

***Brief submission on the discussion paper: Consolidation of Commonwealth anti-discrimination laws***

According to the discussion paper “Government has committed to introducing new protections against sexual orientation and gender identity discrimination as part of this process”

The theory that gender is merely a “social construct”, that it has nothing to do with biology and everything to do with social conditioning and its therefore changeable at will, is very debatable and not at all generally accepted.

It is interesting to note that the only binding definition of gender in international law is contained in the Rome Statute of the International Criminal Court, which states: ‘...the term ‘gender’ refers to the two sexes, male and female, within the context of society. The term ‘gender’ does not indicate any meaning different from the aforementioned definition.

We acknowledge that The Intersex condition is a legitimate category based on real chromosomal abnormalities. It is a very rare condition, but does manifest itself in such disorders as Turner’s Syndrome, Klinefelter’s Syndrome, and Androgen Insensitivity Syndrome, etc. These usually involve genetic abnormalities which are made manifest in genuine sexual confusion, as in ambiguous genitalia. This is far different from homosexuality, and must be considered quite separately.

People suffering from a gender identity crisis should be provided with all of the medical, including psychological, help necessary.

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