



Submission on the Australian Human Rights Commission's Consultation on 'Current and Emerging Threats to Trans and Gender Diverse Human Rights', May 2024

Introduction

Women's Forum Australia is an independent think tank established in 2005 that undertakes research, education, and public policy advocacy about economic, social and health issues affecting women and girls (including women and girls who identify as transgender), with a particular focus on addressing behaviours and practices that are harmful and abusive to them.

There are three areas in particular that we wish to highlight as part of the Australian Human Rights Commission's (AHRC) consultation on 'Current and emerging threats to trans and gender diverse (TGD) human rights' in Australia:

1. The threat to the human rights of trans identified females – particularly young women and girls – who are hugely overrepresented when it comes to those presenting with gender dysphoria and identifying as transgender, to enjoy the highest attainable standard of physical and mental health
2. The threat to the human rights of women and girls to single-sex spaces, sports and services, which must be considered if considering any threat to the so-called 'human rights' of trans identified males to identify as female and access female-only spaces, sports and services.
3. The threat to the human rights of women and girls to freedom of speech, association and political activity, that the AHRC's project itself may pose, in light of the consultation's premise that there are threats to TGD people's human rights from "anti-trans mobilisation, dis- and misinformation, extremism and radicalisation".

Give the 2,500-word limit for submissions, we have only addressed in detail the first of these areas below.

In relation to 2 (the threat to the human rights of women and girls to single-sex spaces, sports and services), we refer you to our [submission](#)¹ and [evidence](#)² provided in

¹ Submission by Women's Forum Australia on the *Births, Deaths and Marriages Registration Bill 2022 (QLD)*: <https://documents.parliament.qld.gov.au/com/LASC-C96E/PPROLAB202-EF1C/submissions/00000304.pdf>

² Evidence provided by Women's Forum Australia and Sall Grover to the Legal Affairs and Safety Committee regarding the Queensland parliamentary hearing on the *Births, Deaths and Marriages Registration Bill 2022 (QLD)*: <https://documents.parliament.qld.gov.au/com/LASC-C96E/PPROLAB202-EF1C/Taken%20on%20Notice%20and%20Response.%20Womens%20Forum%20Australia.pdf>

relation to Queensland's *Birth, Deaths and Marriages Registration Bill 2022*, as well as our [submission](#)³ to the United Nations Subcommittee on the Prevention of Torture about how housing men in women's prisons is a human rights violation.

In relation to 3 (the threat to the human rights of women and girls to freedom of speech, association and political activity) we also refer you to the [evidence](#)⁴ noted above, as well as our previously raised concerns about the terms of reference for the consultation in an [open letter](#)⁵ to the Australian Human Rights Commission published in the Sydney Morning Herald on 6 March 2024 (**attached**), and signed by academics, lawyers, doctors, journalists, women's advocates, and others.

The threat to the human rights of trans identified females to enjoy the highest attainable standard of physical and mental health

Women's Forum Australia is gravely concerned that young women and girls are hugely overrepresented when it comes to those presenting with gender dysphoria and identifying as transgender, and that a wilful blindness to the below factors by human rights bodies, health professionals, media, politicians and others, is having an adverse impact on the human rights of trans identified females to enjoy the highest attainable standard of physical and mental health.⁶

The phenomena that have given rise to the rapid increase in gender dysphoria in young women and girls

Over the past decade, there has been a significant shift in the demographics of those presenting with gender dysphoria. The number of adolescents presenting with gender dysphoria has been rising rapidly since 2004, with young women and girls being significantly overrepresented in those presenting at gender clinics. Researchers in the UK found an approximately 4,000% increase in teenage girls seeking treatment at a ratio of 7.58 females to 1 male in the past decade⁷. Between 2016 and 2017, the number of transgender surgeries for females in the US quadrupled⁸. In the US, the number of young people presenting with gender dysphoria is 140 times higher (males) and 350 times higher (females) than estimates of the prevalence of gender dysphoria in the general population⁹.

³ Women's Forum Australia, Joint submission to the United Nations Subcommittee on the Prevention of Torture: Housing men in women's prisons is a human rights violation, 2022, https://assets.nationbuilder.com/wfa/pages/476/attachments/original/1666011210/Joint_submission_by_Australia_n_women's_advocates_to_UN_SPT_2022.pdf?1666011210

⁴ Evidence provided by Women's Forum Australia and Sall Grover to the Legal Affairs and Safety Committee regarding the Queensland parliamentary hearing on the *Births, Deaths and Marriages Registration Bill 2022* (QLD): <https://documents.parliament.qld.gov.au/com/LASC-C96E/PPROLAB202-EF1C/Taken%20on%20Notice%20and%20Response.%20Womens%20Forum%20Australia.pdf>

⁵ Open letter to the Australian Human Rights Commission, 'Is the Australian Human Rights Commission conducting a witch-hunt?', Sydney Morning Herald, 6 March 2024, <https://twitter.com/WomensForumAust/status/1765198423001801213>

⁶ The right to enjoy the highest attainable standard of health is guaranteed in *International Covenant on Economic, Social and Cultural Rights* (1966), the *Convention on the Rights of the Child* (1989), and the *Convention on the Rights of Persons with Disabilities* (2006).

⁷ Marchiano, L. (2021). Gender detransition: a case study. *J Anal Psychol*, 66(4), 813–832. <https://doi.org/10.1111/1468-5922.12711>

⁸ Shrier, A., 2020, *How 'peer contagion' may play a part into the rise of teen girls transitioning*, New York Post, 27 June, <https://nypost.com/2020/06/27/how-peer-contagion-plays-into-the-rise-of-teens-transitioning/>

⁹ Kenny, D., 2022, ROGD, faulty science and social contagion: Origins of a psychic epidemic, Coalition for Biological Reality: Gender Identity in Law, <https://www.youtube.com/watch?v=RI14Ck78rtA&t=10s>

There are limited statistics in Australia. However, Dr Dianna Kenny, formerly a Professor of Psychology at the University of Sydney, has observed similar patterns from Australian figures¹⁰. She notes that the Australian figures also demonstrate "clustering"¹¹ in Western Australia and Victoria, where children seeking treatment for gender dysphoria are "grossly overrepresented". These are states that strongly promote the work of gender clinics, which Kenny calls "hubs of social contagion".¹² By contrast, NSW is currently underrepresented when it comes to the number of children seeking treatment for gender dysphoria. Kenny maintains that the rapid increase in adolescents – particularly young women and girls – declaring a transgender identity "cannot be explained by anything other than social contagion phenomenon".

Along with social contagion, the rise in gender dysphoria in young women and girls needs to be considered in light of the unique pressures they face in the areas of sexual violence, objectification in porn, entertainment and advertising, and the more general body image issues resulting from phenomena like social media, eating disorders, unhealthy interpersonal relationships, gender stereotypes, or other cultural expectations, which can cause them to hate their bodies and indeed being female. Indeed, American psychotherapist Lisa Marchiano notes that the young women she has worked with became trans-identified during adolescence and frequently did so in the context of significant family dysfunction, complex psycho-social issues, sexual assault and eating disorders¹³.

A 2021 study on the gender clinic at Westmead Hospital, NSW, also found that high rates of adolescent patients presenting with gender dysphoria had a history of childhood trauma, family dysfunction and sexual abuse. Also present were comorbid mental health issues, including anxiety, depression, behaviour disorders and autism.¹⁴

The regrets of detransitioners and the harms resulting from medical transitioning

A recent example of this is the case of 19-year-old Jay Langadinos, who struggled with anxiety, depression and discomfort with same-sex attraction and believed she had gender dysphoria. Despite her psychologist and psychiatrist being aware of her underlying issues, they supported her in undergoing hormone therapy and surgery, including a double mastectomy and hysterectomy. Following her medical transition,

¹⁰ Kenny, D., 2022, ROGD, faulty science and social contagion: Origins of a psychic epidemic, Coalition for Biological Reality: Gender Identity in Law, <https://www.youtube.com/watch?v=RI14Ck78rtA&t=10s>

¹¹ Clustering is a major phenomenon seen in other social contagions throughout history: Kenny, D., 2022, ROGD, faulty science and social contagion: Origins of a psychic epidemic, Coalition for Biological Reality: Gender Identity in Law, <https://www.youtube.com/watch?v=RI14Ck78rtA&t=10s>

¹² Social contagion refers to the spread of a harmful idea or practice through close social contacts or networks, social media, the education system and popular culture (Kenny, D. The Social Contagion of Gender Dysphoria, Professor Dianna Kenny's Blog, <https://diannakenny.com.au/the-social-contagion-of-gender-dysphoria/>; Shrier, A., 2020, Irreversible Damage: The Transgender Craze Seducing Our Daughters). Historical examples of social contagion include measurable increases in copycat youth suicide rates immediately following a celebrity suicide or the sharp rise in bulimia cases after the inclusion of this diagnosis in the DSM-III (*Diagnostic and Statistical Manual of Mental Disorders, Third Edition (US)*).

¹³ Marchiano, L., 2020, *The ranks of gender detransitioners are growing. We need to understand why*, Quillette, 2 January, <https://quillette.com/2020/01/02/the-ranks-of-gender-detransitioners-are-growing-we-need-to-understand-why/>

¹⁴ Kozłowska, K., McClure, G., Chudleigh, C., Maguire, A. M., Gessler, D., Scher, S., & Ambler, G. R. (2021). Australian children and adolescents with gender dysphoria: Clinical presentations and challenges experienced by a multidisciplinary team and gender service. *Human Systems*, 1(1), 70–95, <https://doi.org/10.1177/26344041211010777>

Ms Langadinos sought further mental health treatment and realised her transition was a mistake. She has now 'detransitioned' and has lifelong regret that she cannot have children¹⁵.

Sadly, Ms Langadinos is just one of many in the growing ranks¹⁶ of young female detransitioners¹⁷, whose similarly tragic transition stories have strikingly repetitive themes: undiagnosed mental issues, trauma, peer group encouragement to transition, with no (or inadequate) questions asked by the therapists who prescribed medication or recommended surgery. Their detransition stories are also similar: unresolved ongoing mental issues now compounded by medical and surgical damage to their bodies (including infertility, vaginal atrophy, loss of breasts and inability to breastfeed, loss of sexual function, osteoporosis, and more), feelings of bitterness towards the therapists who failed to safeguard their welfare, and experiences of rejection from the 'trans community' they formerly called home. Collectively, these personal testimonies offer a devastating challenge to the 'affirmation only' approach to gender transition.

The mounting medical evidence against the 'affirmation only' approach to gender dysphoria

Medical interventions known as 'gender-affirming transition' have been revealed as a major medical scandal. Whistleblowers in this field have been vindicated by recent events in England, such as the final report of the independent [Cass Review](#),¹⁸ a four-year systematic review which shows there is no good evidence for medically transitioning gender-confused children, the NHS decision to halt the prescription of puberty blockers, and the closure of the Gender Identity Development Service (GIDS) clinic at the Tavistock; the restrictions or bans placed on 'gender-affirming' practices (including puberty blockers, cross-sex hormones and surgery) in Scandinavian countries and around half the states in the US; and the revelations contained within the WPATH files¹⁹ of widespread medical malpractice by activist clinicians involved in such practices; amongst other things.

[It is also important to consider](#) the Royal Australian and New Zealand College of Psychiatrists' recent shift away from endorsing a 'gender affirmative approach' for children presenting with gender dysphoria in this context,²⁰ as well as the growing call for inquiries into 'gender affirming care' for children in Australia,²¹ and the increasing

¹⁵ Szego, J., 2022, 'Absolutely devastating': woman sues psychiatrist over gender transition, The Sydney Morning Herald, 24 August, <https://www.smh.com.au/national/absolutely-devastating-woman-sues-psychiatrist-over-gender-transition-20220823-p5bbbyr.html>

¹⁶ Marchiano, L., 2020, *The ranks of gender detransitioners are growing. We need to understand why*, Quillette, 2 January, <https://quillette.com/2020/01/02/the-ranks-of-gender-detransitioners-are-growing-we-need-to-understand-why/>

¹⁷ Women's Forum Australia, 2022, *Increasing numbers of detransitioners call into question affirmation only approach*, 20 May, https://www.womensforumaustralia.org/increasing_numbers_of_detransitioners_call_into_question_the_affirmation_only_approach

¹⁸ Dr Hilary Cass, NHS England, The Cass Review: Independent review of gender identity services for children and young people, April 2024, <https://cass.independent-review.uk/home/publications/final-report/>

¹⁹ Mia Hughes, The WPATH Files: pseudoscientific surgical and hormonal experiments on children, adolescents and vulnerable adults, March 2024, <https://environmentalprogress.org/big-news/wpath-files>

²⁰ Robinson, N., 2023, *Psychiatry body's radical challenge to transgender care*, The Australian, 14 December, <https://www.theaustralian.com.au/science/psychiatry-body-s-radical-challenge-to-transgender-care/news-story/53100819d0b26aef3ebb3d8a917f95fb?amp>

²¹ Bastiaan, S., 2023, *South Australian MP calls for state inquiry into "gender affirming care" for young people*, Women's Forum Australia, 23 November,

number of medical professionals and legal experts who have voiced their concerns about this approach.²²

In a [statement](#) welcoming the Cass Review, the United Nations Special Rapporteur on violence against women and girls, Reem Alsalem, highlights the gross overrepresentation of girls presenting at gender clinics noting that: “The Cass review findings and recommendations are seminal, and its implications go beyond the United Kingdom...it has – in my view – very clearly shown the devastating consequences that policies on gender treatments have had on human rights of children, including girls.”

The bodies of Australian children are no different to those in England, Scandinavia, the United States or elsewhere, and in these countries, authorities have revised their policies in light of all the evidence. The Cass Review evaluated the *Australian Standards of Care and Treatment Guidelines for Trans and Gender Diverse Children and Adolescents* as being of low quality in terms of rigour of development and editorial independence. Indeed, like the NHS, these standards are based on guidelines from the now discredited *World Professional Association for Transgender Health* (WPATH).

Children as young as three are now being treated for gender dysphoria in Australia²³, and adolescents as young as 13 are being permitted to have irreversible surgery²⁴ despite not having the capacity to comprehend the ramifications of their decisions.

Encouraging confused and vulnerable children to transition, socially or medically, including with puberty blockers and cross-sex hormones, has caused irreversible developmental issues, physiological damage (such as loss of bone density, infertility and sexual dysfunction) and significant social and relational harms. This has already had a direct and lifelong impact on child development, the true extent of which is not yet known.

We believe this is a major scandal that requires an independent public inquiry.

The adverse implications of conversion laws

Women's Forum Australia opposes all coercive conversion therapy practices. Conversion therapy has traditionally been associated with cruel physical and emotional 'treatments' including aversion therapy, shock therapy, lobotomies, castration, and drug treatments inflicted on people to change behaviours and tendencies, including same-sex attraction. These practices are abhorrent and are

<https://www.womensforumaustralia.org/south-australian-mp-calls-for-state-inquiry-into-gender-affirming-care-for-young-people>

²² Baxendale, R., 2023, *Transgender advice “causing harm” to children*, The Australian, 3 October, <https://www.theaustralian.com.au/nation/politics/transgender-advice-causing-harm-to-children/news-story/25ca62358474d0c6e34d2290acfa3275?amp>

²³ Chain, B., 2024, *Australian hospital offering gender affirming care to toddlers as young as three*, Daily Mail, 17 January, <https://www.dailymail.co.uk/news/article-12967115/Melbourne-Royal-Childrens-hospital-gender-affirming-care-toddlers-three.html>

²⁴ Lever, C., 2023, *Inside the world of teenage transitions in Australia where 13-year-olds are having their breasts removed after one letter from a psychiatrist - which teens can't even do in Thailand - and mums humblebrag with before and after pics on Facebook*, 9 July, <https://www.dailymail.co.uk/news/article-12268677/Girls-young-13-having-breasts-surgically-removed-boys.html>

rightly condemned by international human rights organisations such as the United Nations.

While laws to ban 'conversion practices' may be well-intentioned, there is little evidence that the harmful conversion therapy practices mentioned above are still being undertaken in Australia. Legislation banning conversion practices in various Australian states and territories has been weaponised to prevent appropriate scrutiny of 'gender affirmation' practices on gender dysphoric patients. In addition, we believe there are modern-day conversion practices that are not covered in these laws which are causing gender confusion in vulnerable people, particularly minors, and that put them on a pathway of treatment that includes irreversible hormones, drugs and surgery.

It is inappropriate to conflate 'gender identity' with sexual orientation. Gender identity is synonymous with gender dysphoria, a serious mental health condition where a person believes their body is incongruent with their biological sex, and which is often in part the result of other mental health issues and trauma. Seeking to assist a person to not be gender dysphoric should therefore not be considered a 'conversion practice'.

Legislation to ban 'conversion practices' has not properly considered the factors mentioned above,²⁵ resulting in adverse patient outcomes and a chilling effect on parents and doctors who fear prosecution under those laws. The definition of conversion practices in state laws is so broad it limits the ability of medical practitioners to treat a patient presenting with gender dysphoria holistically and instead forces them to act immediately on physical and medical gender transition therapies without assessing underlying issues that may manifest into gender dysphoria and need addressing first.

Conclusion

By ignoring the phenomena that have given rise to the rapid increase in gender dysphoria, the regrets of detransitioners, harms resulting from medical transitioning, the mounting medical evidence against the 'affirmation only' approach to gender dysphoria, and the adverse implications of conversion laws across the country, Australian institutions are impeding the human rights of trans identified females to enjoy the highest attainable standard of physical and mental health.

We encourage the Australian Human Rights Commission to consider the issues raised in our submission in its consultation, and would welcome the opportunity to discuss any part of this submission further.

²⁵ Lever, C., 2022, *Distraught parents now face prosecution if they don't accept gender transition of their vulnerable kids - as experts slam radical new law based on 'ideology and falsehood'*, Daily Mail, 14 August, <https://www.dailymail.co.uk/news/article-11101415/Parents-counsellors-face-prosecution-gender-transition-children-suppression-law.html>

The Sydney Morning Herald

ADVERTISEMENT

Is the Australian Human Rights Commission conducting a witch-hunt?

Open Letter to the Australian Human Rights Commission

We are a group of civil society organisations, health practitioners, researchers, lawyers, writers and individuals, people of faith and atheists, from across the political spectrum.

We are writing to express our deep alarm at the Australian Human Rights Commission's current project aimed at "mapping" alleged threats to the rights of trans and gender diverse (TGD) people. We believe the language used in the project's call for submissions represents an attack on the freedom of speech, association, and political activity of all Australians and unacceptably compromises the Commission's purpose, independence and impartiality.

The premise in the call for submissions is that there are existing and emerging threats to TGD people's human rights from "anti-trans mobilisation" and "extremist" groups spreading "dis- and misinformation". **In our view this signals the intent to conduct a biased, evidence-excluding investigation with a predetermined outcome.** It is a disturbing example of a government organisation meant to promote all human rights being captured by a particular interest group.

The aim of this interest group and thus the project is to **silence women's rights groups, LGB organisations, faith groups and individuals who have raised concerns** about the impact of "gender ideology" on the safety and rights of women and children, as well as the rapidly expanding robust research that shows the lifelong harms perpetrated against young people from medicalised transition.

The concept of gender identity is now firmly ensconced in public life with little consultation or consideration of its impact, or intersection with other groups. Australian women and girls are already being forced to share intimate spaces (changerooms, sleeping arrangements on school excursions, prisons, hospital facilities and women's refuges) with trans-identified males.

Despite evidence of the impact of gender identity on other groups, the AHRC states that only "subject-matter experts" on trans and gender diverse experiences are invited to make submissions, creating an echo chamber in which to confirm the project's premise. **The result will be the use of a government agency to compile a blacklist of people and groups deemed "anti-trans", with no right of reply.**

The AHRC has no mandate to spend taxpayers' money on witch-hunts.

• We call on the Commission to:

- Identify what are defined as "threats" to TGD human rights for the purpose of this project and what evidence is relied upon for this definition.
- Ensure the project accepts submissions from all those affected and forms its report and recommendations to reflect all evidence.
- Confirm that women in Australia will continue to have the right to speak out about the impact of the loss of single sex spaces, sports and services.

We urge the Commission to uphold its integrity, engage in open dialogue on the basis of credible evidence, and consider diverse perspectives within our community, so that the human rights of all are safeguarded without compromising essential freedoms.

Australian Feminists for Women's Rights • Biological Reality Australia • Coalition of Activist Lesbians Inc
Declaration of Biological Truth Australia • Fair Game • Feminist Legal Clinic • Genspect Australia • IWD Brisbane Meanjin
Lesbian Action Group Vic Inc • LGB Alliance Australia • North Coast Feminists • Parents of Adolescents with Gender Distress-Victoria
Save Women's Sport Australasia • Spinifex Press • Victorian Women's Guild • Women's Action Group
Women's Declaration International • Women's Declaration International-Australia • Women's Forum Australia
Women Speak Tasmania • Woman Up Queensland • Dr Petra Bueskens, academic and psychotherapist
Dr Dianna Kenny, psychologist and psychotherapist • Dr Jillian Spencer, child and adolescent psychiatrist • Dr Maja Bowen
Clive Hamilton AM, Professor of public ethics • Professor Richard Dawkins • Emeritus Professor Bronwyn Winter
Emeritus Professor Madeleine Beekman, evolutionary biologist • Associate Professor Neil Foster
Dr Libby Connors, retired academic and author • Dr Geoff Holloway, United Tasmania Group
Julie Bindel, journalist and feminist campaigner • Helen Joyce, journalist • Michael Sherlock, atheist author and human rights activist
Fraser Anderson • Pam Atkins • Kathy Chambers • Phil Dye • Stassja Frei • Judith Hunter • Isla MacGregor • Dr Barbara Mattar
Madeleine Munzer • Deb Ramsay • Spider Redgold • Chris Sitka • Denise Weelands

To see more signatures and to sign yourself, please visit our website <https://www.equalityforhumannrights.org>

THE SYDNEY MORNING HERALD

6 March 2024