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Mr David Gonski AC
Chancellor
UNSW Council

Monday 13 September 2021

By email: council@unsw.edu.au

Dear Mr Gonski & fellow Council Members

Gender Affirmation Guidelines Undermining Academic Freedom

FLC is a not for profit community legal service based in Sydney that works to advance the human rights of women and girls. We have been contacted by academics who are concerned by the imposition of a [“Gender Affirmation Guideline”](#) on university staff and students at the University of NSW.

It is very concerning to see one of Australia’s leading universities publishing a document which conflates and confuses the concept of biological sex with that of socially constructed notions of gender identity. It is also disturbing to see the university refusing to uphold women’s rights to sex specific facilities and opportunities and thereby failing in their duty of care to prioritise the safety and well-being of their female students. Furthermore, this document may well unwittingly encourage some young people to take harmful action which they may later deeply regret. Our work with individuals who have detransitioned indicates that the risks associated with a heavy-handed gender affirmation approach are considerable.

While this “Gender Affirmation Guideline” may have been introduced with the best of intentions, in practice it has the effect of curtailing academic freedom and preventing much needed discussion and debate on a topic of significant public interest. Indeed, it effectively mandates that staff embrace contentious gender ideology under threat of disciplinary proceedings if a student complains that they have not been sufficiently supported in their gender affirmation.

We note that this guideline defers to the authority of ACON’s Transhub Glossary for guidance as to “correct terminology and language”. We are aware that ACON is involved in setting an agenda in NSW in a variety of contexts that is significantly harmful to the human rights of women and children. We note this organisation is affiliated with international groups such as ILGA, which receive considerable funding to advance trans ideology and the sex industry. It is disturbing that ACON is now dictating the language and actions to be adopted by the state’s leading academics.

Your UNSW Governance – Policy Hierarchy states that *“Compliance with Guidelines is not mandatory, however staff and students are strongly encouraged to comply with Guidelines wherever possible.”* We understand that the definitive document for UNSW is your *Academic Freedom and Freedom of Speech Code of Conduct* which provides that, in summary, speech is only to be limited by law or the wellbeing of students. Nevertheless, we feel more must be done to ensure academics do not have the impression that departure from these Gender Affirmation Guidelines may ground disciplinary proceedings against them.

We would appreciate hearing from you as soon as possible about what UNSW Council is doing to ensure this guideline is withdrawn or modified to ensure academics do not feel compelled to propagate damaging gender ideology.

Please do not hesitate to contact the writer on 0402 467476 if further information is required. We are happy to meet with you and expand on our concerns if required.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Anna Kerr', with a stylized flourish at the end.

Anna Kerr
Principal Solicitor