



## Australian Government

### Department of the Prime Minister and Cabinet

ANDREW FISHER BUILDING  
ONE NATIONAL CIRCUIT  
BARTON

Reference: MC19-056526

Ms Anna Kerr  
anna@feministlegal.org

Dear Ms Kerr

Thank you for your email dated 29 August 2019 to the Minister for Women, the Hon Marise Payne, regarding the impact of transgender activism on the rights of women and girls. I have been asked to reply on the Minister's behalf.

The Australian Government recognises the importance of ensuring that measures designed to protect and advance women's rights continue to achieve those goals. It is also critical to ensure that all people are entitled to safety, respect, dignity and the opportunity to participate in society and receive the protection of the law regardless of their sexual orientation, gender identity or intersex status. A legally recognised transgender woman has the right to be treated in the same way that all other women are treated, including the right to be considered for a job that is for women only, and to receive a service for women only. Legislative and policy reform relating to the issuing or altering of birth certificates is primarily a matter for the state and territory governments.

The Australian Human Rights Commission, in partnership with Sport Australia and the Coalition of Major Professional and Participation Sports has released Guidelines for the inclusion of transgender and gender diverse people in sport. These Guidelines are not compulsory but provide guidance to sporting organisations on promoting the inclusion and participation of transgender and gender diverse people in sport. The Guidelines also provide information about the operation of the Sex Discrimination Act in relation to discrimination on the basis of sex and gender identity and sexual harassment. We are not aware of evidence that suggests transgender women pose an inherent risk to others in women's only spaces.

The Minister's office will be in touch if an opportunity arises to meet.

Thank you for bringing this issue to the Minister's attention.

Yours sincerely



Kathryn Mandla  
Assistant Secretary  
Office for Women  
30 October 2019