


PRIDE AND PRO BONO REPORT



LGBTQIA+ pride is the promotion of the self-affirmation, dignity, equality, and increased visibility of lesbian, gay, bisexual, transgender, queer, intersex and asexual people as a social group. Pride, as opposed to shame and social stigma, is the predominant outlook that bolsters most LGBTQIA+ rights movements. Today, the word 'pride' has become an integral cultural concept, representing solidarity, collectiveness and identity as well as resistance to discrimination and violence. Its associated symbolism – rainbow colours – communicates to individuals that LGBTQIA+ members are welcome as valuable members of the broader community.



At Hall & Wilcox, we foster diversity and inclusion because we believe it allows us to become more innovative, relate better to our clients and contribute in a holistic way to the broader community.

What does LGBTQIA+ stand for?

The acronym LGBTQIA collectively stands for:

- lesbian,
- gay,
- bisexual,
- transgender,
- queer,
- intersex, and
- asexual.

The '+' symbol is often included at the end of the phrase to ensure the umbrella term refers to and includes other existing and emerging orientations and identities. In different communities and contexts, this acronym is often transformed and interchangeable with a variety of other terms, including 'Queer' and 'Rainbow' communities, which have all developed universal recognition.

Human rights protections

Deeply embedded homophobic and transphobic attitudes, often combined with a lack of adequate legal protection against discrimination on grounds of sexual orientation and gender identity, expose many LGBTQIA+ people of all ages and in all regions of the world to egregious violations of their human rights. People from this community are often discriminated against in the labour market, schools and hospitals, mistreated, abused and disowned by their own families.

The intersection with racial discrimination, on the grounds of race, colour, descent, national or ethnic origin, makes LGBTQIA+ people even more vulnerable to discrimination and hate-motivated violence. Several international instruments and human rights mechanisms explicitly recognise the impact of intersecting forms of discrimination on the enjoyment of human rights.

In 67 countries, discriminatory laws criminalise private, consensual LGBTQIA+ relationships and identities, exposing individuals to the risk of arrest, prosecution and imprisonment. In recent years, many countries have made a determined effort to strengthen human rights protections of LGBTQIA+ people. Several new laws have been adopted, including banning discrimination, penalising homophobic and transphobic hate crimes, granting recognition of same-sex relationships and making it easier for transgender individuals to obtain official documents that reflect their preferred gender without intrusive requirements. Training programs have been developed for police, prison staff, teachers and social workers, and anti-bullying initiatives have been implemented in many schools.

Discrimination against LGBTQIA+ people undermines the human rights principles outlined in the Universal Declaration of Human Rights. All Member States are obligated under international human rights law to promote and protect the human rights of all persons without discrimination.

The core legal obligations of Member States with respect to protecting the human rights of LGBTQIA+ people include obligations to:

- **protect** individuals from homophobic and transphobic violence;
- **prevent** torture and cruel, inhuman and degrading treatment;
- **repeal** laws criminalising same sex relations and transgender people;
- **prohibit** discrimination based on sexual orientation and gender identity; and
- **safeguard** freedoms of expression, association and peaceful assembly for LGBTQIA+ people.

Sydney WorldPride 2023

2023 is an important year for Australian LGBTQIA+ communities and allies, as it not only featured once-in-a-lifetime celebrations and events for Sydney WorldPride, but marks the 50th anniversary of Australia’s first Gay Pride Week, the 45th anniversary of the first Mardi Gras Parade and 5th anniversary of Australian marriage equality.

This year, from 15 February to 5 March, Sydney Mardi Gras and Sydney WorldPride united to present a truly global LGBTQIA+ pride festival, the first ever held in the southern hemisphere. The glittering festival was a demonstration of the amazing power of passion, creativity and community.

The theme for the festival, *‘GATHER, DREAM, AMPLIFY’*, represents the commitment of all Australians to equality and inclusion, and calls for communities to come together and participate in a global movement where they embrace the freedom everyone should have to be themselves.

Through an extensive program and televised local events, Sydney Mardi Gras and WorldPride introduced the world to our diverse First Nations and Asia Pacific LGBTQIA+ communities, offering an opportunity for people to share their pride on a global stage.

This event not only represented Australian states and territories but also brought focus to our neighbouring countries in the Asia-Pacific region who do not all share the same level of equality and human rights protection that we do.

The seventeen-day extravaganza showcased Sydney Mardi Gras favourites such as the Parade and Fair Day, alongside new world-class Opening and Closing Ceremonies, a Human Rights Conference, First Nations Gathering and a Pride March across the iconic Sydney Harbour Bridge.

Each event was a reminder, as we reflect on all we have achieved over the years, that every small step forward is a move in the right direction. However, while discrimination, prejudice and stigma still exist, our work is not done.



How have we supported the LGBTQIA+ community?

Victorian Pride Centre

The Victorian Pride Centre is the first purpose-built centre for Australia’s LGBTQI+ communities. It is a place to pave new directions for LGBTQI+ communities, while harbouring and celebrating their brave, and at times difficult, past. It is home to practical and supportive services that will grow into a destination for visitors from across Australia and beyond. The Centre serves as a hub for LGBTQI+ groups and organisations to share ideas and resources and to further their work in supporting equality, diversity and inclusion across the state.

The Victorian Pride Centre houses major and important LGBTQI+ resident organisations, showcases LGBTQI+ art and history, brings together advisory, health and support services, while featuring community spaces that provide a safe social environment.

Engaged in mid-2016, Hall & Wilcox was the primary legal advisor in the development and creation of the Victorian Pride Centre. The Victorian Government committed \$15 million in funding the project, and Hall & Wilcox assisted with organisation structuring, fundraising, site selection and procurement. Our Melbourne office served as the Centre’s registered office and temporary home during the development phase, hosting board meetings while the Centre’s final design, location and timeframe was being determined.

Now, we assist in the Centre’s operations, including providing support on a pro bono basis by sharing our legal expertise while demonstrating our commitment to our own LGBTQI+ community and clients.



How have we supported the LGBTQIA+ community?

Qtopia Sydney

Qtopia Sydney is a registered not-for-profit organisation committed to empowerment, inclusivity, celebration, challenge and education. Qtopia was spearheaded by David Polson AM, inspired by the late vision of Professor David Cooper, a leading HIV/AIDS researcher, whose dream it was to open an AIDS museum.

Qtopia will host permanent and temporary public exhibitions, temporary displays, community engagement and education programs to represent the history and culture of the LGBTQIA+ community with integrity, authenticity and accuracy.

Qtopia launched in Sydney for WorldPride 2023, featuring historical and archival objects, imagery, video and audio, to tell the stories of individuals who experienced various significant periods within Australia's history. Since its inception, Qtopia has received overwhelming support with impressive patrons such as The Hon Michael Kirby AC CMG and Ita Buttrose AC OBE.

Hall & Wilcox was initially approached in 2021 by a group of individuals led by David Polson, with a vision to create Sydney's own queer museum. Taking Qtopia on as a pro bono client was never questioned at Hall & Wilcox – the passion and drive of interested parties was clear from the beginning, and the project was a reflection of Hall & Wilcox's own values of staying true to self and working together to achieve the remarkable.

Hall & Wilcox assisted with the formation of a Steering Committee for the establishment of Qtopia Sydney

Limited, to discuss appropriate building facilities, name, marketing and vision for the future. At the time, it was just an idea. It didn't take long for that idea to turn into reality. Shortly after, an entity was registered and Hall & Wilcox was advising Qtopia on its Constitution, registration of trade marks, obtaining Australian Charities and Not-for-profits Commission and deductible-gift-recipient status, assisting to prepare contractor agreements and a variety of other legal matters inherent to the establishment of a queer museum.

In preparation for WorldPride 2023, Hall & Wilcox assisted Qtopia in negotiating and securing a lease from the City of Sydney Council for 'The Bandstand' in Green Park, Darlinghurst

In 2023 Hall & Wilcox has transformed this relationship to assistance in corporate governance, ensuring Qtopia has the tools and mechanisms built into its foundations to allow it to flourish into a long-term, financially successful museum, which we fully anticipate will become a staple in Sydney's cultural zeitgeist.

Throughout the course of this work, we have had the opportunity to build a valuable and strong client-lawyer relationship with Qtopia and its constituent members. We are grateful for the opportunity to work with such passionate, like-minded individuals on a project with immeasurable value to the community.

We look forward to continuing to work with Qtopia into the future.

Fitzroy Legal Service LGBTQIA+ Night Service

Established on 18 December 1972, Fitzroy Legal Service became Australia's first non-Aboriginal community legal centre. Located in the basement of the Fitzroy Town Hall, in what was then one of the poorest suburbs in Melbourne, the new legal service set out to do the unthinkable: provide free legal advice to anyone who needed it.

In 2023, 50 years later, Fitzroy Legal Service continue to broaden their reach in the community. Offering specialised legal advice services, education, referrals and community support programs to the most vulnerable, their positive impact on Victorians' lives is well established. Their mission is to work towards a fairer and more just Victorian community, one in which the legal and broader social system supports equality and justice.

Hall & Wilcox holds a longstanding partnership with Fitzroy Legal Service. Our two organisations are consistently looking for ways to fill gaps and demand for services, while providing legal professionals the opportunity to complete volunteer work that will be of direct benefit to the community. In discussions with Fitzroy Legal Service, we realised a drastic need for specialised LGBTQIA+ legal services in Victoria. The graphic of statistics shows why.

Why specialised LGBTQIA+ legal services are needed in Victoria

65% of transgender Australians have experienced discrimination or harassment

80% of LGBTQIA+ people would prefer to get their help from a specialist LGBTQIA+ legal service



1 in 3 LGBTQIA+ Australians report having been in a relationship where their partner was abusive

This year, Fitzroy Legal Service, in partnership with Hall & Wilcox, reinvigorated their LGBTQIA+ Night Service – a free, state-wide legal service for all LGBTQIA+ people. The Clinic is run by lawyers who are committed to providing safe and inclusive legal services through lived experience in the LGBTQIA+ community, undertaking an Ally Pledge and completing LGBTQIA+ awareness and inclusion training.

Hall & Wilcox assisted Fitzroy Legal Service in redefining the practice areas and scope of the Clinic, rostering systems, training services and schedules, volunteer base and expectations, marketing material and operations.

Casework in the Clinic involves volunteers assisting clients with a variety of issues faced by LGBTQIA+ individuals, including change of identification, complaints, domestic and family violence, discrimination, tenancy and victims of crime.

We are extremely proud to continue our ongoing relationship with Fitzroy Legal Service while collaboratively navigating the complexities that come with opening a new legal clinic.

'Cultural safety involves understanding histories, safety needs, power imbalances and the influence of staff values and beliefs on service delivery¹'.

1 Crameri P., Barrett C., Latham J., et al. [It is more than sex and clothes](#): culturally safe services for older lesbian, gay, bisexual, transgender and intersex people. Australasian Journal on Ageing 34 (2015): 21-25.

How have we supported the LGBTQIA+ community?

Victorian Pride Lobby

The Victorian Pride Lobby is a volunteer advocacy group working toward equality and social justice for the Victorian LGBTQIA+ community. To do this, they work constructively, cooperatively and respectfully with trans and gender-diverse, intersex, asexual and other communities and organisations, to bring their concerns and stories to Members of Parliament, profess priorities to local government and support LGBTQIA+ individuals seeking election in Victorian Parliament.

Hall & Wilcox provided pro bono legal assistance to the Victorian Pride Lobby regarding its landmark report titled *‘Worth the Risk: LGBTIQ+ experiences with insurance providers’*. The report was produced in conjunction with InterInsurance, a network of representatives from various insurance firms collaborating to improve inclusion in the industry.

The report made 24 recommendations to improve LGBTQIA+ inclusion among insurance providers, based on surveys from members of the community. Hall & Wilcox assisted the authors of the report regarding the legal issues arising from the recommendations, including the extent to which insurers are legally permitted to ‘discriminate’ based on the grounds of a customer’s sex when drafting terms of an insurance policy, and the interplay between anti-discrimination laws and insurance.

Hall & Wilcox has previously hosted an event with InterInsurance members at our Sydney office. This is an important partnership that allows Hall & Wilcox to work alongside insurers in championing diversity and inclusion initiatives in the insurance industry.



THREE For All Foundation

THREE For All Foundation works alongside genuine and passionate community organisations around the world on projects that address complex challenges the communities themselves have identified. They provide technical support, resources, expertise in specific content areas and assistance to access. Through this, they are able to help disadvantaged groups and communities achieve their goals.

For one of the projects they are currently managing, *‘We Are The Rainbow’*, THREE For All Foundation is developing a publication to educate on and provide information around LGBTQIA+ children and young people. As part of that publication, they have drafted a short article on LGBTQIA+ children’s and young people’s human rights.

Hall & Wilcox assisted THREE For All Foundation in reviewing and amending the article from an international human rights law perspective, ensuring the information contained was correct and understandable. This article has proceeded to be used as a resource for successful LGBTQIA+ grant recipients, who require training and advocacy tools to implement LGBTQIA+ Programs across the Asia Pacific.

We look forward to working further with THREE For All Foundation on this Project in the future.



Cancer Council

The Cancer Council assists all Australians affected by cancer through support, research and prevention programs. Every day, the Cancer Council supports people affected by cancer by speaking out on behalf of communities, empowering people to reduce their cancer risks and finding new ways to detect and treat cancer.

Hall & Wilcox is a proud pro bono partner of the Cancer Council, which – with the assistance of Hall & Wilcox partners and lawyers – recently published *‘LGBTI+ People and Cancer: A guide for people with cancer, their family and friends’*. The booklet was developed in response to outcomes from the [Out with Cancer](#) research project, which Cancer Council NSW contributed to.

The Cancer Council drafted the initial document which covered issues unique to LGBTQIA+ people living with cancer, such as discrimination

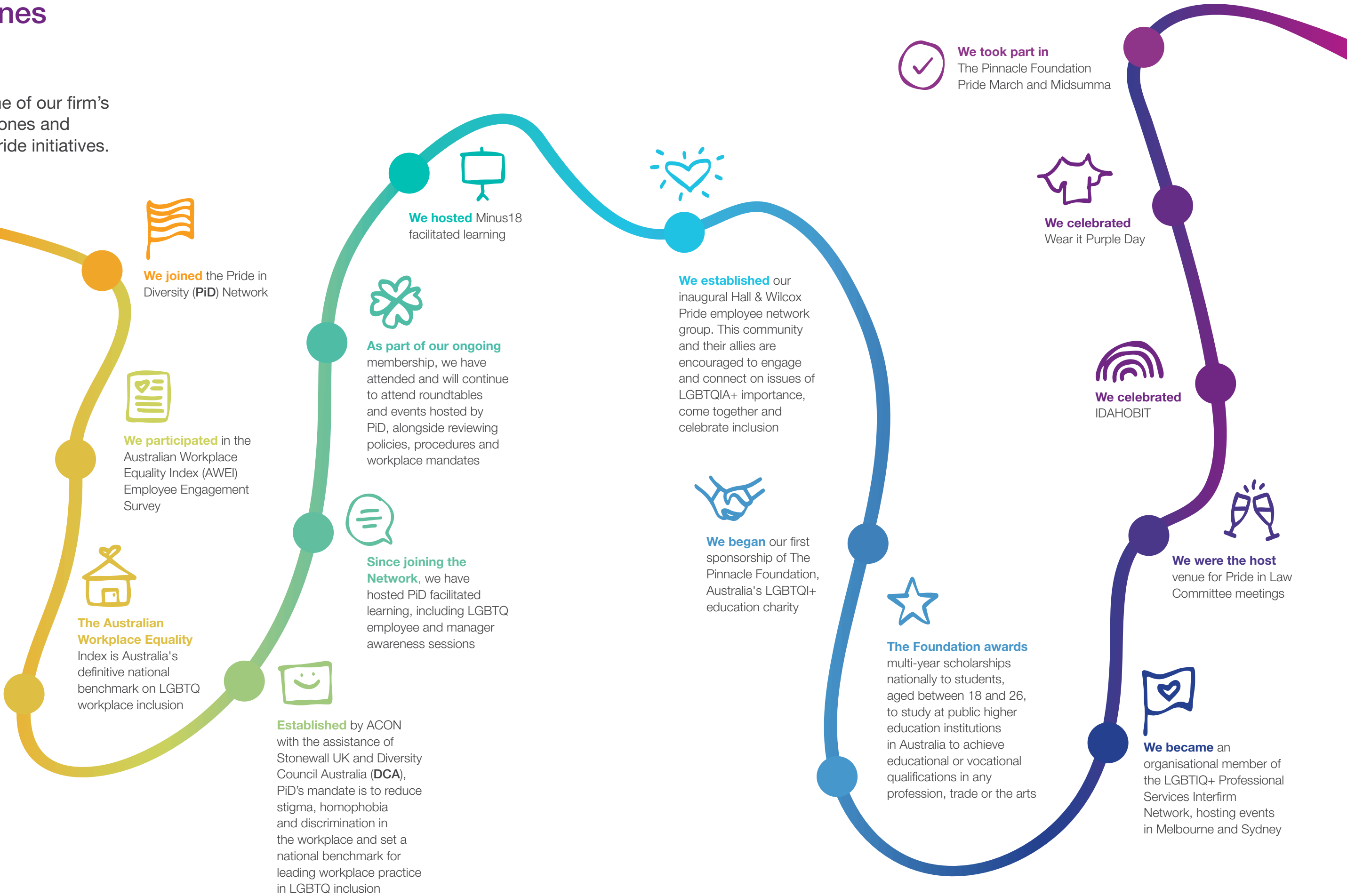
in healthcare settings, disclosing a person’s sexuality and gender to health practitioners, and end-of-life care arrangements. The document also discussed LGBTQIA+ carers’ rights and discrimination, Australian Charter of Health Care Rights, privacy and the collection of health information and advance care planning (advance care directives, substitute decision-making documents and Wills).

The Cancer Council then asked us to review the information. Hall & Wilcox partners and lawyers from the Employment, Private Clients, Insurance and Pro Bono sections came together and advised on a range of issues, paying close attention to privacy, raising complaints in healthcare settings, and making end-of-life arrangements.

We were able to deliver a succinct, professional, and informative product to the Cancer Council.

Milestones

Here are some of our firm's recent milestones and LGBTQIA+ pride initiatives.



Looking to the future

We are proud to be a firm that celebrates and embraces diversity, where human rights are defended and protected. Everyone – without exception – deserves to be safe, supported and equal. LGBTQIA+ voices are at the heart of our Pride Pro Bono Strategy, to ensure we offer specialised systems, policies and services, and deliver on our commitments.

As we look to the future of LGBTQIA+ equality in Australia, we draft this report to remember where we have come from and the progress many organisations have made. It is important for corporations and businesses to not simply engage in ‘representation for representations sake’, rather, we must actively and consistently refine strategies to amplify voices for those within the LGBTQIA+ communities who are often overlooked.

Strengthening existing legal protections for LGBTQIA+ Australians and advocating for the creation and amendment of laws with an equity lens will benefit all community members. It is also important that we continue to work together to ensure legal services are accessible and inclusive for all Australians.



