

Police Powers and Responsibilities and Other Legislation Amendment Bill 2024

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Queensland
Mental Health
Commission

Police Powers and Responsibilities and Other Legislation Amendment Bill 2024

Introduction

The Queensland Mental Health Commission (the Commission) welcomes the opportunity to make a submission in support of the *Police Powers and Responsibilities and Other Legislation Amendment Bill 2024*.

The Commission commends the Government on its commitment to recognising the rights of trans and gender diverse Queenslanders.

We strongly support the objective of the Bill to make the necessary legislative amendments to ensure that trans and gender diverse people receive the same protections as other Queenslanders without making specific reference to gendered language, unless absolutely necessary.

We especially welcome and agree with the proposed changes to the *Mental Health Act 2016* and the *Public Health Act 2005*.

The Commission

The Commission is an independent statutory agency established under the *Queensland Mental Health Commission Act 2013* (the Act) to drive ongoing reform towards a more integrated, evidence-based, and recovery-orientated mental health, alcohol and other drugs (AOD) and suicide prevention system in Queensland.

One of the Commission's primary functions is to develop a whole-of-government strategic plan to improve the mental health and wellbeing of Queenslanders, particularly people living with mental illness, problematic AOD use, and those affected by suicide. The current strategic plan is *Shifting minds: The Queensland Mental Health, Alcohol and Other Drugs, and Suicide Prevention Strategic Plan 2023-2028* (Shifting minds). Shifting minds is complemented by two sub-plans:

- *Achieving balance: The Queensland Alcohol and Other Drugs Plan 2022-2017* (Achieving balance)
- *Every life: The Queensland Suicide Prevention Plan 2019-2029* (Every life).

Support for trans and gender diverse people in Shifting Minds and sub-plans

Shifting minds

Shifting Minds seeks to improve equitable access to services and supports for LGBTIQ+ people.

Some groups in our community have poorer mental health or are more likely to experience problematic alcohol and other drug use or suicidal distress than others. These include young people, older people, First Nations people, LGBTIQ+ people, families and carers, people with disability, people from culturally and linguistically diverse backgrounds, veterans and their families, and rural and remote communities.

Some people also have less access to appropriate mental health and alcohol and other drug treatment and supports due to issues of location or affordability. Shifting minds provides a renewed agenda to improve mental health and wellbeing outcomes, experiences, and access to care and supports. To be successful this approach must be underpinned by tailored and collaboratively designed responses for a wider range of populations across diverse settings.

Achieving balance

Problematic alcohol and other drug use, particularly illicit drug dependence, is recognised as one of the most stigmatised health conditions in the world. Many people who use drugs report experiencing stigma, a loss of dignity

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and a lack of respect for the inherent value of their lives. These experiences are compounded for specific populations of people who use drugs such as those who identify as trans or gender diverse.

There is a lack of publicly available and comprehensive data examining the use of alcohol and other drugs by LGBTIQ+ people. The Australian Institute of Health and Welfare's National Drug Strategy Household Survey (NDSHS) is the only national data source that specifically disaggregates by gender identity. However, the NDSHS 2022-23 survey was the first to include questions representing people who identify as trans or gender diverse.

Despite the lack of specific data, it is well established that LGBTIQ+ people experiencing problematic alcohol and other drug use will experience even higher levels of stigma and discrimination which will impact significantly on their health and wellbeing.

Every life

People who experience social isolation, stigma and discrimination may be at higher risk of experiencing suicidal thoughts and behaviours.

People in vulnerable groups will not necessarily experience suicidality. However, some groups and communities are more likely to be exposed to or impacted by social, economic and other risk factors for suicide, including stigma and discrimination. By addressing those risk factors throughout people's lives, we can improve outcomes and reduce the likelihood a person experiences suicidal crisis.

Queensland data shows that groups more vulnerable to suicide include LGBTIQ+ people, especially transgender young people.

Conclusion:

The Commission advocates for the recognition of the rights of LGBTIQ+ people, including trans and gender diverse Queenslanders.

LGBTIQ+ people can face poorer mental health or are more likely to experience problematic alcohol and other drug use or suicidal distress than others. They are also facing compounding challenges with regard to stigma and discrimination.

In addition to the need to reduce stigma and discrimination and improve equitable access to services and supports legislative amendments are necessary to strengthen the rights of trans and gender diverse people.

This Bill makes an important contribution to reducing harm and improving the wellbeing of trans and gender diverse people in our community through removing gendered language, unless it is absolutely necessary.

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