

From: s47F
To: [Hoglin, Phillip COL](#)
Cc: [Bain, Rowena MS](#); [Lewis, Angeline WGCDR](#)
Subject: Consultation with intersex and non-binary gender service personnel [DLM=For-Official-Use-Only]
Date: Tuesday, 17 October 2017 1:14:46 PM
Attachments: [image001.jpg](#)

For-Official-Use-Only

Dear Sir,

Could you please find a summary of my brief consultation with intersex and non-binary service personnel below.

BLUF: There are no specific requirements that are requested or required by non-binary gender personnel on operations and when working with foreign military forces.

Considerations

- Developing arrangements for mixed-genders serving on operations/exercises are already routine, where commanders implement practicable procedures based on available amenities, such as procedures for access to showers where only a single shower block exists. Policy isn't necessary for implement of practicable procedures.
- Non-binary gender service members seek to be accommodated so far as is reasonable practicable. Members advise that they experience and accommodate being misgendered almost every day of their lives.
- When working in or visiting foreign countries that do not have reciprocal recognition, non-binary gender service members would adapt to the customs of that country, which represents the most practicable solution to allow capability to be delivered. Government already has procedures for issue of multiple official passports where necessary to achieve government objectives.
- ADF decision-makers already take account of a person's diverse attributes, skills and experience in order to select the member most appropriate for delivery of capability for operations or overseas duty. No exemptions to legislation are required or necessary to allow this type of routine decision-making.
- All personnel regardless of sex or gender are at risk of being mistreated during capture. Decision-making that led to removal of unnecessary gender-based restrictions on operational roles has largely already explored and rejected that discrimination is necessary for delivery of operational capability.
- Current ADF operational uniforms are already unisex and can be worn in two presently defined styles.
- Most intersex people serving in Defence generally have a male or female gender identity. Changes to policy should be careful to avoid inadvertent application to intersex

people (where their sex marker would be X, but their gender marker is male or female).

s47F



SENATE ESTIMATES BRIEF

CJC's pack

PERSONNEL 26a MEDICAL MANAGEMENT OF GENDER DYSPHORIA

Key Facts

<ul style="list-style-type: none">• Defence funded treatment for gender dysphoria for 32 Australian Defence Force (ADF) members from November 2012 to July 2017.• Of these, 17 members were referred for surgical treatment.	<ul style="list-style-type: none">• Prior to implementation of the Medibank Health Solutions contract in November 2012, data was not captured in a centralised manner.
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Key Issues

- Gender dysphoria is managed in accordance with current best practice clinical guidelines under the same principles as any other health condition.
- Health management of gender dysphoria is tailored to the individual and may include medication, psychotherapy and/or surgery.
- Surgery may be necessary to alleviate gender dysphoria, but is not required for gender reassignment.
- The Defence Force Regulations mandate that Defence provide health care necessary to keep Defence members fit to perform their military duties.
- The scope of health care that Defence provides to its members is based on the Medical Benefits Schedule (Medicare) and Pharmaceutical Benefits Schedule.
- Decisions regarding the level of health care provided to ADF members, including what procedures are funded by Defence, are guided by clinical considerations and what is available to the general community under Medicare.
- Procedures conducted for the sole purpose of improving or preserving the subjective appearance of a member, such as cosmetic procedures are not provided by Defence under any circumstances.

- From November 2012 to July 2017, Defence funded treatment for gender dysphoria for 32 ADF members. Of these, 17 members had surgery as part of their treatment.
- Eight members were Navy, twelve were Army and twelve Air Force.
- Of the 17 ADF members who received surgery for gender dysphoria, 10 were male to female reassignments.
- From November 2012 to July 2017, the total cost of all treatment for gender dysphoria, including surgery, was approximately \$1.16m. This does not include pharmaceuticals dispensed by Defence.
- Total expenditure on ADF health for the same period (November 2012 to 30 June 2017) was \$1,927.5 million dollars. Costs related to treatment of gender dysphoria account for 0.006% of total expenditure.

CERTIFIED AND AUTHORISED

BY: I certify that this brief is accurate, current, unclassified and relevant.

AVM W McDonald
Chief of Joint Capabilities
Date: 18 October 2017

CONTACT OFFICER:

AVM TL Smart
CJHLTH/SGADF
Date: 18 October 2017

BACKGROUND

GENDER DYSPHORIA

- Gender dysphoria is a recognised medical condition. It is defined in the Diagnostic and Statistical Manual of Mental Disorders (DSM) 5, the international standard for diagnosing mental disorders, as ‘discomfort or distress that is caused by a discrepancy between a person’s gender identity and that person’s sex assigned at birth’.
- Gender dysphoria is treated when it manifests as significant distress and/or results in problems with functioning. It may also lead to a number of related mental health conditions.
- Treatment can vary depending on the needs of the individual. Like any other medical condition, the treating physician is best placed to advise on the treatment options available.
- Anybody who is suffering from a health condition deserves to have access to health support.
- For Defence members this is particularly important because allowing any physical or psychological condition to go untreated is likely to result in the individual becoming unfit to fully undertake all aspects of their employment, including deployment.
- Health management of gender dysphoria is tailored to the individual and may include medication, psychotherapy and/or surgery. Surgery may be necessary to alleviate gender dysphoria, but is not required for gender reassignment.
- While treatment can vary depending on the needs of the individual, it is always focussed on returning the individual to full duty.
- If a member is diagnosed or treated for gender dysphoria, Defence will fund the medical procedures or support as prescribed by the treating doctor. This is consistent with the treatment available to the community through the Medical Benefits Schedule. Procedures conducted for the sole purpose of improving or preserving the subjective appearance of a member, such as cosmetic procedures are not provided by Defence under any circumstances.
- In developing the Defence policy on the medical management of gender dysphoria the Department of Health was consulted in 2013 with regard to the use of Medicare item numbers for gender transition surgery.
- The draft Defence policy was socialised with the then Department of Health and Ageing in 2013 and specific item numbers were cross checked for their applicability in the management of gender transition.
- Defence sought further clarification around the application of Medicare item numbers in 2015. The consistent advice has been that if the treating practitioner determines the service is clinically relevant for the treatment of a person with gender dysphoria then it can be funded by Medicare.

FREEDOM OF INFORMATION REQUEST

- Under the Freedom of Information Act 1982, Seven Network sought access to Defence documents relating to transgender and specifically:
 - “...documents since 1 January, 2015, specifically reports, executive/ministerial briefings and attachments, Senate Estimate Hearing reports, minutes of executive meetings and internal correspondence involving the ADF executive in relation to transgender or prospective transgender officers/recruits/personnel/staff.”
- The Defence decision maker identified 84 documents as being relevant to the request. Material was removed from the documents that did not specifically relate to the scope of the request such

as other diversity groups. Material was also removed that would disclose personal and deliberative information.

- The decision was sent to the applicant on 19 September 2017.
- The documents were published on the Defence FOI disclosure log on 11 October 2017.

Current Media

17 October 2017, Sky News (“Pay for your own sex change: Hanson”), One Nation leader Pauline Hanson has told Sky News it’s ridiculous to expect taxpayers to pay for sex changes of ADF personnel. Senator Payne insisted taxpayer-funded sex changes for Australian Military personnel are a justified expense, and should be treated like any other medical procedure.

17 October 2017, The West Australian (“Defence sex ops ‘justified’”) One Nation leader Pauline Hanson used question time in the Senate yesterday to query reports that the Federal Government had contributed \$1 million towards 27 operations in the past five years. Senator Payne responded saying that Defence force members are not individually covered by Medicare and that gender dysphoria cases were treated in accordance with best practice clinical guidelines like any other medical condition.

17 October 2017, The Australian (“Marise Payne defends taxpayer funded sex change surgeries”), Senator Hanson pressed the government on why it had spent more than \$1 million on gender dysphoria treatment and sex change surgeries when there were other issues faced by ADF personnel. Senator Payne responded and said that ADF members were not individually covered by Medicare and the funding of surgeries and treatment for gender dysphoria was provided on the prescription of the treating doctor.

SENATE ESTIMATES BRIEF

1.11
Defence People Group's pack

PERSONNEL 26b: LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI)

Key Facts (as at 1 August 2017)

Permanent ADF	APS
• Employee data is not captured	

Key Issues

- The future success of Defence, and ultimately our nation's security, is reliant on its capacity to attract and retain the best possible talent regardless of gender, race, religion, disability or sexual orientation.
- Defence must also comply with Australia's anti-discrimination laws.
- This is not about political correctness. This is about building capability and providing a safe and inclusive workplace.
- The Defence Force fight in teams and those teams can only win if the team members respect each other for who they are and the skills they bring.
- The demographics of Australia have changed. Therefore, Defence as an organisation must change to reflect the community it protects and that it is a part of.
- Defence is committed to a diverse, inclusive, fair and safe work environment for current and prospective personnel.
- Defence makes no apologies for taking steps to attract and retain the best possible talent.
- Defence will continue to implement appropriate policies that enable it to maintain a motivated, engaged and talented workforce. This is critical to delivering on our obligations to the Australian community.

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX

- Defence has implemented a range of strategies to create a safe and inclusive workforce, one where people feel supported to bring their whole selves to work. These initiatives include:
 - Benchmarking ourselves against other organisations through participation in the Australian Workplace Equality Index - Australia's definitive benchmark on LGBTI workplace inclusion practices and initiatives. In 2015, 2016 and 2017 Defence was recognised as a top Public Sector organisation for supporting LGBTI people.
 - Establishing the Defence Pride employee network that provides support for lesbian, gay, bisexual, transgender and intersex people and allies in Defence.
 - Being a member of Pride in Diversity, a not-for-profit organisation founded in 2009, designed to assist Australian employers in LGBTI workplace inclusion practices.

Transgender

- Defence's position of including transgender people in the ADF has not changed, nor is it under review.
- Defence continues to provide support to transgender individuals who are transitioning in the workplace.
- Defence does not capture the exact number of members who identify as transgender.

Recruitment of Transgender ADF Personnel

- In 2013, amendments were made to the *Sex Discrimination Act 1984* to provide protection from discrimination on the basis of attributes of sexual orientation, intersex status or gender identity.
- Entry standards to the ADF were amended in 2013 to align with legislation. All candidates to the ADF who have a history of gender dysphoria are assessed solely on their own merits. If these candidates can meet the inherent requirements of service, they are afforded an equal opportunity to serve as any other applicant.
- Defence Force Recruiting has a clear process in place to assess suitability for a career in Defence, including medical and psychological assessments.

- Any ADF candidate with gender dysphoria is assessed by Defence Force Recruiting on an individual basis, against the inherent requirements of Service and in accordance with the Defence Health Manual. Gender dysphoria and gender reassignment are assessed by both medical and psychology staff in Defence Force Recruiting, together with other specialist reports. All decisions regarding recruiting are made centrally by the Chief Medical Officer.

Number of Transgender ADF Personnel

- Defence does not capture the exact number of members who identify as transgender.
- Defence can confirm that from 2012 to August 2017 the ADF health system assisted 32 members with gender dysphoria. Of these, 17 members had surgery as part of their treatment.

Sydney Gay and Lesbian Mardi Gras

- Defence's annual participation in the Sydney Gay and Lesbian Mardi Gras (Parade and Fair Day) provides an opportunity for Defence to publicly demonstrate its commitment to being a diverse and inclusive organisation.
- Defence's participation in the Mardi Gras Festival does not constitute support for, or endorsement of, any other entrant or activity that is part of the festival.

Australian Marriage Law Postal Survey

- Defence released guidance to its personnel that reiterates the Australian Bureau of Statistics advice that participation in the Australian Marriage Law Postal Survey is voluntary, and that participation is limited to those Australians on the Commonwealth Electoral Roll.
- Defence is currently assisting those members who may be away on deployment of exercise during the period between the Survey mailout and when the responses are to be returned.
- The advice provided to Defence members has included directions to visit the ABS website for information regarding the survey and to enrol their deployed postal address through the Australian Electoral Commission website by 24 August 2017.
- Defence has also reconfirmed the correct Australian Forces Postal Office addresses for the relevant deployed locations.

- In addition to the postal options, the Australian Bureau of Statistics has now advised that, in limited circumstances, Defence personnel will be able to respond to the survey through a paperless method. This is available for eligible Defence personnel who:
 - are overseas throughout the collection period;
 - have blindness, low vision or other disability that makes the paper form a more difficult option; or
 - are in a remote or other location throughout the collection period where they cannot reasonably access a form by post or pick up a form.
- Eligible Defence personnel in these categories will be able to request a Secure Access Code from the Australian Bureau of Statistics through the Australian Marriage Law Postal Survey Information Line 1800 572 113 or the Australian Bureau of Statistics website from 25 September to 20 October 2017. The Secure Access Code is then used to provide an anonymous survey response through an automated telephony service, a secure online form or a call centre.

Claims of Defence sponsorship of the 2017 DEFGLIS Military Pride Ball

- The Military Pride Ball is organised by the Defence LGBTI Information Service – DEFGLIS. It is not organised by Defence, and Defence was not a sponsor of the 2017 event.
- DEFGLIS is an independent not-for-profit charity registered with the Australian Charities and Not for Profits Commission. DEFGLIS is independent to the Department of Defence and does not receive any direct funding or grants from Defence.
- The 2017 DEFGLIS Military Pride Ball was held on 23 September 2017 in Sydney. The Ball has been held annually in September or October since 2015.
- The Ball is a formal gathering that connects the Defence LGBTI community, families, allies and supporters of diversity and inclusion and is open to the private and public sector.
- The event is primarily funded through individual ticket sales via the DEFGLIS website. The public and private sector (including Defence) are invited to purchase corporate tables.
- For the 2017 event, Defence has purchased four corporate tables at a total cost of \$9,234. The cost of the four tables is the only funding provided by Defence towards this event.

- In 2015, Defence was listed as the “Military Pride Ball Gold Sponsor” and paid \$7,175.41 which went towards the cost of corporate tables. In 2016 and 2017, Defence purchased tables but was not a sponsor.
- It is not unusual for Defence to purchase a table, or for members to wear their uniform, at diversity related events as part of the *Defence Diversity and Inclusion Strategy 2012-17*.
- For example, Defence recently purchased tables for Defence staff at the ACT NAIDOC Ball and the ACT International Women’s Day function where some members attended in uniform.
- Defence is proud of its diverse workforce and shows its support by attending such events. Purchasing a table at the Ball or allowing members to wear the uniform at the event is not a campaign for the same sex marriage postal survey.
- Defence will continue to work with DEFGLIS in support of the LGBTI community to foster an inclusive culture through networking, education and peer support.

DEFGLIS

- The Defence Lesbian, Gay, Bisexual, Transgender and Intersex Information Service is an independent not-for-profit charity registered with the Australian Charities and Not for Profits Commission.
- The Defence Lesbian, Gay, Bisexual, Transgender and Intersex Information Service is independent to the Department of Defence and does not receive any direct funding or grants from Defence.
- The Defence Lesbian, Gay, Bisexual, Transgender and Intersex Information Service is a volunteer-led and volunteer operated incorporated association.
- Membership comprises serving members, reserves, public servants, ex-service personnel, professional service providers, friends, family, foreign military members, and allies.

Further Information

- Navy, Army and Air Force will provide separate briefs on the diversity and inclusion initiatives and programs within their respective service.
- Additional related briefs include:
 - Gender X (refer SB17-001220); and
 - Medical Management of Gender Dysphoria (Joint Health Command SB17-000883).

CERTIFIED AND AUTHORISED

BY: I certify that this brief is accurate, current, unclassified and relevant.

Roxanne Kelley
Deputy Secretary Defence People


Date: 19 October 2017

CONTACT OFFICER:

Rowena Bain
Acting First Assistant Secretary,
People Policy and Culture

CONSULTED WITH:

DGPERS Navy
Diversity & Inclusivity Army
DGPERS Air Force
Ministerial and Executive Coordination and
Communication Division
Reserve and Youth Division

	<p>Department of Defence</p> <p>ENTERPRISE BUSINESS COMMITTEE</p> <p>20 July 2017</p>
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EBC AGENDUM 14 OF 17 – QUARTERLY DIVERSITY AND INCLUSION UPDATE

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Supporting Transitioning Gender in the Workplace Guide.

7. Defence has undergone a review of the *Supporting Transitioning Gender in the Workplace* guide. Extensive consultation was conducted across the Services and key policy areas. The guide, in its final stages of completion, aims to provide Defence commanders and managers with a supportive approach to the management of transgender Defence personnel who intend to transition.

Administration of Transgender, Non-binary and other Gender Diverse Defence Members

8. Defence is currently preparing interim policy guidance about people who identify as transgender, non-binary and other gender diverse groups. This policy outlines the principles that are to be applied for the effective personnel administration of gender diverse Defence members and further complements the guidance provided in the *Supporting Transitioning Gender in the Workplace* guide.

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Authorised by: **Roxanne Kelley - Deputy Secretary Defence People**

Ph: (02) 6265 7339

Date: 12 July 2017

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**MEETING BRIEF: SECRETARY ENGAGEMENT WITH DEFENCE LESBIAN, GAY,
BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE**

Monday 9th April 2018 1600 - 1630

Secretary and Chief Defence Force Conference Room

R1-5-Executive Suite

Group: Defence People Group

Reference: FASPP&C/OUT/2018/014

Copies: A/DEPSEC DP, VCDF.

Purpose

1. As requested, to re-convene with Defence Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) employees and allies you met with in November last year in preparation for the APS Secretaries Equality and Diversity Council meeting.

Background

2. On Monday 27th November you hosted a roundtable discussion to seek the views and insights of members of the Defence LGBTI community in preparation for the APS Secretaries Equality and Diversity Council held in December.
3. The focus of the December Council meeting was the inclusion of people who identify as LGBTI and their experience working in the public service.

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Key Information

6. Assistant Secretary, Culture and People Development and the Director of Diversity met with:
 - a. Australian Federal Police, Assistant Commissioner Ray Johnston; on the structure and operation of the Gay and Lesbian Liaison Officer Network referred to as the GLLO Network; and
 - b. Shaun Staunton, Beyond Blue on the concept of bringing your whole self to work.

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Current Defence Focus

14. Defence proactively seeks to identify barriers to inclusion by participating in an industry benchmarking activity referred to as the Australian Workplace Equality Index. Information gained through this process is used to inform a range of initiatives that address gaps in workplace inclusion.
15. Defence is currently focussed on the following:
 - Development of enhanced policy and workplace guidance;
 - Recognition of key days of significance such as Wear it Purple; and International Day Against Homophobia and Transphobia;
 - Participation in public events such Mardi Gras;
 - Development of training and awareness programs;
 - Collaboration with Pride in Diversity to provide tailored support in the workplace; and
 - Engagement through employee networks such as Defence Pride and collaboration with the Defence Gay and Lesbian Information Service referred to as DEFGLIS.
16. DEFGLIS is an independent not-for-profit association that supports and represents Australian Defence Force LGBTI personnel and their families. Defence works collaboratively with DEFGLIS in support of the LGBTI community by fostering an inclusive culture through networking, education and peer support. s47F
17. Defence is also addressing workplace culture and inclusion through broader initiatives such as the Unconscious Bias Awareness Program; the Defence Mental Health Strategy and the deep dive into workplace behaviour as part of the focus on One Defence Leadership Behaviours under Pathway to Change.
18. The key takeaway from these meetings is that the Defence initiatives are aligned with best practice and should continue to be invested in as part of our ongoing commitment to Diversity and Inclusion.
19. However Defence's approach has been ad hoc at times therefore a brief will be prepared for the Enterprise Business Committee to agree to a forward work plan that solidifies Defence's focus in LGBTI inclusion.

20. Ms Rachel Newman, A/Director of Diversity will facilitate the session and capture the themes from the conversation and any outcomes that should be incorporated into future planning. Talking points have been provided for you at Attachment A and a list of attendees is provided at Attachment B for your reference.

s22 [Redacted]			
Justine Greig First Assistant Secretary, People Policy and Culture Tel: (02) 6265 6989 4 April 2018			
Branch/Section Head	Rowena Bain	W: (02) 6127 2001	s22 [Redacted]
Action Officer	Barbara Phelan	W: (02) 6127 2997	[Redacted]

Attachments

- A. Talking Points
- B. List of attendees

ATTACHMENT A

TALKING POINTS

- Thank you everyone for coming and it is great to meet with you again following our meeting in November last year.

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- The Secretaries Equality and Diversity Council meeting included a good discussion on the issues and barriers that LGBTI People face in the workplace. I am pleased with the progress that Defence is making in implementing LGBTI specific initiatives, but you will agree there is more we can do – which I will discuss further with you later.

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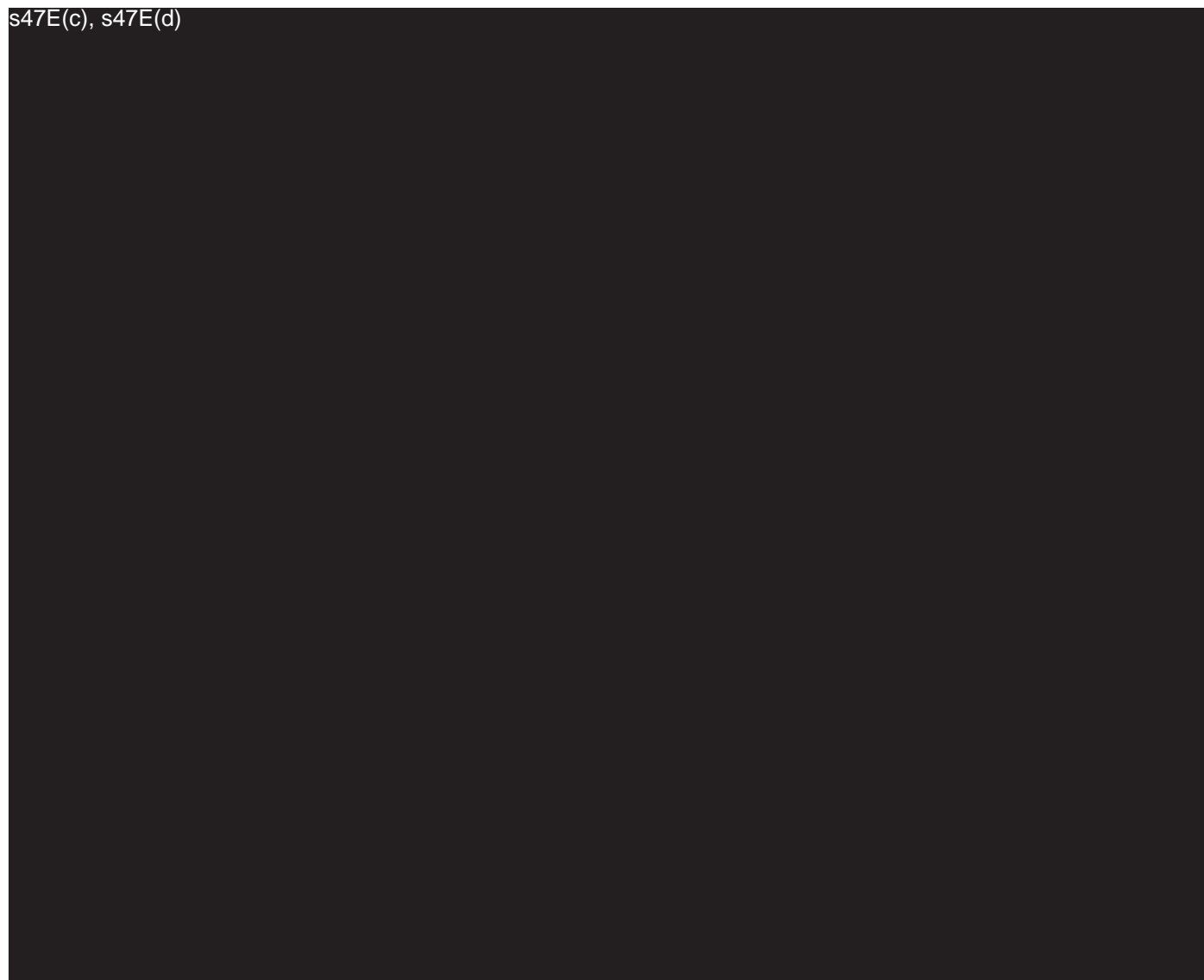
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- My key takeaway from the meeting is that Defence has done some good work but there is more that we can and should do.
- Defence is currently developing a one page LGBTI Action Plan which outlines the key initiatives that we as an organisation will focus on. The aim is to bring together, in one document, a considered and comprehensive outline of the Department's commitment to our LGBTI people and the building of an inclusive culture.
- The intent is for this plan to guide our efforts over the coming year to ensure that we remain focussed and accountable.
- To help us develop this action plan, I am keen to hear your thoughts on current initiatives that you think are working well – or not working well, and suggestions for additional initiatives that we should consider.
 - *Open discussion on current initiatives and discussion about potential LGBTI initiatives that Defence could consider.*
- Before we finish up, I would like to reiterate that Defence remains committed to the implementation of initiatives that will strengthen our culture of inclusivity and build a safe workplace where people can bring their whole-selves to work.
- I appreciate you once again taking the time to be here and I hope you all have a good day.
- **Close**

s47E(c), s47E(d)



ATTACHMENT B

IDENTIFIED LIST OF ATTENDEE'S

S47F



From: [Salafia, Silvana MS](#)
To: [Phelan, Barbara MRS](#)
Cc: [Italiano, Isabella MISS 1](#); [Robards, Paul COL](#)
Subject: DGWP input - Request for Input: Senate Inquiry (gender segregation) due 3pm Thursday 13th [SEC=UNOFFICIAL]
Date: Thursday, 13 April 2017 2:42:00 PM
Attachments: [CPSU submission.pdf](#)
[image001100140.jpg](#)
Importance: High

UNOFFICIAL

Barb

Paul R has provided the following information on the DSWP:

The Defence Strategic Workforce Plan was finalised in late 2016. The need to increase the representation of females and diversity groups was identified within the plan and will be a consideration during the implementation of actions across multiple areas including recruiting, career and talent management, workforce mobility, education and training, learning and development, transition and re-engagement, and partnering with external organisations.

Regards

Silvana Salafia

Coordination Officer
Office of DG Workforce Planning
Defence People Group
Department of Defence

BP-35-4-90 | Brindabella Park | PO Box 7909 | Canberra BC | ACT 2610

P: (02) 6127 2301 | F: (02) 6127 2334 s22 s22



From: Phelan, Barbara MRS
Sent: Tuesday, 11 April 2017 14:54
To: Fox, Natasha BRIG; Arnold, Lisa DR
Cc: Bain, Rowena MS; Greig, Justine MS; Robards, Paul COL; Hoglin, Phillip COL; Salafia, Silvana MS; Italiano, Isabella MISS 1
Subject: Request for Input: Senate Inquiry (gender segregation) due 3pm Thursday 13th [SEC=UNOFFICIAL]
Importance: High

UNOFFICIAL

Good Afternoon

Defence is required to provide input to the APSC to assist with a Senate Finance and Public Administration Committee inquiry into workplace gender segregation. The CPSU submission is attached for your reference. As per the email below, we are requested to provide the following information:

- 1) Action already taken to address gender segregation – are there any good news stories that are appropriate to include for an opening statement? What we're looking for is something succinct that identifies the problem, your remedial action and the positive**

outcome.

- 2) Statistics – I anticipate the committee will query and scrutinise the extent of gender segregation across the APS. I would appreciate any statistical data you may already collect on gender segregation; including analysis you may have done to identify the gender pay gap.**
- 3) Agency-specific risks - are there any known risks or challenges to regarding gender segregation in your agency? The CPSU will appear in the same witness session and it would be helpful for us to be aware of particular risk areas ahead of time.**

If possible, can you please provide some gender statistics that may speak to the gender segregation and/or pay gap issue.

Information on the impact of the recently released Defence Strategic Workforce Plan may also be helpful as a good news story to demonstrate action within Defence to address crucial workforce capability gaps.

Information, if appropriate, in relation to our current state of bargaining, in particular on matters as outlined in the submission

We will add in the work in diversity to address gender equality, targets for increased workforce participation at senior levels, our flexible work advisory group.

Any other information you feel is relevant to please ensure you include it.

CPD Branch will consolidate our input into a brief for FASPPC clearance next week therefore it would be appreciated if you can please provide your input by **3pm this Thursday 13th April.**

Please feel free to contact me to discuss if required.

Kind Regards
Barb

Barbara Phelan

Director of Diversity

T: (02) 612 72997

E: barbara.phelan@defence.gov.au

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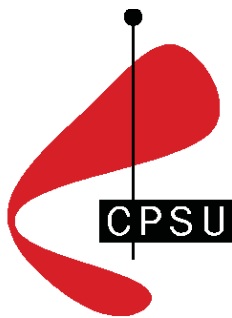


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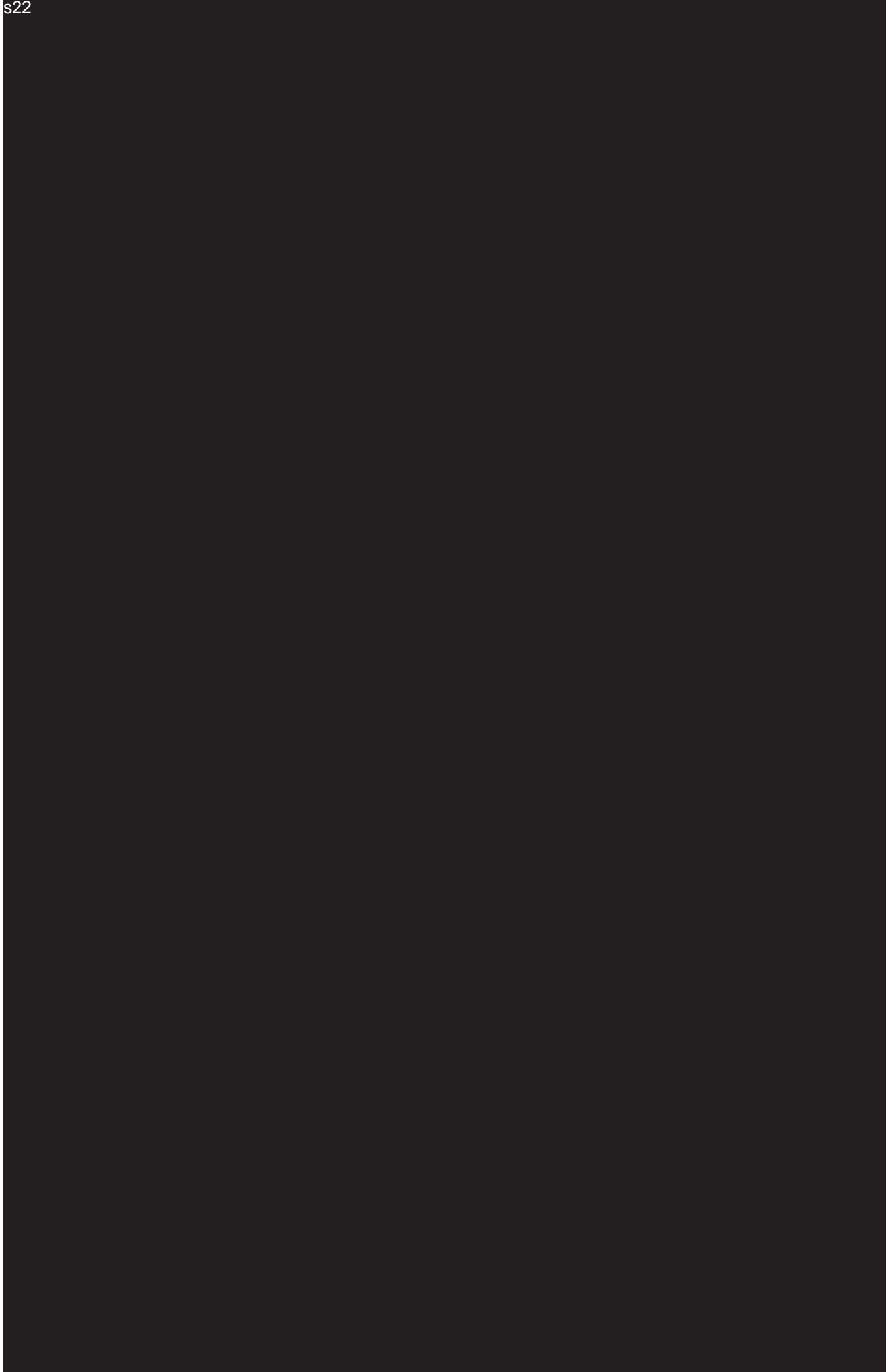
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**MEETING BRIEF: SECRETARY ENGAGEMENT WITH DEFENCE LESBIAN, GAY,
BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE**

Monday 27 November 2017 1530 – 1600

Secretary and Chief Defence Force Conference Room

R1-5-Executive Suite

Group: Defence People Group

Reference: FASPP&C/OUT/2017/054

Copies: DEPSEC DP, VCDF, FASPS

Purpose

1. On the 8 December 2017, the APS Secretaries Equality and Diversity Council meeting will focus on the inclusion of people who identify as Lesbian, Gay, Bisexual, Transgender and Intersex and discuss their experience of working in the Australian Public Service.
2. In preparation for this meeting, all Secretaries are expected to engage with staff from within their Department and come prepared with key insights that can be shared at the council meeting.
3. On Monday 27 November, a small forum has been arranged so you can seek the views and insights of members of the lesbian, gay, bisexual, transgender and intersex community.


Background

4. A key recommendation from the Balancing the Future: Australian Public Service Gender Equality Strategy 2016-19 was for the Secretaries Board to establish a gender equality sub-committee to progress implementation of the strategy.
5. As a result, the APS Secretaries Equality and Diversity Council was established in late 2016 to drive improvement in equality and diversity matters and to deliver an Australian Public Service workplace culture that builds respect, fosters inclusiveness, and promotes diversity. Whilst the initial driver was focused on gender equality the remit of the Council was expanded to account for Australian Public Service Secretaries responsibility for identifying and overcoming barriers on the basis of gender, Aboriginal and/or Torres Strait Islander status, race or ethnicity, linguistically diverse background, disability, age, sexual orientation, gender identity or intersex status.
6. The Council meets quarterly and focuses on one key theme at each meeting. Disability; Cultural and Linguistic Diversity; and Family and Domestic Violence were the key theme for the 2017 to date, with Lesbian, Gay, Bisexual, Transgender and Intersex the theme for 8 December meeting.
7. The Department of Prime Minister and Cabinet are the Secretariat for the Council.

Key Information

8. On Monday 27 November, there will be a combination of identifying and non-identifying members from both the Australian Defence Force and Australian Public Service workforce to offer an integrated One Defence perspective on the experience within Defence.
9. Individuals have been pre-briefed and asked to come prepared to share their experience with you and offer ideas and insights that can be shared at the Council meeting.
10. Defence has two Lesbian, Gay, Bisexual, Transgender and Intersex Champion, Vice Admiral Ray Griggs, Vice Chief of the Defence Force; and Mr Richard Oliver, First Assistant Secretary, People Services. Richard Oliver will attend the meeting. VADM Griggs is unavailable.

11. Talking points have been provided for you at Attachment A and a list of attendees is provided at Attachment B for your reference.
12. Defence People Group's diversity team will facilitate the session and capture the themes from the conversation to incorporate into talking points for the Council meeting scheduled for 8 December 2017.
13. The Department of Prime Minister and Cabinet have not yet released the agenda for the 8 December meeting.

<p>s22</p>  <p>David Haddad Acting First Assistant Secretary, People Policy and Culture Tel: (02) 6265 6989 s22</p> <p>23 November 2017</p>			
Branch/Section Head	Michael Howell	W: (02) 6127 2001	s22
Action Officer	Barbara Phelan	W: (02) 6127 2997	

Attachments

- A. Talking Points
- B. List of attendees

ATTACHMENT A

TALKING POINTS

- On 8 December, the Secretaries Equality and Diversity Council meeting will focus on the issues and barriers people who identify as lesbian, gay, bisexual, transgender and intersex face within the workplace.
- The Secretaries Equality and Diversity Council was established to drive improvement in equality and diversity matters and to deliver an Australian Public Service workplace culture that builds respect, fosters inclusiveness, and promotes diversity.
- Today's meeting provides me with the opportunity to listen to your experience and to better understand the key issues and challenges that are faced by the lesbian, gay, bisexual, transgender and intersex community as well as the positive stories of inclusion you may have.
- Diversity and Inclusion are very important to Defence. People matter in the important job of defending Australia and its national interests. The future success of the ADF and ultimately our nation's security is inextricably linked to our ability to attract and retain the best possible talent regardless of gender, race, religion, disability or sexual orientation.
- Defence has two Lesbian, Gay, Bisexual, Transgender and Intersex Champions, they are:
 - Vice Admiral Ray Griggs, Vice Chief of the Defence Force; and
 - Mr Richard Oliver, First Assistant Secretary, People Services, Defence People Group.
- I am keen to hear from all of you today. The key themes will be captured from today's conversation to incorporate into the talking points for the Council meeting on 8 December.

Suggested Questions to ask Attendees:

1. Do you talk about diversity in the workplace? If so, how? If not, why?
2. What has been your experience in the work place? Have you experienced or identified barriers within our Defence culture and/or that of the broader Australian Public Service?
3. How do we get the balance right between treating all people equitably and highlighting differences, tailoring solutions and adapting processes to meet the needs of particular individuals or groups?
4. How can the benefits of diversity and inclusion be effectively showcased to demonstrate how it enhances our capability as a department?

ATTACHMENT B

IDENTIFIED LIST OF ATTENDEE'S

s47F



CAPABILITY THROUGH DIVERSITY AND INCLUSION

ISSUE:

Public criticism of measures to improve diversity.

HEADLINE RESPONSE

- The future success of Defence and ultimately our nation's security is reliant on Defence's capacity to attract and retain the best possible talent regardless of gender, race, religion, disability or sexual orientation.
- Defence makes no apologies for being focused on attracting and retaining the best possible talent Australia has to offer. The community rightly expects that Defence will have the most talented, committed and resilient teams to do the jobs that I ask them to do.
- Defence's focus on diversity and inclusion is reinforced through Pathway to Change: Evolving Defence's Culture, through the key priority of 'Capability through Inclusion'
- All candidates are assessed on their own merits. If the candidate can meet the inherent requirements of a role, they are afforded an equal opportunity to serve, regardless of sexual orientation or preference.

Current media

30 July 2018 – *The Australian* - "A bearded Australian naval officer holding up his painted pinky fingernail in hot lolly pink was an absolute money shot for the 100 Days For Change campaigners. Yet when the Australian navy posted photos of the unlikely poster boy across social media, it didn't go down well with the troops".

18 May 2018 – "I spit on the flag and burn it': Sailor who disrespected the Australian flag ahead of ANZAC Day is selected for taxpayer funded footy trip".

9 May 2018 – *Daily Telegraph, Sydney* – 'Women get shortcut to Defence honour'/'Medal gender gap farce'. This article proposes that "female recruits are being awarded the Australian Defence Force medal in half the time it takes their male counterparts" and that "gap year students who join up for a 12-months... have that service taken into account."

9 May 2018 – *Daily Telegraph, Sydney* – 'Stop meddling in war honours'. This article criticises Defence for "devaluing of service medals" by providing "credit" to gap year students toward the Australian Defence medal and allowing female recruits "discounts" toward the medal.

30 April 2018 – *BernardGaynor.com.au* – 'Defence pays maternity leave for late term abortions...' This post misinterprets Defence policy regarding maternity leave arrangements for its female ADF members.

26 April 2018 – BernardGaynor.com.au – ‘Diversity ka-ching’. This post criticises Defence’s ongoing commitment to diversity and inclusion, and the funds being spent on an external “feminist academic” cultural change advisor (Dr Sam Crompvoets from Rapid Context) to shape it’s enduring cultural and diversity and inclusion reform.

24 April 2018 – BernardGaynor.com.au – ‘Gold nuggets within Army’s sea of gender blah’. This post criticises the ADF’s targeted focus on the recruitment of women.

24 April 2018 – The Conversation – ‘Media reporting on women in the military is preserving a male dominated culture’. This article proposes that the media is having a significant role in the way it reports on women in the ADF. The article sites the “Skype Affair” and “found 65% of articles that discussed the affair placed... the female cadet first in relation to the sex act, as opposed to the young males who orchestrated the crime”. The article also proposes that the media are ‘normalising’ men’s violence and that “journalists need to be mindful of how power is reinforced through the telling and retelling of stories.”

24 April 2018 – Daily Telegraph, Sydney – ‘Lest we even notice’. This article claims that Defence is focused on diversity and inclusion at the expense of our members and veterans mental health. The article raises a number of historical incidences including General David Morrison’s [retired] Australian of the Year acceptance speech focusing on diversity, and Bernard Gaynor’s termination from the Australian Defence Force.

KEY FACTS AND FIGURES (as at 1 April 2018)

Permanent ADF	Ongoing APS
<p>s22</p>	<p>s22</p>
<p>LGBTI</p> <ul style="list-style-type: none"> Employee data is not captured 	<p>LGBTI</p> <ul style="list-style-type: none"> Employee data is not captured.

BACKGROUND

Women

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Lesbian, Gay, Bisexual, Transgender and Intersex persons

- Providing a safe and inclusive environment is a priority for Defence.
- Defence has implemented a range of strategies to create a safe and inclusive workforce, one where people feel supported at work. These initiatives include:
 - Benchmarking against other organisations through participation in the Australian Workplace Equality Index - Australia's definitive benchmark on LGBTI workplace inclusion practices and initiatives. In 2015, 2016 and 2017 Defence was recognised as a top Public Sector organisation for supporting LGBTI people.
 - Establishing the Defence Pride employee network that provides support for lesbian, gay, bisexual, transgender and intersex people and allies in Defence.
 - Being a member of Pride in Diversity, a not-for-profit organisation founded in 2009, designed to assist Australian employers in LGBTI workplace inclusion practices.

Investigations into homosexual behaviour (FOI)

- Defence does not record information regarding an individual's LGBTI representation in its corporate HR system.
- Defence Instruction on Homosexual Behaviour was cancelled on 24 November 1992.
- Since this time, Defence has progressed its culture and implemented a number of initiatives to support our LGBTI personnel.

Rainbow Ally Flag

- The Defence Corporate Directory is currently used to identify a number of ancillary positions such as Justice of the Peace, First Aid Attendants, Work Health and Safety Advisors, White Ribbon Ambassadors, Building Wardens and Security Officers.
- Defence was considering an initiative under which personnel could choose to display a rainbow icon next to their name to indicate they are qualified to offer support to their colleagues on LGBTI matters.
- While it is unfortunate that a staff member progressed the initiative prematurely, the initiative was not formally approved or authorised and the identifying 'rainbow flag' has been removed from the Directory.

- No personnel were, nor will be, 'required' to identify as LGBTI allies.
- The LGBTI Ally concept is used in a number of organisations across Australia to help create diverse, inclusive and supportive workplaces. LGBTI allies are voluntary and receive training to support their role.

Transgender

- Defence's position of including transgender people in the ADF has not changed, nor is it under review.
- Defence continues to provide support to transgender individuals who are transitioning in the workplace.

Recruitment of Transgender ADF Personnel

- In 2013, amendments were made to the *Sex Discrimination Act 1984* to provide protection from discrimination on the basis of attributes of sexual orientation, intersex status or gender identity.
- Entry standards to the ADF were amended in 2013 to align with legislation.
- Defence Force Recruiting has a clear process in place to assess suitability for a career in Defence, including medical and psychological assessments.
- Any ADF candidate with gender dysphoria is assessed by Defence Force Recruiting on an individual basis, against the inherent requirements of Service and in accordance with the Defence Health Manual. Gender dysphoria and gender reassignment are assessed by both medical and psychology staff in Defence Force Recruiting, together with other specialist reports. All decisions regarding recruiting are made centrally by the Chief Medical Officer.
- If these candidates can meet the inherent requirements of service, they are afforded an equal opportunity to serve as any other applicant.

Number of Transgender ADF Personnel

- The Defence Lesbian, Gay, Bisexual, Transgender and Intersex Information Service (DEFGLIS) is an independent not-for-profit charity registered with the Australian Charities and Not for Profits Commission.
- The DEFGLIS is independent to the Department of Defence and does not receive any direct funding or grants from Defence.

- The DEFGLIS is a volunteer-led and volunteer operated incorporated association.
- Membership comprises serving members, reserves, public servants, ex-service personnel, professional service providers, friends, family, foreign military members, and allies.

Sydney Gay and Lesbian Mardi Gras

- Defence's annual participation in the Sydney Gay and Lesbian Mardi Gras (Parade and Fair Day) provides an opportunity for Defence to publicly demonstrate its commitment to being a diverse and inclusive organisation.
- Defence's participation in the Mardi Gras Festival does not constitute support for, or endorsement of, any other entrant or activity that is part of the festival.

Defence Lesbian, Gay, Bisexual, Transgender and Intersex Information Service

- The Defence Lesbian, Gay, Bisexual, Transgender and Intersex Information Service (DEFGLIS) is an independent not-for-profit charity registered with the Australian Charities and Not for Profits Commission.
- The DEFGLIS is independent to the Department of Defence and does not receive any direct funding or grants from Defence.
- The DEFGLIS is a volunteer-led and volunteer operated incorporated association.
- Membership comprises serving members, reserves, public servants, ex-service personnel, professional service providers, friends, family, foreign military members, and allies.

Claims of Defence sponsorship of the 2017 DEFGLIS Military Pride Ball

- The 2017 DEFGLIS Military Pride Ball was held on 23 September 2017 in Sydney. The Ball has been held annually in September or October since 2015.
- The Ball is a formal gathering that connects the Defence LGBTI community, families, allies and supporters of diversity and inclusion and is open to the private and public sector.
- The event is primarily funded through individual ticket sales via the DEFGLIS website. The public and private sector (including Defence) are invited to purchase corporate tables.

- For the 2017 event, Defence purchased four corporate tables at a total cost of \$9,234. The cost of the four tables was the only funding provided by Defence towards this event.
- It is not unusual for Defence to purchase a table, or for members to wear their uniform, at diversity related events as part of the Defence Diversity and Inclusion Strategy 2012-17.

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Updated: 11 May 2018

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Updated: 30 Jul 2018

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	<p>Department of Defence</p> <p>DEFENCE CIVILIAN COMMITTEE</p> <p>13 June 2018</p>
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APS MENTAL HEALTH CHAMPIONS

Purpose

1. To seek agreement to the Defence APS Mental Health Champion initiative.

Recommendation

2. It is recommended the Committee:
 - a. **agree** to the Defence APS Mental Health Champion initiative and proposed duties;
 - b. **agree** to the Mental Health Champion nominations; and
 - c. if agreed, **note** the Mental Health Champions will be announced by the Secretary on 13 July 2018 at the launch of the *beyondblue* NewAccess Program.

Key Issues

3. The *Defence Mental Health and Wellbeing Strategy 2018–2023* was released in October 2017, committing Defence to improve awareness and reduce the stigma associated with mental illness. The Mental Health Champion initiative supports the Strategy's objectives by promoting a culture within Defence that recognises, accepts and addresses mental health issues and wellbeing.
4. Work Health and Safety Branch has based the Mental Health Champion initiative on successful Champion programs delivered across the whole-of-government. Defence participates in Disability; Indigenous; and Lesbian, Gay, Bisexual, Transgender and Intersex Champion programs. Each program appoints Champions throughout the Senior Leadership Group, which improves the visibility of important issues and they have been instrumental in progressing outcomes.
5. A key component of the Defence APS Mental Health Champion initiative is how the organisation gives back to the broader Australian Community. Work Health and Safety Branch is partnering with *beyondblue* and Lifeline to develop initiatives that Mental Health Champions can support and be a part of to enable engagement with the broader Australian Community. For example, training to be a Lifeline Telephone Crisis Supporter will be offered to the Mental Health Champions.
6. Work Health and Safety Branch continues to work with Joint Health Command to deliver mental health programs across Defence. Joint Health Command also plans to develop a similar concept tailored to the ADF, which will ensure a whole-of-Defence approach to the Mental Health Champion initiative.

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Authorised by: **Justine Greig** – Acting Deputy Secretary Defence People
Ph: (02) 6265 7339

Date: May 2018

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Attachments

A. Overview of Mental Health Initiatives

Attachment A

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