

**Australian Society of Sex Educators, Researchers & Therapists (ASSERT)
NSW**

Statement January: 2011

**A response to the Federal Attorney General's Consolidation of Commonwealth
Anti-Discrimination Laws: Discussion Paper, Australia – 2011**

Sex and/or Gender Diverse (SGD) & Sexuality Diverse Protection

Anti-discrimination protection for **sex and/or gender diverse (SGD) groups** of people need to include people who are intersex, transexed, transsexual, transgendered, androgynous, without sex and gender identity, cross dressers and people with sex and gender culturally specific differences. They are people who experience variations in physical presentation and social behaviour that is other than stereotypically male or female. Each group may have its own physical, psychological, social, legal and political issues that may not necessarily relate to any of the other groups.

For most people their sex is either predominantly male or female. Some people are born with obvious ambiguous sex characteristics that place them as intersex or indeterminate sex. Other people may experience physiological feminization or masculinisation during their lives. Still further there are people who have atypical sex characteristics that may be seen as sex diverse, for these people it may not be possible to diagnose them as intersex but they are sex diverse.

Gender diverse people experience difference in socially constructed gender performance. Gender is essentially a performance of masculinity, femininity, both or neuter place within a sociocultural context.

Sexuality is the way in which individuals or groups engage in sexual activity and contact. The way in which societies view sexualities depends on social values and perspective. Ostracized **sexuality groups** in Australia at the moment include gay, bisexual, lesbian, queer and polyamorous groups.

In Australia at the moment there is a chronic lack of anti-discrimination laws to protect all **sex and/or gender diverse and sexuality diverse groups**. In sexology none of these people are considered to be pathological or a deviant in any way and are simply an occurrence in nature. In the Federal Attorney General Departments reconfiguration of antidiscrimination laws there is a need to include all these groups in to also comply with the Federal Attorney General Departments obligations to the United Nation's International Human Rights.

Any legislation needs to use the broad phrase **sex and/or gender diverse and sexuality diverse groups** so it encompasses protection for all Australians, with subheading including the groups previously mentioned.

The Australian Society of Sex Educators, Researchers and Therapist (ASSERT) NSW is a professional organisation of sexologists, sexual health practitioners, sex therapists, doctors, nurses, naturopaths, psychologists, psychotherapists, counsellors, social workers and academics specialising in human sexuality. Our membership has specialist and collective knowledge around the biological, psychological and social issues in the areas of sex, gender and sexuality.

Our human rights considerations are founded on improving the sexual health of Australians in line with the World Sexology Association's (WAS) Millennium Declaration which states:

'Sexual rights are an integral component of basic human rights and therefore are inalienable and universal. Sexual health is an integral component of the right to the enjoyment of the highest attainable standard of health. Sexual health cannot be obtained or maintained without sexual rights for all.'

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