




Speech By
Corrine McMillan

MEMBER FOR MANSFIELD

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**ANTI-DISCRIMINATION (RIGHT TO USE GENDER-SPECIFIC LANGUAGE)
AMENDMENT BILL**

 **Ms McMILLAN** (Mansfield—ALP) (6.17 pm): I rise tonight to make my contribution to the Anti-Discrimination (Right to Use Gender-Specific Language) Amendment Bill 2018. The bill was introduced by the member for Traeger to unnecessarily protect the right to use gender specific language, claiming that users of gender specific language are perceiving to be in some way penalised. In fact, the member for Traeger and now the member for Hinchinbrook tonight went so far as to state that this bill will mark a turning point in the battle for common sense.

Interestingly, the member for Traeger relies on and refers to the *Courier-Mail* as his primary source of evidence—an unfortunately all too common practice in this state. His concerns are altogether misplaced. There is nothing sensible nor indeed practical about this bill. By way of interest, referencing the common press is yet another practice that is discouraged by higher education institutions, including the University of Queensland. I make this informed comment as a member of the Legal Affairs and Community Safety Committee who had carriage of this bill and where, in report No. 31 of the 56th Parliament, the committee did not recommend this bill be passed.

The bill proposes to amend the Anti-Discrimination Act 1991, hereby referred to as the act, to make it unlawful to discriminate on the basis of the use of gender-specific language. With reference to the community consultation on this bill I will highlight the futility, the absurdity and the danger should this bill be passed.

The member has clearly not done his homework in terms of investigating the assessment policies of the University of Queensland nor, indeed, any other higher education institutions. I am a master's graduate of the University of Queensland, and in the past as an academic I have been involved in the assessment of students' work. I am not aware of any policy authored by the University of Queensland that suggests that the assessor should mark down any student's work on this basis. Further, the use of gendered language—and in fact, pronouns—is not common in academic transcripts, as usually this work is written in the third person. Mr Katter should surely be aware of this. Had he properly investigated this matter, he would appreciate the use and importance of academic conventions and the contemporary style of academic writing. It seems to me that the only person offended is Mr Katter.

Madam DEPUTY SPEAKER (Ms Pugh): Correct titles.

Ms McMILLAN: Further, the member has also not adequately investigated the issue as it relates to schooling and diversity—the very people the original Anti-Discrimination Act was designed to protect. The ways that schools have dealt with issues related to gender have been a matter of nuance over many years.

Initially, the bill proposes to extend the meanings of direct discrimination and indirect discrimination to include the use of gender-specific language. This amendment would mean that direct or indirect discrimination on the basis of the use of gender-specific language would be prohibited except if the language is offensive in any way.

The member for Traeger fails to provide any evidence of a widespread disadvantage to groups or individuals. The submission of the Caxton Legal Centre supports this argument, suggesting that people who use gender-specific language do not have a particular vulnerability that requires protection, and that providing protection for them under the Anti-Discrimination Act 1991 may result in increased discrimination towards a vulnerable group of people, which includes those who are transgender, gender diverse or intersex.

The Caxton Legal Centre rightly outlined that the current act already ensures the protection of human rights of particular groups of people who do not fully enjoy their fundamental rights in public life and who are more vulnerable to human rights violations. The centre also advised that the act should be amended to promote conduct which could cause significant harm to a vulnerable group which the act also seeks to protect. Such conduct could exist in the form of deliberate and persistent misgendering of a transgender or gender diverse person, which will inevitably cause significant harm.

This is not an imagined harm; nor is it, as the member for Traeger would have you believe, radical political correctness. This is about protecting our most vulnerable people and ensuring that they live in a Queensland free from discrimination—a Queensland that this Palaszczuk government can be proud of. It bears repeating that transgender people over the age of 18 are 11 times more likely to attempt suicide—11 times more likely. Almost half—41.8 per cent—of gender diverse and transgendered youth between the ages of 14 to 25 have attempted suicide in their lifetime. Indeed, in Mr Katter's own electorate a transgendered woman named Emily told ABC North West Queensland in 2018—

I've been followed out of shops and abused, I've been abused in shopping centres, called a freak, called an 'abomination'.

Shocking as that was—and as it still is today—frivolous legislation as used by the member for Traeger shows the importance of the Anti-Discrimination Act to ensure the protection of all students at our institutions of higher learning. These are our future scholars, our writers, our lawyers, our teachers and our politicians. The very least we can do is to ensure their protection at our institutions of higher learning.

As all members of this House are aware, the Anti-Discrimination Act was passed to protect the most vulnerable people in society who are consistently discriminated against on the basis of their race, religion, abilities, sexual preferences and so on. Those who use gender-specific language cannot be deemed as a vulnerable group for the purposes of the act, and to make this assertion is just ridiculous. The contents of this bill and its intentions provide some interesting insights into the member for Traeger's philosophical beliefs and ideologies, not least the member's comfortability with his lack of an evidence based approach to law reform in Queensland. Rather, his motivation for reform is to merely push his own prejudices for purposes unknown. I oppose this bill.