




Speech By
Melissa McMahon

MEMBER FOR MACALISTER

Record of Proceedings, 14 July 2020

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

 **Mrs McMAHON** (Macalister—ALP) (6.06 pm): I rise to speak against this bill. I understand the objectives of the bill. I understand the general railing against anything that seems to be labelled progressive or inclusive. I understand that bills like this tend to become a lightning rod for the anti-PC brigade, but I posit that the objective, the premise for this bill is fundamentally flawed.

Let us examine this bill objectively. Let us look at the evidence. Firstly, its objective is to protect an individual's right to use traditional gender based language. The member for Traeger told the committee that people who choose to use traditional language—and let us not fall down the rabbit hole of understanding how problematic it is when dealing with the etymology of language given how dynamic it is—are currently being punished. Furthermore, he states that this punishment will continue to grow.

When asked to provide evidence of people being punished for such language, the member for Traeger could only point to articles contained in newspapers. When specifically asked about the issue of students at the University of Queensland being marked down for using particular pronouns in an assessment, the member for Traeger was not able to provide any additional information other than what had been previously reported in the media. In fact, when asked how much of an issue this was at the University of Queensland, a university of some 50,000-plus students at the time, the member for Traeger could only indicate a handful of people—somewhere between two and five—had contacted his office to complain about the marks they had received. What were the marks they received? What was the assessment piece? What was the marking criteria against which the student was marked? The member for Traeger could not say. At the time he was also not interested in actually ascertaining the university's policy on assessment and redress.

The member for Traeger also pointed out that Commonwealth Games volunteers were told to use gender neutral language and that Qantas has a words at work policy that suggests or recommends certain language. When asked whether any of these volunteers or staff had been directed, rather than just suggested or encouraged, to use such language, the member could not say. Apparently, also concerning is that the Queensland government provided information packages to school principals to assist in helping transgender students. They are to be used at the principal's discretion. Shock-horror that a principal may wish to assist a vulnerable student.

Heaven forbid that the Australian Defence Force encourages the use of certain language. I will give the member for Traeger a tip: the ADF does and can do a lot more than encourage members to do certain things when it wants members to comply. It has whole acts and regulations to direct members to do certain things. If the member for Traeger wants to rail against UQ's policing of the written words of its students, I suggest he look no further than at how restrictive the ADFP 102 is. It is the bible for staff officers who draft correspondence on behalf of the ADF—and I think there is a whole chapter on pronouns. How riveting!

Yes, workforces do have a say on how people who represent their companies, and their uniforms, write on behalf of their organisations. Universities are training grounds for this. What is currently the penalty or what repercussions could the member point to for errant employees or volunteers who disregarded these guidelines or recommendations? Well, nothing. Not only was the member not aware of anyone being directed to use non-gender specific language, but he could not identify whether any person or entity has been prosecuted for not using gender-neutral language.

The second objective is to protect businesses and other organisations from disadvantage in the provision of facilities and services. The reasoning, I am assuming, is that small businesses and community organisations will be lumped with the cost of providing facilities that cater to all patrons. When asked if the member had been approached by clubs in his areas about this increased cost blowout or burden, the answer was no. Perhaps the member is concerned that when new public facilities are built there is a requirement for a disability access toilet—that is, a toilet that is non-gender specific.

The lack of evidence, the lack of stakeholder consultation, the lack of any visible community concern over specifics contained within this bill was quite striking. This is a private member's bill based on a vibe—a concern or, as the member for Traeger worded it, a malaise. I suggest that 'malaise' is probably a good word to use because the exact cause or reason for this bill is difficult to identify.

The member stated that many of the issues he is concerned about—the undermining of what he calls accepted values and social norms without a political, social or moral mandate—are not being debated or properly addressed in this House. When I asked about this lack of debate, this lack of oversight of this House about these changing and social norms and about whether he spoke on such bills that had been introduced to the House, his answer was no. He is a busy man with a big electorate, an electorate in which these issues are not of high concern apparently, unless you are at the pub. He is not too busy though to introduce a bill on a vibe, a feeling, an opinion.

This bill seeks to amend the Anti-Discrimination Act, now the Human Rights Act. It seeks to make the right to use gendered pronouns a protected attribute. It completely misses the point that the objective of that act is to provide protections to vulnerable categories of people. People who are seeking to deliberately use gendered language at the expense of the sense of worth and wellbeing of others are not in and of themselves a vulnerable group needing protection. They certainly do not need protection at the expense of those who are already greatly maligned and misrepresented in the broader community. I stand here, I believe, with the political, social and moral mandate, to protect those this bill seeks to further marginalise and disenfranchise. I do not support this bill.