



# Equity for LGBTIQIASB+ older people

Lesbian, Gay, Bisexual, Trans, and/or Gender Diverse, Queer, Intersex, Asexual, Sistergirl and Brotherboy (LGBTQIASB+) people face systemic prejudice in the aged care system due to a legacy of discrimination, fear of mistreatment, and lack of culturally safe services. Many may be forced to conceal their identities to avoid abuse or neglect, while aged care staff can lack training in inclusive practices, leading to misgendering and exclusion.

It is clear from the evidence received by the Inspector-General that challenges faced by older LGBTQIASB+ people in accessing safe, inclusive, and affirming aged care services, remain.

The Aged Care Royal Commission did not make any specific recommendations focused on LGBTQIASB+ older people. While it recommended broad reforms in relation to diversity, it fell short in addressing the particular experiences of and prejudices faced by LGBTQIASB+ elders.

## Why is this so important?

Many LGBTQIASB+ older people grew up in times when being open about their identity was dangerous, illegal, or deeply stigmatised. These early experiences of discrimination, invisibility, and trauma don't simply fade with age; they shape how people engage with aged care services today.

The Inspector-General heard the fear of being mistreated or discriminated against in aged care can lead to LGBTQIASB+ older people delaying or refusing to seek care until their health deteriorates or a crisis occurs. Further, when LGBTQIASB+ older people need to access care, many choose to hide their identity out of fear of discrimination.

Many LGBTQIASB+ older persons have experienced discrimination throughout their life; this may be from:

- care providers
- faith-based organisations
- governments and government services
- within LGBTQIASB+ communities
- friends, family and the wider community.

## Discrimination on the basis of gender and sexual diversity within the aged care environment may include:

- threats of eviction and refusal of admission to aged care facilities
- denying of visitors or personal care services
- refusal to allow LGBTQIASB+ older people to display public affection, exhibit cultural tokens, artefacts, pictures or memorabilia or couples to share rooms
- preventing partners from participating in medical decision making
- withholding gender and identity-affirming medications and treatments, and
- physical or psychological abuse, neglect and/or abandonment.

## Positive action is occurring

The new Aged Care Act 2024 establishes a system underpinned by rights-based, person-centred care. It sets up the foundations for embedding diversity in aged care. Other positive steps have been taken to improve cultural safety, but they do not go far enough:

- The Specialisation Verification Initiative, introduced in June 2022, helps ensure providers who claim to specialise in diverse care substantiate their claims. However, the framework's voluntary nature and limited uptake, especially outside Victoria, mean many older LGBTQIASB+ individuals still lack access to welcoming services.
- The government has made small funding investments to improve the data collection for diverse demographics. The Older Person's Advocacy Network (OPAN) was provided with \$6.2 million in funding over 4 years from 2021 to provide local level 'diversity data' and educational tools to aged care providers, to drive understanding and meet the diverse needs of their communities. It is vital that this initiative collects LGBTIQASB+ data, especially given the existing challenges with other data collection programs.

## What is needed to eliminate discrimination and prejudice and create equity for LGBTQIASB+ older people in aged care

The Inspector-General recognises the value in the reform actions that have occurred, however feels they are insufficient to achieve the Royal Commission's vision of a care system centred in diversity.

### Aged Care Diversity Framework

The Aged Care Diversity Framework was a national policy initiative designed to support inclusive, respectful, and culturally safe aged care services for older people from diverse backgrounds, including LGBTQIASB+ people. The Framework was effectively removed with the passage of the *Aged Care Act 2024*. The Inspector-General heard concerns about the removal of the Framework and its Action Plans, which previously provided practical mechanisms for advancing LGBTQIASB+ rights. Given that many older LGBTQIASB+ people continue to report unsafe and unwelcoming environments, stringent oversight of the new Aged Care Quality Standards (which will now be the key vehicle for ensuring similar rights are achieved), will be more vital than ever.

### Mandatory training

Training for providers and the workforce in what is needed to ensure older LGBTQIASB+ people feel safe when accessing aged care services is vital. The Aged Care Act 2024 calls for culturally appropriate and trauma aware care to support people with diverse life experiences. At present, training in culturally safe or trauma-aware care is not mandatory. This training supports aged care workers to provide safe, respectful care for older people whose identities and life experiences may differ from their own and protects care recipients from insensitivity or harm.

### Future activity and development of work

The Inspector-General heard throughout the consultations for the report, specialised reforms that would improve the care for older people with diverse life experiences have not been progressed by government.

The removal of direct reference to the Aged Care Diversity Framework from the Aged Care Act 2024, is considered one such example.

Without access to safe, inclusive and trauma-informed care, many LGBTQIASB+ older people may neglect their care needs at the detriment of their physical, mental, social and emotional wellbeing.