



Who are we?

The South Australian Law Reform Institute (SALRI) conducts inquiries—also known as references—into areas of law. The areas of law are determined by the SALRI Advisory Board and sometimes at the request of the Attorney-General of South Australia. Based on its research and consultations throughout an inquiry, SALRI makes recommendations to government so that government can make informed decisions about law reform. SALRI's recommendations do not automatically become law, but they may be acted upon by the government.

SALRI was established in December 2010 under an agreement between the Attorney-General of South Australia, the University of Adelaide and the Law Society of South Australia. It is based at the Adelaide Law School.

LGBTIQ Reference

SALRI's latest reference is one that has relevance for the lives of many South Australians. It is about identifying the laws and regulations in South Australia that discriminate against - that is treat unfairly - people due to their sexuality or their sex and gender diversity. This includes laws that discriminate against lesbians, gays, bisexuals, transsexuals and transgender people and intersex people. SALRI has described this as its 'LGBTIQ Reference' (see Note on Terminology below).

The SALRI Advisory Board accepted this reference from the Attorney-General, The Hon. John Rau, MP. The reference was announced as part of His Excellency the Honourable Hieu Van Le AO's speech at the opening of Parliament on Tuesday 10 February 2015.

The first step in this large and challenging project is to work out which South Australian laws and regulations discriminate on the basis of sexual orientation, gender, gender identity or intersex status.

Your help is needed

SALRI has already identified a range of laws that fit this description, but is looking for your help to work out what laws have the biggest impact on the lives of LGBTIQ people.

We will let you know when the formal submission process will begin, but in the meantime if you have expertise or an experience to share, please email SALRI at salri@adelaide.edu.au so we can make sure that we hear from you.

What is the process?

When it starts inquiring into an area of law, SALRI has a number of objectives including to review the law and research on law reform options that would modernise the law, fix any problems in the law, consolidate areas of overlapping law, remove unnecessary laws, or bring South Australian law into line with other States and Territories. SALRI generally does this by consulting with experts and the community, preparing reports that set out what the law says, where the law may need to be improved, and developing options and recommendations for law reform.

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SALRI is an independent body and its recommendations to the Government of the day reflect impartial research and consultation.

What do you need to do?

The public consultation process is now open and submissions close at 5.30pm on **Monday 6 July 2015**.

An [online feedback form](#) has been provided on the SA Government's [YourSAy website](#) for electronic submissions. Alternatively, you can send written feedback via email or post.

Email: salri@adelaide.edu.au

Post: South Australian Law Reform Institute
Adelaide Law School
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If you are interested in finding out more information about SALRI generally, please visit our webpage at: <https://law.adelaide.edu.au/research/law-reform-institute/>.

Note on Terminology

SALRI recognises that it is the right of individuals to identify their sexual orientation and sex and/or gender. SALRI also recognises that terminology is strongly contested, particularly terminology to describe sex and/or gender identity.

SALRI is interested in hearing your views about what terminology is appropriate as it undertakes its audit of South Australian law. In the meantime, SALRI intends to broadly follow the Australian Human Rights Commission's approach. Some key terms are explained below:

Gender: refers to the way in which a person identifies or expresses their masculine or feminine characteristics. Gender is generally understood as a social and cultural construction. A person's gender identity or gender expression is not always exclusively male or female and may or may not correspond to their sex.

Gender identity: refers to a person's deeply held internal and individual sense of gender.

Intersex: refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.

LGBTIQ: an acronym which is used to describe lesbian, gay, bisexual, trans, intersex and queer people collectively. Many sub-groups form part of the larger LGBTIQ movement.

Sex: refers to a person's biological characteristics. A person's sex is usually described as being male or female.

Sexual orientation: refers to a person's emotional or sexual attraction to another person, which can include the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.

Trans: a general term for a person whose gender identity is different to their sex at birth. A trans person may take steps to live permanently in their nominated sex with or without medical treatment.

SALRI also frequently uses the phrase '**sex and/or gender diversity**' in our work. This term is used to refer to the whole spectrum of sex and/or gender in our community. It aims to include all people regardless of whether they identify within or outside of the binary gender framework.

10 June 2015

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