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Submission to the Legal Affairs and Community Safety Committee, on the Crime and Misconduct and Other Legislation Amendment Bill 2014

Gender Specific Language

My concerns regarding the proposed changes to the Crime and Misconduct and Other Legislation Amendment Bill 2014 relate to Section 35.

Apart from structural legislative changes to the Crime & Misconduct Commission itself, it is the reverting to gender specific male language, which I raise objection to.

Changes to language within the Bill includes:

Section 35 Amendment of s 224 (Qualifications for appointment as the chairperson)

(1) Section 224, heading, 'as the chairperson'—

omit, insert—

chairman and deputy chairman

(2) Section 224, 'chairperson if'—

omit, insert—

chairman or deputy chairman if

It is surprising these changes are being mooted with no prior mention or discussion.

These changes are sexist in defining specific roles as those belonging to men with the exclusion of women. Over the past 30 years so much has been achieved to ensure that Queensland develops and maintains a gendered agenda. Ensuring women are equal within law is a critical part of this. It is now widespread accepted practice in all facets of society that gender-neutral language be used.

Reverting to male specific terminology would be out of step with other laws and mechanisms including the Sex Discrimination Act 1986. It could be argued that the proposed changes could in fact breach provisions within the Sex

Discrimination Act 1986 by implying that the roles of “Chairman” and “Deputy Chairman” are to be filled by men.

The Australian Constitution states that Federal Law takes precedent over state law. With the inconsistency that will arise with Section 35 Crime and Misconduct and Other Legislation Amendment Bill 2014, then federal law, in this case the Sex Discrimination Act 1986 will over-ride the state law.

Language is a powerful tool. The old arguments that women are included in male specific terminology no longer washes, we have long moved on from the ridicule that encountered feminists who first argued for the case of inclusive language.

Dale Spender 1980 wrote in *Man Made Language*

“One semantic rule which we can see in operation in the language is that of the male-as-norm. At the outset it may appear to be a relatively innocuous rule for classifying the objects and events of the world, but closer examination exposes it as one of the most pervasive and pernicious rules that has been encoded.”

Any effort to revert to making women ‘invisible’ is of concern. Whether that is within language, laws, policy, political representation, programs or education.

Words are tools of thought. We can use words to maintain the status quo or to think in new ways -- which in turn creates the possibility of a new reality.

Excluding women in language can certainly further impact negatively on their reality.

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