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Australian Human Rights Commission

By email: TGD.Submissions@humanrights.gov.au.

Sunday 5 May 2024

Submissions on current and emerging threats to TGD human rights

Feminist Legal Clinic Inc. is a community legal service established to advance the human rights of women and girls. The writer has qualifications in law and psychology and a long history of working with clients who identify as trans and gender diverse. We thank you for your email of 5 March 2024 assuring us that you will accept submissions from organisations such as ours that have taken an interest in this area.

1. Threat to Health and Well Being

In the context of our work, we have necessarily taken an interest in current and emerging threats to the human rights of women and girls who identify, or have identified, as trans and gender diverse. Feminist Legal Clinic has been contacted by many women who have been fast tracked into harmful 'gender affirming' interventions (breast binders, puberty blockers, cross-sex hormones and surgeries) while young or otherwise psychologically vulnerable. They have later come to deeply regret these assaults on their healthy bodies.

The harms suffered include unwanted changes to their appearance and presentation - damaged or removed breast tissue, deepened voice, clitoral enlargement, acne and male pattern hair growth and loss - as well as major impacts on their health including sterility, sexual dysfunction, vaginal pain and atrophy, premature menopause, decreased bone density and other long-term effects yet to be fully documented.

These women, who are often referred to as 'detransitioners', are suffering deep trauma and have found it extremely difficult to access support from mainstream funded services. We confidentially assist them to find suitably qualified medical negligence lawyers to take carriage of their cases. Unfortunately, some have been too fearful to bring legal action due to recriminations from those promoting gender identity ideology.

These women have suffered devastating and irreversible harm for which no sum of money will ever adequately compensate. However, those who have contacted us are often motivated to secure change so that no further women and girls are exposed to the suffering they have had to endure. They describe being fast tracked into hormones and surgeries by doctors seemingly unconcerned with exploring their co-

morbidities, histories of trauma or ensuring they receive appropriate therapy prior to embarking on such drastic treatments.

Often these women have gone on to identify as lesbians and feel that the gender affirming interventions applied to them were a drastic form of conversion therapy. Many older lesbians tell us they share this concern and worry that the lesbian community is being targeted for eradication. Unfortunately, these voices are not being fairly represented in the Australian media.

We note the final report of the Cass Review recently released in the United Kingdom concludes that there is insufficient evidence to support the gender affirmation model of treatment. We urge the Commission to adopt the report's recommendations and immediately cease its promotion of gender identity ideology. The Commission must now take steps to repair the harm done to the many young and vulnerable people who have been profoundly hurt by the fraudulent sex change industry.

2. Conservative backlash against the LGB Community

Many of our clients, members and supporters fall under the LGB umbrella, including some who identify as trans or non-binary or whose presentation simply does not conform with societally imposed sex stereotypes. They support the work we do to advocate for women's sex-based rights. However, they are concerned that extreme gender identity ideology, that denies the reality of biological sex, is provoking a conservative community backlash that is putting at risk the gains that have been made in winning societal acceptance of diversity in sexual orientation and gender expression generally.

We would urge the Commission to lead social change by adopting a more balanced and less divisive approach to this subject, that takes account of the very real concerns that women have about the impact of gender identity ideology on their sex-based rights. The Commission must recognise that extreme gender identity ideology inevitably undermines special measures intended to advance women's equality by ensuring their access to safe spaces, services, sport and opportunities.

Finally, we note with concern the absence of any specific service or group to provide support for 'detransitioners' and others who regret gender affirming medical interventions, among those resources listed on your website. We ask that this shortcoming be immediately addressed.

Feminist Legal Clinic would be more than happy to expand on any point raised in this short submission if required, including providing detailed case studies.

Yours faithfully



Anna Kerr

Principal Solicitor

Feminist Legal Clinic Inc.

Organization in Special Consultative Status with the Economic and Social Council (ECOSOC) since 2023.