

# GOVERNANCE AND HUMAN RIGHTS





# INDEX

ARTS AND CULTURE	3
PRINCIPLES	3
GOALS	3
COMMUNITY ENGAGEMENT AND PARTICIPATORY DEMOCRACY	5
PRINCIPLES	5
GOALS	5
EDUCATION	7
PRINCIPLES	7
GOALS	7
A HEALTHY DEMOCRACY	10
PRINCIPLES	10
GOALS	11
HUMAN RIGHTS	13
PRINCIPLES	13
GOALS	13
JUSTICE	15
PRINCIPLES	15
GOALS	16
SEXUAL ORIENTATION, GENDER IDENTITY AND INTERSEX VARIATIONS	18
PRINCIPLES	18
GOALS	18
SPORT AND RECREATION	21
PRINCIPLES	21



GOALS	21
GLOSSARY	23
REFERENCE LIST	26



# **ARTS AND CULTURE**

The arts have played a significant role in all cultures, history and heritage, from time-honoured and ancient to contemporary and new media forms. They extend our ways of knowing and experiencing the world and make a vital contribution to our collective identity.

# PRINCIPLES

The ACT Greens believe:

- 1. arts and cultural activities help define our many communities and should be open and accessible for everyone to engage with, participate in and enjoy
- 2. First Nations cultures make a vital and continuing contribution to arts and culture in the ACT
- 3. an active and diverse ACT arts sector enriches our community and strongly contributes to community members' quality of life and wellbeing, as well as our individual and collective understanding of our place in the world
- 4. a diversity of arts practice, including both community-level and high-level professional arts practice, should be supported in the ACT
- 5. public funding of the ACT arts community is necessary to support its vibrancy.

# GOALS

- 1. increased availability and opportunities for community-wide participation in arts and cultural activities, with accessible venues throughout the ACT
- 2. arts funding to ensure that arts and cultural programs are accessible, representative and affordable for the whole community
- 3. increased opportunities for local artists, including musicians, visual artists, performers and dancers, to develop their abilities to a high level and showcase their work
- 4. strong, well-resourced links between artists, workplaces, schools, institutions, urban designers and developers which facilitate career pathways for artists
- 5. open, transparent and peer-reviewed processes for government funding decisions
- 6. a vibrant and sustainable ACT-based professional arts industry across diverse platforms, including digital and new media
- 7. a thriving live music and events scene in the ACT with designated entertainment precincts
- 8. high-quality music and arts education throughout the education system, including in preschool, primary, secondary, college, tertiary and specialist institutional levels in the ACT
- 9. recognition of and appreciation for the work of musicians and artists based in our region
- 10. mandated minimum payments for artists in line with the targets of union and other organisations representing artists



- 11. a systemic and integrated approach to developing and implementing arts policies
- 12. a regional approach to music, arts, and cultural events and activities
- 13. funding to be directed towards art and art therapy to assist in the promotion of health and wellbeing, including in mental health, aged care, the disability sector and the community more broadly.



# COMMUNITY ENGAGEMENT AND PARTICIPATORY DEMOCRACY

### PRINCIPLES

The ACT Greens believe:

- 1. meaningful, ongoing community engagement is vital for democracy and a society that values inclusion
- 2. decision-making is better quality and more durable when all those affected by decisions are able to participate
- 3. ACT Government decision-making, legislation, policies and programs should be informed by genuine, proactive and ongoing community engagement that is meaningful, accessible and transparent
- 4. the full range of informative, consultative, participatory and deliberative community engagement processes should be utilised, and the ACT Government should engage in good faith, providing sufficient information, time and other resources to allow for meaningful community participation
- 5. effective and meaningful community engagement requires adequate, balanced, well-facilitated and timely involvement of a diverse range of people and groups
- 6. community engagement processes must be clear in purpose and provide accurate descriptions of the types of consultation to be used; in particular, the community should be told how their engagement will influence government actions
- 7. government should report back to the community about outcomes of community engagement, including the impact community views and opinions had on government actions
- 8. communities should be empowered and enabled to collectively identify issues and solutions for their own needs in a way that is supported, respected and responded to by the ACT Government.

### GOALS

- 1. ACT Government to embed participatory governance at the heart of how we run government, including in the operations of the public service
- 2. broad community trust, respect and increased cooperation to be a key indicator of success in decision-making between the ACT Government and the ACT public
- 3. resourcing of community engagement expertise in all ACT government directorates to ensure the comprehensive coordination of engagement with the community



- 4. consistent, active measures to engage all members of the ACT's diverse communities in participatory and community engagement processes, with genuine opportunities for all people affected by outcomes to be involved in community engagement activities
- 5. the provision of accessibility measures including translation services, **targeted payment for time**, physical access supports and online participation options to be a standard feature of all government consultation processes
- 6. to ensure that community engagement processes take account of commitments made by government about engagement, such as the 2012 ACT Social Compact. Such processes should be adequately and appropriately resourced and include appropriate timeframes for engagement
- 7. incentives for ACT Government agencies to demonstrate excellence in community engagement activities
- 8. to ensure that all relevant ACT Government officers are appropriately trained in deliberative democratic processes
- 9. implementation of participatory democratic mechanisms such as allowing communities to allocate certain spending of public funds
- 10. appropriate resourcing allocated to ensuring the community is well informed about government and community projects and activities in the ACT
- 11. full participation of people and community organisations in public debate without fear of negative repercussions from the ACT Government and employers
- 12. the scale of community engagement processes to match the potential impact of ACT Government legislation, policies and programs, and community engagement processes to reach people likely to be affected by legislation, policies and programs
- 13. appropriately resourced processes to inform the community about the outcomes of the processes in which they participate, including reasons for accepting or rejecting community recommendations.



# **EDUCATION**

Education is a lifelong process that develops us all as human beings. Free, high-quality education promotes equality of opportunity, is a cornerstone of a healthy democracy and is fundamental to society.

# PRINCIPLES

The ACT Greens believe:

- everyone should have free and equitable access to high-quality public education that meets their needs and aspirations, and that provides them with skills and capacities to meaningfully participate in society
- 2. learning is a lifelong process that is fostered in both formal and informal settings
- 3. provision of training should take into account the needs of the ACT community, reducing all forms inequality, and the development of skills required for a just transition to a green economy and livable communities
- 4. it is the responsibility of government to ensure the provision of high-quality, well-resourced and safe learning environments that are open to all students
- 5. teaching should be a highly valued and respected profession
- 6. a responsive and relevant education system is underpinned by community involvement and recognises that parents and carers play a critical role in the education of their children
- 7. education curricula and teaching across all ages should include education on, and respect for, diversity in all its forms, including historical and contemporary experiences of age, disability, First Nations identity, race, gender identity, sexual orientation, intersex variations, religion, socioeconomic status and our history of colonisation and First Nations dispossession
- 8. we should continue to develop Canberra as a tertiary education city and part of Australia's 'knowledge economy'.

# GOALS

- 1. a vibrant public education system, which attains world-class standards of excellence and is built on an evolving and research-based curriculum and pedagogy
- 2. a well-funded public, secular education system to meet the needs of ACT students in all their diversity
- 3. transparent, accountable and needs-based funding for education that supports equitable educational opportunities



- 4. a range of accessible education and training programs, including literacy and numeracy, to offer new opportunities to adults at all life stages, including migrants, adults re-entering the workforce and people adjusting to changed circumstances
- 5. improved transitions between early childhood, primary, secondary, college, tertiary and vocational education sectors, and greater coordination across those sectors
- 6. to ensure that all students are supported to develop their potential, including those with culturally and socially diverse backgrounds, and students living with a physical or intellectual disability
- 7. students with disability and/or learning difficulties to have access to integrated and inclusive education opportunities
- 8. improved student support services, ranging from learning assistance to support for health and welfare needs
- 9. a safe, student-centred, healthy and high-quality school environment for all students, teachers and other staff that is free from bullying
- 10. culturally responsible learning methods and resources, particularly for First Nations students
- 11. active engagement of First Nations community members and their local languages and cultures in school curriculum, in schools and in other educational settings
- 12. First Nations history to be taught to all students in the ACT
- 13. all children and young people to have age-appropriate, inclusive and comprehensive social and emotional education to build skills for respectful relationships, compassion, cooperation and resilience
- 14. a whole-of-family approach to support for refugees, asylum seekers and migrants, including ongoing support for English as an additional language
- 15. affordable and suitable housing for all students in the ACT, including those in the tertiary sector (see also the ACT Greens Housing and Homelessness Policy)
- 16. to strengthen the links between schools and their communities, to facilitate greater parent and carer involvement in student learning, and to increase access to community services
- 17. all students to have equality of access to digital technology, and to be supported to be kept safe and to understand the risks and benefits of cyber platforms, including social media platforms
- 18. an education system uncompromised by corporate influence on teaching and learning
- 19. children and young people to have direct educational experience with nature, the environment and agricultural systems, including First Nations land management systems
- 20. schools to be responsive to students at risk of disengagement through the use of clearly identified early intervention and prevention approaches
- 21. home education to be respected and supported as a viable alternative to mainstream schooling

### EARLY CHILDHOOD



- 22. childcare, early childhood and preschool education policy and planning to improve access to and affordability of high-quality education
- 23. a universal commitment to the National Quality Framework for Early Childhood Education and Care, including at least 15 hours per week of preschool from 3 years old, delivered by teachers with early childhood qualifications

### HIGHER EDUCATION AND VOCATIONAL EDUCATION AND TRAINING

- 24. a strategic approach to identifying emerging training needs for the ACT, with genuine community input
- 25. a high-quality and accessible Vocational Education and Training (VET) system to offer new skills and re-skilling for future occupations, including industries emerging in the green economy
- 26. The Canberra Institute of Technology (CIT) to remain in public ownership and be fee-free, accessible and meet the needs of students
- 27. continued prioritisation of government VET funding to go to CIT
- 28. a continued joint ACT-Federal Government funding agreement for VET
- 29. more mechanisms provided for volunteers to receive subsidised training and other support as part of a comprehensive community sector strategy
- 30. to ensure opportunities for commercialisation partnerships do not undermine academic freedom, freedom of expression, and quality of research
- 31. to further develop the knowledge economy by encouraging universities to establish or expand their presence

### WORKFORCE

- 32. a professional and well-supported education workforce, which is provided with relevant and innovative professional development opportunities
- 33. greater resourcing for education staff to effectively teach and support children and young people with diverse needs, including students living with disability or learning difficulties, gifted and talented students, and students at risk
- 34. to maintain and improve the remuneration, conditions and career opportunities of all ACT education professionals and to increase the recruitment and retention of a high-quality workforce
- 35. a diverse teaching workforce that is reflective of the ACT community.
- 36. recognition that principals have a primary role as education-leaders within schools rather than as their school's administrator.



# A HEALTHY DEMOCRACY

A healthy democracy is a fundamental prerequisite for a safe, equitable and happy community living in a healthy, natural world.

# PRINCIPLES

The ACT Greens believe:

- 1. a healthy democracy is the foundation of a thriving and vibrant society
- 2. proactive, meaningful participation and engagement in democratic processes by and with members of the community is vital for good governance and social cohesion (see also the ACT Greens Community Engagement and Participatory Democracy Policy)
- 3. people are able to more meaningfully participate in a democratic society when their basic needs are unconditionally met, and they live free from discrimination and persecution, supported by a prosperous natural environment
- 4. ACT Government should be a leader and innovator in good governance ensuring that decision-making has the wellbeing of ACT community members, flora, fauna and country as its central purpose
- 5. a healthy democracy requires openness, probity, transparency and accountability in all aspects of government, including government departments, government-owned entities and statutory authorities
- 6. a culture of honest, compassionate and responsive service to our communities is as important to good governance as official rules and procedures
- 7. rights to protesting and whistleblowing, without fear of discrimination or reprisal, are a hallmark of a healthy democracy
- 8. maintaining the separation of powers between the executive, legislature and the judiciary is critical to good governance
- 9. the ACT has the right to make its own laws in the same manner as a State of the Commonwealth, free from interference from the Australian Parliament
- 10. a well-resourced, diverse and independent media plays an important role in ensuring that government decision-making is transparent and open to public scrutiny; an independent media must be protected from interference and political bias
- 11. legislated and well-resourced integrity and oversight agencies that are free from outside influence are vital to our democracy
- 12. ACT residents are best represented in the ACT Legislative Assembly using a Hare-Clark electoral system with multi-member electorates that adequately represent the population and its diversity
- 13. the size of the legislature should be sufficient to fully facilitate the productive and efficient operation of all the functions of the parliament



- 14. parliamentary rules, conventions and structures must keep pace with changing community expectations
- 15. public servants should be empowered to provide frank and fearless advice to government, but also expected to take action to implement the lawful policies of democratically-elected governments
- 16. all ACT Government decision-making should consider current and future generations

# GOALS

- 1. the right to vote to be extended and exercised as broadly as possible, including to permanent residents and people from the age of 16
- 2. all government legislation and explanatory information to be consistent, written in plain English and made available to the public in accessible formats, including in translations
- 3. a holistic approach to government decision-making and reporting, including consistent, meaningful and measurable strategic and accountability indicators
- 4. ACT Government decision-making, legislation, policies and programs to be informed by genuine, ongoing community engagement that is meaningful, respectful, accessible and transparent
- 5. all government projects to have exemplary community consultation and pre-project consultation (see also the ACT Greens Community Engagement and Participatory Democracy Policy)
- 6. support to be given to communities to proactively develop community initiatives and plans, and for those initiatives and plans to be appropriately considered by government
- 7. all explanatory statements accompanying executive legislation to contain a human rights compatibility statement, a community consultation summary, and information on the progress towards wellbeing indicators, including on quantitative climate impacts
- 8. government economic management and budget processes to be focused on the wellbeing of community members, flora, fauna and country.
- 9. open and transparent access to government information, including a clear presumption of proactive disclosure as part of a robust freedom-of-information system
- 10. funding and resourcing to promote existing open government information channels and cabinet outcomes
- 11. active disclosure of data, analysis, research and other information of public interest by ACT Government departments, statutory authorities and government-owned entities, with protections for people's privacy
- 12. powers and resources for all integrity agencies to develop and subsequently monitor the implementation of relevant recommendations of any inquiries agreed to by the ACT Government
- 13. all relevant integrity and oversight agencies to be Officers of the Assembly, with their statutory independence clearly codified



14. the number of members of the legislative assembly to be expanded to reflect the size of the population, the needs of good governance and the effective working of the assembly



# **HUMAN RIGHTS**

The ACT is a Human Rights jurisdiction, where all legislation is prepared and scrutinised with the intent of protecting and advancing human rights. As the first jurisdiction in Australia to introduce a Human Rights Act, the ACT has both the opportunity and a responsibility to model the ways in which governments can best respect human rights.

# PRINCIPLES

The ACT Greens believe:

- human rights include economic, social, cultural, environmental, civil and political rights. They are universal, indivisible, interdependent and interrelated, and must be respected and protected
- 2. cultural, religious, gender and other differences need to be incorporated into government decision-making to ensure equal human rights are enjoyed by all
- 3. where policies appear to have conflicting impacts of individual, community and environmental rights, careful and transparent deliberation can identify creative and innovative solutions to policymaking
- 4. the concept of human rights is dynamic and can evolve to cover new ground through ongoing public discussion.

### GOALS

- 1. protection of and respect for Australia's domestic and international human rights obligations in government decisions and policies
- 2. continued scrutiny and review of ACT Government decisions and policies through a human rights framework
- 3. continued implementation of the Human Rights Act 2004 (ACT)
- 4. the ACT Human Rights Act to include a right to a healthy environment and a right to housing
- 5. entities operating in the ACT under federal laws to be subject to human rights legislation
- 6. human rights concepts to be progressively translated into effective local laws and policies
- well-resourced promotion and education of a shared understanding of human rights obligations, and ongoing and active community discussions about human rights and their application in the ACT
- 8. the ACT to continue its role as a leader among Australian jurisdictions in fulfilling human rights obligations and as a key participant in discussions on evolving human rights
- 9. a culture of human rights to be cultivated across government, non-government and private sectors



- 10. freedom of expression by ACT Government public servants to be protected
- 11. people in the ACT to have an accessible complaints mechanism for breaches of human rights
- 12. human rights to be enforceable through the ACT Civil and Administrative Appeals Tribunal
- 13. Service Funding Agreements between the ACT Government and community sector to include a clause requiring non-discrimination of service provision and/or employment.



# JUSTICE

Criminal justice is inextricably linked with social and economic justice, as well as human rights. Addressing the social determinants of crime is key to reducing the number of people in the criminal justice system.

# PRINCIPLES

The ACT Greens believe:

- 1. everyone has a right to live in a safe and peaceful community, free from crime, violence, and discrimination whether from individuals, businesses, institutions or government agencies
- 2. judicial independence is fundamental to a democratic society
- 3. all elements of the justice system should be transparent to ensure accountability and consistency
- 4. legal and justice systems must not entrench privilege or disadvantage, and should support activities and reforms to advance ecological sustainability, social equality, democracy and peace
- 5. the fundamental principles of criminal law should be preserved and upheld, including the presumption of innocence, access to legal representation, open courts, habeas corpus, equality and the right to silence
- 6. ACT Government should pursue justice reinvestment processes to address the systemic causes of crime, for the benefit of the whole community
- 7. justice and policing should emphasise de-escalation and cultivating peaceful communities, rather than using fear and violence as tools of deterrence
- 8. to ensure equality before the law, the justice system must be responsive to those experiencing disadvantage and prejudice, acknowledging that many people who engage in offending behaviour have at some point been victims of crimes and trauma themselves
- 9. the provision of universal social services can improve social cohesion, reduce the risk of harmful behaviours, and significantly reduce the perceived need for policing activities which risk the punitive targeting of marginalised communities
- 10. the justice system must recognise and support the rights of victims of crime and civil wrongs
- 11. restorative practices are an essential element to a holistic justice system
- 12. incarceration is only appropriate as a last resort sentencing option, and alternative penalties should be available to the courts
- 13. remand in custody should be minimised
- 14. essential outcomes of the justice system are the good health and rehabilitation of offenders, and the reduction of recidivism and trauma
- 15. in a prioritisation of alternatives to traditional judicial processes, including early access to dispute resolution mechanisms, restorative practices and beneficial legal advice



16. it is important to foster community understanding and respect for the principles and practices of the justice system.

# GOALS

- 1. the criminal justice system to respect the human rights of all, including victims, alleged and convicted offenders, and witnesses
- 2. investment in First Nations-designed and First Nations-led initiatives to minimise First Nations peoples' contact with, and to provide alternatives to, the criminal justice system
- 3. to end racism, racial bias and racial profiling across the criminal justice system
- 4. children and young people who come into contact with the criminal justice system to be supported by services to help address their needs, including accommodation, drug and alcohol use, and trauma
- 5. the age of criminal responsibility to be raised to at least 14 years of age for all criminal offences
- 6. at-risk children to be supported by appropriate therapeutic services and alternative pathways to the criminal justice system
- 7. improved systems, resources and training to improve the experience of victim survivors of sexual assault in engaging with police and the criminal justice system
- 8. the promotion and expansion of ACT restorative justice services which are best practice and accessible
- 9. to reduce the number of people incarcerated in the ACT, particularly First Nations peoples
- 10. to support increased diversion programs at all points in the criminal justice system
- 11. funding for programs that address **criminogenic behaviour** be prioritised over expanding correctional facility capacity
- 12. people held in correctional facilities to be provided with a standard of care that ensures they exit detention in good health and with a reduced likelihood of reoffending
- 13. increased funding of, and access to, programs for people exiting detention to support their transition back into the community and to reduce rates of recidivism
- 14. increased housing support for people involved in the criminal justice system
- 15. increased support for families of people in the criminal justice system
- 16. to address drug and alcohol dependency and mental health difficulties, which are contributing factors for many who come into contact with the legal system, through access to rehabilitation centres and mental health services
- 17. wherever possible, all services to be trauma-informed, disability-informed, culturally safe, accessible, and inclusive
- 18. to end politically motivated law-and-order campaigns and the use of terrorism threats to undermine or discard basic principles of law and human rights



- 19. ongoing commitments to an evidence-driven approach to crime to recognise the value of crime prevention, justice reinvestment and addressing the social determinants of crime
- 20. inter-agency coordination and sufficient resourcing to address the social and economic circumstances that increase people's risk of both committing a crime and becoming a victim of crime
- 21. victims of both civil and criminal wrongs to receive the necessary social and professional support to facilitate their recovery
- 22. a reduction in the scope of functions for which the police force are responsible through the redirection of functions to well-funded and unarmed alternative services
- 23. ACT Policing to be sufficiently resourced and skilled to be able to respond to the community's diverse needs, and subject to oversights under ACT law.
- 24. an accessible, affordable and equitable civil justice system
- 25. to have a strategic approach to meeting community legal needs, and to increase resources to community legal centres and Legal Aid
- 26. a best-practice approach to the youth justice and care and protection systems, recognising these are key drivers of entry into the adult justice system, especially for First Nations peoples



# SEXUAL ORIENTATION, GENDER IDENTITY AND INTERSEX VARIATIONS

# PRINCIPLES

The ACT Greens believe:

- 1. freedom of sexual orientation, gender identity, bodily integrity and self-determination are fundamental human rights that must be protected
- 2. our community is more just and equal when we support, embrace and celebrate people with diverse sexualities, gender identities and variations in sex characteristics, as well as their friends, families and allies
- 3. LGBTIQA+ communities have historically and continue to uniquely enrich the ACT
- 4. the acronym LGBTIQA+ does not present an exhaustive list of identities and experiences; expressions of sexual orientation, gender identity and intersex variations are highly individual, and all are valid
- 5. there are intersections of disadvantages and diversity in the needs and circumstances of LGBTQIA+ people from particular groups, such as women, First Nations peoples, culturally and linguistically diverse people, young people, older people, people with disability, people in prison and people seeking asylum
- 6. discrimination on the basis or perception of sexual orientation, gender identity and/or variations in sex characteristics has no place in a just and equitable society
- 7. the Darlington Statement should be affirmed and implemented; priorities outlined in this document should inform all government policies, initiatives and approaches towards people with variations in sex characteristics.

### GOALS

- 1. an end to all discrimination, including religious discrimination, against people who have, or who are perceived to have, diverse bodies, sexualities and gender identities
- 2. removal of all discrimination on the basis of sexual orientation, gender identity and variations in sex characteristics from ACT legislation, regulation and government policy
- 3. ACT community to celebrate diversity in bodies, sexualities and gender identities
- 4. an end to the over-representation of people with diverse sexualities, diverse gender identities and variations in sex characteristics among those experiencing homelessness, poverty, hate-based violence and social disadvantages
- 5. fair and timely access for people with needs related to their sexual orientation, gender identity and any variations in sex characteristics to required support services, including health, mental health and peer support services



- 6. funding of consensual medical treatment for gender affirmation services in the ACT, including mental health consultations and associated expenses
- 7. provision of equitable, affordable, respectful and sensitive health and mental health services in the ACT to address the specific needs of intersex people and people with diverse sexualities and gender identities
- 8. equal opportunity for intersex people and people with diverse sexualities and gender identities in all private and public employment, including in ACT Government workplaces
- 9. schools and other education services to respect and support intersex students and students with diverse sexualities and gender identities, as well as their families, through peer support, anti-bullying and other youth-based policies, programs and services
- 10. education about sexual orientation, gender identity and variations in sex characteristics throughout the education system
- 11. To defend the bans on so-called 'conversion' practices for sexuality and gender identity, and on non-consensual and deferrable medical interventions which alter sex characteristics
- 12. ACT Government and other decision makers to give LGBTQIA+ people and communities agency in decision making on issues that affect LGBTQIA+ people and communities
- 13. all prospective parents to be given information on the possibility of having children with variations in sex characteristics
- 14. hospitals to develop clear guidelines for responding to births of children with variations in sex characteristics, including the provision of training for doctors, midwives and social workers in intersex awareness
- 15. young people to consent to their own medical treatment in the process of transition, where they are able to demonstrate sufficient maturity and intelligence to understand and appraise the nature and implications of proposed treatment<sup>1</sup>
- 16. ACT Government to improve its statistical data collection on people with diverse sexualities, gender identities and variations in sex characteristics, as well as their families, including statistical data on hate-motivated crimes and civil offences such as discrimination perpetrated against LGBTQIA+ people, mindful of personal privacy considerations
- 17. ACT Government to actively work with sporting codes to develop policies and programs to support the participation of transgender and gender diverse people across all levels of sport, from recreational to elite
- 18. ACT Government to ensure that organised early childhood activities and education are gender-inclusive
- 19. Service Funding Agreements between government, human services organisations and community sector organisations to include a clause requiring non-discrimination of service provision or employment towards members of the LGBTQIA+ community
- 20. to lobby the Australian Government to remove discrimination in blood donation eligibility

<sup>&</sup>lt;sup>1</sup> The functional ability to make a decision is also known as 'Gillick competence'.



21. to ensure LGBTQIA+ people in the ACT have access to affordable and non-discriminatory reproductive services, such as Assisted Reproductive Technologies and In Vitro Fertilisation treatment and procedures.



# **SPORT AND RECREATION**

### PRINCIPLES

The ACT Greens believe:

- 1. sport and active recreation are essential parts of physical and mental wellbeing
- 2. participation in sport and active recreation should be accessible to all ACT community members
- 3. community sporting clubs play a vital role in building stronger and more resilient communities
- 4. the contribution of volunteers to sport and recreational activities is significant and should be supported
- 5. sport and recreation are important sources of employment and economic and social activity
- 6. sporting excellence should be encouraged and recognised, and opportunities for improvement and competition provided
- 7. sporting events and activities should be undertaken in a way that considers, and minimises the impact on, the changing environment and the climate.

### GOALS

- 1. Canberra to be recognised as a world-class sport and recreation city that offers a diverse range of urban and nature-based activities
- 2. improvements in public health, social inclusion and community strength through increased participation in sport and recreational activities
- 3. a strong relationship between the ACT Government and sports stakeholders, including small, informal and volunteer-run sporting groups, to deliver long-term strategic plans for sport and active recreation in the ACT and surrounding region
- 4. targeted assistance to support disadvantaged community members to overcome barriers to involvement
- 5. equity of access to sporting venues and events for people with disability, people from culturally and linguistically diverse backgrounds and people from the LGBTIQA+ community
- 6. planning and delivery of sporting and recreation infrastructure to meet the needs of our growing region
- 7. a strong role for community and sporting organisations in the planning, control and management of sporting and recreation facilities and infrastructure
- 8. reduced insurance costs and financial and administrative burdens on sports organisations, including simple and transparent funding processes



- 9. a culture of equity, fairness, inclusiveness, non-violence and freedom from harassment, including in junior sport
- 10. the regulatory environment to support volunteers and community groups, and to make it easier to be involved in and run events
- 11. to facilitate major sporting events in the ACT, where there are overall benefits for ACT community members
- 12. to attract mass-participation sporting events to the ACT, recognising the benefits of tourism, employment and volunteering to the ACT
- 13. greater recognition of women's sport and improved gender equity in sports funding allocations
- 14. ACT Government to actively work with sporting groups to develop policies and programs to support the participation of transgender and gender diverse people across all levels of sport, from recreational to elite
- 15. the staging of sporting events and the building of sports facilities and infrastructure to have minimal environmental impacts
- 16. government to assist sporting organisations to adapt to the impacts of climate change—such as hotter and drier conditions, and air quality issues—in the planning of infrastructure and policies regarding participant safety
- 17. a variety of free, well-maintained facilities and infrastructure to support safe sport and recreational activities in parks, lakes and natural areas throughout the ACT
- 18. to limit the amount of gambling and alcohol advertising for sporting events, teams and venues.



# GLOSSARY

**Community**: A community is a network of people and organisations linked together by a web of personal relationships, cultural connections and identities, networks of support, traditions, shared socioeconomic conditions, and common interests. Usually communities are composed of diverse groups, competing interests and rights; but sometimes they may be reasonably homogenous (Wighton and Smith 2017, p. 30).

**Criminogenic**: something that can cause or lead to criminal behaviour. It is used to describe factors or situations that increase the likelihood of someone committing a crime. For example, living in a high-crime area or having a history of abuse can be considered criminogenic.

**Cultural responsibility**: Cultural responsibility means acting in accordance with rules, structures and processes that are informed by the diverse cultural needs, traditions, values and norms of a particular community. These rules, structures and processes are generated in dialogue with each community and therefore have broad support within that community. What counts as culturally responsible is different for each community and can change over time.

**Darlington Statement**: The Darlington Statement, made in March 2017, is a joint consensus statement by Australian and Aotearoa/New Zealand intersex organisations and independent advocates. It sets out the priorities and calls by the intersex human rights movement in Australia and Aotearoa/New Zealand (Black et al., 2017).

**First Nations peoples**: The ACT Greens use the term 'First Nations peoples' to refer to all nations and clan groups that occupied the land that would become Australia prior to colonisation. First Nations peoples never ceded their sovereignty and continue their connections with land, water, sky, culture and community. The ACT Greens acknowledge the limitations of any term in accounting for the complexity and diversity of First Nations identities and experiences.

**Gender identity**: Gender identity is the gender with which a person identifies internally. Gender identity can refer to appearance, mannerisms or other gender related characteristics of a person, with or without regard to the person's designated sex at birth (ACT Human Rights Commission, 2020).

**Gillick competence**: Gillick competence is a term used in medical law to decide whether a child (under 16 years of age) is able to consent to their own medical treatment, without the need for parental permission or knowledge (AGA, 2020).

**Hare-Clark electoral system**: The Hare-Clark electoral system is a type of proportional representation system where electors vote by showing preferences for individual candidates. To be elected, a candidate needs to receive a quota of votes. Each elector has a single vote, which can be transferred from candidate to candidate according to the preferences shown until all the vacancies are filled (ACT Electoral Commission, 2020).



**Intersex**: Some people are born with variations in sex characteristics (such as sexual anatomy, reproductive organs, hormonal patterns and/or chromosomal patterns) that are more diverse than stereotypical definitions for male or female bodies. For some people, these traits are apparent prenatally or at birth, while for others they emerge later in life, often at puberty (Black et al. 2017, p. 2). Intersex bodies are healthy bodies that rarely require immediate surgical intervention.

**Knowledge economy**: A knowledge economy is an economy in which knowledge is treated as a major commodity and in which there is generation of, access to, and use of technological development in all sectors.

**LGBTQIA+**: LGBTQIA+ is an umbrella term respectfully used to refer to the diversity of people that are lesbian, gay, bisexual, transgender, queer, intersex and/or asexual. The term is also intended to capture diverse sexualities and gender identities, including (but not limited to) people who are agender, non-binary, gender fluid, questioning and pansexual, as well as people who prefer to use specialised personal terms to describe their own body, gender or sexuality.

**Local First Nations community**: Local First Nations community refers to all First Nations peoples who live, reside and/or work in the ACT community.

**Mental health**: A broad term referring to the social, psychological and emotional wellbeing of a person (HelpingMinds, 2020).

**Mental ill-health**: If mental health refers to a balanced state of mind, mental ill-health indicates that something is off-balance, off-centre and it is impacting on someone's ability to live a normal life (HelpingMinds, 2020).

**Mental illness**: A mental illness or disorder is classified more severe than mental ill-health. When mental health becomes mental ill-health, then mental illness can follow. Mental illness is a clinically diagnosable illness affecting how a person thinks and feels, behaves and interacts with other people and this can range from anxiety or depression, to eating disorders, bipolar or schizophrenia. These illnesses are a result of biological, developmental and/or social factors and can be managed with cognitive and behavioural psychological therapies, psychosocial support and medically in the same manner as a physical disease would be treated (Samaritans, 2020).

**Officers of the Assembly:** An Officer of the Assembly is a role created by Territory law to keep the government accountable in a certain area, such as elections, corruption, or interacting with the public. They are independent of the government of the day, appointed by the Speaker of the Legislative Assembly, and report through the Speaker to the Assembly rather than to a government minister. As of 2023, this includes the Auditor-General, the Electoral Commissioner, the Ombudsman and the ACT Integrity Commissioner.

**Remand in custody**: Under the Bail Act 1992, a person who is charged with an offence and refused bail is held on remand. This occurs initially in the police cells, with the person transferred to prison as soon as practicable. A prisoner who is on remand remains in custody until they are either



granted bail, found not guilty, or sentenced. If a person on remand is sentenced to imprisonment, the sentence will generally be backdated to the date they first came into custody (Dahlstrom, n.d.).

**Sexual orientation**: Sexual orientation refers to a person's sexual and/or romantic attraction to other people (AGA, 2020).

**Social Compact**: The 2012 ACT Social Compact is a statement of understanding about the relationship between the ACT Government and the community sector. It outlines principles of good communication and partnership for the benefit of all people and communities in the ACT (ACT Government 2012, p. 3).



# **REFERENCE LIST**

ACT Electoral Commission (2020, April). Fact sheet: Hare-Clark. https://www.elections.act.gov.au/education/act\_electoral\_commission\_fact\_sheets/fact\_sheets\_-\_ general\_html/elections\_act\_factsheet\_hare-clark\_electoral\_system

ACT Government (2012). The social compact: A relationship framework between the ACT Government and community sector.

ACT Human Rights Commission (2020, June). Gender identity. https://hrc.act.gov.au/discrimination/gender-identity-discrimination/

A Gender Agenda (AGA) (2020, June). Resources: Glossary. https://genderrights.org.au/resources/glossary/

Black, E., Bond, K., Briffa, T., Carpenter, M., Cody, C., David, A., Driver, B., Hannaford, C., Harlow, E., Hart, B., Hart, P., Leckey, D., Lum, S., Mitchell, M. B., Nyhuis, E., O'Callaghan, B., Perrin, S., Smith, C., Williams, T., Yang, I. & Yovanovic, G. (2017). Darlington statement: Joint consensus statement from the intersex community retreat in Darlington, March 2017. Sydney, NSW. http://darlington.org.au/statement/

Dahlstrom, F. (n.d.). Imprisonment (ACT). https://www.gotocourt.com.au/criminallaw/act/imprisonment/

HelpingMinds (2020, June). Mental health versus mental ill-health. https://helpingminds.org.au/what-is-mental-illness/

Samaritans (2020, June). Mental health vs mental illness: Knowing the difference, and where to get help. https://www.samaritans.org.au/news\_article/mental-health-vs-mentalillness/

Wighton, A. & Smith, D. (2017). Common roots, common futures: Indigenous pathways to self-determination. (Preliminary report into Indigenous governance education and training in Australia). Australian Indigenous Governance Institute, Canberra.