

Queer and Trans Workers Against Violence



03/05/2024

Submission to the Australian Human Rights Commission inquiry on Current and Emerging Threats to TGD Human Rights:

We request that the AHRC examines more closely the link between Australian gender-critical feminist groups and the Domestic and Family Violence, Sexual Violence, and Women's Wellbeing sectors.

Key Definition: Gender-Critical Feminism

From Valcore et al., 2021¹

... based on an assertion that these initiatives [equality for transgender people] “erase” women, violate their “sex-based rights”, would allow men to enter “women’s spaces” unchallenged, and make women in those spaces vulnerable to male violence. These arguments, while apparently responding to a legitimate concern that cisgender men are overwhelmingly the perpetrators of violence against women, have long been based on commonplace assumptions about male violence and the vulnerability of women – not to mention suspicion towards transgender people- with little to no empirical basis to support them.

This letter is comes from Queer and Trans Workers Against Violence (QTWAV). We are a collective of LGBTIQ+ professionals spanning domestic and family violence, sexual violence, and LGBTIQ+ Sistergirl and Brotherboy organisations in Queensland, working to address DFSV, gendered violence and inequality for LGBTIQ+SB communities. As a collective, we value the many rich threads of professional expertise, practice wisdom and lived experiences of LGBTIQ+SB community life and domestic, family and sexual violence survival and recovery that comprises our membership. We consider the collaborative model of QTWAV to be a high standard exemplar of several key principles within the National Plan to End Violence Against Women and Children 2022-2032:

- *Sexual, domestic and family violence services and programs led by LGBTIQ+ specialist services (pg. 46)*
- *Building the capacity of the broader service system to respond to the needs of LGBTIQ+ people (pg. 46)*
- *Collaboration and partnership between specialist domestic, family and sexual violence services and other services such as... LGBTIQ+ community organisations (pg. 56)*
- *Work to address violence against LGBTIQ+ people... led by organisations and individuals within those communities, based on their own frameworks and priorities (pg. 67).*

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We draw on this breadth of knowledge in the ongoing work to end violence against women and children, in our roles, organisations and communities, and are in alignment with the National Plan to End Violence Against Women 2022-2032 that the work to end violence against women and children includes LGBTIQ+SB people of all genders. (pg. 35). Through this alignment, we invite our fellow feminist colleagues, friends, community members and victim-survivors to recognise the explicit ways that *cisgenderism and heteronormativity, including rigid gender norms, drive and normalize violence against LGBTIQ+ people of all genders* (pg. 72).

For the past five years, Magandjin-Brisbane has held an annual women's liberation conference during Queensland Women's Week, hosted by a local women's collective currently called IWD Meanjin Brisbane, culminating in a public rally and march held on Sunday the 10th of March. These events have been excluded from the official Queensland Women's Week calendar register for the Queensland Government Office for Women, a fact IWD-MB notes with pride as proof of absolute opposition to hard-fought structural recognition and enfranchisement of trans, gender diverse and non-binary lives. IWD Meanjin Brisbane is only one of a growing number of organised grassroots collectives motivated by theories such as gender-critical feminism and sex-based rights, and a [trans exclusionary radical feminist \(terf\) politics](#) that is often positioned as reclaimed. This year, during Queensland Women's Week and in the leadup to their liberation conference, IWD-MB joined this coalition of gender-critical groups in publishing an ad in the Sydney Morning Herald on March 6, publicly criticising the Australian Human Rights Commission's commitment to the current inquiry into TGD rights and safety, repeating their position that trans and non-binary people are an oppositional threat to the safety and rights of women and children.

The issues and fronts on which IWD-MB and similar groups operate on are widespread, inflaming points across cultural, social, legal and medical spheres where acceptance and recognition of trans, gender diverse and non-binary life slowly emerges and prosecuting them as a dire threat to historic and hard-fought gains for women and children. Often enough, the positions of gender-critical feminist groups on the lives of trans, gender diverse and non-binary people effectively align with those of anti-trans religious conservatism and right-wing fringe extremism, among which the specificity of their rhetoric is often obscured. The result of this breadth and the company that such groups is that the positions and activism of gender-critical feminism is beyond the immediate scope and concern of the domestic and family, violence sexual violence and women's wellbeing sector in Queensland and beyond. We urge this inquiry to understand that this is not the case.

The events in March and the gender critical milieu it comes from reflect a deeply hostile set of ideas, beliefs and actions that encourage transphobia, and the active exclusion of trans, gender diverse and non-binary people as a foundation of safety for women and children. These assertions forget that trans, gender diverse and non-binary people, including women and children, have always existed, throughout time and across cultures. We owe so much to queer, trans, gender diverse and non-binary, sistergirl and brotherboy First Nations people, people of colour, migrants, sex workers, neurodiverse people and people with disability who continue to bear the brunt of violence, discrimination, gender inequality and organised moral panic campaigns targeted against

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our communities. This violence is enabled through the rhetoric of gender critical feminism and other transphobic discourse, and the continuation of this harm demands that we speak up.

Within QTWAV and amongst our close allies, we continue to be heartbroken at the impact that this increasingly consolidated discourse of gender-critical feminist and sex-based rights has on trans, gender diverse and non-binary communities, our own communities, who bear the weight of the target on their backs at great cost. We are a community holding disproportionate numbers victim-survivors of domestic and family violence, sexual violence, gendered discrimination, sexual harassment and targeted community violence at the same time as we are routinely cast as unstable, unwelcome and morally outrageous in an endless culture war. The atrocious and indiscriminate labelling of queer and trans, gender diverse and non-binary people and the people who love and support us as groomers, pedophiles, abusers and offenders is far too common. Unfortunately, these concerns are so often distanced as civil, political and media abstractions playing out beyond the scope and engagement of the daily work to end domestic, family and sexual violence, and address gender inequality. As victim-survivors, our self-knowledge and agency is too often viewed as unreliable and suspect, our healing journeys always at risk of spiraling further into disordered trauma than into recovery. Our access to resourced support is always a priority cohort and never an action, too risky or uncomfortable, and so we are asked to be understanding and patient while our healing and recovery is put on the back-burner again and again.

Where our community members are people who use or have used violence, whether in resistance and self-defense or in unacceptable choices based on power and control, this is manipulated to invoke our communities as a social class of caricatured, archetypal predators in which an unpredictable and unseen threat of violence remains obscured, scheming to gain access to protected spaces. For those in our community who are incarcerated, regardless of their circumstances, their transness becomes further ground for moral panic, the ultimate example of trans deception and aggression. This positioning becomes a trap for our own communities to disavow incarcerated people, or any complicated and objectionable people, in an appeal to respectability at the cost of our humanity. To explain how offensive and demoralizing these entrenched stereotypes are, and how they impact the ways we experience violence, mental ill-health and suicidality is beyond what is possible to articulate within the scope of this inquiry. Instead, we want to make the point that the construction of trans, gender diverse and non-binary people within the logic of gender-critical feminism and sex-based rights should be of ongoing concern and scrutiny to the organisations and services that work within the DFV, SV and Women's Health and Wellbeing sphere in Queensland and beyond.

In bearing the ongoing hostility of these groups, their speech and actions both public and private, the trans, gender diverse and non-binary community do not have the luxury to ignore and tune-out from the persistent aggravation of anti-trans groups. As marginalised communities, we watch their activity and warn each other accordingly to monitor and protect against the harms of free speech and hate speech, for those most at risk from it, knowing that this feeds and freely flows into the societal drivers and public attitudes that normalize abuse against trans, gender diverse and non-binary people, while systems apologetically cite a lack of data and research to spur

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protective action. We are well aware that these groups are not representative of a societal majority, of government or public service bureaucracy. We are also aware that, in giving voice to our opposition and injury of a fringe movement, our opposition and injury might be dismissed as unfounded, unrealistic, hypervigilant. At the same time, we see that these groups are membered and led by gender-critical women and their allies in positions of power and influence, using their skills to refine and test new strategies and discourse to make trans exclusion a mainstream issue. Writers, academics, doctors, lawyers, counsellors, psychologists, social workers, artists and community organisers together contribute to a growing body of public work that is compiled through parliamentary inquiries and community consultations.

We have counted, since 2018, 157 publicly available submissions, public hearing testimonies or tabled documents have been made by local and national gender-critical groups and public figures to State and Commonwealth inquiries and international institutions, arguing the acquisition of rights for trans, gender diverse and non-binary people as a diminishment in rights for women and children. 104 of these have been written since 2023 (see Attachment A).

It is at this point an unremarkable discovery to our communities that a member of gender-critical grassroots groups is connected in some way to sectors, professions and systems that we rely upon. It is well-understood within our communities that, in particular, these groups and their members share deep histories within and alongside women's safety and violence prevention organising, with rich and complex histories of relationship and rupture with established and incorporated domestic and family violence, sexual violence and women's support organisations. Some of these organisations, and some of this work, have historically been in firm alignment with trans exclusion as a foundational knowledge and position in their work for women's safety. Many of the formal policies that enact this position within services and organisations have been reviewed or are being considered for review, though not all of them. We urge the point that despite the endless invocation of safety and safeguards for the rights of women and children, these groups do not tend to contribute actual submissions or any actual expertise consultation relating to Domestic and Family Violence and Sexual Violence policy, strategy and reform pieces. Regardless, the legacies and harms of this history on our communities is ongoing.

Sadly, given the privacy, largely unknown membership, and departure from official policy and public positioning of gender-critical organisations, it remains difficult in the present day for our communities to know who its friends and allies are, what organisations are genuinely safe and supportive, especially those that provide services in the tradition of feminist organising and practice. It is impossible to know the extent to which historical ties endure between gender-critical groups and incorporated organisations through boards, membership, staff, service users and stakeholder groups, but it remains naïve for our communities to have blind faith that these connections do not exist simply because they are not disclosed. For too many victim-survivors and people seeking support to stop using violence in our trans, gender diverse and non-binary

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communities, it remains risky to trust a service sector that does not actively and visibly have our back against the drivers and enabling attitudes of gendered violence and gender inequality.

It is painful to continue to hear and read stories of victim-survivors experiencing rejection, discrimination and transphobia both overt and covert within organisations whose core work is safety, and more painful still that such stories are received as expected and familiar when shared within our community spaces. Here we direct the Commission's attention to [Attachment B](#) to this submission: A transcript of trans and non-binary victim-survivors experiences of an Australian sexual violence service. We contend that the lived experiences recorded, with the consent of participants and the service in question, are not new insights shared informally within closed community spaces. However, the writing and submission of transcript is likely to be new and therefore of major value to the work of the commission.

We write this letter with the reluctant knowledge that it will likely direct negative attention toward us from the breadth of organised gender-critical organisations, and that it may even be seen as reactive and alarmist from some we count on as friends and allies. However, we have observed with serious concern the ways in which this negative attention and its attendant actions has continued to play out against our communities without sufficient organisational aid or backing. This has to end if there is a genuine and common goal for trans, gender diverse and non-binary people to receive and access support to live free from gendered violence and inequality.

Do not read this submission as one that seeks any backward step on the advocacy, action and effort that is needed to end violence against women and children, or to address attitudes and behaviours amongst men and boys that lead to violence. We reject absolutely the implication that ending violence against women and children, and violence against LGBTIQ+SB people of all genders, particularly trans, gender diverse and non-binary people, is in any way at cross-purposes. We reject absolutely that the ideas and beliefs articulated by gender-critical feminist groups is representative of the ideas and beliefs of most women, of most feminists, of most feminist organisations or of most victim-survivors. We are not uncomfortable in standing proudly as, and alongside, women, children and LGBTIQ+SB people of all genders in the staunch belief that all gendered violence and inequality must end. We ask you to see the uniqueness of the harms and struggles we articulate here, and the ways in which it is the same and the ways in which it is different to other harms and struggles. We hold ourselves to this standard, and continue to see and act in solidarity with other communities whose harms and struggles are not ours, but to which we are inextricably connected and interdependent.

ⁱ Valcore, Jace & Fradella, Henry & Guadalupe-Diaz, Xavier & Ball, Matthew & Dwyer, Angela & DeJong, Christina & Walker, Allyn & Wodda, Aimee & Worthen, Meredith. (2021). Building an Intersectional and Trans-Inclusive Criminology: Responding to the Emergence of "Gender Critical" Perspectives in Feminist Criminology. *Critical Criminology*. 29. 10.1007/s10612-021-09590-0.