

1.3.2022



**Fair Go for
Queensland
Women**

Thank you for the opportunity to provide response in relation to the review of Queensland's *Anti-Discrimination Act 1991*.

Fair Go for Queensland Women was formed in late 2018 in response to concerning international and local developments in relation to the sex-based rights, and safeguarding measures for women and girls being subsumed, removed and ignored in favour of 'gender identity'.

There must be balanced discussion regarding these issues. In order for that to occur, those who advocate on behalf of women's and girls' interests, as we do, must not be smeared, harassed, abused and threatened for their beliefs, beliefs which we contend are supported by objective evidence. We do not believe humans can change sex, a contention that is widely supported by long standing and objective evidence. We do not believe that a man saying he is transgender can or should require others to use wrong sex pronouns, allow him entry to female only spaces, services or to benefit from allowances made to address the sex-based oppression of women or the specific needs we have due to our sex. We do not believe that it is a right for males to appropriate the words and language that describe us. We further contend that the Queensland *Human Rights Act 2019* protects our freedom of expression and belief in this regard.

We adjure the QHRC to consider fully the potential ramifications of removing sex as a protected characteristic, making the mistake of treating sex and gender as the same or conflating the two separate characteristics. Women as a sex class have specific needs and those needs, unfortunately, must be supported by legislation due to the enduring sexism that continues unabated in our community.

We live in a sexist world. Women and girls are confronted by images and messages that tell us we are 'less than' because of our sex every day. It is relentless. Be it through movies and books, advertising that tells us we must wear make-up, be thin and be sexually available to men, to violent pornography that dehumanises and objectifies us and increasingly presents us as willing participants in acts that humiliate, degrade and torture us, to the notion that 'sex work is work'. Women and girls' health needs are not prioritised, sexual and physical violence victimisation via male violence is rife, superannuation deficits and older women facing homelessness are profound issues facing women. It is not possible for these indignities and issues to be described by any other means but as sex-based oppression and discrimination. That is why we became very concerned to learn that, by virtue of 'gender identity', males have been enabled or encouraged to believe they are entitled to utilise protections and affirmative action policies set for women and girls, based on our sex, because of their transgender 'gender identity'. We do not accept that males can be impacted by societal influences that subjugate women by virtue of their sex and we reject utterly that the notion that humans can change sex.

Definitions

Sex is a phenomenon that can be objectively described and measured. Gender identity is not quite so. If laws are to be made about certain phenomenon, surely it is right and fair that those terms be able to be defined and objectively measured and observed.

We describe and define women as adult human females. Girls are juvenile human females.

Regardless of gender identity, female Queenslanders are vulnerable to discrimination because of our sex. These issues include those related to our sex and require legislative protections. They include: sex selective abortions, sexual exploitation and abuse, sexual assault, domestic violence, female infanticide, femicide, lack of representation, reproductive coercion and exploitation, bereavement as a result of filicide and family annihilation, menstruation, child marriage, period stigma, period poverty, female genital mutilation, abortion, miscarriage, deficits in basic health care research and prioritisation, pregnancy, child care and rearing responsibilities, breastfeeding, superannuation deficits as a result of child bearing and rearing related career breaks, homelessness risks and experiences of older women. Research also shows that even when women have been victimised, they are less likely to be believed, due to their sex. This is an important factor to be raised later in this submission.

Sex and gender identity are two separate issues. Indeed, many people do not believe in the notion that everyone has a 'gender identity' anymore than it is true to say everyone believes in a God or spirituality. We submit that to require others to participate in the behaviours associated with transgender beliefs is to limit a person's freedom of belief. We ask, that at a minimum, the QHRC insist on terms that have a coherent meaning that can be observed and quantified, does it include men who cross dress sometimes? Does it include men who admit that their gender identity has arisen as a result of excessive pornography exposure? What does it mean for women's safety, privacy and dignity?

Erasure, dehumanisation and objectification of women and girls

Language matters. The word woman is the collective noun for adult human females, it does not include males and, being that it describes 51% of the population, we argue that this is quite 'inclusive' enough of a term. Similarly, 'man' is the common word for adult human males. Every other mammal we are aware of has a distinct noun to describe members of each sex. Why should women not have a word of their own that does not include men and males?

Increasingly women and girls are being subjected to 'inclusive language' in a variety of media, including health promotion. It is evident that the same actors who call women 'menstruators', 'cervix owners', 'bleeders' and the like are utilising no such language in their discussions regarding men (nor do we propose that they should, for the very same reasons women should not be referred to in such ways). We submit that this is clearly a discriminatory practice targeted against women and girls on the basis of sex, and that the QHRC would be within their remit to take an interest in addressing and rectifying this issue. We know from decades of research into male violence that the foundations of said violence are linked to the objectification and dehumanisation of women and girls. We submit that 'inclusive language' is a prime example of such dehumanisation.

Some definitions provided by transgender organisations and activists to describe 'transgender' and 'women' include:

- Stonewall says: "Trans is an umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth." It goes on to say:

“An umbrella term to describe people whose gender is not the same as, or does not sit comfortably with, the sex they were assigned at birth. Trans people may describe themselves using one or more of a wide variety of terms, including (but not limited to) transgender, transsexual, gender-queer (GQ), gender-fluid, non-binary, gender-variant, crossdresser, genderless, agender, nongender, third gender, bi-gender, trans man, trans woman, trans masculine, trans feminine and neutrois.” When you look to find out ‘gender’ in this context means: “Often expressed in terms of masculinity and femininity, gender is largely culturally determined and is assumed from the sex assigned at birth.” While sex is described as “Assigned to a person on the basis of primary sex characteristics (genitalia) and reproductive functions. Sometimes the terms ‘sex’ and ‘gender’ are interchanged to mean ‘male’ or ‘female’.”

- Grace Lavery, a male who identifies as transgender and academic of University of California, Berkeley, suggests that a woman is "a person who is, or has been, presumed to adopt a passive role in sexual intercourse and a reproductive role in the economy". We submit that this is unadulterated sexism. Further, Lavery has also said that "there is something about being treated like shit that feels like affirmation (of womanhood) itself, like a cry of delight from the deepest cavern of my breast. To be the victim of honest, undisguised sexism possesses an exhilarating vitality."
- One twitter pundit has said that a woman is a person of the ‘feminine gender’ and one who is “having female sexuality” ie: attracted to ‘masculine men and desiring to be penetrated’. Another has said a female is a person who wears a bra.
- Andrea Long Chu, a male who identifies as transgender and author of the book “Females: A Concern” has said that “Femaleness is a universal sex defined by self-negation... I’ll define as female any psychic operation in which the self is sacrificed to make room for the desires of another...[The] barest essentials [of femaleness are] an open mouth, an expectant asshole, blank, blank eyes”.
- “someone who performs the female gender”
- “someone whose brain is female you dumb b*tch”
- “anyone who has the instinct to be female”
- The Queensland Government information regarding Office for Women grants says that a woman is anyone who ‘identifies as a woman’. How does a person not female ‘identify’ as being a woman? What are they identifying with, exactly, in the absence of actually being a woman?
- Shon Faye describes women as “A loose, shifting constellation of biological, political and cultural phenomena which varies according to context, place & time”
- Aaron Phillip, quoted by UN Women:” Every woman is a woman. Women are multifaceted, intergenerational, international. They are limitless, formless...women are the world”
- Laurie Penny describes women as “Girl-flavoured person”

Defining women, we hope you agree, in this manner is the epitome of sex discrimination. We are not something only defined by our clothes, by our presumed submission or by what others expect of us. We are simply and objectively adult human females, a definition that was quite sufficient until very recently. We submit that referring to us in ways that are not clear, that rely on sexist stereotypes or in a circular manner is discriminatory, objectifying and demeaning. We submit that the QHRC has a role to play in ensuring that the oppressed majority that is women and girls are not reduced to such terms.

As sex and gender identity are two distinct issues, it is vital they are not conflated. This means that rights set aside for women, such as single sex spaces, services, and sports, must be clearly identified and protected. Wherever jurisdictions have conflated sex and gender identity there have been negative outcomes for women and girls. Examples of this include the ‘inclusion’ of males in women and girls’ sports categories, placing males in the women’s prison estate and not providing for single sex spaces for women and girls.

Safety, privacy, dignity

Various activists over the past months have spoken out in support of ‘trans rights’ by rejecting the needs of women and girls. This includes, but is not limited to, activists prioritising the identity validation of males who say they are transgender over the safety and wellbeing of women and girls. In some instances, activists with vested interests in this area have also sought to enlist the power of the policing arm of government to further their goals.

Males perpetrate the majority of violence in our community, and indeed this is an enduring pattern evident across time and across cultures and countries. We have been able to confirm is also the case in Queensland this via Right to Information requests to Dept of Corrective Services. We found that males who identify as transgender represent the vast majority of transgender individuals imprisoned in Queensland correctional centres. This aligns with what we already know about male vs female offending and criminality.

One issue that is of particular concern is the erosion of single sex spaces and effective conversion of those spaces to mixed sex spaces by virtue of policies that enable males who identify as transgender entry. This will ultimately remove the social sanctions and recourse available should any male enter or be present in such spaces. This has resulted in disastrous outcomes for more than a few women and girls. Women and girls have sex segregated spaces to allow us to engage in public life, to receive specific services in a trauma-informed manner, for our freedom of association as well as to provide a modicum of safety from male violence, issues we believe the QHRC should rightly concern itself with.

Significant issues are apparent in relation to sexual offences, as found in other jurisdictions. Table 3 presents data obtained in relation to the most serious charge/conviction of aggravated sexual assault in Queensland for the years 2013 - 2019.

Year (as at 30 June)	Male (Total male prisoners)	Males who identify as transgender (total prisoners in this cohort)	Females (Total female prisoners)	Females who identify as transgender (Total prisoners for this cohort)
2013	642 (5523)	3 (17)	6 (536)	0 (0)
2014	657 (6364)	3 (16)	7 (669)	0 (0)
2015	711 (6590)	4 (22)	8 (707)	0 (0)
2016	724 (7073)	5 (25)	10 (681)	0 (1)
2017	783 (7750)	8 (31)	9 (698)	0 (0)
2018	929 (7976)	3 (24)	6 (837)	1 (1)
2019	958 (7890)	5 (27)	10 (855)	1 (1)

The data above shows that, males far exceed females every year and this pattern is repeated in relation to those who self identified as transgender. We note too that even though the transgender population is small, some say about 1% of the population, males who identify as transgender were

incarcerated in similar numbers to all Qld women charged or convicted of this crime for the relevant years. Of particular concern is that for 2017, males who identified as transgender and charged/convicted of aggravated sexual assault made up fully 25% of the total inmate count for the same cohort and almost equalled the number of women incarcerated for the same charge/conviction. Should those same males be legally permitted to transfer to the female estate, we submit that would comprise considerable risk to the female population, and, arguably, staff.

More broadly, there must be discussion and consideration of how basic safeguarding practices will be impaired if sex and gender identity are conflated in legislation and policy and social sanctions against males entering spaces where women are vulnerable are eroded. The provision of single sex amenities enables women to engage in public life, removing those spaces will lead to women being harmed in addition to self-excluding due to safety concerns as well as to preserve their privacy and dignity.

Sport

A review of sports performance data for 85,000 Australian children aged 9-17 years found that males possess advantages over females across a number of factors. This coincides with what a reasonable observer would note across a range of sports. World Rugby undertook a detailed review of the evidence related to how best to try and balance fairness, safety and transgender inclusion and found that it is not possible to uphold all 3 values at the same time. Fairness and safety for women and girls participating in sport requires the retention of female only sports. By not providing for women and girls to have access to safe and fair competition, women and girls are being discriminated against due to their sex. A further review by the UK Sport Councils reached similar outcomes, whilst also identifying that those who are aware of the unfairness and lack of safety inherent in allowing males to be included in the female sports division are considerably fearful of saying so due to fears of harassment and abuse by activists.

It is unfortunate that the QHRC has chosen in documentation related to transgender students to imply that knowing the basics regarding boys having sporting advantages over girls is akin to racism. We submit that all might benefit from everyone abstaining from such behaviour in this review and moving forward.

Sexual orientation

Australia voted in support of same sex marriage in 2017. It is shocking to see anyone try and erase homosexuality in favour of 'same gender' attraction. Just as the language used to describe the sexes cannot reasonably be subsumed to beliefs related to gender identity, so too must we hold on to accepted and meaningful language around sexual orientation. Lesbians in particular, but increasingly, gay men and people of all monosexual orientations are being told their sexual orientation is 'bigoted' if they are not willing to consider a sexual partner of the opposite sex to that which they are attracted to. There must be balance for all Queenslanders and it is quite frightening to see lesbians being targeted by males with abuse, harassment and threats of sexual and other violence because of their homosexuality, ie: same sex attraction.

Proponents of gender identity beliefs submit that, if someone identifies as transgender, they literally become the opposite sex, or they believe that other people's sexual orientation should include them by virtue of their own subjective beliefs. We refer QHRC to our previous correspondence on this

matter and urge you to consider, what becomes of same sex attracted people if they no longer have legal protections from abusive or discriminatory behaviour? We believe it is not in keeping with a welcoming and safe community to erase protections that lesbians and gay men fought so hard for, in favour of the beliefs of others who base their sexual orientation upon different criterion.

For the reasons outlined above and during our earlier discussion with QHRC we urge careful consideration of the rights and needs of women and girls whilst reviewing the Act to ensure that there is fairness and balance for all Queenslanders. Thank you again for the opportunity to participate in this review.

Further information and links

Definitions and terminology

Stonewall definitions: [What Does Trans Mean? \(stonewall.org.uk\)](https://www.stonewall.org.uk/what-does-trans-mean/)

[List of LGBTQ+ terms \(stonewall.org.uk\)](https://www.stonewall.org.uk/terms/)

Woman in a 'feminine gender' 'desiring to be penetrated' :

https://twitter.com/NoName_xx_ahf/status/1488562406464839681?s=20&t=8fr3znkNWWD_DhmMrP8fKg

Lavery's definition of 'woman'

https://twitter.com/graceelavery/status/1405661319903289344?s=20&t=8fr3znkNWWD_DhmMrP8fKg

"Performs the female gender" :

Someone whose brain is female:

https://twitter.com/definewoman/status/1321640264130273280?s=20&t=8fr3znkNWWD_DhmMrP8fKg

Instinct to be female:

https://twitter.com/definewoman/status/1311861701877403649?s=20&t=8fr3znkNWWD_DhmMrP8fKg

Someone who participates in some form of femininity:

https://twitter.com/definewoman/status/1313882067843911685?s=20&t=8fr3znkNWWD_DhmMrP8fKg

Shon Faye, Aaron Philip, Laurie Penny and others:

[What is a woman \(or female\)? \(thehelenjoyce.com\)](https://www.thehelenjoyce.com/what-is-a-woman-or-female/)

'Inclusive' language

[Woman Writes to Gov't Officials, NHS Over Gender ID's Rollback of Women's Rights - Women Are Human](https://www.bbc.com/news/health-60888888)

Important recent article outlining the risks of desexing language

[https://www.frontiersin.org/articles/10.3389/fqwh.2022.818856/full?utm_source=Email_to_authors&utm_medium=Email&utm_content=T1_11.5e1_author&utm_campaign=Email_publication&field=&journalName=Frontiers in Global Women](https://www.frontiersin.org/articles/10.3389/fqwh.2022.818856/full?utm_source=Email_to_authors&utm_medium=Email&utm_content=T1_11.5e1_author&utm_campaign=Email_publication&field=&journalName=Frontiers%20in%20Global%20Women)

Male violence and criminality

[Loudoun County father arrested at school meeting says daughter was raped by boy in girls' bathroom | Daily Mail Online](https://www.dailymail.co.uk/news/US-news/article-11888888)

Fair Play for Women in the UK have done outstanding and detailed work in this area for some time. The link to their research page, which includes reports re the women's sector 'Giving a Voice to Silenced Women' and transgender prison data is here: [Our research • Fair Play For Women](#)

On male violence: [Female sex offenders in the media | Fair Play For Women](#)

Testimonies from Canadian women incarcerated with male prisoners who identify as transgender is here:

[Gender Dissent on Twitter: "\[OBJ\]"The Prison Letters: testimonials from women incarcerated with men in Canada @Mason134211f https://t.co/vdvL2ZXxUm" / Twitter](#)

Single sex spaces and services

['Transgender' Adult Molested Girl, Aged 10, in Bathroom; DA Condemned as Soft-on-Crime - Women Are Human](#)

[Warning after transgender sex offender placed in women's hostel \(thecourier.co.uk\)](#)

[Charges filed against Darren Agee Merager in Wi Spa case \(nypost.com\)](#)

[Why do we keep banging on about the importance of single sex spaces for women who have been subjected to men's violence*? - Woman's Place UK \(womansplaceuk.org\)](#)

[Teammates are uneasy changing in locker room with trans UPenn swimmer Lia Thomas \(nypost.com\)](#)

Sport

World Rugby review summary: [Transgender Research Summary of data ENGLISH 09.10.2020 \(world.rugby\)](#)

Ross Tucker of The Science of Sport podcast discussing the UK Sport Council review: <https://player.fm/series/the-real-science-of-sport-podcast/bonus-episode-it-is-time-to-choose-how-a-new-transgender-guidance-policy-shifts-the-conversation-and-demands-difficult-decisions>

The review can be accessed here: [Transgender inclusion in domestic sport guidance published | UK Sport](#)

A large review demonstrating that male children have sporting advantages even prior to puberty:

<https://bjsm.bmj.com/content/47/2/98.short>

Article by Hilton and Lundberg re testosterone suppression being ineffective to ensure fairness: <https://pubmed.ncbi.nlm.nih.gov/33289906/>

[BoysVsWomen.com](#)

Sexual orientation

['We're being pressured into sex by some trans women' - BBC News](#)

[LESBIANS AT GROUND ZERO \(gettheloutuk.com\)](#)

[Media Blackout on Dana Rivers "Michfest" Murder Trial – GenderTrending](#)

[Dana Rivers Updates — Kara Dansky](#)

[Stonewall brands lesbians 'sexual racists' for raising concerns about sex with transgender women | Daily Mail Online](#)