

Response ID ANON-NGQJ-YNND-9

Submitted to All-gender sanitary facilities

Submitted on 2024-06-26 10:49:25

General information

1 Important: Please ensure that you have read and understood the below statements before proceeding

2 By making a submission to this consultation you agree to the collection of the information you provide in your submission; and the use and disclosure of the information you provide in your submission as outlined above.

Publish response

3 What is your name?

Name:

Anna Kerr

4 What is your email address?

Email:

anna@feministlegal.org

5 Are you completing this submission on behalf of an organisation or as an individual?

Organisation

If completing on behalf of your organisation, please provide the organisation name:

Feminist Legal Clinic Inc.

Section F Sanitary and Other Facilities

1 Do you agree the proposed changes to the NCC will make it easier to provide all-gender facilities?

No

If you would like to provide additional information to support your answer, please do so below:

Substituting the socially constructed and fluid concept of 'gender' for the term 'sex' is a recipe for confusion and misunderstanding.

2 Are there any sections or clauses of the proposed changes that you find unclear or difficult to interpret?

Yes

Select clause:

Both F4D3 and F4D4

If you would like to provide additional information to support your answer, please do so below:

The concept of gender defies clear definition and these amendments will undermine the sex-based rights of women and girls to the safety and privacy of female only facilities.

3 Noting the voluntary nature of the proposed amendments to Section F, F4 Sanitary and Other Facilities, Clause F4D3 and F4D4, are there any unintended consequences or potential challenges that you foresee because of the proposed changes?

Yes

Select clause:

Both F4D3 and F4D4

If you would like to provide additional information to support your answer, please do so below:

I foresee endless litigation as more and more women experience the unintended consequences of losing the female facilities fought for by earlier generations of feminists. Exclusively female communal spaces are increasingly rare and essential for the safety and well-being of women in girls in a society in which male violence and sexually predatory behaviour is endemic.

4 Noting the voluntary nature of the proposed amendments to Section F, F4 Sanitary and Other Facilities, Clause F4D3 and F4D4, are there any potential economic impacts, such as cost implications, associated with the proposed changes that you would like to highlight?

Yes

Select clause:
Both F4D3 and F4D4

If you would like to provide additional information to support your answer, please do so below:
The cost of providing additional unisex toilets would be well worth it as long as they do not come at the expense of female only facilities.

5 Do you have any recommendations for amendments, additions, or deletions from the proposed changes to improve its clarity, effectiveness or relevance?

Yes

Select clause:
Both F4D3 and F4D4

If you would like to provide additional information to support your answer, please do so below:
I recommend not giving in to the powerful trans lobby and instead consulting with services such as our own which continue to prioritise the safety and well-being of women and girls over the inappropriate demands of a minority of males.

Changes in terminology 'gender' instead of 'sex' and 'accessible' instead of 'unisex'

1 Do you agree with replacing and consistently using 'gender' instead of 'sex' and 'accessible' instead of 'unisex' throughout the NCC?

No

If you would like to provide additional information to support your answer, please do so below:
We have had lengthy involvement in litigation on behalf of clients arising from legislative and policy changes in which the concept of "gender" has been substituted for or conflated with "sex".

2 Do you have any recommendations for amendments, additions, or deletions from the proposed change in terminology to improve its clarity, effectiveness or relevance?

Yes

If you would like to provide additional information to support your answer, please do so below:
Do not make the proposed changes. They are a recipe for future litigation. I am happy to be contacted for more detailed consultation.

3 Are there any unintended consequences or potential challenges that you foresee because of the proposed change in terminology?

Yes

If you would like to provide additional information to support your answer, please do so below:
It is foreseeable that these amendments will undermine sex-based rights, and expose women and girls to risks to their safety. You have a duty of care to women and girls not to make the proposed changes. There is a great deal of material documenting the harm to women and girls from male sexual perpetrators who are emboldened by changes such as these to enter female facilities. There is no means of distinguishing between males who earnestly suffer from gender dysphoria and those who are sexual offenders and opportunists.

Additional feedback

1 Is there anything else you would like to add or additional feedback you believe is important for us to consider as part of this consultation?

Provide answer below:
Please consider the content of our news digest blog which demonstrates the implications of passing ill-considered amendments that impact on women and girl's sex-based rights. <https://feministlegal.org/?s=toilets>. I am happy to be contacted personally if more information is required.

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