

**Submission
No 49**

EQUALITY LEGISLATION AMENDMENT (LGBTIQA+) BILL 2023

Organisation: Coalition of Activist Lesbians (CoAL)
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Partially
Confidential

Submission to NSW Legislative Assembly Committee on Community Services
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Closing date for submissions: **14 April 2024**

TO: Clayton Barr MP, Committee Chair

We thank the Committee on Community Services for the opportunity to comment on the proposed Equality Legislation Amendment (LBTIQ+) Bill (the Bill). Our submission below sets out arguments as to why it should be **REJECTED**.

CoAL (Coalition of Activist Lesbians) is a national UN-accredited Non-Government Organisation, established 30 years ago in 1994 to advocate for the rights of Lesbians and work toward the end of discrimination against Lesbians. We are unfunded, relying entirely on voluntary work supported by a small financial contribution in membership fees from our mainly low-waged members.

CoAL has never placed itself under an LGBTIQ+ 'rainbow' umbrella, including that of Alex Greenwich and his coterie of urban trendsetters. One result is that we have been largely ignored by government inquiries that listen to and have become dominated by TQ+ lobby groups. We have not been swept up in the contagious TQ+ fad of gender identity that has spread from the Anglophone world to become a global phenomenon. We agree with Dansky, who has described gender identity (ie, TQ+) as "a movement for men's sexual entitlement" where "'transgenderism is misogynistic and antithetical to radical feminism. ... it's the ultimate penetration of our bodies by men.'" ¹

The TQ+ movement has caused significant erosion of Lesbian and women's rights in a confusion of cultural clashes and, competing knowledge claims about reality and the human body, and of demands they be incorporated into our legislative rights-based structures. Political leaders and their constituents in Australia are being tested yet again, now in NSW with this Bill.

Thankfully, an international resistance movement has also been developing among many organisations of different political beliefs here and internationally.² CoAL is part of that movement, along with AF4WR, LGB Alliance Australia and Women's Rights Network Australia. We want to help our NSW parliamentary representatives (especially those who want to be seen progressive) to understand the complexities of this highly divisive movement that professes itself as progressive yet wields complex, inconsistent, and irrational knowledge claims and beliefs about 'gender identity' to confuse and baffle. It is crucial that we succeed in leading a way out to a saner view of ourselves that restores meaning to the words 'woman,' 'man' and 'same sex orientation.'

Attached to this email is a document CoAL has prepared,³ to explain how this men's rights movement has been using a top-down well-funded strategy based on a *faux* human rights discourse to imply a progressive movement, while it surreptitiously targets powerful people like yourselves in government and other powerful actors on

¹ Dansky, K 2021, *The Abolition of Sex. How the 'Transgender Agenda' Harms Women and Girls*, Bombardier Books.

² WDI (Women's Declaration International) has published its [Declaration on Women's Sex-Based Rights](#), to which CoAL is one of the 153 organisations that are signatories. Further data on WDI support by nearly 40,000 individuals in 160 different countries provide evidence that the previous dominance of LGBTIQ+ is waning.

³ CoAL 2024, *The Dentons Manual for Coopting Governments & Corporations to the TQ+ Agenda. An analysis by the Coalition of Activist Lesbians (CoAL) Inc Australia*.

policy- and law-making. In addition, it targets influencers among youth, Lesbian and gay men to act as the drivers of desired social change for a small circle of trans activists.

CoAL rejects the contents of the proposed legislation because of its foundation in gender identity concepts and political activism that contradict long-established scientific and commonsense knowledge, and undermine the hard fought for sex-based rights of Lesbians and other women. (We make no comment on the small number of proposed amendments regarding intersex variations in sex characteristics that rely on sex -based differences, which we support.)

Our submission **OPPOSES** the Bill, and our reasons are outlined in the following three key areas of interest to the Committee:

1. The provisions of the Bill.
2. Operational issues for government agencies raised by the Bill.
3. Additional ways of improving the safety and wellbeing of the LGBTIQ+ community.

1. THE PROVISIONS OF THE BILL

This section begins by examining the potential harms of the Bill in the early years of life.

1a. Legislative harm to children and young people

We enumerate our many concerns about the Bill's threat to the health and safety of children and young people, many of whom are, or will be, Lesbian or gay in sexual orientation. CoAL **REJECTS** the following specific amendments set out in the proposed legislation.

- i. *Children and Young Persons (Care and Protection) Act 1998,*
- ii. *Children's Guardian Act 2019,*
- iii. *Births, Deaths and Marriages Registration Act 1995 No 62 - Schedule 2*
- iv. *Court Security Act 2005 No 1*
- v. *Crimes Act 1900 No 40*
- vi. *Crimes (Forensic Procedures) Act 2000 No 59*
- vii. *7 Amendment of Mental Health Act 2007 No 8*
- viii. *Sheriff Act 2005 No 6*
- ix. *Surrogacy Act 2010 No 102*

i. *Children and Young Persons (Care and Protection) Act 1998 No 157*

REJECTED

Schedule 3[2] provides that a person who is aged 16 years or above but who is under the age of 18 years may make a decision about the person's own medical or dental treatment as validly and effectively as an adult. For a person under the age of 16 years, a decision about the person's medical treatment may be made with the consent of one of the person's parents. A person under the age of 16 years may make a decision about their own medical or dental treatment in certain circumstances.

This amendment does not comply with existing medico-legal requirements for 'gender medicine' and seeks to significantly relax its safeguarding principles, despite the mounting evidence internationally that gender medicine has been carried out as an experiment that is neither safe nor effective. It allows a young person to undergo body modification without parental consent in 'certain circumstances', a term that is actually

uncertain. Nor does this legal document, which assumes consent of a rational adult individual, adequately address contemporary factors affecting the emotional and mental health of children and young people, such as COVID isolation, anxiety about future environmental degradation and the production of new communication technologies that can easily isolate and expose vulnerable young people to harm.⁴

The proposed amendment follows existing common law for more general medico-legal cases. For example, NSW Health⁵ uses the common law Gillick competence precedent, later adopted by the high Court of Australia (Secretary, Department of Health and Community Services v JWB and SMB (Marion's case) (1992)175 CLR 218) to assess a mature minor's ability to give consent. The NSW Health position is that "for a child to be 'Gillick competent,' he or she must have "sufficient understanding and intelligence to enable him or her to understand fully what is proposed even if their decision is deemed not to be in their best interests." This must be assessed on a case-by-case basis depending on the nature of the treatment proposed.

However, Gillick competency was for the case of a female minor who wanted to take the contraceptive pill without the knowledge or permission of her parents. In the case of 'gender medicine,' which is the arena that this proposed legislation positions itself, there is a high level of uncertainty about the safety, effectiveness and long-term consequences of medical treatments involving hormonal medications and/or surgery.⁶ Therefore, rightly, more stringent guidelines have been established by the Australian government,⁷ although these do not even go far enough in CoAL's view.

For example,

- Hormone treatment "usually starts at age 16 and the young person needs consent from all parents or legal guardians⁸.
- For 'gender affirming surgery,' the criteria are:
 - A history of gender incongruence (for 6 months or more).
 - The ability to make a fully informed decision.
 - Be over the age of 16 for top surgery, or 18 for bottom surgery. Some surgeons will provide surgery to younger people in very specific situations.
 - Ensure that any physical or mental health conditions are well managed."

In addition, the young person would need:

- "letters of support from a mental health professional before having gender affirming surgery."
- "For top surgery, one letter is required."

⁴ Australia's Youth Mental Health Crisis, QIMR Berghofer Medical Research Institute, https://www.qimrberghofer.edu.au/xmas2021/?gad_source=1&gclid=EAlaIQobChMI1NKgltS-hQMVXhj7Bx0HOAHMEAAyAAEgK3OfD_BwE; Haidt, Jonathon 2024, *The Anxious Generation. How the Great Rewiring of Childhood Is Causing an Epidemic of Mental Illness*, Penguin.

⁵ NSW Health 2014, *Youth Health Resource Kit. An Essential Guide for Workers*, Section 3.5 Medico-Legal Issues. <https://www.slhd.nsw.gov.au/RPA/research%5Ccontent/pdf/youth-health-resource-kit-sect-3-chap-5.pdf>

⁶ Cass Review. *Independent review of gender identity services for children and young people: Final report 2024*, NHS, <https://cass.independent-review.uk/home/publications/final-report/>.

⁷ Health Direct 2024, *Gender affirming surgery*, <https://www.healthdirect.gov.au/gender-affirming-surgery#legal>.

⁸ Health Direct 2024, *Gender incongruence*, [https://www.healthdirect.gov.au/gender-incongruence#:~:text=Resources%20and%20support-What%20is%20gender%20incongruence%3F,\(trans\)%20or%20gender%20diverse](https://www.healthdirect.gov.au/gender-incongruence#:~:text=Resources%20and%20support-What%20is%20gender%20incongruence%3F,(trans)%20or%20gender%20diverse).

- “For bottom surgery two letters are required.” “The letter needs to state that surgery is appropriate for (them) and is likely to help affirm (their) gender and reduce any gender dysphoria that may be present.’
- Furthermore, “for bottom surgery, (they) are also required to have ‘lived as (their) current gender’ for 12 months, meaning (they) have socially transitioned. If (they) are taking gender affirming hormones, or want to take hormones in the future, (they) should do this for 12 months before having surgery. This is to allow any significant body changes to occur before surgery.”

Despite these many precautions, there are weaknesses in this protocol, such as in the judgement about the young person’s ability to make a fully informed decision. Here is Keira Bell, a detransitioner who had been treated at the Tavistock Centre’s GID clinic in the UK:

I was a legal adult when it took place ... But I had been put on a pathway—puberty blockers to testosterone to surgery—when I was a troubled teen. As a result of the surgery, there’s nerve damage to my chest, and I don’t have sensation the way I used to. If I am able to have children, I will never breastfeed them.

Around the end of that first year post-surgery, something started happening: My brain was maturing. I thought about how I’d gotten where I was, and gave myself questions to contemplate. A big one was: “What makes me a man?”

I started realizing how many flaws there had been in my thought process, and how they had interacted with claims about gender that are increasingly found in the larger culture and that have been adopted at the Tavistock. I remembered my idea as a 14-year-old, that hormones and surgery would turn me into someone who appeared to be a man. Now, I was that person. But I recognized that I was very physically different from men. Living as a trans man helped me acknowledge that I was still a woman.

I also started to see what I was living out was based on stereotypes, that I was trying to assume the narrow identity of “masculine guy.” It was all making less and less sense. I was also concerned about the effect my transition would have on my ability to find a sexual partner.

Schedule 3[3] makes it clear that the consent of NCAT to the carrying out of special medical treatment on a child under section 175 is not required if a court has already consented to or approved the treatment, removing necessary

REJECTED

This amendment attempts to distance judicial oversight in favour of routinisation into an administrative process. Moreover, NCAT cannot be assured that the treatments carried out as ‘gender medicine’ are safe or effective⁹.

Guideline for Special Medical Treatment, under which ‘gender medicine’ consent would be considered, states:

“Before NCAT can consent to these treatments it must be satisfied that:

- The treatment is the only or most appropriate way of treating the person and is manifestly in the best interests of the person, and

⁹ Hughes, Mia 2024, *The WPATH Files*. Pseudoscientific Surgical and Hormonal Experiments on Children, Adolescents and Vulnerable Adults, Environmental Progress, <https://environmentalprogress.org/big-news/wpath-files> . Also see footnote 2.

- Where the National Health and Medical Research Council has prescribed guidelines relevant to carrying out the treatment, those guidelines have been or will be complied with.”

“If NCAT determines that the person is able to consent to the treatment, the decision about the treatment will be their own. In this case NCAT will not need to consider the issues of the appropriateness or need for the treatment.”

This removes safeguarding protections from vulnerable young people and is irresponsible.

ii. ***Children’s Guardian Act 2019 No 25***

ACCEPTED

Schedule 4 applies to variations of the sex characteristics of the child and, if relevant, those with parental responsibility for the child.

iii. ***Schedule 2. Amendment of Births, Deaths and Marriages Registration Act 1995 No 62***

REJECTED

Part 5A Acknowledgement of Sex

This amendment attempts to replace commonly accepted binary sex attributes with an almost unlimited variety of gender ‘descriptors’ that a person may use, and even gives examples drawn from gender politics. It sets no minimum requirement for having lived as someone of the chosen sex nor for any medical treatment and sets a minimum age of 16 years (Division 2, 32B). ‘Acknowledgement of sex’ appears to be an attempt at gender authentication by weakening birth sex as a descriptor, a language strategy similar to turning ‘sex’ into merely a claim of ‘sex assigned at birth.’

To apply, the person needs to provide a Statutory Declaration, stating the person identifies as the specified sex and wants “to live, as a person of that sex,” and signed by an adult who has known them for at least 12 months (again, there is no requirement that the person has been living as their chosen sex during that time).

People younger than 16 years are required to apply to NCAT, providing a written statement from a person they have chosen, who has provided counselling to them about: whether they should make the application and its implications.”

Parents/guardians are to be advised of the young person’s application unless the applicant “could be reasonably be expected to be adversely affected.” Parental disagreement causing discomfort to the applicant is not considered a sufficient cause to have an adverse effect on the applicant. Parents can apply for change of sex/name, but a similar Statutory Declaration is also required from the child.

In keeping with the secrecy surround much of gender ideology, Division 5 requires that a person’s previous recorded sex or name must not be disclosed (32F) and an acknowledgement of sex is, “for the purposes of a law of this State, a person of the sex stated in the record.” (Division 6, 32H) This is falsification of official government documentation and should not be allowed.

iv. ***Court Security Act 2005 No 1***

REJECTED

Under 'definitions' in this section, there is no requirement for even registration of an acknowledgement of sex under the NSW Births, Deaths and Marriage Registration Act 1995 or under jurisdictions elsewhere (Schedule 5, Section 4).

There is no consideration of safety of female minors, female adult prisoners or female officers, who are required under this amendment to perform duties with people who identify as transgender, because the government services have the escape clause "if reasonably available." Correctional services are notoriously under-staffed and men who identify as women will put staff (especially female) into danger.¹⁰

v. ***Crimes Act 1900 No 40***

REJECTED

Human trafficking gangs operate in Australia, despite legalisation of prostitution in NSW in 1988, and some activities (prostituting children, living off the earnings of prostitution outside of brothels) are still illegal.^{11,12} The Nordic model of decriminalised sexual services' that targets demand by criminalising the buying of 'sexual services' would be much more effective legislation.

vi. ***Schedule 9 Crimes (Forensic Procedures) Act 2000 No 59***

REJECTED

3(1) demonstrates confusion in defining 'private upper body parts', which state:

- (a) for a female person or other person with breasts—the person's breasts,
or
- (b) for a transgender male person or other person whose gender is neither exclusively male nor female—the person's chest area.

In other words, 'other person with breasts' implies 'transgender woman', but when following with 'transgender male person' equates them with having neither exclusively male nor female gender, despite the well-known activist refrain 'transwomen are women.' This focus on the sexually mature body does not consider children and young teens who identify as transgender.

Sections 50 and 51 must be rejected for the reasons given earlier for Amendment of Crimes Act 1900 No 40.

This section tries to change the meaning of a woman of reproductive years to 'a person who has the bodily capacity for pregnancy,' which is inaccurate for many women who identify as a man because surgery and/or hormonal treatment from an early age would have severely compromised their fertility.

vii. ***Mental Health Act 2007 No 8***

¹⁰ Sato, Kenji 2023, 'Inmates in lockdown, prisons closed due to chronic correctional officer staff shortages,' ABC, <https://www.abc.net.au/news/2023-06-14/inmates-in-lockdown-amid-chronic-prison-staff-storgaes/102454218>.

¹¹ 'McKenzie, Nick, Ballinger, Amelia & Tozer, Joel, 2022, "Trafficked Women shunted "like cattle" around Australia for sex work,' *The Age*, 30 October, <https://www.theage.com.au/politics/federal/trafficked-women-shunted-like-cattle-around-australia-for-sex-work-20221018-p5bqnd.html>.

¹² CATWA 2024, 'What are the prostitution laws in Australia?' <https://www.catwa.org.au/prostitution-laws-in-each-state/#:~:text=Prostitution%20in%20NSW%20is%20decriminalised,premises%20habitually%20use%20for%20prostitution>'.

REJECTED

This small, proposed amendment meets a long-term conflicting goal for activists to de-medicalise their condition as a mental illness while continuing to claim they need medical intervention.¹³ There is ample evidence to show that those who want to change their sex ('gender identity') have emotional, or mental illness due to experiencing homophobia (internalised or as external pressures) because of their homosexuality, bullying and/or ostracism because of their gender non-conforming appearance/behaviour, neurodiversity, childhood trauma, or social contagion for instance.¹⁴

viii. *Schedule 17 Sheriff Act 2005 No 6*

REJECTED

Section 3 should be rejected for the reasons given earlier for Amendment of Crimes Act 1900 No 40.

ix. *Surrogacy Act 2010 No 102*

REJECTED

These amendments focus on ownership of the surrogate child, with the aim of overcoming the restrictions of the Crimes Act 1900 that bans overseas exploitation of women for surrogacy, where poor young women would be likely to be included as targets. This is made even worse by Section 23, which removes the requirement for altruism, reducing the process to one of commercial exchange. Stories of women's experiences in the surrogacy trade, significant critical analyses of surrogacy detail links between prostitution and surrogacy, and an international perspective are available.¹⁵

1b. Legislative harm to Lesbians and other women

The Bill attempts to redefine 'sex' and 'sexual orientation' in law.

CoAL REJECTS the following amendment:

Schedule 1 Anti-Discrimination Act 1977 No 48; Schedule 2 Amendment of Births, Deaths and Marriages Registration Act 1995 No 62.)

Proposed amendments to this Act and others are designed to create the legal fiction that humans can be defined in terms of countless sexes according to each person's fancy. For example, amendments to the *Births, Deaths and Marriages Registration Act* would allow a person to register *any sex descriptor*, the loss of meaning in the words 'woman' and 'Lesbian' and to their rights. Gender adjectives then replace sex in law. They legalise the fiction that there are more than two sexes; an administrative/legal sex becomes a sex "that is not exclusively male or female", or consist of "agender", non-binary,

¹³ Johnston, Austin H 2018, 'Rejecting, reframing, and reintroducing: trans people's strategic engagement with the medicalisation of gender dysphoria,' *Sociology of Health & Illness*, Vol 41, Issue 3, 517-532.

¹⁴ 'Sharp Increase in Incidence of Gender Dysphoria in Children and Young People,' *SEGM*, <https://segm.org/>

¹⁵ Klein, Renate. 2017. *Surrogacy: A Human Rights Violation*. Mission Beach: Spinifex Press.; Devillers, Marie-Josèphe and Ana-Luana Stoicea Deram (eds). 2021. *Towards the Abolition of Surrogate Motherhood*. Mission Beach: Spinifex Press; Lahl, Jennifer, Melinda Tankard Reist and Renate Klein. 2019. *Broken Bonds: Surrogate Mothers Speak Out*. Mission Beach: Spinifex Press; Ekman, Kajsa Ekis. 2013. *Being and Being Bought: Prostitution, Surrogacy and the Split Self*. Melbourne: Spinifex Press.

genderqueer and other made-up sexes.. Sex needs to be separated from gender and connected only to biological sex, otherwise the meaning of woman can also mean its opposite. How can Parliaments protect the rights and welfare of women as a class, when that class no longer exists in law?

Further loss of Lesbian rights to freedom of association (Lesbian only space)

The Australian *Sex Discrimination Act* was introduced in 1984 to promote equality between women and men and was based on the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In that same year, South Australia's Equal Opportunity Act 1984 prohibited unfair treatment of citizens due to sex, sexual orientation and gender identity. This response to demands from QT+ lobbyists has caused legal conflict and confusion, which has resulted in prioritising men's interests over those of women, evidenced in the unjust treatment of Lesbians¹⁶ and women.¹⁷ Federally, Senator Greig (Democrat) introduced the Sexuality and Gender Identity Discrimination Bill in 2003, which lapsed in 2008. In 2013, further lobbying by TQ interest groups finally succeeded with the addition of a significant amendment to the *Sex Discrimination Act* by adding protections for sexual orientation, gender identity and intersex.

Trans identifying men were quick to exploit legislative changes and demand access to Lesbian spaces, starting with Lesbian conferences planned for Victoria in 2004 and in South Australia in 2006.¹⁸ Organisers cancelled both because of the high costs of ongoing litigation, and national Lesbian gatherings since then have gone underground—a far cry from the celebration of Lesbian culture at the Sydney Opera House Lesbian concert held in conjunction with the Lesbian Conference of 1991.

Lesbians lost their the right to freedom of association under CEDAW legally last year in Australia when the Australian Human Rights Commission (AHRC) denied an exemption under the *SDA*, to a Lesbian group—Lesbian Action Group (LAG)—that wanted to hold a Lesbian event at the Victorian Pride Centre (transgender members of the Centre had previously held more than one trans-only event). The judgement legally redefined a Lesbian to now include biological men. The rights of a small number of men who identify as Lesbians were placed above those of sex-based female Lesbians; it was an attack on Lesbian culture and removed Lesbians' opportunities for safe space free of male harassment.

This year, we have been witnessing another legal appeal (*Tickle v Giggle*) for women-only space where Lesbians and other women could meet online without male sexual harassment and intimidation. The AHRC is supporting the plaintiff, Roxanne Tickle, despite the defendant, Sall Grover, reporting constant, large-scale harassment from men wanting access to the dating service on the Giggle app.

Other sex-segregated spaces and services

Lesbians will further be discriminated against as women with the loss of sex-segregated services such as sport, domestic violence refuges, and personal care in hospitals, aged

¹⁶ Australian Human Rights Commission 2023, 'Sex Discrimination Act 19834. Notice of decision on application for temporary exemption: Lesbia Action Group,' <https://humanrights.gov.au/our-work/legal/exemption-applications-under-sex-discrimination-act-1984-cth>

¹⁷ Roxanne Tickle v Giggle for Girls Pty Ltd & Anor, 2024.

¹⁸ 'Reclaiming Lesbian space,' CoAL, 2024, <https://coal.org.au/Lesbian-space/>.

and disability services. These massive social changes will prevent collection of meaningful statistics to measure and monitor the effects of public policy including the pay gap, poverty statistics, violence against women and health outcomes.

2. OPERATIONAL ISSUES FOR GOVERNMENT AGENCIES RAISED BY THE BILL

a. *Corrective services*

Increased financial and staffing resources are already needed to ensure female prisoner safety. In the UK, fifty percent of transgender inmates are sex offenders or highly dangerous,¹⁹ and a similar trend is likely here in NSW. Trans-identified men in prisons need administrative segregation and healthcare access for their safety and well-being too, but this should not be at the expense of women's health and safety.

b. *Health services*

Increase costs are likely from mass litigation for harm caused by 'gender medicine,'²⁰ especially after recent condemnation by the final report of the Cass inquiry in the NHS gender service, which found a litany of weaknesses and unethical practices that had become standardised.²¹ These are still commonly practised without impunity in Australian gender clinics.²² Unfortunately, the Cass report was designed to examine medical services, and so continues to medicalise young people caught up in the gender identity fad.

3. Additional ways of improving the safety and wellbeing of the LGBTIQ+ community.

a. *More and better quality psychosocial counselling services for gender confused people*

The Bill will provide a back door to 'Lesbian conversion' to a semblance of performed heterosexuality that harms Lesbians and our cultures ('Transing the gay away'). It will not improve them and is a conservative retrograde movement taking us back to the anti-Lesbian shame-based existence for Lesbians before the freedom and greater community acceptance created by the feminist and gay liberation movements of the 1970s. Lesbian safety and well-being is not fostered by 'affirmation counselling' in gender clinics. Instead, it requires more psychosocial counselling services for clients to explore their sexuality, childhood trauma, and testing/treatment for neurodiverse

¹⁹ 'Evidence and Data on Trans Women's Offending Rates,' Written evidence submitted by Professor Rosa Freedman, Professor Kathleen Stock and Professor Alice Sullivan [GRA2021], <https://committees.parliament.uk/writtenevidence/18973/pdf/>.

²⁰ , Eleanor 2022, 'Tavistock gender clinic 'to be sued by 1,000 families,' *The Times*, 11 August, <https://www.thetimes.co.uk/article/tavistock-gender-clinic-to-be-sued-by-1-000-families-lbsw6k8zd>.

²¹ 'Gender identity services in England - The Cass review,' *The BMJ*, 11 April, 2024, https://www.google.com/search?q=medical+journal%2Ckamran+abbasi+cass+gender+identity+services+in+England&sca_esv=9d84270ee46763bd&biw=925&bih=499&tbm=vid&ei=l3AaZp-RMqnh2roP4oyL4A8&ved=0ahUKEwjfuKKEj7-FAxWpsFYBHWLGAvWQ4dUDCA0&uact=5&oq=medical+journal%2Ckamran+abbasi+cass+gender+identity+services+in+England&gs_lp=Eg1nd3Mtd2l6LXZpZGVvIkZtZWRpY2FsIGpvdXJuYWwsa2FtcmFuIGFiYmFzaSBjYXNzIGdllbmRlciBpZGVudGl0eSBzZXJ2aWNlcyBpbjBFbmdsYW5kMgUQIRigATIFECEYoAEyBRAhGKABSPE8U0wIWKc2cAB4AJABAjgBzwGgAaYOqgEGMC4xMC4xuAEDyAEA-AEBmAILoALBDsICBxAhGAoYoAGYAwCIBgGSBwYwLjEwLjGgB9Aj&scient=gws-wiz-video#fpstate=ive&vld=cid:92bc84f4,vid:gNTkEoSAAKI,st:0.

conditions that can all lead to gender non-conformity and discomfort with one's body and relationship.

b. Inquiry into how healthy is gender medicine?

By promoting gender identity, Lesbians and other vulnerable women are harmed by experimental medicine in gender clinics. The NSW government needs to initiate an open Inquiry into the safety and effectiveness of gender medicine and guidelines for future services. This would require adequate funding for a thorough investigation by experts.

c. Women's services

Similarly, this proposed legislation erodes women's rights and availability of sex-segregated healing, recreational and protective spaces. The Bill would compromise Lesbian and other women's safety and well-being, previously enjoyed in same sex spaces eg, Lesbian social and cultural events, dv shelters, in hospital wards. More funding is required for policy, planning and provision of services for trans identified men that are segregated from women's service.

d. Women's sport

Many Lesbians love sport! Yet, women invariably lose to trans identified men in women's events, because of men's greater physical strength, different bone structure, different physiology, and many other biological differences. As a result, women's sporting careers suffer and they lose competitive earnings. Examples can be found easily in women's [soccer](#), [weightlifting](#), [swimming](#), [cycling](#), [surfing](#) and [skateboarding](#). The NSW government should ensure that all school sporting activities are sex-segregated and that laws are in place for sex segregated community sports.

The Dentons Manual for Coopting Governments & Corporations to the TQ+ Agenda An analysis by the Coalition of Activist Lesbians (CoAL) Inc Australia *(quotes from the report are in italics)*



CoAL welcomes the half century of increasing support that lesbians have been receiving as the result of the activism of the women's and gay liberation movements. However, our success has been hijacked by well-organised TQ+ activists using their economic and professional power to bypass the democratic process in a 'top down' social engineering ('astroturfing') project that attacks the rights and health of lesbians and gays as well as those of children and neurodiverse people. Their tactics follow those set out in the Dentons report (2019), based on the Yogyakarta Principles (2006, 2017), which promotes gender identity ideology and TQ+ over LGB rights. An explanation of their tactics, with links and references, is shown below. Their aim is to subvert long-held beliefs and practices about the healthy human sexed body and sexuality, in messages aimed surreptitiously at government, policy- and law-makers and youth. Similar tactics have been described in a US guide that seeks to strengthen TQ+ rights by a 'race, class and gender narrative.'

How LGB rights became TQ+ rights (or Transing the Gay away)

Gender identity is an incoherent term produced by Trans identity and Queer theory, which claims long-established facts about the human sexed body are limited and irrelevant. Instead, sex must be replaced with gender, where gender is *fluid and determined at will*, and yet is also a person's *fixed*, or *innate*, personality trait (an inner feeling) that can be performed across a *spectrum* of identities independent of a person's biology.

The logical inconsistency of ideas about gender identity has led to confusion for many. To help maintain your understanding of well-established biological facts about the *binary* nature of sexed humans, see the presentation by Dr Colin Wright, an evolutionary biologist, 'The Sex Binary: What it is and Why It matters.'

Gender identity ideology is an illogical system of ideas and ideals that try to support the concept of gender identity. Sexed biology and LGB sexual orientation become subservient to gender (TQ+) identity, which can be affirmed by dressing and acting according to sexist stereotypes and cultural or socio-economic norms, often in conjunction with medical interventions (hormones, surgery). Note, however, gender identity still relies on *sex* categories of 'man' and 'woman' to mark out an imagined difference from a biological state ('transwoman,' 'transman') that is more 'real,' or 'true,' than (so-called 'cis') biology. The consequence is difficulty in formulating a material and stable definition of gender identity. As a result, young lesbians can become confused when they are pressured for sex by (mainly heterosexual) men who identify as transwomen, claiming that a woman can have a penis and be a lesbian (for counter-arguments see work by the late Magdalen Berns and Angela C Wyld).

Analysis of the Dentons document

The Dentons report uses 'stealth activism' by providing the following tools and techniques for bringing about changes in laws that will establish the term 'gender' as the equivalent of (or better than) sex, so that children can change their gender without the approval of adults (eg their parents) or other legal authorities.

THE TACTICS

- *Use human rights as a campaign point*

The slogan '*Trans rights are human rights*' appears on the cover of the Dentons report, which portrays people, especially youth, who identify as trans as being an oppressed minority. This is contradicted by the evidence: it is men identifying as female who have been most ready to exploit new 'gender' laws in order to break down anti-discrimination laws designed to protect the human rights of women and other minorities. Australian examples include Tickle v Giggle action taken by a trans-identified man against a women-only web site; refusal of applications



for exemption to the Sex Discrimination Act for lesbian functions organised by Lesbian Action Group in 2023 in Victoria, by Jessica Hoyle and LGB Alliance Australia in 2021 in Tasmania, by the organisers of the Sappho's Party in 2009 in South Australia and of the 2004 National Lesbian Festival and Conference in Victoria.

- ***Get ahead of the Government agenda.***

NGOs need to intervene early in the legislative process and ideally before it has even started. This will give them far greater ability to shape the government agenda and the ultimate proposal than if they intervene after the government has already started to develop its own proposals.

Alex Greenwich's omnibus Equity Bill strategy is an example; it aligns with the ideas of influential individuals and NGOs advocating trans rights (eg Anna Brown of Equality Australia; Teddy Cook of ACON; Eloise Brook of the Gender Centre; Pride Foundation).

- ***Tie your campaign to more popular reform.***

*In Ireland, Denmark and Norway, changes to the law on legal gender recognition were put through at the same time as other more popular reforms such as marriage equality legislation. This provided a **veil of protection**, particularly in Ireland, where marriage equality was strongly supported, but gender identity remained a more difficult issue to win public support for.*

International examples are the Yogyakarta Principles (YP), published in 2007 by the International Commission of Jurists (ICJ), and its supplement YPP + 10 published in 2017, , which provide a blueprint for the Dentons report. The YP tied 'trans rights' to established UN human rights principles and the reform of legal barriers being demanded by campaigns to improve the rights of lesbians, gay men and bisexuals. The document was written by a self-selected panel of experts and launched at multiple events at the UN headquarters in Geneva, but it was created *outside* the UN structure and therefore not binding or representative of government policies. The launch of the Yogyakarta Principles document is a deceptive attempt to gain acceptance of transgender ideology through association with homosexual rights and with the authority of the UN. The result has been a widespread LGBTQI+ movement dominated by T interests, although now strongly under challenge by L, G and B groups (eg CoAL, LGB Alliance).

- ***Limit press coverage and exposure.***

In certain countries, like the UK, information on legal gender recognition reforms has been misinterpreted in the mainstream media, and opposition has arisen as a result....Against this background, many believe that public campaigning has been detrimental to progress, as much of the general public is not well informed about trans issues, and therefore misinterpretation can arise.'.....In Ireland, activists have directly lobbied individual politicians and tried to keep press coverage to a minimum in order to avoid this issue.

LGBTQI+ have 're-educated' citizens and major left-leaning media platforms, indoctrinating them with gender identity ideology and language, resulting in a broad global blackout on contradictory news major left-leaning media platforms that have been past defenders of LGB rights. Recently, this media bias has been exposed (eg in the BBC and Ofcom, the media regulator, in the UK; and of ACON's Pride & Diversity Scheme on the government-funded ABC and SBS and commercial Channel 10 TV stations in Australia; an internal criticism of ABC bias by ABC Media Watch (17.10.22) and an online feminist criticism of ABC bias). Many other large corporations and government organisations in Australia and overseas have been similarly influenced by gender identity ideology embedded in LGBTQ+ diversity programs.

- **Target youth politicians**

Get youth wing s(of) political parties on side, as main wings of political parties are often keen to listen and take the views of their younger counterparts seriously. In some cases, activists found it useful to make the point that youth politicians are the senior politicians of the future and that any changes that they are in favour of will inevitably be the policies of the future and are more likely to be on “the right side of history”.

Rainbow Labor NSW is a ‘group for LGBTI identifying members of the ALP and supporters in NSW who want to organise for better policy and awareness on LGBTI issues’ and declares 820 members, while Rainbow Young Labor NSW has 1,000 followers. Both organisations participate in Sydney Mardi Gras. Young Liberals link TQ+ with marriage equality, an LGB issue, in a misleading statement on their website: ‘As we reflect on 5 years since marriage equality and 49 years since that first motion in the Federal Parliament, it is important to remember that the LGBTQI+ community and Liberal party can and should always coexist, because both share a common foundation; the desire to promote human flourishing.’

THE DEMANDS

These focus on *legal* aims of gender recognition within a *legal framework of good practice*.

- **Quick and affordable access to legal recognition based on the model of self-determination**

The proposed ‘Equality’ Bill’ (Schedule 2) aims to amend the Births, Deaths and Marriages Registration Act 1995 No 62) so that people over 16 can change their legal sex through a simple administrative process. This legally removes the rights of women and girls as a sex class, including all safeguards designed to protect women and girls (eg, in single sex spaces and services such as sport, health care, domestic violence shelters, change rooms, awards, scholarships; women prisoners would be forced to share space with often violent male prisoners who ‘identity’ as women; CALD and faith communities of women would self-exclude from sport and public places; elderly women, women with disabilities and vulnerable women would lose the right to request a female health care worker, carer or therapist). Prohibitions against lesbian-only public events would only be reinforced.

In addition, Schedule 3 aims to amend the Children and Young Persons (Care and Protection) Act 1998 No 157) so that children under 16 can apply to the NCAT (NSW Civil and Administrative Tribunal) to change their legal sex. NCAT could *not* notify parents/carers if the child believes this could ‘adversely affect’ them. Only *one* parent would be required to make an application to the NCAT to change the legal sex of their child, even if the other parent or carer disagrees. The applicant parent would need only to provide a statement ‘from a person who has provided counselling’ (ie, a person, chosen by the applicant, and judged as having suitable qualifications, training or experience) that the child has been counselled about the implications of registering a change of sex.

The proposed bill also aims to amend the Children and Young Persons (Care and Protection) Act 1998 No 157 with a new section giving children the right to decide their own medical treatment. This is already allowed under the ‘Gillick competence’ test and appears to aim to further weaken parental objections to their child’s treatment with puberty blockers and cross sex hormones.

The proposed Bill does not define the term ‘gender identity’ and assumes it is equivalent to ‘sex.’ However, Schedule 1 of Greenwich’s proposed Conversion Practices Prohibition Bill 2023 defines gender identity as ‘(i) ... the personal sense of the body, whether this involves medical intervention or not, and (ii) other expressions of gender, including dress, mannerisms, names, personal references and speech.

- **No requirement for sterilisation, surgical, medical treatment or diagnosis**

Not covered in the proposed 'Equality' legislation, which focuses on increasing access of children to gender medicine, but see the proposed Conversion Practices Prohibition Bill 2023.

- **Relationships should only be altered if favourable**

The proposed Bill (Schedule 1) aims to amend the Anti-Discrimination Act 1977 No 48 so that forms of government agencies (eg a school) must (a) allow a person's sex to be described in a non-binary way, and (b) allow a person's relationship to another person to be described in a way that (i) is in accordance with each person's identified sex, or (ii) does not indicate either person's sex.

- **Legal gender recognition at birth:** Only covered for birth of intersex infants.
- **Recognition of a third gender:** Not covered in the proposed legislation.
- **Gender confirmation treatment should be available and reimbursable:** Not covered in the proposed legislation,
- **Established sanctions for breaching the law on gender recognition.:** The proposed Bill (Schedule 8) aims to amend the Crimes (Domestic and Personal Violence) Act 2007 No 80) to criminalise 'outing' someone's sexual orientation or gender identity. It introduces criminal personal violence as a charge for 'outing' someone's 'gender history, making it a criminal offence to correctly refer to a male person as a 'man' or a female person as a 'woman' on social media; and enable AVOs to be brought as a result. It could criminalise a parent, or person whose partner has told them they are transgender and who wants to discuss this development with a trusted friend, relative or counsellor. The Bill also expands restrictions on flags, banners and other political expression.

Sources:

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- **Analyses by**

- Jamie Hamilton (2019), '[Dentons campaigns for kids to switch gender without parental approval](https://www.rollonfriday.com/news-content/dentons-campaigns-kids-switch-gender-without-parental-approval), *Roll on Friday*, <https://www.rollonfriday.com/news-content/dentons-campaigns-kids-switch-gender-without-parental-approval>.

Jamie Hamilton is located in London. He is a qualified solicitor who then turned to writing a news blog called *Roll on Friday*, established in 2012, where he published the first expose of the Dentons document.

- James Kirkup (2019) 'The document that reveals the remarkable tactics of trans lobbyists,' *The Spectator*, 2 December, <https://www.spectator.co.uk/article/the-document-that-reveals-the-remarkable-tactics-of-trans-lobbyists/>

James Kirkup is currently sa partner of a communications management consultancy firm in the UK. He has extensive experience in government relations roles including Political Editor of the Daily Telegraph and Director of the Social Market Foundation, and advocacy work in business, politics and public policy. He is a regular columnist at the Times and Spectator. (<https://www.apellaadvisors.com/who-we-are>).

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