derived from *the Yogyakarta Principles* on the application of international human rights law in relation to sexual orientation and gender identity, a set of principles developed and agreed upon in 2006 by human rights experts⁹, which defines sexual orientation as:

“each person’s capacity for profound emotional, affectional and sexual attraction to, and intimate and sexual relations with, individuals of a different gender or the same gender or more than one gender.”

We support this definition with “identity” being inserted after references to gender, i.e. ‘gender identity’. Gender can refer to the attitudes, feelings, and behaviors that a given culture associates with a person’s biological sex. Conversely, gender identity refers to “each person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth”.¹⁰

Recommendation: Sexual orientation be defined as a person’s capacity for emotional, affectional, and/or sexual attraction to individuals of a different gender identity, the same gender identity, or more than one gender identity.

2 *Should the attribute of “gender identity” be included in the Act?*

Rainbow Territory strongly supports the inclusion of gender identity as a protected attribute in the Act. The current Act provides protection on the basis of sexuality, which is defined as including transsexuality. Transgender people experience extremely high levels of discrimination, with a recent study of 859 young transgender people finding that 68.9% of respondents had experienced discrimination.¹¹ This has led to poor mental health rates for transgender children. 79.7% of respondents had self-harmed and almost 1 in 2 respondents had at one time attempted suicide.¹² This is 20 times higher than adolescents in the general Australian population.¹³

⁹ As part of a project convened by the International Commission of Jurists and the International Service for Human Rights

¹⁰ Footnote 2, Yogyakarta Principles (2006)

¹¹ Strauss, P., Cook, A., Winter, S., Watson, V., Wright Toussaint, D., Lin, A. (2017). Trans Pathways: the mental health experiences and care pathways of trans young people. Summary of results. Telethon Kids Institute, Perth, Australia.

^{12, 13} Ibid.

The inclusion of transsexuality within the definition of sexuality fails to recognise that gender identity is separate and distinct to sexual orientation. Transsexuality is a narrow and outdated term. While we understand that the Anti-Discrimination Commission ('ADC') currently interprets transsexuality to mean any person who identifies as transgender or gender diverse, the Act should be amended to make it explicitly clear that people can be protected from discrimination on the broader basis of gender identity. If gender identity is not explicitly enshrined within the text of the Act, future Commissioners can potentially depart from this interpretative practice as desired. It is absolutely critical to include gender identity in the section itself to compel its inclusion as a ground of complaint permanently, i.e. beyond the policy of the day. Discretionary policies and statutory interpretation are highly fluid and changeable. They offer insufficient protection. .

Rainbow Territory recommends gender identity be defined as per the definition contained within the *Discrimination Act 1991* (ACT):

*"the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person, with or without regard to the person's designated sex at birth" with a note that "gender identity includes the gender identity that the person has or has had in the past, or is thought to have or have had in the past."*¹⁴

This definition draws upon the definition of gender identity in the *Sex Discrimination Act* (Cth) with amendments to remove reference to medical intervention to avoid the medicalisation and pathologisation of gender identity issues. Although already covered by s20(2) of the current Act, it may be useful to include a note, as the ACT has done, that the definition includes the gender identity that a person has or has had in the past or is believed to have or have had in the past.

Recommendation: Gender identity be included as a protected attribute as defined in the *Discrimination Act 1991* (ACT).

3 Should intersex status be included in the Act?

Rainbow Territory supports the inclusion of protection from discrimination for intersex people. In a 2015 survey of intersex Australians, 66 per cent of participants noted they had experienced discrimination from strangers on the basis of their intersex variation.¹⁵ Sexuality, sex, and gender identity are distinct issues that cannot be conflated. We must disaggregate and create nuanced and particularised distinctions to create optimally enforceable and operational laws capable of engaging with the diversity of human conditions at its fullest.

The policy of Organisation Intersex International Australia ('OII'), and other intersex-

¹⁴ Dictionary, *Discrimination Act 1991* (ACT)

¹⁵ Tiffany Jones, Bonnie Hart, Morgan Carpenter, Gavi Ansara, William Leonard, and Jayne Lucke, *Intersex: Stories and Statistics from Australia*. Cambridge, UK: Open Book Publishers, (2016), available at <https://interactadvocates.org/wp-content/uploads/2016/01/Intersex-Stories-Statistics-Australia.pdf>, p 5

led organisations in Australia and New Zealand, is to commend protections from discrimination on the grounds of “sex characteristics”. The document that set this policy is the Darlington Statement of March 2017, a joint statement developed and agreed upon by Australian and Aotearoa/New Zealand intersex community, organisations and independent advocates.¹⁶

The Yogyakarta Principles Plus 10 (‘Yogyakarta Plus 10 Principles’), containing additional Principles and State Obligations on the Application of International Human Rights Law in Relation to Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics to Complement the Yogyakarta Principles, was released in November 2017. The Plus 10 Principles use the attribute of “sex characteristics” and define it as follows:

*“each person’s physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty”.*¹⁷

Rainbow Territory advocates for the inclusion of this deliberately universal attribute, rather than one defining a specific population, to be used within the Act. Adopting the definition set out in the Yogyakarta Plus 10 Principles reflects international best practice.

We have also had the benefit of viewing the OII Australia submission to this review and endorse it in its entirety.

Recommendation: Sex characteristics be a protected attribute, defined as "each person’s physical features relating to sex, including genitalia and other sexual and reproductive anatomy, chromosomes, hormones, and secondary physical features emerging from puberty".

4 *Should vilification be prohibited for attributes other than on the basis of race, such as disability, sexual orientation, religious belief, gender identity or intersex status?*

Rainbow Territory believes that vilification should be prohibited under Territory Anti-Discrimination legislation for the range of attributes set out in the Discussion Paper. We also strongly advocate for protections against vilification on the basis of HIV/AIDS status, as both ACT and NSW have done.¹⁸ We note that all other states and territories have legislated against vilification and all but Western Australia do so on a range of protected attributes other than race.

The Yogyakarta Plus 10 Principles both directly and indirectly call for appropriate protections to be put in place in relation to vilification, specifically that states should:

¹⁶ Darlington Statement (2017) available at <https://oii.org.au/wp-content/uploads/key/Darlington-Statement.pdf> (pg 3)

¹⁷ Preamble, Yogyakarta Principles Plus 10 (2017)

¹⁸ s67A Discrimination Act ACT (1991), 49ZXB Anti-Discrimination Act NSW (1977)

*“Take appropriate and effective measures to eradicate all forms of violence, discrimination and other harm, including any advocacy of hatred that constitutes incitement to discrimination, hostility, or violence on grounds of sexual orientation, gender identity, gender expression or sex characteristics, whether by public or private actors”.*¹⁹

*“Ensure access to effective complaints procedures and remedies, including reparation, for victims of violence, discrimination and other harm on grounds of sexual orientation, gender identity, gender expression and sex characteristics.”*²⁰

Vilification legislation is not about telling people what to think, but rather about providing an avenue for redress for a person who has, as a result of public statements, been subject to harassment, intimidation and violence. Vilification acts as a barrier to individuals engaging in and contributing to NT society and can drive divisions within the community.

Legislating to broaden vilification protections reflects social attitudes of respect and inclusion that are held by the majority and provides a legal mechanism by which a person can respond to and hold accountable the minority who engage in vilifying acts.

Persons affected by the homophobic graffiti featured around Darwin including on the ABC building and Stuart Highway in the week starting 23 October 2017 (see below) were left with no legal recourse. If protections against vilification on the basis of sexual orientation were in place then the perpetrator, if identified, could be held accountable not only through the criminal justice system in relation to property damage, but through the ADC complaints process. The current complaints system provides that the Commissioner may conduct a conciliation and direct a person to participate. Where appropriate and acceptable to the victim, conciliation can be used as an opportunity for a person from the affected community to explain the impact the offending conduct has had on them and to encourage the perpetrator to reflect on their personal views and conduct.

¹⁹ Principle 30 (B)

²⁰ Principle 30(J)



Graffiti in Darwin in October 2017 during the marriage equality postal vote



Signage in Darwin in October 2017 during the marriage equality postal vote

We support the definition of vilification set out in the Discussion Paper in that it focuses on the effect the conduct has on the person affected by it, and makes it clear that acts done, other than in private, will be captured by the legislation. ACT noted that the rationale behind including in its definition of vilification “acts done, other than in private”, was to “make clear that acts which are communicated openly, or which are observable publicly, will be covered, even if they are done in a private capacity or in a place that is not generally open to the public, such as a workplace.”²¹

²¹ Explanatory Statement, Legislative Assembly for the Australian Capital Territory Discrimination Amendment Bill 2016, p10 (2016)

We believe there would be benefit to the Act containing a note providing non-exhaustive guidance on what would constitute “not in private”, as ACT has done.²² Protections should also extend to people who are vilified on the basis that they associate with another person with a protected attribute, previously possessed a protected attribute, or is incorrectly assumed to possess a protected attribute.

We also strongly call for the Act to include a prohibition against inciting hatred in relation to the protected attributes set out in the Discussion Paper, with a definition mirroring that in s9 of the Anti-Discrimination Act 1998 (Tas).

Rainbow Territory is concerned about a defence provision that would include “a fair comment on any event or matter of public interest if it is a genuine belief held by the person making the comment” as set out in the Discussion Paper. We believe this is a broad defence that could be exploited by people expressing bigoted views to justify vilifying acts. We would encourage the Government to consider whether this defence could be relied upon by the author of the “gay marriage = yes to child abuse” sign and whether this is indeed the intention. We would instead support an exemption mirroring that at s67A(C) of the ACT legislation which provides a defence where the act is done “reasonably and honestly, for academic, artistic, scientific or research purposes or for other purposes in the public interest, including discussion or debate about and presentations of any matter.”²³

In 2016 through an online survey Rainbow Territory asked LGBTQI community members about the impact of this law on them. We asked the question: “Currently under NT law there is no law that prohibits vilification on the basis of sexual orientation, gender identity and relationships. What impact, if any, does this have on you directly or indirectly? Please include past, current or future impact. Vilification can be a communication in public that incites hatred towards, serious contempt for, or serious ridicule of people..”.

Some of the responses received:

- “I have been verbally harassed numerous times since moving to the NT a few years ago. I intend to stay here, but it is difficult knowing that hatred and cruelty directed at me is legal and I cannot report and correct such horrific behaviour. Whereas if it was based on my gender or race it would be. The laws are inconsistent and set up a community to be marginalised, and this is bad for Darwin's future.”
- “I have hidden (or tried to hide) my sexual orientation in my professional working life as a nurse and as a midwife. I have observed vilification of other gay females within the healthcare system all of my working life. I have been spat on in public when walking down the street holding my girlfriends hand”
- “I have experienced much harassment as a school teacher and do not intend to teach in any school again.”

²² see s67A *Discrimination Act 1991* (ACT)

²³ *Discrimination Act 1991* (ACT) s67A(C)

- “It has caused me to fear being present in my community”
- “I and my friends should be able to live free of abuse. Friends have been abused, punched, not given opportunities, because of their sexuality. We should be given the same rights and freedoms as straight people.”

Recommendation: Protection against vilification be extended to attributes of disability, sexual orientation, religious belief, gender identity, sex characteristics, and HIV/AIDS status.

Recommendation: Vilification protections extend to those who currently have or have previously held the protected attribute, associate with another person with the protected attribute, or are incorrectly assumed to possess the protected attribute.

Recommendation: A limited defence to vilification mirroring s67A(C) of the *Discrimination Act 1991 (ACT)* be provided.

5 *Should the Act create rights for people experiencing domestic violence in relation to public areas of life such as employment, education and accommodation?*

Rainbow Territory strongly supports the inclusion of domestic and family violence (D&FV) as a protected attribute. We believe that this appropriately reflects the reality for many victims that their experience of D&FV has far-reaching consequences that extend beyond the home and can interfere with a range of areas of public life including in relation to accessing services, education and employment.

The inclusion of domestic and family violence as a protected attribute would:

- “offer victims and survivors of domestic and family violence an additional legal remedy;
- ensure accountability; and
- educate employers and service providers about the indicators and impacts of domestic and family violence.”²⁴

While research into LGBTIQ domestic and family violence has historically been lacking,²⁵ in 2012, the Australian Domestic and Family Violence Clearinghouse concluded that domestic violence exists in same-sex relationships at approximately the same rate as heterosexual relationships.²⁶

²⁴ Andrea Durbach, Deputy Sex Discrimination Commissioner (2011) “Domestic violence discrimination and the consolidation of Commonwealth anti-discrimination laws” *Safe at Home, Safe at Work Conference* available at <https://www.humanrights.gov.au/news/speeches/domestic-violence-discrimination-and-consolidation-commonwealth-anti-discrimination>

²⁵ Australian Domestic and Family Violence Clearinghouse Topic Paper: Domestic Violence in Gay and Lesbian Relationships, 2005, p1.

²⁶ Australian Domestic and Family Violence Clearinghouse, *Special collections - same sex*, 2012, available at www.adfvc.unsw.edu.au/specialcollectionssamesex.htm

Furthermore, while many young people report the home as a place they feel safe,²⁷ for some young people, the home is a place of violence and abuse.²⁸ A 2010 national study on the sexual health and wellbeing of same sex attracted and gender questioning young people included 15 responses from young people living in the NT.²⁹ It found that 24% of respondents who were abused suffered this abuse at home.³⁰

With the highest rates of domestic violence related assaults of all Australian states and territories,³¹ it is appropriate for the NT to be at the forefront of progressive legislative changes to provide practical remedies for people experiencing or who have experienced domestic violence. The definition of domestic violence should be expanded to incorporate a range of family relationships and at a minimum reflect the definition contained in the *Domestic and Family Violence Act NT* (2007). The legislation should be drafted to ensure only victims and survivors of domestic and family violence are able to rely on the protections afforded by the legislation, rather than perpetrators.

Recommendation: Domestic and family violence be included as a protected attribute.

6 *Should the Act protect people against discrimination on the basis of their accommodation status?*

Rainbow Territory supports the inclusion of accommodation status as a protected attribute. Given that people who are homeless are more likely to be discriminated against than those who are not, accommodation status should explicitly encompass homelessness. Homelessness should be defined broadly according to the ABS definition which provides that a person can be considered homeless if their current living arrangement:

- “is in a dwelling that is inadequate; or
- has no tenure, or if their initial tenure is short and not extendable; or does not allow them to have control of, and access to space for social relations.”³²

A 2015 access to healthcare study of 1628 LGBTQI identifying women found that 29% of respondents reported having been homeless at some point in their lives, whilst 3.1% were currently homeless.³³ Further, many LGBTQI young persons have

²⁷ Australian Research Centre in Sex, Health and Society, La Trobe University, *Writing Themselves In 3*, 2010, p. 50

²⁸ Ibid, p 45.

²⁹ Ibid, p 14.

³⁰ Ibid, p 46.

³¹ Australian Bureau of Statistics (2016) Recorded Crime - Victims, Australia, available at <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4510.0~2014~Main%20Features~Experimental%20Family%20and%20Domestic%20Violence%20Statistics~10000>

³² 4922.0 - Information Paper - A Statistical Definition of Homelessness, 2012 (Australian Bureau of Statistics), available at <http://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/4922.0Main%20Features22012>

³³ McNair, R. & Bush, R. (2015). Rainbow Women’s Help Seeking Behaviour Research. Melbourne: The Department of General Practice, The University of Melbourne.

had to leave their family home due to negative experiences or violence as a result of disclosing their sexual orientation or gender identity to their family, and as such are at risk of homelessness.

Recommendation: Accommodation status be included as a protected attribute.

8 *Should “socioeconomic status” be included as a protected attribute?*

Rainbow Territory supports socioeconomic status being included as a protected attribute given “there is a compelling and growing literature base examining disparities in poverty, and indicators of disadvantage, internationally, on the basis of sexual orientation and, to a lesser extent, gender identity.” We also note the finding of a 2016 Australian publication regarding people born with atypical sex characteristics that this community experiences high rates of poverty. The majority of participants (63%) earned an income under AU\$41,000 per year³⁴ and 41% earned less than AU\$20,000 per year.³⁵

Recommendation: socioeconomic status be included as a protected attribute.

9 *Should the Act be broadened to include specifically trained assistance animals, such as therapeutic and psychiatric seizure alert animals?*

Rainbow Territory supports the broadening of the Act to include protection from discrimination on the basis of a person using specifically trained assistance animals including emotional support animals and psychiatric service dogs. Such animals are increasingly being utilised to assist people living with mental illness or to improve the mental health of their owners, which is relevant to the LGBTQI community in that the mental health of LGBTQI Australians is amongst the poorest in Australia. A 2013 report by the National LGBTQI Health Alliance³⁶ found that:

- At least 36.2% of trans and 24.4% of gay, lesbian and bisexual Australians met the criteria for experiencing a major depressive episode in 2005, compared with 6.8% of the general population. This rate soars to 59.3% of trans women (male to female) under 30 in a La Trobe University study.
- Intersex adults show psychological distress at levels comparable with traumatized non-intersex women, e.g. those with a history of severe physical or sexual abuse.
- LGBTI people have the highest rates of suicidality of any population in Australia.
- 20% of trans Australians and 15.7% of lesbian, gay and bisexual Australians report current suicidal ideation.
- Up to 50% of trans people have actually attempted suicide at least once in their lives.

³⁴ “Intersex: Stories and Statistics from Australia” (Jones, Hart, Carpenter, Ansari, Leonard, Lucke) 2016, p146

³⁵ Ibid, p147

³⁶ Rosentreich (2013), LGBTI People, Mental Health and Suicide, briefing paper, revised 2nd edition

As such, the LGBTQI community may be more likely to use an assistance animal and should be protected from discrimination on this basis.

Recommendation: The Act be broadened to include protection from discrimination on the basis of use of specifically trained assistance animals such as therapeutic and psychiatric seizure alert animals.

10 *Should a representative complaint model process be introduced into the Act? Should there be any variations to the process of the complaint model as described above?*

Rainbow Territory believes a representative complaint model process would be a useful addition to the Act. A representative complaint model better reflects the systemic nature of discrimination and allows complaints to be brought on behalf of multiple people at once. This could be particularly useful with respect to LGBTQI issues where discrimination, victimisation, or vilification can impact a group of people collectively rather than a single individual. For example: the illegal graffiti containing homophobic sentiments that featured on a range of prominent locations in Darwin during the marriage equality debate and postal vote.

A representative complaints model process would go towards creating a more effective and efficient complaints system and reduce the burden on individuals subject to discrimination. Those who are most vulnerable to discrimination are often those least empowered in society, which reduces the likelihood of them pursuing individual complaints in situations where they have been discriminated against. It also recognises the multiple barriers to making an individual complaint, including concerns around confidentiality.

To ensure the complaints model is a robust one, processes should be designed to ensure that the representative body making the complaint truly advocates for the community it claims to represent. What constitutes a representative body should not be limited to incorporated associations or other organisations/groups with formalised structures. This would limit the ability of grassroots advocacy and community groups such as Rainbow Territory to make a representative complaint.

Recommendation: A representative complaints model be introduced as set out in the Discussion Paper.

11 *Should the requirement for clubs to hold a liquor licence be removed?*

Generally speaking, Rainbow Territory advocates for broadening areas of public life in which discrimination is prevented, and supports this proposal. Where clubs or associations are designed to further the interests of a minority or disadvantaged group, they should be able to do this under the special measures provisions.

Recommendation: The requirement for clubs to hold a liquor licence in order to come within the ambit of the Act be removed.

12 *Should the restriction of areas of activity on sexual harassment be removed?*

Rainbow Territory recommends that the restriction on areas of sexual harassment be removed to reflect the reality that sexual harassment takes place in a range of public areas.

Recommendation: Restrictions on areas of activity on sexual harassment be removed.

13 *Should the definition of service be amended to extend coverage to include the workers?*

Rainbow Territory supports the amendment of the definition of service to extend coverage to include workers providing a service. This issue is of great importance to members of the LGBTQI community who may be discriminated in the delivery of a service due to their sexuality, gender identity, or sex characteristics.

Recommendation: The definition of service be amended to extend coverage to include workers.

14 *Should any exemptions for religious or cultural bodies be removed?*

Rainbow Territory strongly supports the removal of religious exemptions on the basis of sexuality, specifically s37A(ii) which allows religious educational institutions to discriminate on the basis of sexuality in the area of employment. Tasmanian anti-discrimination legislation does not contain exemptions for religious schools on the basis of sexual orientation, gender identity or intersex status. Ireland has also removed an equivalent exemption; 84% of people in Ireland identify as Catholic.³⁷

In recent months, Rainbow Territory has collected case studies of LGBTQI Territorians who are, and could be, impacted by the current law regarding religious exemptions. We present their anonymised stories below.

Michelle

Michelle* is a teacher at a religious secondary school located in the top end region. She is largely closeted at work, stating “**I am not in a relationship which makes it easier, there are less questions, and I consciously don’t talk about past relationships or my sexuality with particular members of staff**”. She said “**since starting I have felt nervous and just really cautious. I have a gay colleague who has been in the job for 4 or 5 years, it is pretty scary to me to see them be closeted for**

³⁷ The prohibitive law that has been changed was article 37 of the Equal Employment Act 1998 - wherein it says a religious institution (i.e. the majority of Irish schools and hospitals) are allowed to discriminate against anyone who goes "against the religious ethos of an institution" i.e. LGBT staff of schools. Links:

<http://www.irishstatutebook.ie/eli/1998/act/21/section/37/enacted/en/html>

<https://www.independent.ie/irish-news/news/bill-to-prevent-sacking-of-gay-teachers-30938317.html>

<https://www.irishtimes.com/news/politics/equality-law-will-change-to-protect-gay-teachers-says-%C3%B3-r%C3%ADord%C3%A1in-1.2228400>

so long”

When asked by Rainbow Territory whether her sexuality is relevant to her work as a teacher, she said **“In terms of my capacity to teach it is not relevant. In some ways I can better support the queer kids in the classroom. I think about the mental health of all my kids, but I particularly keep an eye out for kids who are gay or trans”**. Regarding the current law, Michelle said **“I don’t think religious schools should have special rules, people should be able to expect equal access to work there, and to be hired and not fired, and equal access to professional development.”**

Kim

Kim*, an employee working in a Catholic High School in the Top End, said **“when I applied for a job I disclosed my sexuality and was told not to mention it again and that the interviewer would forget I had even disclosed it. In my first year at the school I was very conscious of what I said. I would refer to my partner as my housemate, not my partner of 6 years. This was difficult. Engagements and pregnancy are openly celebrated in my workplace. However, I know if someone LGBTQI has become engaged they have not been able to share or celebrate their good news. I also definitely wouldn’t be able to stay in that workplace if I had children. I feel that I would definitely lose my job”**.

Kim spoke about being discriminated against in relation to her workplace agreement: **“Our current Enterprise Bargaining Agreement states that people are entitled to carers leave for partners and former partners only where the relationship is heterosexual. Bereavement leave is for ‘immediate family members or a household member’. It was hard when I wanted to attend my partner’s grandmother’s funeral to support her and grieve myself. She wasn’t recognised as my immediate family, so neither was her late grandmother.”**

Kim also said **“being closeted again has had a huge impact on me and I do know there are other people here that have been impacted. It makes me feel invisible. I strongly value community and relationships. I try to be involved as much as possible in the school community. However my relationship or family are not welcomed.”**

Lisa

As a young queer woman educated in Darwin and now working as a teacher interstate, Lisa* recalled only one experience of overt homophobia at her school as a student but mainly recalls the invisibility of diversity in sexuality and gender and said **“being an adolescent is already hard enough”**. Now teaching interstate, she said she **“cannot imagine what it would be like to live with the fear of losing your job because of your sexuality”** and believes that there must be a separation between religion and sexuality as they don’t directly relate to each other; **“school is about educating all learners who have a right to learn and be safe in school.”**

Peter

Peter* spoke about working in a supportive public school in Darwin where his sexual orientation was not seen by staff or students as a negative, but rather a positive. He

said **“There is normally two or three students who have come out at the end of the year in classes that I have been ‘out’ in. It’s a really powerful thing for kids to trust you and feel safe enough as there was no support when I was in school”.**

Bob

Bob* is a Christian gay man who teaches in a religious school in the NT.

“my experience is totally different from what I have heard. It’s very welcoming and very progressive almost. I don’t believe I have experienced discrimination from other staff members. The exemption shouldn’t exist because my experience is having encountered professionalism. My boss and principal is very supportive of all people across all cultures.”

The current Act provides comprehensive protection to people on the basis of marital status, pregnancy, and parental status. While being divorced, living in a de facto relationship, or being a single parent may go against the teachings and beliefs of some faiths, the Territory has long considered employment to be an area where people deserve protection from discrimination, including in religious educational institutions. Rainbow Territory firmly advocates for removal of exemptions in relation to sexuality so that LGBTQI Territorians can enjoy the same protections as others in the Territory. Rainbow Territory also supports removing similar exemptions³⁸ at a federal level.

Importantly, while federal employment legislation provides protection against adverse action taken against an employee or prospective employee on the basis of sexual orientation,³⁹ these protections do not extend to people who are intersex or transgender or gender diverse. Furthermore, this section of the Fair Work Act **permits** exemptions like the 37A exemptions for religious educational institutions. This would leave intersex and transgender and gender diverse people who have adverse action taken against them in the workplace on the basis of their gender identity or intersex status without remedies under employment law or anti-discrimination legislation.

There are approximately 1,500 roles in the NT where the s37A exemption applies. These roles include cooks, cleaners, nurses, student support, teachers, and administrative workers. A full list is included in Appendix 1 of this submission. Just as being divorced or unmarried does not impede a person’s ability to teach, clean, or type, neither does someone’s sexual orientation or gender identity. A list of the current roles in NT religious educational institutions is also contained in Appendix 1.

Even where religious educational institutions have not or do not intend to rely on the exemptions, their presence alone can impinge on the development of a culture where people can be proud of their sexual orientation or gender identity and use this to the benefit of the school and its students.

³⁸see s37 *Sex Discrimination Act* (Cth)

³⁹ s351 *Fair Work Act* (2009)

This exemption has always been deeply homophobic and remains as such. From its introduction in 1992 to 2004 the exemption read as follows:

37 Exemptions – sexuality

A person may discriminate against another person on the grounds of sexuality in the area of work where:

- (a) the work involves the care, instruction or supervision of children; and
- (b) the discrimination is reasonably necessary to protect the physical, psychological or emotional well-being of children, having regard to all the relevant circumstances of the case including the person's actions.

The above exemption then became the current 37A exemption.

Maintaining exemptions entrenches discrimination and runs contrary to the objectives of the Act (namely to promote recognition and acceptance within the community of the principle of the right to equality of opportunity of persons regardless of an attribute and to eliminate discrimination) and the rationale behind the review to update the Act to better reflect modern society.

These exemptions provide supremacy of the right to religious freedoms over the right to freedom of discrimination and equality. The exemptions also make anti-discrimination complaint mechanisms, “a key pathway for the exercise of ‘agency and resistance’ in the face of pervasive, and often persistent, discrimination experienced by members of the community, including LGBTI people”,⁴⁰ out of reach.

In addition, believe that taxpayer funds should not be used to exclude people from employment based on LGBTQI status and instead only be expended where appointments are merit-based. Continuing to provide exemptions fails to create accountability and means that public funding is being expended on schools that do not actively uphold public values that all schools are expected to espouse: the values of respect, equality, and non-discrimination.

All of the religious institutions that are eligible for the exemption also receive significant government funding.⁴¹ Some of the institutions receive 56-98% of their funding from the NT and Federal governments (see Appendix 1). For example, in the calendar year 2016, the Catholic Education Office received over \$37 million from the NT government and \$69 million from the Commonwealth government for disbursement to Catholic schools in the NT, including capital grants.⁴² NT Christian Schools did not publish its full financial income and expenditure so we cannot include these figures.

40 Horner, J. (2013). In their own words: Lesbian, gay, bisexual, trans* and intersex Australians speak about discrimination. Sydney: NSW Gay and Lesbian Rights Lobby, 14

⁴¹ See Rainbow Territory summary report, www.outnt.info/ada

⁴² NT Catholic Education Office

Independent schools, a significant number of which are religious educational institutions, receive substantial funding from government. The NT Department of Education Annual Report 2016-2017 showed that:

*“In 2016–17, the department provided total direct funding support to non-government schools of \$229.3 million. This included \$165.9 million in Commonwealth Government funding, mainly untied Students First funding, and \$61.8 million in Northern Territory Government funding”.*⁴³

Rainbow Territory also has concerns about the general exemption at s51(d) of the Act which allows discriminatory acts by bodies established for religious purposes if the act is done as part of any religious observance or practice. We are concerned that this section will be relied upon by schools established for religious purposes to exclude future students based on sexual orientation, gender identity or sex characteristics, and as such recommend that what constitutes a body established for religious purposes be clarified and defined narrowly.

Recommendation: Section 51(d) be amended to provide clarity as to what would be considered a body established for religious purposes and ensure this would not include a school.

Recommendation: The exemption in relation to sexuality in 37A be repealed.

Recommendation: No exemptions be permitted in relation to sexuality or gender identity on a permanent or temporary basis.

Recommendation: No expansion of exemptions that would permit discrimination by religious educational institutions under any other protected attributes, including marital status, pregnancy, and/or parental status.

15 *Should the exclusion of assisted reproductive treatment from services be removed?*

Rainbow Territory has long advocated for the removal of the exclusion for artificial reproductive treatment (ART) services from the Act and strongly believes the exclusion of ART should be removed. Refusing to provide ART services to same-sex couples devalues their relationship and calls into question their ability to parent.

We believe legislation should reflect generally accepted standards that all people should have equal access to services and protections afforded under Anti-Discrimination legislation.

We understand that Repromed, the only ART provider in the NT, does not discriminate on the basis of sexual orientation. However, we want to ensure that any ART providers who may in the future provide this service in the NT are obligated to ensure their service provision is non-discriminatory.

⁴³ NT Department of Education Annual Report 2016 - 2017. https://education.nt.gov.au/__data/assets/pdf_file/0019/453106/DoE-annual-report-2016-17.pdf

In 2016 through an online community survey we asked LGBTQI community members to tell us about the impact of this law on them. We asked the question: “Currently under NT law a person can be discriminated against on the basis of sexuality when trying to access assisted reproduction/IVF services. What impact, if any, does this have on you directly or indirectly? Please include past, current or future impact.”

Some of the responses received:

- “Would impact on my ability to have children without incurring significant financial costs. Would also take me away from the NT and my support groups.”
- “It had impact on me as it affected a family member who had to go interstate. This family member left NT and this was a major factor.”
- “I am transgender so it means i can not grow my family if i am denied access to such procedures. This would make me reconsider living in the NT.”
- “Yes. Was unable to access IVF as I was not medically infertile and unwilling to lie and say that I was. Ended up going interstate for AR”
- “Lgbtiq people have been having families forever, and as medical intervention and support have progressed to support family creation the non heteronormative couples of our community should be allowed to access this too. Discriminating against us in this way, as the general population moves forward just creates a greater divide. Legal definition of infertile is when a couple has frequent unprotected sex for one year, and these couples are eligible for fertility treatment. Not heterosexual sex is sex, and has been legislated so via age of consent laws. Hence gay and other couples should legally have the right to access such services. This means I must travel interstate and is a lost business area for the NT too.”

Recommendation: The exclusion of Artificial Reproductive Technology (ART) from the definition of services be removed.

16 *What are your views on expanding the definition of “work”?*

We generally support an expansive definition that explicitly includes volunteers. This issue is highly relevant to members of the LGBTQI community who experience higher rates of discrimination than their peers, as previously documented in this submission. We note that volunteering provides a number of benefits, including the potential to transfer into employment. Many LGBTQI people volunteer in the community for this reason as well as for social purposes.

Recommendation: The definition of work be broadened to include volunteer, shared workplaces and anything akin to a work arrangement.

17 *Should section 24 be amended to clarify that it imposes a positive obligation?*

Rainbow Territory supports amendments to section 24 to better clarify that it imposes a positive obligation.

Recommendation: Section 24 of the Act be amended to clarify that it imposes a positive obligation.

18 Is the name “Equal Opportunity Commissioner” preferred to the name “Anti-Discrimination Commissioner”.

We believe that the title “Anti-Discrimination and Equal Opportunity Commissioner”, while lengthy, appropriately reflects the current dual objectives of the Act: to promote recognition and acceptance of the right to equality of opportunity, as well as to eliminate discrimination against persons.

We believe that a title that excludes explicit reference to discrimination could create or contribute to a misperception that discrimination no longer takes place. We know that this is not the case for many LGBTQI people who continue to be discriminated against both directly and indirectly in many facets of their lives.

Recommendation: The name Anti-Discrimination and Equal Opportunity Commissioner be adopted.

19 Is increasing the term of appointment of the ACD to five years appropriate? Should the term of appointment be for another period, if so what?

Rainbow Territory does not support a term of appointment of the ACD to five years. We believe the current provisions of a term specified to a maximum of 3 years is appropriate, and note that the Act currently provides that a Commissioner is eligible for reappointment.

While a longer term is beneficial where the Commissioner is appropriately fulfilling their functions as set out in the Act, we note there are only limited circumstances in which the Administrator can terminate the appointment of the Commissioner and that this does not currently extend to a situation where the Commissioner is not fulfilling their statutory functions.

Consideration should be given to placing limits on the number of successive terms a Commissioner can serve.

Recommendation: The current 3 year term of appointment for the ADC Commissioner be retained.

20 Should definitions of “man” and “woman” be replaced?

Rainbow Territory has some concerns that repealing the definition of man and woman, and having these terms undefined and adopting the ordinary meaning, could exclude transgender and intersex persons.

21 *Should the term “parenthood” be replaced with “carer responsibilities”?*

We recommend that the term parenthood be replaced with the broader term “parent, family, carer or kinship responsibilities”. This is included in the ACT legislation⁴⁴ as a protected attribute and covers a range of different responsibilities and relationships.

Research compiled in January 2017 by Carers Victoria stated that between 15-30% of LGBT people are currently in caring roles, that lesbian, bisexual and trans women spend more hours caring than other groups, and fear of discrimination can prevent LGBTI people from seeking services of disclosing their sexuality, gender identity or intersex status.⁴⁵ As such, legal protection broader than “parenthood” is essential.

We believe a broader definition including carer responsibilities would ensure that LGBTIQ people who assume carers roles, including assuming care of a partner or family member who is experiencing mental health issues due to their experiences of homophobia and transphobia or illness as a result of HIV/AIDS, would be protected from discrimination on this basis.

The inclusion of protection on the basis of family and kinship responsibilities appropriately reflects the ongoing importance of kinship structures and responsibilities for many Indigenous Territorians. We also note the recent indication from the NT Ministers for Families that the Government is increasing efforts to arrange kinship care as part of the child protection system⁴⁶.

Recommendation: Parenthood be replaced with family, carer or kinship responsibilities.

22 *Should the term “marital status” be replaced with “relationship status”?*

Rainbow Territory submits that “marital status” should be replaced with “relationship status”. This would align with the *Sex Discrimination Act 1983* (Cth) and better reflect the broad and diverse range of relationships statuses of Territorians and provide important protections for all people regardless of marital status, including for people who are not in relationships.

Recommendation: Marital status be replaced with the term relationship status.

⁴⁴ see s7 Discrimination Act 1991 (ACT)

⁴⁵ Carers Australia Vic (2017), LGBTI Carers Facts, available at <http://www.carersvictoria.org.au/Assets/Files/COM-0483%20LGBTI%20Facts%20Infographic%20flyer-v6-FINAL.pdf>

⁴⁶ ABC 5 October 2017, Calls for NT royal commission to ensure more use of kinship care, available at <http://www.abc.net.au/news/2017-10-05/calls-for-nt-royal-commission-to-ensure-more-use-of-kinship-care/9010824>

4. Other comments

4.1 Definition of discrimination

The current definition does not provide protection against indirect discrimination, that is where an unreasonable rule, policy or practice applies to everyone but has an unfair impact on people with a certain attribute. For example, a high school policy that provides that students can only bring a partner of the opposite sex to a school formal, while applying to all students, has a disproportionate and unfair impact on same-sex attracted students who may wish to bring a partner of the same sex.

Recommendation: The definition of discrimination should be broadened to include protection from indirect discrimination with a definition mirroring that at s9 of the *Equal Opportunity Act Victoria* (2010).

The provision in s19(1)(r) providing protection from discrimination due to the association with a person who has, or is believed to have, an attribute referred to, should be retained. Further, discrimination should also ensure that protection under the Act is granted to people who are discriminated against due to having previously possessed a protected attribute or due to another person incorrectly assuming them to possess a protected attribute.

Recommendation: That the Act explicitly provided that discrimination includes: as a result of the person being discriminated against due to their association with another person with a protected attribute, having previously possessed a protected attribute, or is incorrectly assumed to possess a protected attribute.

4.2 Retention of special measures provisions

Recommendation: That s57 of the Act be retained to ensure specialist groups operating to help achieve equality of opportunity for minority communities continue to be able to discriminate in relation to whom they provide membership and services to.

5. Concluding remarks

5.1 Further scope to improve the lives of the LGBTQI community

We urge the Labor government to undertake a comprehensive review of NT legislation with a view to developing a human rights based reform agenda in relation to LGBTQI rights and protection. Discrimination enshrined in the law creates an environment in which institutional and interpersonal discrimination is legitimised and can thrive.

We would support specific protections and human rights principles for the LGBTQI community being built into a NT Human Rights Act. This would have broad ranging benefits for a range of individuals and communities, including the LGBTQI community, by compelling the Government to

act in ways compatible with the principles set out in the Act and to consider human rights issues when developing policies, making laws, delivering services, and making decisions.

Rainbow Territory specifically calls for:

- Urgent reform to the *Births, Deaths and Marriages Act 1996* (NT) to remove the requirement for a person to have undergone sexual reassignment surgery in order to obtain identity documents that reflect their affirmed gender;⁴⁷
- The introduction of a scheme by which people can apply to have historical convictions for homosexual activity that would not be a criminal offence today expunged;⁴⁸
- The Implementation of a suicide prevention policy that specifically addresses the needs of LGBTQI people; and
- The Implementation of a Gay and Lesbian Liaison Officer (GLLO) program within the NT Police, Fire and Emergency Services, appropriate to the unique needs of the NT LGBTQI community.

5.2 Further consultation

As the discussion paper does not contain concrete proposals and lacks specificity in many areas, we encourage the Government to release an exposure draft bill and to entertain a further period of consultation to ensure key stakeholders and current and future potential users of the ADA complaints system are able to provide input on proposed legislation. Rainbow Territory would welcome the opportunity to meet with government to discuss specific aspects of our submission.

We also encourage the Labor government to be particularly mindful that those who are most vulnerable are often the least vocal in public debates around issues that critically affect them.

Contact: Rainbow Territory lgbtqint2014@gmail.com

⁴⁷ Reflected in Principle 31 of the Yogyakarta Plus 10 Principles (2017)

⁴⁸ Reflected in Principle 33F of the Yogyakarta Plus 10 Principles (2017)

Appendix 1

Based on publically available documents (sources listed in Appendix 2) Rainbow Territory estimates there are over 1,500 roles that can apply the 37A sexuality exemption. We list them below.

Religious educational institution, funding from government, staff roles/position	No. of roles
Araluen Christian College	19
% of funding received from government: 79% as per Annual report 2014	
Chaplain/Learning Support Assistant	1
Learning Support Assistant	3
Middle school teachers	3
Office Admin Assistant	1
Office Administrator	1
Primary Teachers	8
Teacher	2
Gawa Christian School	14
% of funding received from government: No funding listed in annual report	
Administration	1
Catering Staff	2
Language Consultant	1
Mums and Toddlers Coordinator	1
Site, Maintenance & Community Liaison Teacher	1
Teacher	3
Teachers Aide	4
Teaching Principal	1
Good Shepherd Lutheran College	160
% of funding received from government: 70% as per Annual report 2016	
Non teaching staff	54
Teaching staff	106
Holy Family Catholic Primary School Karama	47
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Administration Officer	1
After School Care Coordinator	1

Curriculum Coordinators	1
Deputy Principal/Special Needs Coordinator	1
Early Childhood Educators	13
Early Learning Centre Director	1
Finance Officer	1
Finance Officer/WHS	1
ICT Coordinator	1
Inclusion Support Assistant	4
Indigenous Student Support Worker	1
Maintenance/Grounds	1
Perceptual Motor Program	1
Principal	1
Religious Education Coordinator/BYODD Project Leader	1
School Counsellor (Tuesdays)	1
Teacher Assistant	2
Teacher Indonesian	1
Teacher Librarian	1
Teacher Music / PE	1
Teacher Preschool	1
Teacher Sport Coordinator	1
Teacher Transition	1
Teacher Transition / Year 1	1
Teacher Year 1 / 2	1
Teacher Year 2	1
Teacher Year 3 / 4	3
Teacher Year 5 / 6	2
Holy Spirit Catholic Primary School	29
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Administrative and Clerical (including aides and assistants)	4
Building Operations Maintenance and other Staff	1
Principal	1
Specialist Support	7
Teaching Staff (including Librarians)	16
Kormilda	144
% of funding received from government: No funding listed in annual report	
Academic Teaching staff	53
Administration	9
boarding staff	16
Bus driver	1
Chaplains	2
Chief Financial officer	1
Cleaning staff	10

Early learning centre staff	4
IT team	4
Languages/Philosophy Teacher	1
Marketing and promotion	4
Nurse	1
Pastoral team	8
Principal	1
Property service staff	9
Religious values education/maths/humanities	1
Senior management	5
Teaching assistant	8
Team leaders/head of Year	3
Technician	3
Living Waters Lutheran School	36
% of funding received from government: 76% as per School Performance Measures 2016	
Administration and Reception	1
Assistant Principal religious education	1
Non teaching staff	13
Teaching staff	21
Ltyentye Apurte Catholic School	45
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Assistant teacher	14
Cleaning staff	3
Curriculum & Inclusion	2
Data management staff	1
Deputy principal	2
Grounds/maintenance staff	2
Liaison	1
Librarian assistant	1
Literacy centre staff	2
Nutrition staff	5
Office/site manager	1
Principal	1
Secondary Coordinator/WHS/Office Manager	1
Teacher	6
Teacher (Indigenous language)	1
Teacher (spirituality)	1
Teacher Librarian	1
MacKillop Catholic College	82
% of funding received from government: 67% as per Annual report 2016	

Administrative and Clerical (including officers and assistants)	25
Principal	1
Teaching staff, including librarians	56
Mapuru Christian School	7
% of funding received from government: No funding listed in annual report	
Teacher	1
Teacher	1
teaching principal	1
Yolŋu (Indigenous) Teachers (Assistant Teachers)	1
Yolŋu (Indigenous) Teachers (Assistant Teachers)	3
Marrara Christian College	80
% of funding received from government: No funding listed in annual report	
Accounts	1
Administration Assistant	1
Canteen Assistant F/Tech Support	1
Canteen manager	1
Chaplain	2
Enrolment/Promotions Officer	1
ESU	1
Groundsman	1
Groundsman/Caretaker	1
Head of ICT + Infrastructure Head of middle school	1
Head of Primary school	1
Head of student support Instrumental Tuition	1
ISU Teacher Aide	3
Lab Assistant	1
Library Aide	1
Library Technician Maintenance	1
Maintenance	1
Middle Administration	1
Office Manager	1
Primary Administration Principal	1
Reception	2
SBA	5
Student Support	1
Teacher Aide & Teacher	1
Teacher or teachers aide	48
Murrupurtiyanuwu Catholic Primary School	55
% of funding received from government: 98% as per Annual report 2016	
Non-Teaching Staff (including assistant teachers)	44
Teacher	11
Nhulunbuy Christian College	31

% of funding received from government: 73% as per Annual report 2015	
Head of Student Support	1
Learning enhancement team	7
Maintenance Staff	3
Office and Support Staff	4
Principal	1
Teaching staff	15
O'Loughlin Catholic College	75
% of funding received from government: 72% as per Annual report 2016	
Non teaching staff	29
Teaching staff	46
Our Lady of the Sacred Heart Catholic College	118
% of funding received from government: 61% as per Annual report 2016	
Non teaching staff	47
Principal/chaplain	2
Teaching staff, including librarians	69
Our Lady of the Sacred Heart Thamarrurr Catholic College	151
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Support staff	104
Teaching staff	47
Palmerston Christian School	39
% of funding received from government: No funding listed in annual report	
Admin	3
Admin/Reception	1
Admin/Registrar	1
Caretaker	1
Defence Student Transition Aide	1
Indonesian	1
Library	1
Maintenance Officer	1
Music/Art	1
PE	1
Primary Team Leader	1
Principal	1
School Chaplain	1
Science Tech/Dance	1
Science/Electives	1
Special Education	1
Teaching assistant	7

Transition	2
Year 1/2	2
Year 10	1
Year 2/3	1
Year 3/4	1
Year 4/5	2
Year 6	1
Year 7, English/Maths/HASS	1
Year 7/8, English/Electives	1
Year 8, Electives	1
Year 9, Maths/Science/Electives	1
Sacred Heart Catholic Primary School	44
% of funding received from government: 56% as per Annual report 2016	
Non teaching staff	22
Teaching staff	22
Sattler Christian College	32
% of funding received from government: No funding listed in annual report	
Admin and enrolment officer	1
Admin and finance	1
Art teacher	1
Conservation, PE, HASS & health	1
Dance instructor	1
Early learning centre Director	1
Education support	4
Educational co leader (ELC)	1
Educational support coordinator	1
Educator early learning	3
Expressions teacher	1
Grounds and Maintenance	1
IT support	1
Librarian and Library manager	1
Library teacher	1
LOTE, Library and music teacher	1
Maths and sport teacher	1
Middle school coordinator	1
Primary coordinator	1
Primary school teacher	4
Prinicipal	1
Promotions	1
School Chaplain	1
Science, scripture, sport, expressions and textiles teacher	1
St Francis of Assisi Catholic Primary School	31

% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Admin Officer	2
APRE	1
Assistant Director	1
Canteen Manager	1
Chef	1
Classroom teacher	5
Curriculum Coordinator	1
Deputy Principal	1
Early childhood educator	5
ELC Bookkeeper	1
Finance Officer	1
IEW	1
Inclusion Support Assistant	4
Inclusion support assistant	1
Inclusion Support teacher and indonesian	1
Librarian	1
nclusion support assistant	1
Principal	1
Transition teacher	1
St Francis Xavier Catholic School (Daly River)	23
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Non teaching staff	14
Teaching staff	9
St John's Catholic College	53
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Administration	2
Administration Assistant	2
Art and RE teacher	1
Assistance principal, catholic identity and practice	1
Assistant principal teaching and learning	1
Business manager	1
Business studies and PLP teacher	1
Careers and VET coordinator	1
Chaplin	1
Communications products teacher	1
Construction and manufacturing pathways	1
Counsellor	2

Deputy director of boarding	1
Deputy Principal	1
Director of boarding	1
English teacher	1
English teacher	1
English, INE, RE teacher	1
Finance Officer	1
Head of faculty, HPE and the Arts	1
Head of House	2
History, research and SOSE teacher	1
Humanities teacher	1
Inclusion support co-ordinator	1
Inclusion support worker	4
International coordinator	1
Japanese, PLP, and english teacher	1
Maintenance Officer	1
Maths and science teacher	2
Maths teacher	1
Pastoral care	1
PE, health, SOSE, INE, ESL	1
PLP, VET and maths teacher	1
Principal	1
Property maintenance manager	1
Receptionist	1
School constable	1
School nurse	1
Science lab assistant	1
Secretary	1
Site manager, kitchen and laundry	1
SOSE and RE	1
SOSE, research and home economics teacher	1
Student administration	1
WH&S	1
St Joseph's Flexible learning centre	17
% of funding received from government: 97% as per Annual report 2016	
Non teaching staff	8
Teacher	9
St Joseph's Catholic College, Katherine	54
% of funding received from government: 95% as per Annual report 2014	
Relief teacher	1
Support staff	26
Teacher	27

St Mary's Catholic Primary School	42
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Acting Deputy Principal & Inclusion Support Coordinator	1
Acting Principal	1
Assistant Director/Certified Supervisor	1
Before School Care Assistant	1
Before School Care coordinator/Inclusion Support Assistant	1
Bookkeeper OSHC and Community of Learners	1
Canteen Manager	1
Certified Supervisor	1
Curriculum Coordinator, ICT Learning and Teaching	1
Defence School Transition Aid	1
Early Childhood Assistant	1
Early Childhood Assistant	3
Early Childhood Teacher	1
Finance Officer	1
Greek Language Teacher	1
Groundsperson	1
Inclusion Support	1
Inclusion Support and Indigenous Education Assistant	1
Inclusion Support Assistant	4
Mandarin Language Teacher	1
Music Part Time Instructor	1
OSHC Assistant Director	1
OSHC Educator	1
Physical Education	2
Religious Education Coordinator	1
School Officer-Library Technician/ ICT/WHS coordinator	1
Science Teacher	1
Secretary	1
Teacher	8
St Paul's Catholic Primary School	41
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
After school team leader	1
Assistant Principal religious education	1
Canteen/ELC cook	1
Cleaner	1
Curriculum	1
Deputy principal	1
ELC	2

ELC Assistant Director	1
Finance assistant	1
Finance Officer	1
Front office	1
Inclusion support assistant	3
Inclusion support co-ordinator	1
Indigenous Education worker	1
Indonesian	1
IT/WH and S/ILC	1
Music	1
OSHC casual staff	1
OSHC permanent part tim	1
Physical Education	1
Pre-School teacher	1
Principal	1
School counsellor	1
School maintenance	1
Teacher	13
Teaching assistant	1
Xavier Catholic College Wurrumiyanga	30
% of funding received from government: 97% as per Annual report 2016	
Non-Teaching Staff (including assistant teachers)	15
Teacher	15
Mother Teresa Catholic Primary School	4
% of funding received from government: No individual funding listed. In 2016 \$82 million in funding was received by Catholic schools from the NT and federal government as per Catholic Education NT Annual report 2016	
Administrator	1
Out of school hours care educators	1
Primary teacher	1
Principal	1
Grand Total	1503

Appendix 2

Every effort has been made to ensure the accuracy of the information in Appendix 1, using publicly available information sourced from the internet. Any inaccuracies are accidental and unintentional.

Educational Institution name	Araluen Christian College
Position/role information source	Annual report 2016
Link to role/position information	http://www.acc.nt.edu.au/wp-content/uploads/sites/15/2017/06/Annual-School-Report-ACC-2016.pdf
Source of funding information	Annual report 2014
Link to funding information	http://acc.nt.edu.au/documents/ACC-Annual-School-Report-2014.pdf
Educational Institution name	Gawa Christian School
Position/role information source	Annual report 2016
Link to role/position information	http://www.gcs.nt.edu.au/wp-content/uploads/sites/16/2017/06/Annual-School-Report-GCS-2016.pdf
Source of funding information	Not published
Link to funding information	Not published
Educational Institution name	Good Shepherd Lutheran College
Position/role information source	Annual report 2016
Link to role/position information	http://www.goodshepherd.nt.edu.au/sites/default/files/uploads/files/gslc2016_annual_report.pdf
Source of funding information	Annual report 2016
Link to funding information	http://www.goodshepherd.nt.edu.au/sites/default/files/uploads/files/gslc2016_annual_report.pdf
Educational Institution name	Holy Family Catholic Primary School Karama
Position/role information source	Website
Link to role/position information	http://www.holyfamilynt.catholic.edu.au
Source of funding information	Catholic Education NT annual report 2016

Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	Holy Spirit Catholic Primary School
Position/role information source	Annual report 2016
Link to role/position information	http://www.holyspiritnt.catholic.edu.au/_files/f/3609/Holy%20Spirit%202016%20Annual%20School%20Report.pdf
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	Kormilda
Position/role information source	website & 2015 annual report
Link to role/position information	Website retired
Source of funding information	Not published
Link to funding information	Not published
Educational Institution name	Living Waters Lutheran School
Position/role information source	School Performance Measures 2016
Link to role/position information	http://livingwaterslutheranschool.nt.edu.au/uploads/pdfs/Yearly-Change-Docs/School-Performance-Measures-2016-1.pdf
Source of funding information	School Performance Measures 2016
Link to funding information	http://livingwaterslutheranschool.nt.edu.au/uploads/pdfs/Yearly-Change-Docs/School-Performance-Measures-2016-1.pdf
Educational Institution name	Ltyentye Apurte Catholic School
Position/role information source	Routine Assessment Panel Report 2016
Link to role/position information	http://www.lacecnt.catholic.edu.au/_files/f/3254/Routine%20Assessment%20Panel%20Report%202016.pdf
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	MacKillop Catholic College
Position/role information source	Annual report 2016
Link to role/position information	https://www.mackillopnt.catholic.edu.au/wp-content/uploads/2015/11/MCC-Annual-Report-2016.compressed.pdf

Source of funding information	Annual report 2016
Link to funding information	https://www.mackillopnt.catholic.edu.au/wp-content/uploads/2015/11/MCC-Annual-Report-2016.compressed.pdf
Educational Institution name	Mapuru Christian School
Position/role information source	Annual report 2016
Link to role/position information	http://www.ntchristianschools.com.au/wp-content/uploads/2017/06/Annual-School-Report-MCS-2016.pdf
Source of funding information	Not published
Link to funding information	Not published
Educational Institution name	Marrara Christian College
Position/role information source	Annual report 2016
Link to role/position information	http://www.mcc.nt.edu.au/wp-content/uploads/sites/12/2017/06/Annual-School-Report-MCC-2016.pdf
Source of funding information	Not published
Link to funding information	Not published
Educational Institution name	Murrupurtianuwu Catholic Primary School
Position/role information source	Annual report 2016
Link to role/position information	http://www.mcsnt.catholic.edu.au/_files/f/3093/Xavier_2016_SAR.pdf
Source of funding information	Annual report 2016
Link to funding information	http://www.mcsnt.catholic.edu.au/_files/f/3093/Xavier_2016_SAR.pdf
Educational Institution name	Nhulunbuy Christian College
Position/role information source	Annual report 2016
Link to role/position information	http://www.ncc.nt.edu.au/wp-content/uploads/sites/17/2017/05/Annual-School-Report-Nhulunbuy-Christian-College-2016-report.pdf
Source of funding information	Annual report 2015
Link to funding information	http://www.ncc.nt.edu.au/wp-content/uploads/sites/17/2017/02/2015-Ministers-Annual-School-Report-NCC2.pdf
Educational Institution name	O'Loughlin Catholic College
Position/role information source	Annual report 2016
Link to role/position information	https://www.oloughlin.nt.edu.au/files/pdfs/OLoughlin_Catholic_College_Annual_Report_2016.pdf
Source of funding information	Annual report 2016

Link to funding information	https://www.oloughlin.nt.edu.au/files/pdfs/OLoughlin_Catholic_College_Annual_Report_2016.pdf
Educational Institution name	Our Lady of the Sacred Heart Catholic College
Position/role information source	Annual report 2016
Link to role/position information	http://www.olshalice.catholic.edu.au/files/file/OLSH%20PDFs/2016_Annual_Report.pdf
Source of funding information	Annual report 2016
Link to funding information	http://www.olshalice.catholic.edu.au/files/file/OLSH%20PDFs/2016_Annual_Report.pdf
Educational Institution name	Our Lady of the Sacred Heart Thamarrurr Catholic College
Position/role information source	Annual report 2017
Link to role/position information	http://www.olshtnt.catholic.edu.au/_files/f/3172/OLSH%20Thamurrurr%20Catholic%20College%20-%20Annual%20Report%20of%202016.PDF
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	Palmerston Christian School
Position/role information source	Annual report 2016
Link to role/position information	http://www.pcs.nt.edu.au/wp-content/uploads/sites/10/2017/06/Annual-School-Report-PCS-2016.pdf
Source of funding information	Not published
Link to funding information	Not published
Educational Institution name	Sacred Heart Catholic Primary School
Position/role information source	Annual report 2016
Link to role/position information	http://www.shpsnt.catholic.edu.au/_files/f/3962/2016%20Annual%20Report.PDF
Source of funding information	Annual report 2016
Link to funding information	http://www.shpsnt.catholic.edu.au/_files/f/3962/2016%20Annual%20Report.PDF
Educational Institution name	Sattler Christian College
Position/role information source	Annual report 2016
Link to role/position information	http://www.scc.nt.edu.au/wp-content/uploads/sites/14/2017/06/Annual-School-Report-SCC-2016.pdf
Source of funding information	Not published
Link to funding information	Not published

Educational Institution name	St Francis of Assisi Catholic Primary School
Position/role information source	Website
Link to role/position information	http://www.sfasnt.catholic.edu.au/our-school/staff.htm
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	St Francis Xavier Catholic School (Daly River)
Position/role information source	Annual report 2016
Link to role/position information	http://www.sfxnt.catholic.edu.au/_files/f/3095/St%20Francis%20Xavier%20Catholic%20School%202016%20AnnualReport.pdf
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	St John's Catholic College
Position/role information source	Website
Link to role/position information	http://www.stjohnsnt.catholic.edu.au/staff
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	St Joseph's Flexible learning centre
Position/role information source	Annual report 2016
Link to role/position information	http://youthplus.edu.au/wp-content/uploads/2017/09/SJCFLC_Annual-Report-2016_Final.pdf
Source of funding information	Annual report 2016
Link to funding information	http://youthplus.edu.au/wp-content/uploads/2017/09/SJCFLC_Annual-Report-2016_Final.pdf
Educational Institution name	St Joseph's Catholic College, Katherine
Position/role information source	Annual report 2014 and website
Link to role/position information	http://web.archive.org/web/20160309230228/http://www.sjckatherine.nt.edu.au/wp-content/uploads/2014-Annual-Principals-Report.pdf
Source of funding information	Annual report 2014

Link to funding information	http://web.archive.org/web/20160309230228/http://www.sjckatherine.nt.edu.au/wp-content/uploads/2014-Annual-Principals-Report.pdf
Educational Institution name	St Mary's Catholic Primary School
Position/role information source	Website
Link to role/position information	http://www.stmarysnt.catholic.edu.au/about-us/staff
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	St Paul's Catholic Primary School
Position/role information source	Annual report 2016
Link to role/position information	http://www.stpaulsnt.catholic.edu.au/_files/f/4432/2016%20St%20Paul's%20Annual%20School%20Report.pdf
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf
Educational Institution name	Xavier Catholic College Wurrumiyanga
Position/role information source	Annual report 2016
Link to role/position information	http://www.mcsnt.catholic.edu.au/_files/f/3093/Xavier_2016_SAR.pdf
Source of funding information	Annual report 2016
Link to funding information	http://www.mcsnt.catholic.edu.au/_files/f/3093/Xavier_2016_SAR.pdf
Educational Institution name	Mother Teresa Catholic Primary School
Position/role information source	Website
Link to role/position information	http://www.mtcpsnt.catholic.edu.au/home
Source of funding information	Catholic Education NT annual report 2016
Link to funding information	http://www.ceont.catholic.edu.au/_files/f/3737/Catholic%20Education%20Office%20NT%20-%20Annual%20Report%202016.pdf