

# **HANSGENDER**

# VICTORIA'S TRANSGENDER HISTORY

Professor Noah Riseman | Australian Catholic University | May 2021

### **Photography**

Margot Fink Nae McLeish Australian Queer Archives (AQuA)

### Design

**Margot Fink** 

### **Interviews**

Anna Langley
Brenda Appleton
Dr Fintan Harte
Greer McGearey
Jonathan Paré
Julie Peters
Kayleen White
Sally Goldner
Sim-Victor C. Kennedy

### Historical images supplied by the Australian Queer Archives

Page 2 - Australian Transsexuals Association protest, Manly, March 1983, unidentified photographer, Papers of Roberta Perkins

Page 4 - Jamie and Lex's wedding, Kew, Melbourne, c. early 1970s unknown photographer, Robert Albert Lott (Lottie) Collection

Page 18 - Gay Pride Week March, Adelaide, 15 September 1973, unknown photographer, Jill Matthews Collection

Page 23 - Julie Peters, c.1998, unknown photographer, Evo Media Melbourne Office Collection

Page 23 (background) - Gay Pride Week March, Melbourne, 14 September 1973, photo by Frank Prain

Page 41 - Equal Love Rally, Melbourne, 26 August 2017, photo by Michael Barnett













# ACKNOWLEDGEMENT OF COUNTRY

TGV operates across land belonging to the Wurundjeri, Boonwurrung, Taungurong, Dja Dja Wurrung, and Wathaurung peoples of the Kulin Nation. Transgender Victoria pays its respects to Elders past, present, and emerging, and acknowledges that sovereignty has never been ceded.

Transgender Victoria also acknowledges the long history of gender diversity within Aboriginal and Torres Strait Islander communities and all the Sistergirls and Brotherboys past, present, and emerging.

# **CONTENTS**

Introduction	4
Trans-historicity of Victoria until World War II	6
Medicalising Transgender: 1950-2000	12
Transgender Organisations: 1970s-80s	14
Pushing for Legal Recognition: 1975-1995	18
Transgender Relations With The Gay and Lesbian Community	22
New Transgender Support Groups: 1990s	24
Founding New Transgender Rights Groups: 1997-2000	26
Securing Anti-Discrimination Protections	28
Transgender Representation and Reforms: 2000-2004	31
Media and Transgender Victorians	34
New Organisations and Transgender Health in the New Millennium	36
Trans and Gender Diverse Young People	38
Physical and Mental Health	40
Current Directions	42
Timeline	46
Glossary	52
References	54
Endnotes	56



### **OBJECTIVE**

This report provides an overview of the legislative, medical, and social histories of trans and gender diverse (TGD) people in Victoria. Understanding the history of marginalised groups is vital to inform the development and implementation of policies and programs to support social inclusion and overcome disadvantage. Exploring the history of transgender people in Victoria exposes:

- structural and legal barriers that have disadvantaged TGD people;
- processes that led to legal, health and social reforms to improve the lives of transgender Victorians;
- strategies that transgender people deployed either as individuals, within organisations or as activists to challenge discrimination and support each other;
- successes and shortcomings of past reforms;
- changing priorities, challenges and needs of TGD people in Victoria

### TERMINOLOGY-

One of the biggest challenges when working with gender diversity, past and present, is the constantly evolving language and terminology. In many cases the signifiers of identity used in the past are considered offensive by today's standards; yet, today's preferred terminology did not exist in the past. Indeed, one point this report will cover will be the ways that debates over language played out among transgender Victorians. Labels can make individuals uncomfortable; a word one person may use to self-identify may be considered offensive to another person.

This report uses terminology around trans and gender diversity that is considered best practice, following the "Trans-Affirming Language Guide" developed by TransHub and ACON.¹ It also avoids terms like 'cross-dresser', instead using the expression 'dressing' to refer to people who wear clothes generally associated with a sex other than that assigned at birth. However, when referring to historical documents, it references the terminology of the time. When drawing on oral histories, the report will use the self-identifiers that the interview participants used for themselves, even if those words do not reflect current terminology.

# HISTORICISING TRANSGENDER

Archives scholars Kelly Rawson and Cristan Williams trace the first known usage of the term transgender to a 1965 text by psychiatrist John Oliven. He used the word to distinguish between two other psychiatric terms: transvestism and transsexualism. Transvestism referred to heterosexual men who enjoyed dressing and presenting as women from time to time, while transsexualism referred to those who experienced severe mental distress because they identified with the female gender but were assigned male at birth.

Essentially, if transvestites were those who identified as male but sometimes wanted to dress as female, and if transsexuals underwent surgery to align their bodies with their affirmed gender, then Oliven was using transgender to refer to people in between: men who identified as and wanted to live socially as female, but did not want gender affirmation surgery.<sup>2</sup>

Importantly, these terms almost always referred to what we now call trans women; there was little discussion about trans men and no mention of non-binary.<sup>3</sup> Both 'transvestite' and 'transsexual' are now generally considered outdated terms.

In the 1970s a small number of American psychiatrists and organisations began using the term transgender. It would not be until the 1990s, and especially after the publication of American activist Leslie Feinberg's landmark manifesto *Trans Gender Liberation: A Movement Whose Time Has Come*, that transgender evolved into the more common, popular term.<sup>4</sup>

This was a fraught process internationally, as debates played out in the 1990s between 'pre-operative transgender' versus 'post-operative transsexual' people. That said, these debates were less pronounced within Victoria's transgender community than in Sydney or other countries.

Rawson and Williams succinctly define the contemporary term transgender as referring to people:

# "WHOSE GENDER IDENTITY AND/OR GENDER EXPRESSION DIFFERS FROM THE SEX THEY WERE ASSIGNED AT BIRTH." 5

Historian Susan Stryker explains how this umbrella use of transgender intentionally accounts for diversity:

"[Transgender] refer[s] to people who cross over (trans-) the boundaries constructed by their culture to define and contain that gender. Some people move away from their birth-assigned gender because they feel strongly that they properly belong to another gender through which it would be better for them to live; others want to strike out toward some new location, some space not yet clearly described or concretely occupied; still others simply feel the need to challenge the conventional expectations bound up with the gender that was initially put upon them. In any case, it is the movement across a socially imposed boundary away from an unchosen starting place, rather than any particular destination or mode of transition."

Stryker also presents an excellent overview explaining other terms historically associated with transgender people and research: agender, AMAB and AFAB [assigned male/female at birth], binary gender, cisgender, cross-gender, gender, gender dysphoria, gender expression, gender identity, gender-neutral pronouns, genderqueer, non-binary, gender presentation, gender role, habitus, identity, intersex, queer, secondary sex characteristics, sex, sexuality, tranny, trans man and trans woman, transsexual and transvestite.<sup>7</sup>

One challenge historians confront is how to explore and explain transgender history before the expression existed. We know examples of diverse gender identities from numerous cultures which date back for millennia. For instance, in parts of India the hijra are a third gender who occupy a special place in Hinduism. Kathoey are a third gender in Thailand who sometimes performed the roles of shamans. Two-spirit is a modern, umbrella word which encompasses terms from numerous Native American nations for a third gender.

Two-spirit people are often seen as possessing special power and knowledge, and were sometimes referred to by settlers as 'medicine men'. Pacific Island cultures also have a third gender; the most popularly known example is fa'afafine in Samoa. In all of these and other Indigenous cultures globally, the idea of there being gender beyond the male/female binary is longstanding, and those people often had customary roles in society. It is certainly possible to find examples from Australia's past of people who challenged the social norms and binaries around gender, whether that be through dress, adopting the identity of another gender, or altering their body or voice. Yet, in the absence of oral histories and autobiographical accounts, we have no way of knowing why people did not conform to gender norms.

Was it because they were trying to attain an improvement in social, professional or economic status – something common for females who assumed men's identities across history? Or was it because they experienced their gender differently to their sex assigned at birth? To put transgender historians' challenge simply: how can we label someone as transgender if the word did not exist? Could we say that they were transgender but simply did not have the language to articulate their identities as such? What if they would not identify as trans or gender diverse, even using the present-day terminology? Is it possible that past people were content without labels to describe their gender identity or expression? Or is it possible they had other ways to define their gender identities?

On the one hand historians need to be cautious about anachronistically applying a present-day, Western concept to the past. On the other hand, transgender activists and historians such as Leslie Feinberg and Susan Stryker argue that finding historical examples of gender diversity can empower today's transgender people as experts in their own histories, and can help them fight oppression. It is for this reason that historians have been so keen to examine the past and find examples of gender non-normativity, and to construct what transgender studies scholars refer to as 'trans-historicities'. Trans-historicities call for historians to look to past examples of gender non-normativity, to ask questions about the meanings of those gender crossings, and to imagine trans possibilities.

The rest of this report will reconstruct a trans-historicity of Victoria, especially since the mid-nineteenth century. The bulk of the report will focus on transgender history since the 1970s, focusing on legal, medical and activist histories of transgender Victorians.

The report draws on research funded by Australian Research Discovery grant DPI80I00322: "Transgender Australians: The History of an Identity." The main sources come from:

- oral history interviews with TGD Victorians, especially past and present activists
- oral history interviews with health practitioners who played significant roles in the history of transgender healthcare provision in Victoria
- newspaper reports, accessed through Trove (National Library of Australia), interview participants' personal archives and online database Factiva
- personal archives kept by activists, which include newspaper and magazine articles; organisational records from past and present transgender organisations (e.g. Seahorse Victoria, Transgender Victoria, Victorian Transsexual Coalition, YGender); correspondence with parliamentarians or bodies like the Victorian Human Rights and Equal Opportunity Commission; committee minutes of LGBTIQ+ advisory groups or organisations
- papers in the Public Records Office Victoria, National Archives of Australia and University of Melbourne Archives
- mainstream newspapers, the LGBTIQ+ press and personal papers kept at the Australian Queer Archives (formerly Australian Lesbian and Gay Archives)

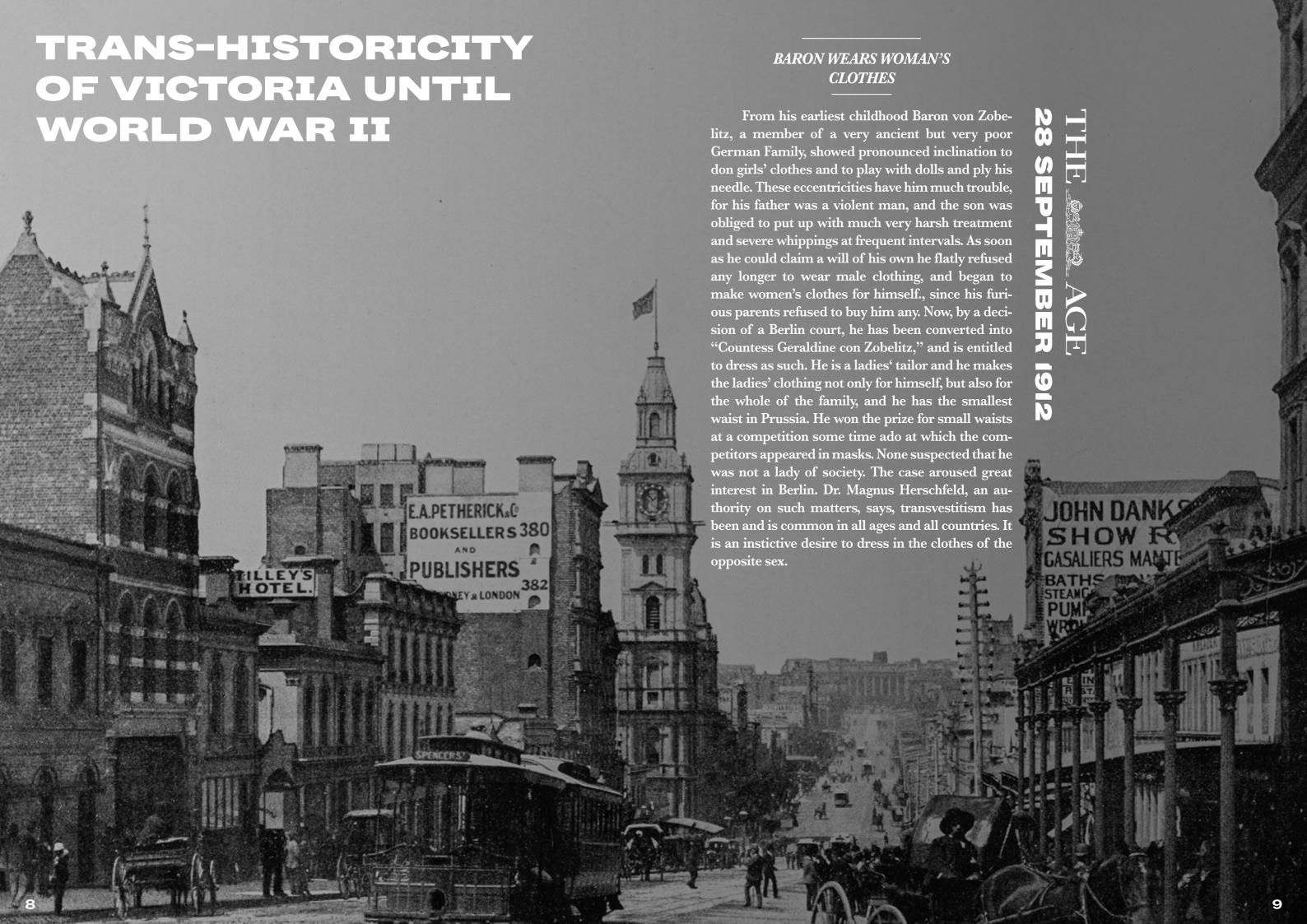
### **ACKNOWLEDGEMENTS**

The author wishes to thank all the transgender and other interview participants who were generous with their time and shared their life stories.

While it would not be possible or appropriate to list all their names here, particular thanks go to those who shared personal archives, commented on drafts of this report or assisted in networking with other interview participants: Brenda Appleton, Dale Crane, Andrew Eklund, Sally Goldner, Dr Fintan Harte, Sim-Victor C. Kennedy, Anna Langley, Greer McGearey, Kenton Miller, Jonathan Paré, Julie Peters and Kayleen White.

Thanks also to the Victorian representatives on the advisory group that has been working with this Australian Research Council project: **Sammantha Elmes, Aram Hosie and Nick Henderson (Australian Queer Archives)**. Thanks also to **Geraldine Fela**, who has proven a fantastic research assistant for this entire project.

Finally, thanks to Transgender Victoria for publishing this report, and to Margot Fink for design.



Aboriginal people have occupied present-day Victoria since time immemorial. Dispossession, massacres and colonial practices like child removal and the banning of Aboriginal languages made it difficult for Aboriginal Elders to pass knowledge down across generations. Of course, Aboriginal people also found ways to adapt and still practice and transmit their culture. While most Victorian Aboriginal languages are no longer spoken, those languages and knowledge continue to live in the land, the trees and the waterways. Aboriginal communities now work with anthropologists, archaeologists, ecologists and historians to revitalise traditional practices. We know that Aboriginal cultures are highly gendered, with particular roles for women and men. Many sacred stories or places are designated for men or women only. Notwithstanding such binaries, we know from other Aboriginal mobs that there was likely space for a third gender in pre-colonial Aboriginal societies. For instance, languages from central and northern Australia have words for a third gender. 10 We also know that globally, many Indigenous cultures have terms and roles for a third or non-binary genders, now often adopting the Native American term Two-spirit. Drawing on these long traditions, many gender diverse Aboriginal Victorians are now adopting the popular Tiwi Island terms sistergirl or brotherboy to identify their genders in the twenty-first century.<sup>11</sup>

The first permanent white colonisers in Victoria settled around Portland in 1834; Melbourne was founded in 1835, and Victoria remained a relatively small colony of pastoralists for the next fifteen years. The gold rush of 1851 set off a massive wave of immigration, economic growth and transformed Melbourne into a boomtown. It was in the subsequent decades that some of the first cases of gender crossing are recorded. The most famous example is Edward De Lacy Evans. Evans was born between 1829-41 and was a Catholic from Kilkenny, Ireland. In 1856, the person then known as Ellen Tremayne migrated to Australia. Reports from shipmates say that Tremayne dressed in some men's shirts on the voyage. After arriving in Melbourne, Tremayne worked as a domestic servant for a short time, and then disappeared just as Edward De Lacy Evans appeared. Evans married three women over the next twenty years while working as a carter, miner, blacksmith and ploughman around Bendigo and Stawell. The third wife had a child in 1878, with Evans recorded on the birth certificate as the father.

After that child was born, Evans fell into a depression and was admitted to the Bendigo Hospital Lunacy Ward in 1879, where he refused to bathe for six weeks. Authorities moved Evans to the Kew Asylum, forcibly stripping him to bathe. As Evans resisted, the staff discovered that anatomically Evans was female. This story was covered sensationally across the press. Evans was transferred back to the Bendigo Asylum and released at the end of 1879, ostensibly again living as Ellen Tremayne. For the next year, Tremayne/Evans participated in curiosity shows exhibiting across Victoria as "The Wonderful Male Impersonator". One newspaper description of Tremayne said: "The wonderful alteration in her appearance during the fortnight she had been in hospital seems really magical. She has become altogether effeminised, and it is difficult to believe now that so womanly-looking an individual could ever have passed for a man. Her breasts have almost regained their normal condition; the wrinkles in her face have disappeared, her arms are becoming fleshy, and the scars and marks on them being eradicated." By 1881 Tremayne was destitute and lived in the Melbourne Immigrants Home until their death in August 1901 – all this time living and dressing as a woman.<sup>12</sup>

It was not uncommon for women to dress and present as men before the Second World War. Given the legal and social impediments discriminating against women, assuming a male identity could grant women access to jobs, property, the vote and other male privileges. Yet, the Edward De Lacy Evans case seemed different, because they seemed genuinely to identify as a man. It is therefore a prominent example of a trans possibility in colonial Victoria.

Historian Lucy Chesser's research uncovered a surprisingly large number of examples of newspapers reporting cases of males caught dressed as women and females caught dressed as men in 1870s-1920s Australia. While Chesser is cautious not to label any of these people as transgender, she argues that these cases received so much publicity because they generated anxieties around the accepted boundaries of sex and sexuality.13 The most high-profile example of a male caught dressed as a woman in public was Gordon Lawrence, whom a policeman dramatically arrested at Melbourne's Centennial International Exhibition at the Melbourne Exhibition Building in 1888. Lawrence appeared in court a few days later still dressed in women's clothing. The press reported that when Lawrence was convicted for vagrancy, "he put up his hand to his face, and called out like a woman, and fell apparently in a faint, but recovered almost immediately and was taken to the cells, where he was given male attire to put on."14

From the late 1800s through the 1930s, newspapers regularly featured stories about males arrested for being dressed as women. Usually they were charged under provisions of the Vagrancy Act or laws against 'offensive behavior', which was legislation designed to prosecute sex workers, homeless people and other vices generally associated with poverty. Most men charged for vagrancy for dressing tended to argue that they dressed as a joke, as part of a bet or as a one-off incident. Most were convicted and fined, though there are a few cases from the 1920s and '30s where judges accepted defence arguments that there was nothing offensive about dressing as a woman in public.'<sup>15</sup>

Digging into some cases suggests that these people were not just dressing as women as a joke, but rather they felt a genuine desire to be seen as women. Some offenders admitted to dressing on more than one occasion. Some were caught in private quarters, such as a farmer from Geelong arrested at a Melbourne hotel in 1932. *The Canberra Times* reported, "The defendant said that while on a lonely farm he amused himself by dressing as a woman, and decided to come to the city to see if he could carry out the impersonation." <sup>16</sup>

Most were caught in circumstances where clearly they wanted the public to see them as women. In one case from 1935, a police officer followed someone dressed as a woman through the city and even to a movie before arresting them. When asked why they dressed as a woman, the person could only say:

"I JUST HAD AN URGE TO DO IT...I PURCHASED THE WOMEN'S CLOTHES FROM SEVERAL DIFFERENT SHOPS AND DRESSED UP AFTER I HAD FINISHED WORKING IN MY HOUSE, WHERE I LIVE ALONE." 17

- PERCY DOUGLAS BAYNES, 1935 Many transgender people today similarly describe an urge to dress from as early as their childhood, sometimes in private at home, but also venturing in public.

By the 1930s, Australian sexologists were drawing on international discourses about sexuality and gender and even had two terms to describe the phenomenon of males who had an inexplicable urge to dress as women: eonism or transvestism. Australia's first mention of transvestism was in a short 1912 press story about a German baron whom a Berlin court granted permission to call a countess and to dress as a woman.

The article from Melbourne's Age stated:

"DR. MAGNUS
HERSCHFELD [SIC],
AN AUTHORITY ON
SUCH MATTERS, SAYS,
TRANSVESTITISM HAS
BEEN AND IS COMMON
IN ALL AGES AND ALL
COUNTRIES. IT IS AN
INSTINCTIVE DESIRE TO
DRESS IN THE CLOTHES
OF THE OPPOSITE SEX." 18

- THE AGE. 1912

Newspapers from the 1930s reported on cases of transvestism in Brisbane and Perth. While there were no reported cases from Victoria, these examples represent an important shift that would become more pronounced after the Second World War: people who identified with a gender other than that assigned at birth were being defined, managed and treated by the growing psychology and psychiatry professions.

### HISTORICAL FIGURES OF NOTE



# EDWARD DE LACY EVANS PRONOUNS UNKNOWN

HISTORICAL GENDER NONCONFORMING INDIVIDUAL

# MAN DRESSED IN WOMAN'S CLOTHES No Offence, Decides P.M.

MELBOURNE. August 14.

A charge of offensive behavior against Percy Douglas Baynes, 35. of Elwood, who, it was alleged, had masqueraded as a woman in the city last night, was dismissed by Mr. Bond. P.M. in the City Court today. Mr. Bond said it was not considered offensive behavior for a woman to dress in men's clothing, and he could see no reason why it should be considered offensive for a man to dress as a

offensive for a man to dress as a woman. Dressed in fashionable women's attire. Baynes appeared in court with his hair worn long, brushed back, and with make up still visible on his face.

Detective James Cooke told the court that he followed Baynes into a picture theatre and sat near him. After the performance he followed Baynes in a tram and stopped him at Elwood.

"I asked Baynes why he was masquerading as a woman," Cooke said. He replied, 'I don't know; I must have a kink."

Baynes—Did I stop to speak to anyone?

Detective Cooke—No; you went straight home.

Baynes said that he had no vicious purpose in dressing up. "I just had an urge to do it," he added. "I realise it was a silly thing to do. I purchased the women's clothes from several different shops and dressed up after I had finished working in my house, where I live alone."

Mr. Bond—Well, I have seen women walking along the street in beach pylamas and lesser attire; many wear riding breeches and other clothes of men, and I do not know why it should be more offensive for a man to dress in women's clothes than a woman to dress in men's. This man certainly is much more decently attired than many women who parade in men's clothes.

After Baynes had given an undertaking that he would not masqueredo

# MEDICALISING TRANSGENDER: 1950-2000

In 1951, psychiatrist Dr Herbert Bower began treating patients at Melbourne's Royal Park Mental Hospital whose gender identity was different from their sex assigned at birth. Two overseas developments then had a profound influence on transgender history: the global publicity around American Second World War veteran Christine Jorgensen's transition from male to female in 1953; and the publication of American psychiatrist Dr Harry Benjamin's canonical 1954 text *Transsexualism and Transvestism as Psycho-Somatic and Somato-Psychic Syndromes.*<sup>19</sup>

These two related events created a language through which transgender people could begin to articulate their struggles with gender. At the same time, these two historical moments solidified the medicalisation of transgender that had begun with the pre-war sexologists. By defining 'transsexualism' and 'transvestism', doctors were also setting the parameters of who was trans; anyone outside their narrow definitions was not a 'true transsexual'.

To fit the psychiatric criteria of a 'true transsexual', a person had to see themselves as a heterosexual woman trapped in a male body. They had to desire to dress conservatively in dresses and skirts and to conform to stereotypical gender norms of white, respectable, middle-class women. They had to desire gender affirmation surgery and seek to disappear into society afterwards, keeping their transgender identity a secret

It is not clear when Melbourne's first gender affirmation surgery happened, though a memo from 1985 suggests that it was in 1969. We know that before 1975, psychiatrist Professor Richard Ball was also seeing transgender patients and referring them to surgeon Dr Hunter Fry. Fry was performing surgeries at the Royal Melbourne Hospital, usually early on Saturday or Sunday mornings. A newspaper article about transgender people from 1987 also mentioned that the Victorian Health Department ran a Transsexualism Consultative Clinic which saw over 700 patients from 1969.<sup>20</sup>

In the early 1970s a GP referred a transgender patient to Dr William Walters, an obstetrician at the Queen Victoria Hospital in Melbourne. Walters did some research and referred that patient to an endocrinologist and surgeon. Soon, other GPs across Australia began to refer patients to Walters, and he saw that there was a clear need for a coordinated, cross-specialist clinic to work with transgender patients. He brought a controversial proposal to his supervisor Dr Carl Wood: to set up a gender dysphoria clinic at the Queen Victoria Hospital. They sought legal advice because they were uncertain if it were even legal in Australia to remove healthy organs from a person. Armed with the legal advice and overseas research on transsexualism, in 1975 they convinced Monash University and the hospital board of management to set up the Monash Gender Dysphoria Clinic, with the first patients flowing from

1976. Now known as the Monash Gender Clinic, it is presently the only publicly funded clinic in Australia which employs psychiatrists who can refer people for gender affirmation surgeries.

Walters was director of the Monash Gender Dysphoria Clinic from its founding until 1987. His role was essentially to coordinate patients' care, ensuring that they were referred to the appropriate specialists. Early on the clinic was seeing about one or two patients per month, but by the end of Walters' term as director there were about 100-150 patients on the books. Almost all patients were trans women; most were from educated backgrounds with professional jobs; they came from all over Australia, New Zealand and even other countries in Asia.

The doctors at the Monash Gender Dysphoria Clinic had strict expectations that dictated the transition process. GPs would refer patients to the clinic. Psychiatrists affiliated with the clinic would meet the patients and assess if they were 'true transsexuals'. Those who met the criteria could be prescribed hormones from an endocrinologist and were required to meet the 'real life test' to have surgery: to live full-time in their affirmed gender for two years, 24/7. This meant wearing dresses and skirts; adopting a female identity; divorcing their wives. The real life test could be dangerous, as transgender women faced public prejudice including violence. They also risked losing their jobs, which would make it harder to afford the hormones, specialist appointments and surgery. After surgery, many women then availed themselves of the Lincoln Institute Speech Pathology Clinic to learn voice modulation. The relationship between the Lincoln Institute (now La Trobe Communication Clinic) and the Monash Gender Dysphoria Clinic began around 1980.

Those transgender women who did not fit the clinical ideas of a 'true transsexual', or those women who did not want surgery or who could not afford it, had fewer options. They may find a friendly GP, like Dr Harry Imber who practiced in St Kilda in the late 1970s and then in Melbourne's CBD. Imber was known as someone who would be friendly to transgender clientele, including sex workers, and was willing to prescribe hormones. Indeed, Imber was one of the few doctors who practiced what is now known as the informed consent model: advising transgender patients about the effects and risks of hormones, and letting them decide their own course of treatment.

Imber was also a member of a short-lived group from about 1978-83 headed by Dr Walters, known as the Australian and New Zealand Committee on Transsexualism. This group held its first annual meeting in 1979, bringing together GPs, endocrinologists, surgeons, psychiatrists, obstetricians and other specialists working in transgender health. The organisation had about 30-40 members.

In 1987 Dr Walters accepted a position at the University of Newcastle, and surgeons affiliated with the Monash Gender Dysphoria Clinic stopped performing surgeries for patients without private health insurance. Doctors associated with the clinic complained to the press, and it was not until eighteen months later, in May 1989, that the Victorian government resumed funding the clinic for up to ten surgeries per year – even while there were waiting lists of well over thirty-five people.<sup>21</sup> Around that time, the surgeons began performing most gender affirmation operations at the Masada Private Hospital.

Psychiatrists Dr Trudy Kennedy and Herbert Bower became the new directors of the Monash Gender Dysphoria Clinic. The clinic relocated to Monash Medical Centre, and from 1995 became operationally aligned to the Mental Health Program at Monash Health. Many transgender people who transitioned in the 1980s-90s remember Kennedy and other staff at the Monash Gender Dysphoria Clinic as being particularly rigid in their expectations of gender conformity and brash in their demeanour. They recall feeling they had to conform to Kennedy and others' expectations, essentially playing the game to meet the requirements to have gender affirmation surgery. The psychiatrists' role as gatekeepers reflected global medical practices towards transgender people, and it has led to a lot of resentment and distrust of the health profession among many members of the transgender community.

From the 1990s to the early 2000s a small number of GPs, especially gay or bisexual GPs who were themselves coming from a community that had long been defined and marginalised by the psychology and psychiatry professions, began to shift away from the gatekeeper model of transgender healthcare. Still, the number of trans-friendly GPs was small, and they tended to be in inner-urban Melbourne. It would not be until the mid-2010s that more GPs, still mostly in Melbourne, began to become educated about prescribing hormones. Reflecting global trends, the psychiatry profession has slowly become more understanding of gender diversity rather than the old 'true transsexual' versus others model. Still, the Monash Gender Clinic follows World Health Organisation guidelines which require psychiatrists to prescribe gender affirmation surgery, and many transgender people are wary of the medical profession's ongoing role as gatekeepers.

# HISTORICAL FIGURES OF NOTE







### DR TRUDY KENNEDY SHE/HER

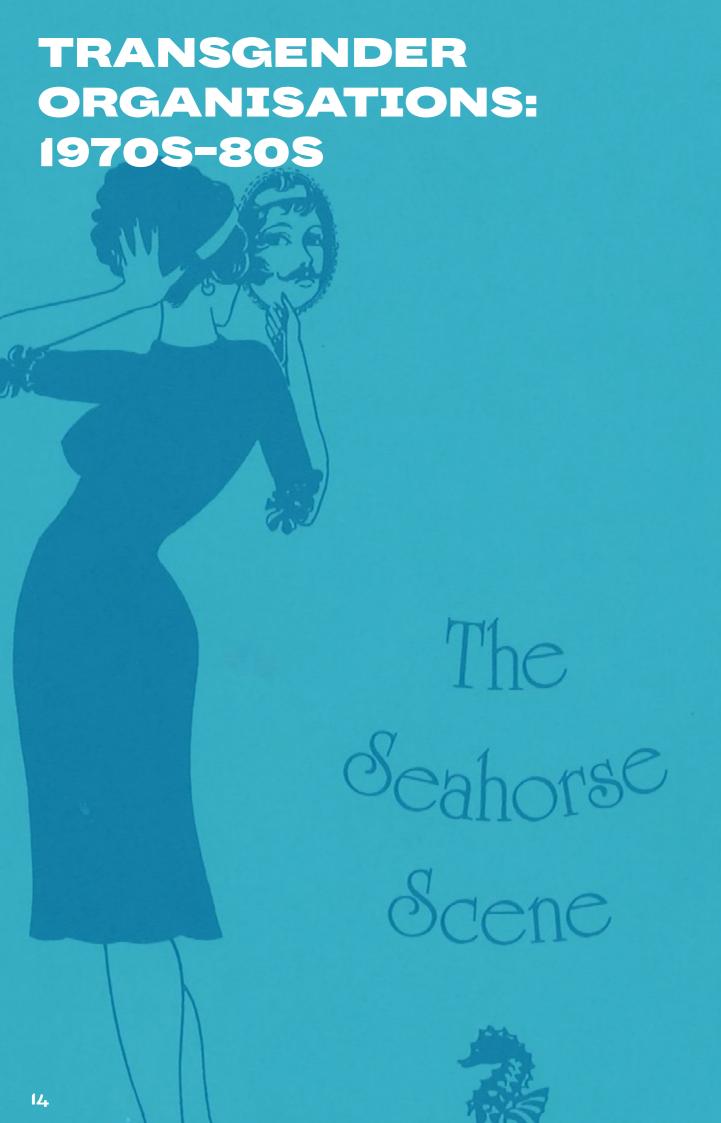
PSYCHIATRIST AND DIRECTOR OF THE MONASH GENDER CLINIC, 1987-2009

### **ORGANISATIONS**

MONASH GENDER CLINIC
PUBLICLY FUNDED TRANSGENDER HEALTH CLINIC

LA TROBE COMMUNICATION CLINIC

TRANS FRIENDLY SPEECH PATHOLOGY CLINIC



Notwithstanding the press coverage of Christine Jorgensen, there was little transgender visibility in Australia before the 1970s. Newspapers still reported cases of dressing, especially in tabloids like *Truth*. Usually there was a salacious aspect to the reports, such as a suicide, sex work, or other crime. By the late 1960s occasional newspaper reports mentioned Australian 'transsexuals', such as Toye de Wilde from Brisbane, who were travelling overseas for gender affirmation surgery. Such newspaper reports tended to be exploitative and did not paint a positive picture of transgender Australians – although there were positive exceptions in longer feature articles published in magazines such as *Pix-People*.

From the 1950s-70s there was not a defined transgender subculture per se, but many transgender people found themselves welcomed within the underground camp scene (as homosexuality was referred to then). Dressers would visit establishments such as the Australia Hotel or venues in St Kilda, especially around Fitzroy Street. St Kilda was also the site of many transgender sex workers, particularly around Greeves Street. Sex workers regularly had to contend with the threat of violence from both their clients and police. Regular police patrols or undercover members of the vice squad would arrest transgender sex workers and charge them with prostitution and/or committing acts of gross indecency.

Drag was one art form which transgender people could perform to experiment with diverse gender expressions. This is not to conflate drag with transgender; drag is about performing different genders, but the performers still usually identify with their sex assigned at birth. However, during the 1960s-70s especially, when there were few other options for dressers in public, drag was an entry point for some transgender people to express their authentic selves.

In the 1970s the media increased its coverage of transgender women in Australia. The majority of reports continued to be sensationalised and appeared in newspapers like *Truth* or Melbourne's *Sun*, but there was also a subtle shift in other areas of reportage. Often transgender people participated in these reports and, under the sensational headlines, many articles were sympathetic portrayals of the struggles of transgender Australians. Several older transgender women remember seeing feature stories about 'transvestites' or 'transsexuals' in magazine *Cleo*, which were more respectful and represented transgender women's voices.

The ABC produced a *Four Corners* episode about transsexuals in 1974 that was respectful in tone,<sup>22</sup> and throughout the 1970s and '80s the ABC ran occasional news stories or programs about 'transsexuals' and 'transvestites'. They even broadcast an episode of *Open File* in 1983 titled "Call of the Frock"; this thirty-minute documentary featured a few transgender women at different stages of transition, including following one woman as she underwent gender affirmation surgery at Melbourne's Queen Victoria Hospital.<sup>23</sup>

The role of media is complex for transgender men and women who were young or adolescent in the 1970s-80s. Many oral histories recollect seeing a respectful newspaper, magazine article, a television program on the ABC, or a program like the 1985 Channel Nine documentary *Tommy Doesn't Exist Anymore*.<sup>24</sup> Some oral histories even remember seeing sensationalised articles in the mainstream newspapers or magazines like *Australasian Post, Pix-People* or *Woman's Day*, but these features still had an important effect: they gave language, voice and a sense of connectedness to people struggling with their gender identity. What was usually an internal, private struggle had a name, and transgender people realised they were not alone.<sup>25</sup>

The 1970s also witnessed the birth of Australia's and then Victoria's first known transgender organisations. Inspired by the United Kingdom's Beaumont Society, a group of dressers founded the Seahorse Society in Sydney in 1971. Seahorse held social gatherings once a month and, for the first three decades of its history, primarily identified as an organisation for heterosexual men who enjoyed dressing (or used the term 'transvestite'). To become a member, someone needed to contact the association and then answer a series of questions through a questionnaire and interview process. This was meant to protect the members' privacy and to ensure that people were serious in their membership applications.

While Seahorse was based in Sydney, its membership was national and there were representatives dubbed 'counsellors' based in the other states. Some of the Melbourne members had gatherings at a house in Kew dubbed the 'Kew Castle'. Coincidentally, other 'transvestites' placed advertisements in the newspaper looking for like-minded individuals, and they managed to connect with each other and hold social gatherings. These groups came together as a Melbourne branch of the national Seahorse, but they felt that they needed their own organisational structure and leadership to direct local activities. In September 1975, five or six members founded Seahorse Victoria; the initial membership list drafted in October 1975 had twelve names.

Seahorse Victoria continued to hold monthly meetings, published a monthly newsletter and its membership grew to over sixty within a few years. The organisation actively supported members' wives by inviting them to gatherings and organising special wives' meetings. Seahorse maintained a library of books and articles relating to all things transgender (or, in the terminology of the era, 'transvestite' and 'transsexual'). In September 1980 Seahorse published its first shopping guide, listing beauty salons, clothing stores, shoe stores, electrolysis providers, wig shops and cosmetic shops which were friendly to transgender customers.

The group did its first ABC radio interview and television spot on Channel 9 in early 1976, which led to increased membership. Over the years Seahorse would advertise in the gay and lesbian press and occasionally the mainstream press, such as purchasing an advertisement in the *Australasian Post* in 1982 and *Pix-People* and the *Bendigo Advertiser* in 1984. The club rotated meeting venues across a number of motels, restaurants, homes and pubs in inner-city Melbourne.

The number of paid members usually hovered around the sixty mark, and normally between twenty-thirty people attended the monthly meet-ups. The group also organised special events like mini-balls, the first being the Cup Eve Ball in 1976. The first annual Seahorse Ball was held in 1987, and it is still a major event on the Seahorse calendar. That said, many oral histories remember that dressing was dangerous business in 1970s-80s Victoria. If someone drove to or from a meeting dressed, they feared being spotted, attacked, or even police harassment. Most members would pack their clothes in their cars and would dress at the venue to minimise risk.

Less is known about a rival group to Seahorse Victoria: The Elaine Barrie Project. The group started sometime around 1979 and was a breakaway group which met more frequently at The Hub – a community centre in West Melbourne operated by John Willis, pastor of Christ's Community Church. In the early years there were some personality clashes between the leadership of Elaine Barrie Project and Seahorse, but these differences eased through the 1980s. The Elaine Barrie Project published a bimonthly newsletter entitled *Nu-Scene*.

Like Seahorse this group was primarily for people who identified as heterosexual men who enjoyed dressing, though issues of the *Nu-Scene* suggest more openness to 'transsexuals'. Oral history interviews with some transgender women who attended Elaine Barrie Project meetings describe the group's membership as generally being a bit rougher, less feminine in their gender expression, and less welcoming of new members. *Nu-Scene* issues from 1989 suggest a membership of about sixty.

Throughout the 1970s-80s, both Seahorse and the Elaine Barrie Project received letters and had members from across Victoria and even international connections. In 1996, when Elaine Barrie became ill with blood clots, her group adopted new leadership and changed its name to Chameleons. The group stopped meeting and advertising in 2011.

Seahorse was not opposed to 'transsexuals' per se, but the group's focus on supporting men who liked to dress tended to deter the interest of those who underwent medical transition (hormones and gender affirmation surgery). In 1988, Seahorse had its first membership application from a trans man, though he withdrew interest. Many transgender women who had surgery were members of Seahorse beforehand, with Seahorse almost being part of a transition period before their medical transitions. Seahorse thus introduced transgender women to friends who accepted their gender expression and gave them confidence to pursue further transition options.

Trans men had essentially no support in the 1970s-80s. An effort among a group of two trans men and four trans masculine people to form a support group like Seahorse failed. The gay and lesbian community often responded to trans men's presence by denying that they even existed. Those who dared to be out trans men often faced homelessness, harassment, violence and, sometimes, death.

Both Seahorse and Elaine Barrie Project were support groups; they were not politically active.<sup>27</sup> The first murmurs of transgender activism in Victoria began in 1979. After a medical conference on 'transsexualism', a small group of transgender women founded the Victorian Transsexual Coalition (VTC). For the first few years this organisation focused primarily on a subgroup known as the Victorian Transsexual Association Self-Help Group. The group met once a month, and as the convenor wrote in a letter in 1982, "The main aim of our group is 'self-help' which means being mutually supportive through friendships, advice, information, somewhere to meet and have fun and so forth."28 In this sense the Victorian Transsexual Association was similar to Seahorse and the Elaine Barrie Project, except it focused on 'transsexual' women who were planning to undergo or had undergone gender affirmation surgery.

In 1983 the VTC became more politically active, still supporting the Victorian Transsexual Association but shifting more towards advocacy for public policy reform. Its stated aims were:

- 1. To research the range of needs of transsexuals and to encourage the development of appropriate services.
- 2. To act as a clearing house on information and services pertaining to transsexuality.
- 3. To draw attention to political, social and economic processes which discriminate against transsexuals. <sup>29</sup>

The VTC leadership worked closely with doctors at the Monash Gender Dysphoria Clinic and prepared logical, thought-through submissions for relevant state and Commonwealth bodies. In 1983 representatives of the VTC were invited to attend a meeting of the Victorian Equal Opportunity Advisory Council to discuss matters of concern. The Council found it to be an informative session, with one member even sending a personal letter to the VTC saying:

### "I FELT THIS AFFECTIONATE BOND WITH YOU, ALSO, BECAUSE I WAS INSPIRED BY YOUR PERSONAL COURAGE. THANK YOU FOR A POSITIVELY POIGNANT AND PERSONALLY RICH EXPERIENCE." 30

The VTC subsequently prepared a submission to the Victorian Attorney General on the proposed Equal Opportunity Bill 1983. The submission called for anti-discrimination protections to be extended to both 'pre-operative' and 'post-operative' transsexuals, recommending the addition of 'sexually reassigned' to the groups afforded anti-discrimination protection. The submission identified other areas in need of reform:

- · Birth certificates
- Identity documents including passports, driver's licences, bank books, certificates or diplomas of qualifications, employment references
- Identification requirements for credit and loans, registration with the Commonwealth Employment Service, employment in the Commonwealth Public Service or admission to tertiary institutions

The submission also noted areas of sex-based discrimination that affected transgender women just as much as cisgender women: marriage, social security benefits, health costs (including surgery), and laws relating to rape and sexual assault.<sup>31</sup> The Victorian Equal Opportunity Advisory Council wrote to Premier John Cain endorsing the proposal to add 'reassigned sex' to the Equal Opportunity Act,<sup>32</sup> but the government did not do so.

At the Commonwealth level, the VTC sent letters to the Department of Social Security, Department of Employment and Industrial Relations, Department of Health and Department of Immigration and Ethnic Affairs. They made submissions to the Law Reform Commission about the proposed Sex Discrimination Bill 1984.

Where the VTC was most effective was in advocating for standard processes and procedures for transgender people to obtain passports in their affirmed genders. Until 1983 there were inconsistent approaches to issuing passports to transgender people, with some women successfully having them issued in their affirmed genders and others rejected. The Commonwealth government introduced new rules on issuing passports from June 1983. These regulations were more rigid about required documentation, including the need to produce a birth certificate. This worried transgender people and prompted the VTC to make representations to the Department of Foreign Affairs.

In April 1983 the Consular and Passports Branch of the Department of Foreign Affairs wrote to the VTC advising that under current law and the revised passports policy, passports must include a sex indicator and it must align with the birth certificate. Transgender people could obtain a Document of Identity in lieu of a passport which did not include a sex

marker, but only some countries would accept this. The VTC followed up with Attorney General Gareth Evans, making a submission advocating both for legal recognition of sexually reassigned persons, and for anti-discrimination protections. On 21 November 1984, the Attorney General approved a significant reform: transgender people who had undergone gender affirmation surgery could have their affirmed gender recognised on their passports – as long as they provided written medical evidence which explicitly noted that this advice was for the purposes of passports only.<sup>33</sup>

The VTC continued its advocacy and support for transgender Victorians, producing: a list of welfare, employment, medical, religious, accommodation and self-help services; instructions for changing name by deed poll; an explanation for how to change passport or other travel documents; advice on driver's licences; and advice confirming that the Department of Immigration and Ethnic Affairs would not discriminate against transsexual migrants. The archival trail for the Victorian Transsexual Coalition ends in 1985.

# HISTORICAL FIGURES OF NOTE



### ELAINE BARRIE SHE/HER

FOUNDER OF ELAINE BARRIE PROJECT/CHAMELEONS



### **ORGANISATIONS**

SEAHORSE VICTORIA
TRANS SOCIAL & PEER SUPPORT GROUP

VICTORIAN TRANSSEXUAL COALITION (VTC)
TRANS ADVOCACY GROUP

THE ELAINE BARRIE PROJECT (CHAMELEONS)

TRANS SOCIAL & PEER SUPPORT GROUP

### **KEY ISSUES**

**EQUAL OPPORTUNITY BILL 1983** 

LEGAL REFORM

ANTI-DISCRIMINATION PROTECTIONS

**IDENTITY DOCUMENT REFORM** 

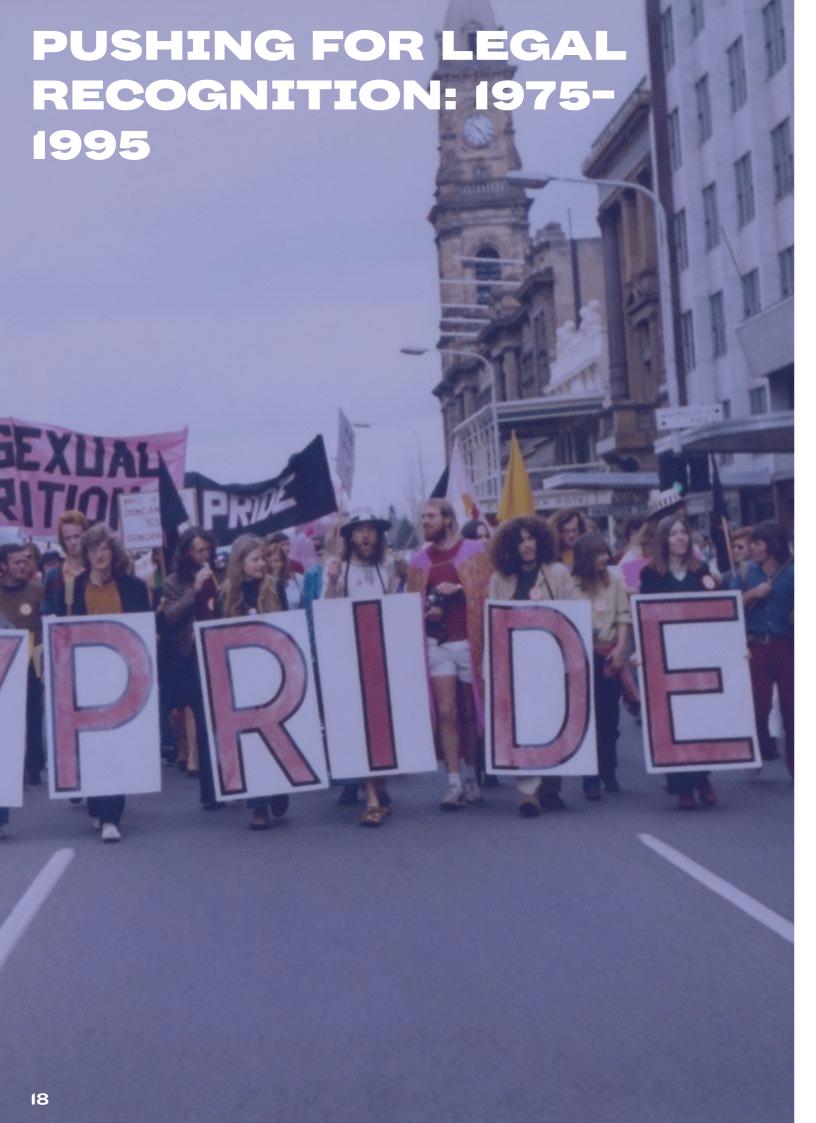
LEGAL REFORM

REFORM FOR PASSPORTS, DRIVER'S LICENSES, AND KEY IDENTITY DOCUMENTS

**PASSPORT REFORM** 

**LEGAL REFORM** 

ADVOCATING FOR STANDARDISED AND INCLUSIVE PROCESSES FOR TRANS PEOPLE



The passports issue was a symptom of a much broader challenge confronting transgender people: legal recognition. Essentially, there were three legal areas where transgender people needed law reform:

1. MECHANISMS TO RECOGNISE THEIR AFFIRMED GENDER FOR IDENTITY PURPOSES.

#### 2. ANTI-DISCRIMINATION LAWS,

## 3. ENDING THE POLICING OF DRESSING.

The third issue is all the more remarkable because there was no explicit law against dressing.

In the nineteenth and early twentieth centuries police would use the Vagrancy Act to charge dressers.

By the 1970s it was less common to arrest people for dressing, but it did still happen, usually when linked to sex work and/or under the crime of committing an act of gross indecency.

This was the law criminalising male homosexual acts, and its deployment against transgender women was a symptom of a larger societal (mis)construction of the era: that transgender women were actually gay men who liked to dress as women.

Indeed, this societal construct was so powerful that many transgender oral histories recall feeling confusion about their sexuality because they were falsely conflating their desires to transition with ideas about sexual attraction.

Two factors ended the policing of dressing. The first was that, in a number of legal cases in the early 1970s, doctors such as Harry Imber were called as defence witnesses.

Imber remembers testifying in at least six cases that while chromosomally transgender women may be male, they had undergone hormonal and surgical changes that made them women and therefore sexual relations with men were not homosexual.

After a series of acquittals, several county court judges wrote to the Chief Secretary (a government minister whose portfolio included Police and Emergency Services) and asked that they stop prosecuting transgender women for acts of gross indecency because they were all being acquitted.

The other change that ended the policing of dressing was homosexual law reform, passed in 1980 and implemented from 1981, which decriminalised consensual adult homosexual acts.

Still, there was no legal recognition of transgender people's affirmed gender.

In the absence of legislation, the common law relied on a 1971 British divorce case called Corbett v Corbett. The judge had ruled that while a person could change their gender, they could not change their biological sex.

Given that almost all legislation in Australia regarding everything from social security to passports to birth certificates made reference only to sex, the Corbett precedent left transgender people with no legal recognition in their affirmed gender.

As early as 1976, a group called the Study Group for Legitimisation of Sex Reassignment prepared a petition calling for the Victorian government to change the law to allow transsexual women to change their birth certificates into their affirmed genders. It read:

"THE HUMBLE PETITION OF THE UNDERSIGNED CITIZENS OF THE STATE OF VICTORIA, RESPECTFULLY SHEWETH —

- 1. THAT PERSONS HAVING UNDERGONE SEX REASSIGNMENT OPERATIONS FIND THE GOVERNMENT STATIST WILL NOT AMEND BIRTH CERTIFICATES.
- 2. THAT AN UNAMENDED BIRTH CERTIFICATE PREVENTS SUCH PERSONS FROM ASSUMING THEIR REASSIGNED SEXUAL IDENTITY.
- 3. THAT THE REGISTRATION OF BIRTH DEATHS AND MARRIAGES ACT, 1959, SECTION 10, AMENDED 22ND DECEMBER, 1970, AND SECTION 40A ALLOWS ALTERATIONS TO BE MADE TO BIRTH CERTIFICATES.

YOUR PETITIONERS THEREFORE PRAY
THAT: THE GOVERNMENT STATIST
BE INSTRUCTED TO AMEND BIRTH
CERTIFICATES FOR SEX REASSIGNED
PERSONS WHO FURNISH HIM WITH A
DECLARATION THAT SUCH SURGERY
HAS BEEN PERFORMED. AND YOUR
PETITIONERS, AS IN DUTY BOUND, WILL
EVER PRAY FOR YOUR THOUGHTFUL
CONSIDERATION TO THEIR PLEA."

The petition accrued 315 signatures, and the ALP MLA for Footscray, Robert Fordham, presented it in the Victorian Legislative Assembly.<sup>34</sup> Although Fordham hoped the matter would be debated in a later parliamentary session, this never came to fruition.

The Commonwealth Attorney General was also posing pragmatic questions about the legal status of transgender women in 1976. He referred the matter to the Family Law Council, which in July 1978 produced a report entitled "Birth Certificate Revision of the Sexually Reassigned." The paper canvassed international precedents and did not make any concrete recommendations for birth certificate reform, but it did highlight an important premise: for any legal issues involving transgender people ranging from child custody disputes to marriage to inheritance, their sex recognition all came back to the birth certificate. As such, state governments would need to pass legislation to allow transgender people to change their birth certificates, or to provide some alternative form of gender/sex recognition.<sup>35</sup>

From 1979 through 1985, the Commonwealth Standing Committee of Attorneys-General consistently had 'Sexual Reassignment' as an agenda item. Topics of discussion included the Family Law Council report, passport reform and marriage. The first sign of movement on birth certificates was in 1983 when the passports issue came to the fore. It was then clear that the birth certificates were no longer an abstract challenge, but were having real adverse effects on transgender Australians.

In August 1984 a sub-committee of officers from the Commonwealth, Victoria, New South Wales and South Australia proposed a framework which, while not altering birth certificates, would create a new 'Certificate of Reassignment'. This could be granted after a person underwent gender affirmation surgery at an approved hospital and would mean that, for all purposes, that person would be recognised in law in their affirmed gender.

Those transgender people who underwent gender affirmation surgery before the legislation or who had surgery overseas could apply for a Certificate of Reassignment from a Gender Reassignment Committee and then obtain a court order to recognise their affirmed gender.<sup>36</sup>

Victoria played a leading role in advocating for this legal framework and became the first state to draft legislation in December 1984. The proposed Sexual Reassignment Bill went out to consultation with the Standing Committee of Attorneys-General; Victorian Health Commissioner; Health Department Victoria; and Victorian Law Department. In December 1985 the press reported on the Victorian government's intention to introduce the Sexual Reassignment Bill. The Attorney General, Jim Kennan, was reported as saying "It's a very real human problem for them. It's a question of the law recognising the reality." 37

The consultations continued through 1987, but for reasons unknown, the legislation was never introduced into the Victorian Parliament. Only South Australia proceeded with the legal framework and in 1988 passed its own Sexual Reassignment Act. Western Australia passed similar legislation in 2000.

With legal recognition stalled, and with the Victorian Transsexual Coalition no longer operating, there was little push for further legal reform. That changed when the Law Reform Commission of Victoria began a review into the Equal Opportunity Act in 1990. Its published report noted: "The discussion papers proposed that the ground of sexuality should include transsexuality. No submission opposed this. However, transsexuality is a matter of gender identity rather than sexuality. The Commission therefore recommends that it be prohibited as a discrete ground." 38

In 1992 the newly elected Kennett Coalition Government supported a Review of the Equal Opportunity Act 1984 by the Parliamentary Scrutiny of Acts and Regulations Committee.

The review was particularly interested in updating the law to widen the categories protected from discrimination (at that time, sex, marital status, race, disability, single or de facto status and parenthood).

In the bipartisan committee's sights were sexual orientation, age, pregnancy and carer status. A small number of transgender people saw this review as an opportunity to include transsexualism (to use the language of the time) as

Numerous groups and individuals made submissions that mentioned 'transsexuality' along with sexuality as grounds that should be protected, but only four people wrote submissions specifically addressing transsexuals.

All four of them drew on specific personal examples of discrimination, especially in the workplace.

For instance, one wrote:

"I HAVE MY OWN COMPUTER **CONSULTANCY BUSINESS WHICH HAS BEEN RUNNING SINCE 1981. I LOST A NUMBER OF CLIENTS AT CHANGE-OVER, BUT FORTUNATELY, DUE TO SOME WONDERFUL SUPPORT BY** ONE MAJOR CORPORATION AT THE MANAGEMENT LEVEL, I AM STILL IN **BUSINESS AND CURRENTLY HAVE CONTRACTS WITH TWO LARGE ORGANISATIONS...HOWEVER, THIS** KIND OF SUPPORT IS STILL PATCHY **ACROSS BUSINESSES AND DEPENDS SOLELY ON THE ATTITUDES OF THE** MANAGEMENT INVOLVED. I KNOW A **NUMBER OF OTHER CASES IN WHICH** TRANSSEXUALS LOST EMPLOYMENT **AS A DIRECT RESULT OF THEIR** TRANSSEXUALITY."

Another submission raised numerous challenges confronting transgender people including: psychiatrists' gatekeeper approach to deciding who was a 'true transsexual'; challenges changing identity documents including driver's licences and birth certificates; religious discrimination; and employment discrimination.

Anna Langley outlined numerous examples of employment discrimination she experienced since her transition and concluded her submission saying:

"I BELIEVE PROTECTION UNDER
THE EQUAL OPPORTUNITY ACT IS
NECESSARY TO ALLOW TRANSSEXUALS
TO REACH THEIR MAXIMUM POTENTIAL
PERSONALLY AND AS HEALTHY
MEMBERS OF OUR SOCIETY. BOTH
BECAUSE OF THE DIRECT LEGAL
PROTECTION AND MORE IMPORTANTLY
BECAUSE OF THE INCREASE IN SELFESTEEM FROM KNOWING THAT WE ARE
PROTECTED AND SO WE CAN GAIN
A HIGHER SELF REALISATION AT A
YOUNGER AGE AND NOT NEED TO RELY
ON THE USE OF THE LEGAL PROCESS."

The final submission was from a group called R.A.W.: the Sexually Reassigned Women's Action Group. The crux of the submission's argument was

"THAT SEXUALLY REASSIGNED WOMEN MUST BE INCLUDED IN HUMAN RIGHTS LEGISLATION AND BE LEGALLY ACCEPTED AS FEMALES AND NOT JUST BE LEGALLY ACCEPTED AS TRANSSEXUALS."

R.A.W. argued that to consider transgender people to be anything other than their affirmed gender represented a form of vilification and harassment.<sup>39</sup>

The final report of the Review of the Equal Opportunity Act 1984 made no mention of transsexuality. Anna Langley and activist Julie Peters continued to agitate for any amendments to the bill to include protections for transgender people. Langley wrote a powerful opinion piece in the *Melbourne Star Observer* in February 1994 arguing:

"TRANNYS LIKE MYSELF SUPPORT

AND CELEBRATE THE ADVANCES GAYS AND LESBIANS ARE MAKING TOWARD **GENUINE RIGHTS AND RECOGNITION OF** THEIR EQUALITY AS HUMAN BEINGS. AT THE SAME TIME TRANNYS LIKE ME LOOK ON IN DISMAY AS OUR CONCERNS ARE USED AS THE SACRIFICIAL **BARGAINING CHIPS OF THE QUEER COMMUNITY. WHEN THE TIME COMES** TO COMPROMISE, OUR ISSUES ARE QUICKLY JETTISONED. THE QUEER COMMUNITY CANNOT **CREDIBLY CLAIM EQUALITY WHILE DENYING IT TO A SUBSET OF THEIR** OWN. WE BELONG IN THE AUSTRALIAN **COMMUNITY BECAUSE WE ARE AUSTRALIANS. WE HAVE THE SAME OBLIGATIONS AS EVERY OTHER** AUSTRALIAN, BUT ARE STILL DENIED RIGHTS THAT OTHER AUSTRALIANS ENJOY." 40

When the Kennett Government introduced amendments to the Equal Opportunity Act in 1995 which did not include transgender people, Langley wrote to her local member of parliament:

"...THE CURRENTLY PROPOSED AMENDMENT WOULD PROHIBIT DISCRIMINATION ON THE GROUNDS OF 'A PERSON'S LAWFUL SEXUAL ACTIVITY'. WHILE THIS WOULD BE A GREAT STEP FORWARD FOR THE GAY AND LESBIAN COMMUNITIES, WHETHER IT WOULD, OR **EVEN COULD, COVER TRANSSEXUALS** IS NOT CLEAR...I BELIEVE THAT IT IS IMPORTANT THAT THE ACT CLEARLY AND UNAMBIGUOUSLY PROHIBITS DISCRIMINATION ON THE GROUNDS OF A PERSON'S GENDER IDENTITY AND GENDER STATUS. THIS SHOULD NOT BE **CONDITIONAL ON WHETHER A PERSON** HAS HAD REASSIGNMENT SURGERY. SINCE THIS PRE-OPERATIVE WAITING PERIOD IS ONE WHERE TRANSSEXUALS FACE DISCRIMINATION HEAD ON, WITHOUT ANY KIND OF LEGAL OR **DOCUMENTARY SUPPORT." 41** 

The government did not make any changes to its proposed amendments, so the Equal Opportunity Act continued to exclude transgender protections after 1995.

Though the push for anti-discrimination was unsuccessful, it did teach the new generation of activists spearheaded by Julie Peters an important lesson: if they wanted the government to take them seriously, they needed to form an organisation.

### HISTORICAL FIGURES OF NOTE



### **ORGANISATIONS**

R.A.W. - SEXUALLY REASSIGNED WOMEN'S ACTION GROUP

ADVOCATING FOR LEGAL RECOGNITION OF THOSE WHO HAD GENDER
AFFIRMATION SURGERY

### **KEY ISSUES**

MECHANISMS TO RECOGNISE TRANS INDIVIDUALS' AFFIRMED GENDER

### LEGAL REFORM

REFORMS TO ENABLE ACCESS TO DOCUMENTS REFLECTING GENDER IDENTITY

# ANTI-DISCRIMINATION LAWS LEGAL REFORM

PURSUING REFORMS UNDER THE VICTORIAN EQUAL OPPORTUNITY ACT

# ENDING POLICING OF DRESSING LAW REFORM

21

IN PART RESULTING FROM DECRIMINALISATION OF HOMOSEXUAL ACTS

# TRANSGENDER RELATIONS WITH THE GAY AND LESBIAN COMMUNITY

At the same time as the Review of the Equal Opportunity Act 1984, Peters and Langley were becoming more active at the grassroots. Langley was enrolled in a degree at the University of Melbourne, and both she and Peters fought for inclusion of transgender people in the student union and women's spaces. Indeed, they devoted much of their energy in the mid-1990s to arguing against what are now popularly known as trans-exclusionary radical feminists, or TERFs: women who purport to be feminists but argue that trans women are not real women.

Drawing on research in mathematics, sociology and women's studies, Peters and Langley regularly wrote assignments, presented at student forums, delivered speeches and wrote articles in the gay and lesbian press advocating for the inclusion of trans women in women's spaces. Langley even addressed a panel at the Network of Women Students in Australia (NOWSA) conference in 1995, during which she showed how complicated it was to define who was a woman and concluded:

"THE FACT THAT PEOPLE'S
OPPORTUNITY IN LIFE IS IN MANY
WAYS DETERMINED BY SEX, BOTH
THEIRS AND THEIR ANCESTORS,
WHEN WE CANNOT EVEN COME
UP WITH A RELIABLE TEST TO
DIFFERENTIATE THE SEXES IS
BLATANTLY UNFAIR. THIS MAY NEVER
PRESENT A PROBLEM TO YOU IF
YOUR MEMBERSHIP OF THE MALE
OR FEMALE SEX HAS NEVER BEEN
IN DISPUTE. BUT IF YOU PASS ONE
PERSON'S (OR INSTITUTION'S, OR
NATION'S) TEST FOR BEING FEMALE,
BUT NOT ANOTHER'S, WHAT THEN?"

Julie Peters addressed the 1999 NOWSA conference, speaking passionately about how society's rigid gender binaries affected transgender people from a young age. She explained the pressures for transgender people to blend into society and the mental distress felt by transgender women who could not do so.

She told her personal story and talked about how and why transgender women needed feminism:

"THE TRANSGENDERED ARE ATTRACTED TO FEMINISM BECAUSE THEY EXPERIENCE DISCRIMINATION AS WOMEN; AND CAN OFFER AN UNUSUAL PERSPECTIVE ON THE PRACTICAL OPERATION OF GENDER. AND FEMINISM IS ABOUT TRYING TO STEP BEYOND THE LIMITATIONS OF GENDER AND THEY SUPPORT THIS AT A DEEP LEVEL."

Peters' speech generated a great deal of interest, and some transgender activists even disseminated it on international listserves.

Peters also became active in the Australian Democrats, and she was the first openly transgender person to run for the Commonwealth Parliament when she stood for the seat of Batman in the 1996 election.

She received significant local, national and even international press, much of which was respectful because she was able to present her own story and focus on her political platform. Subsequently, she was elected vice president of the Victorian branch of the Australian

In the 1998 federal election Peters ran as Democrats candidate for Melbourne Ports and was the campaign manager for all thirty-seven Victorian candidates running in the House of Representatives and four Senate candidates.

Although Peters did not win these elections, she did increase the Democrats' primary vote (in 1996 she obtained 6.02% of the primary vote, compared to 3.57% for the candidate in 1993). She also was the first openly transgender person to run for the Victorian parliament, contesting the Legislative Council province of Monash for the Democrats in both the 1996 and 1999 elections.<sup>42</sup>

Peters' and Langley's low-key activism also challenged Melbourne's gay and lesbian community to be more inclusive of transgender people. Peters wrote in the *Melbourne Star Observer*:

"I FEEL THE GAY AND LESBIAN **DISCRIMINATION IS MORE IMPORTANT** TO US BECAUSE IT MEANS WE ARE LEFT **OUT OF PROTECTION LEGISLATION.** MANY GAYS AND LESBIANS, WHO HAVE **NEVER MET A TRANSSEXUAL, HAVE** STRONG IDEAS ABOUT WHAT WE ARE LIKE AND WHAT MOTIVATES US. AND MANY OF THESE FALSE IDEAS, WHICH HAVE BECOME COMMON BELIEFS LESSEN **OUR CHANCES OF GAINING HUMAN** RIGHTS. WE ARE INCLUDED IN QUEER FILM FESTIVALS AND THE LIKE BUT THE 'TRANNY CRINGE' HAS LEFT US OUT OF THE LEGAL GAINS OF THE GAY AND **LESBIAN COMMUNITY. TRANSSEXUALS NEED TO COME OUT OF THEIR CLOSETS** AND LOBBY IF THEY ARE TO ACHIEVE THE BASIC HUMAN RIGHTS DUE TO ALL." 43

Peters and Langley very much followed their own advice and took every opportunity they could to advocate for transgender rights and inclusion. The first major opportunity arose in 1996 when the Australian Senate set up an Inquiry into Sexuality Discrimination. The inquiry grew out of Democrats Senator Sid Spindler's efforts to introduce a Sexuality Discrimination Bill.

Notwithstanding the inquiry title, all of the terms of reference included the phrase "on the grounds of sexuality or transgender identity." This was the first Commonwealth inquiry explicitly to examine problems of discrimination confronting transgender people. <sup>44</sup>

Peters and Langley prepared a joint submission which was one of nine transgender submissions from across the country. The only other submission from Victoria was a confidential one from lateractivist Kayleen White. Both submissions discussed employment discrimination, mixing personal examples with anecdotal data gathered from other transgender Victorians. Peters presented fifteen instances of harassment she faced at work during and after her transition.

These included taunts, her breasts being grabbed, misgendering, being called by her previous name, sexual propositions and inappropriate items being left on her desk. Langley gave two examples of when she lost jobs as a consultant and receptionist, as well as a case of being denied promotion despite acing an exam and twice being employee of the month.<sup>45</sup> Kayleen White's submission noted.

"I HAVE MET, BY MY BEST ESTIMATE, ABOUT 40 TRANSSEXUALS. OF THESE, ONLY THREE HAVE MANAGED TO MAINTAIN THEIR EMPLOYMENT WHEN THEY TRANSITIONED. THE OTHERS GENERALLY END UP TRYING TO CHANGE CAREER, AND A FEW END UP ON SOME SORT OF MEDICAL PENSION OR JOBSEARCH." 46

Peters and Langley also testified before the Senate Inquiry alongside the Monash Gender Dysphoria Clinic director, Dr Trudy Kennedy. They emphasised that being transgender and transitioning gender was not something that people did for personal gain or entered into lightly.

Peters also spoke of the importance of maintaining a broad definition of transgender in any anti-discrimination act: "I believe that the definition is good because it means that somebody who is even in the slightest way transgendered, or seen or believed to be transgendered, even if that person is unaware of it, it would be illegal to discriminate against them on those grounds." <sup>47</sup>

The final Inquiry into Sexuality Discrimination was tabled in the Senate in December 1997. It recommended the passage of the Sexuality Discrimination Bill to accord LGBT people (intersex was not on the agenda or terms of reference) protections in employment, public services and relationship recognition (though not marriage equality).

It also recommended the establishment of a states-Commonwealth joint working group to develop consistent approaches to identity documents. The wide-ranging report received support from the Australian Democrats and Greens. The Liberal-National Coalition and Labor Party would not endorse it, and the government did not enact any of the recommendations. At the Commonwealth level, any transgender reform was stalled for the foreseeable future.

### HISTORICAL FIGURES OF NOTE





### **KEY ISSUES**

INQUIRY INTO SEXUALITY DISCRIMINATION

**LEGAL REFORM** 

FEDERAL SENATE INQUIRY INTO SEXUALITY DISCRIMINATION

JULIE PETERS RUN FOR PARLIAMENT

TRANS HISTORY

FIRST OPENLY TRANS PERSON TO RUN FOR FEDERAL AND VICTORIAN PARLIAMENTS

# NEW TRANSGENDER SUPPORT GROUPS: 1990S

With the disbandment of the Victorian Transsexual Association around 1985, Seahorse and the Elaine Barrie Project were again the only support groups for transgender Victorians. Elaine Barrie Project advertised itself as being for anyone questioning their gender identity, including trans men, or allies such as health or legal practitioners. Even so, trans men and women who attended in the early 1990s found Elaine Barrie herself to be friendly, but the group still to be primarily for dressers.

Some transgender women recall the Monash Gender Dysphoria Clinic networking them with each other in the mid-1980s as an informal support group, and one person even recollects a support group run in the late 1980s by St Kilda City Council. Some literature from the mid-1990s mentions a group called Crossfire Contacts Ballarat, described as "A self help group establishing itself to connect people experiencing transgender issues." 48

In 1991 Jasper Laybutt founded Australia's first trans men's group in Sydney, named Boys Will Be Boys. From February 1992 Dale Crane became the Melbourne contact for the group, and from early 1993 he was facilitating a Melbourne branch of about three members.

Boys Will Be Boys nationally grew to about twenty-five members by 1994,<sup>49</sup> but the group stopped meeting in 1995 and later transformed to the online community FtM Australia. Dale also featured in a short documentary produced in 1994 titled *Men Like Me.* Dale Crane would continue to be an advocate for visibility and rights for trans men well into the 2000s, including as a founding member in 2013 of FTM Shed. Diagnosed with cancer in 2016, Dale also advocated for research and inclusive practices for trans and gender diverse people in the medical and hospital setting. Dale passed away in December 2020.

The next major, sustained group to support transgender Victorians wound up having other ripple effects and spin-off organisations which endure to this day. The idea came from Jonathan Paré, who along with Dale was one of Victoria's first openly trans male activists. In the early 1990s Paré was studying an Associate Diploma of Community Development, which he upgraded to a Bachelor degree at Victoria University. For two of his assessments, Paré conducted participant observation research with trans men and women about the experiences of being transgender. Out of these two reports came a key recommendation: the need for a peerfacilitated support group for trans men and women.

Building on his research, Paré and friend Sharon Saunders drove to Sydney to meet with peer educators at the Gender Centre. They also met with Trudy Kennedy from the Monash Gender Dysphoria Clinic to obtain support and contacts for other transgender Victorians.

In May 1995 Paré and Sharon Saunders convened the first meeting of Transgender Liberation and Care (TLC) at the Darebin Community Health Centre in Northcote. The invitation to the first meeting said:

"TLC IS A NONPROFIT ORGANISATION FORMED TO ADDRESS THE ISSUES FACING TRANSSEXUALS. WE BELIEVE THAT A SELF HELP GROUP FUNCTIONS MOST EFFECTIVELY WHEN MEMBERS TAKE AN ACTIVE PART. YOUR PARTICIPATION IS IMPERATIVE FOR THE GROUP'S LONG TERM SURVIVAL. OUR OBJECTIVES ARE TO PROVIDE A SAFE ENVIRONMENT WHERE ISSUES RELEVANT TO TRANSSEXUAL CAN BE DISCUSSED. WE HOPE TO BUILD A DATABASE OF EMPATHETIC MEDICAL PRACTITIONERS, COUNSELLORS AND ANY OTHER SERVICE PROVIDERS YOU BELIEVE ARE APPROPRIATE. HOPEFULLY THIS WILL ASSIST TRANSGENDERISTS TO LIVE A PRODUCTIVE AND HEALTHY LIFESTYLE."

About forty-five people showed up to the very first meeting of TLC. The organisation set up a management committee and a subcommittee to focus on community education.

TLC became a one-stop shop for all things transgender: it was a support group; delivered education to workplaces about support for transgender staff; facilitated meetings with recently out transgender people as well as their partners and families; provided education for transgender people on a range of topics; and served as an information point for referrals and advocacy for transgender people.

TLC published its first newsletter in September 1995 with a long list of topics of importance to TLC and its members. Among the highlights were: body image; safe use of hormones; accommodation difficulties; connecting with trans-inclusive health providers; social gatherings to break down isolation; and community education workshops.

The monthly meetings usually had at least twenty participants, and they generally had a guest speaker. TLC aimed to support both trans men and women, but the majority of regular participants were trans women. While there were points of common concern, there were also different issues confronting trans men and women, so Paré was not surprised that many trans men drifted in and out of the organisation.

Parallel to TLC, Anna Langley in 1995 created a document dubbed "The Good Tranny Guide." It compiled a list of support groups, friendly health practitioners, counsellors, stores, cafes, speech pathologists and beauticians from across Australia and even New Zealand. The 1998 edition included a foreword that discussed the legal and social inequalities confronting transgender people in Australia and New Zealand. It stated.

"NOW, GIVEN THAT EVERYTHING IS HARD, AND PEOPLE USUALLY NEED TO BE PRESSED BEFORE THEY'LL GRANT YOU CONCESSIONS, WE'VE DECIDED TO THROW THE COLLECTIVE WISDOM OF THE MAINTAINERS PLUS SOME EXCERPTS OF RELEVANT LEGISLATION AND MANUALS OF OPERATION INTO THE GUIDE IN THE VAIN HOPE THAT OTHERS WILL HAVE SOMETHING RESEMBLING A SPRINGBOARD FROM WHICH TO START."

A TLC brochure from 2002 stated:

"WE ARE NOT ABOUT TELLING PEOPLE HOW THEY SHOULD DEAL WITH THE DILEMMAS THEY ARE FACING, NOR THE PACE AT WHICH THEY SHOULD DEAL WITH THEM. NOR DO WE REQUIRE ANY PROOF OF 'COMMITMENT'. WE ALL TRAVEL ALONG THIS ROAD AT DIFFERENT SPEEDS AND FACE DIFFERENT OBSTACLES. TLC AIMS TO SUPPORT ALL PEOPLE FACING THIS JOURNEY AND TO HELP THEM FIND THE STRENGTH AND KNOWLEDGE REQUIRED TO MAKE DECISIONS FOR THEMSELVES."

The archival trail of newsletters from TLC ends around 2002. Yet, its legacy endures through spin-off groups (discussed below).

All of these groups were open in their membership, but their members did not necessarily reflect all transgender Victorians. One important group of transgender people who generally did not join these organisations were sex workers. It is not that the groups' facilitators discriminated, but rather that sex workers who attended a few meetings felt that the leaders and participants did not understand their lives.

Transgender sex workers instead tended to socialise together and with members of Melbourne's gay and lesbian community, especially in St Kilda and the south side of the city. Some also joined the Prostitutes Collective of Victoria, which later evolved into RhED: Resourcing health & Education. RhED and Vixen Collective continue to support TGD people within their wider advocacy for sex workers' rights.

### HISTORICAL FIGURES OF NOTE







### **ORGANISATIONS**

BOYS WILL BE BOYS
AUSTRALIA'S FIRST ORGANISATION FOR TRANS MEN

TRANSGENDER LIBERATION AND CARE

TRANS ADVOCACY, EDUCATION AND SUPPORT GROUP

RESOURCING HEALTH & EDUCATION (RHED)
SEX WORKER ACTIVIST GROUP

VIXEN COLLECTIVE

SEX WORKER ACTIVIST GROUP

# FOUNDING NEW TRANSGENDER RIGHTS GROUPS: 1997-2000

In May 1997, the lesbian and gay rights organisation ALSO Foundation convened a public meeting with ten speakers from Melbourne's lesbian, gay, bisexual and transgender communities. The purpose of the meeting was to discuss the formation of a Victorian Gay and Lesbian Rights Lobby (VGLRL), modelled on what had been in place in New South Wales since 1988. Julie Peters was the only transgender speaker, and her speech noted the importance of the lobby including transgender people. At the end of the meeting, Julie Peters was one of two transgender people among the eighteen nominees for the VGLRL Steering Committee.

Through the course of 1997 the VGLRL Steering Committee debated the structure and aims for the organisation. Early on it became clear the group would focus on gay and lesbian issues, so the other transgender representative resigned from the steering committee. Peters continued and still hoped that it would become a Gay, Lesbian and Transgender Rights Lobby, but this did not come to fruition. When the VGLRL launched in October 1997, its media release stated: "The majority of members of the steering committee came to the position that the specific issue is one of sexuality, not gender. The Lobby's focus should be discrimination on the grounds of sexuality. The steering committee recognised the need to work closely with the transgender Community and the need for a Transgender Lobby Group. To achieve these aims the steering committee recommends a close working relationship and the establishment of a Transgender project to work towards a Transgender Lobby."

Julie Peters subsequently issued a statement:

"I'm very disappointed that the majority of people on the lobby steering committee did not believe it was politically wise to include the category "transgender"...I suspect the real reason was that they would be embarrassed taking a "transgendered" person along to meet a Liberal Minister. I'm also disappointed coalition politics isn't as advanced as I thought it was, but I don't see any point forcing yourself in where you're not wanted. Our energy would be better spent fighting for our own rights, rather than each other."

On 7 November 1997, Julie Peters convened the first meeting of a new Victorian Transgender Rights Lobby (VTRL). The gay and lesbian publication *Brother-Sister* reported: "The Transgender Lobby aims to address discrimination, the inability to amend birth certificates, the lack of recognition of relationships, including marriage, and the current role of medical practitioners." <sup>50</sup>

Similar to the VGLRL, the announcement and public meeting were just the start. TLC took the lead and set up a working party in 1998 led by Kayleen White to design the VTRL terms of reference, structure and key aims. The working party had assistance from the VGLRL, especially its co-convenor Janet Jukes, who met regularly with Kayleen. The final report was an intentionally inclusive document and the VTRL's founding "Statement of Principles & Purpose" defined the transgender community as "including in particular post-operative transsexuals, pre-operative transsexuals, non-operative transsexuals, part-operative transsexuals, and, the inter-sexed including hermaphrodites and those affected by chromosomal variations."

While the inclusion of intersex people within the definition of transgender is problematic by present-day standards, for 1998 the

broad definition was an intentional effort at bringing unity to groups that had hitherto been fractured. Some of the intersex members of VTRL later went on to form the Intersex Society of Australia (ISOZ), and in 2001 VTRL's successor organisation Transgender Victoria passed a motion affirming the differences between intersex and transgender people.

This early adoption of such an umbrella definition of transgender, just as TLC had done when formed in 1995, meant that Victoria was less riddled with the sorts of divisions over pre-operative versus post-operative than other parts of the world. This is not to say that those rivalries and disagreements did not exist; rather, within representative advocacy organisations, there was a conscious effort at targeting discrimination which affected all gender non-conforming people.

VTRL formed in October 1998 as a subcommittee within TLC, and it included among its members people from Seahorse and Chameleons (the rebranded Elaine Barrie Project), as well as intersex people. Its founding document listed seven overarching objectives:

- 1. Legal recognition for all transgender Victorians
- 2. Protection from discrimination and harassment for transgender people, as well as those who identified as dressers or were only sometimes expressing a gender other than the sex assigned at birth
- 3. Inclusion of transgender people under the Equal
  Opportunity Act
- 4. Amendments to birth certificates for post-operative transgender people
- 5. Recognition of post-operative transgender people for the purposes of the Commonwealth Marriage Act
- 6. Federal anti-discrimination legislation to protect transgender people
- 7. To work alongside the VGLRL on matters of common concern or interest

The co-convenors of the VTRL, Kayleen White and Sally Goldner, prioritised lobbying for amendments to Victorian anti-discrimination laws. They considered that to be the vital first step towards expanding opportunities and respect for transgender Victorians, with many of the other objectives to flow after.

Very quickly, the VTRL leadership found that the arrangement as a subgroup within TLC was not working. TLC prioritised support for transgender Victorians and its leadership was hesitant to make waves that could jeopardise its apolitical nature. VTRL leaders were frustrated that when they wanted to make a comment to the media, they would need approval from TLC leadership. While well-intentioned, this delay meant that often they missed the news cycle.

The disagreement over media statements proved untenable, and in February 1999 the VTRL members resigned en masse, disbanding the group and pledging to re-form as an independent transgender rights organisation. While TLC expressed its disappointment with their protests, within months they buried the hatchet.

As the former-VTRL leadership was seeking a new way forward, they received support from the co-convenors of the VGLRL – the very group that initially did not include transgender people in its terms of reference. During the first half of 1999, the VGLRL conducted a community survey entitled "Enough is Enough", asking about experiences of discrimination in education, employment, healthcare provision, provision of goods and services and policing.

After some internal debates within the VGLRL, the working group coordinating "Enough is Enough" agreed to include transgender people in the survey. Although the response rate from transgender Victorians was small (only eighteen), their inclusion provided important data about the discrimination they faced. VGLRL co-convenors Kenton Miller and Janet Jukes also forged important relationships with transgender activists and would actively work alongside new transgender organisations. Indeed, transgender campaigners Kayleen White and Pippa Reeves became VGLRL members and would later represent the organisation Transgender Victoria on the VGLRL Elections Working Group.

In April and May 1999, the members of the former VTRL held a series of public meetings to discuss the formation of a new transgender rights group. That came to fruition at a public meeting chaired by Janet Jukes on 24 May 1999, when Transgender Victoria (TGV) was founded. Sally Goldner and Kayleen White became TGV's co-convenors, and one of TGV's first pamphlets listed its aims as to support reforms:

- to let us participate as active and responsible members of society
- to promote understanding
- to remove the burden of unfair discrimination, and, achieve acceptance and equal rights
- to secure fair and equal opportunity in employment
- to better transgender wellbeing
- to achieve workable legal status and a reasonable right to privacy

TGV also identified four key areas of legislative and social reform: amendments to the Equal Opportunity Act, birth certificates, marriage rights, and better management and medical treatment for transgender prisoners. TGV was still in its formative stage when proposed anti-discrimination laws quickly thrust the organisation into the spotlight in 2000.

### HISTORICAL FIGURES OF NOTE





### **ORGANISATIONS**

ALSO FOUNDATION

LGBTIO+ COMMUNITY ORGANISATION

VICTORIAN GAY AND LESBIAN RIGHTS LOBBY (VGLRL)

ADVOCATING FOR THE LEGAL RIGHTS OF GAY AND LESBIAN COMMUNITIES

INTERSEX SOCIETY OF AUSTRALIA (ISOZ) INTERSEX ADVOCACY & ACTIVIST GROUP

VICTORIAN TRANSGENDER
RIGHTS LOBBY
ADVOCATING FOR THE LEGAL RIGHTS OF TRANS COMMUNITIES

### **KEY ISSUES**

ESTABLISHING VGLRL TRANS INCLUSION

PUSHING FOR THE INCLUSION OF TRANS COMMUNITIES IN THE VGLRL

# SECURING ANTI-DISCRIMINATION PROTECTIONS

At an event during Midsumma Festival in early 1998, Sally Goldner attended an ALP forum that featured the then-opposition leader John Brumby MLA. Goldner asked whether Brumby would commit a Labor government to amend anti-discrimination laws to protect transgender people; Brumby answered in the affirmative. When the election rolled around in September 1999, TGV continued to raise the question of anti-discrimination protections. Their biggest success was at a Meet the Candidates forum in South Yarra, where the ALP, Greens and Democrats candidates all affirmed their support for amending the Equal Opportunity Act to include transgender people. The Liberal sitting member for Prahran, Leonie Burke MLA, promised to facilitate a meeting between Premier Jeff Kennett, the incoming attorney-general and TGV as soon as possible in the event of a Coalition victory. <sup>51</sup>

The ALP won the 1999 election as a minority government with Steve Bracks the new premier. The government's main champion for LGBTIQ+ rights was the new attorney-general, Rob Hulls MLA. Early on Hulls proposed a bill to amend the Equal Opportunity Act to add 'gender identity' as a protected category, along with another suite of amendments to replace the protected category of 'lawful sexual activity' with the less offensive terminology 'sexual orientation.'

In March 2000, at the prompting of VGLRL co-convenor Kenton Miller and former co-convenor Janet Jukes, Hulls' office contacted TGV and advised that they were preparing to introduce the legislation. In April 2000 Hulls presented his bill to the Victorian Parliament, drawing on information prepared by TGV. TGV knew they would need to educate politicians, the media and employers about a whole raft of issues relating to transgender identity and disadvantage. Co-convenor Kayleen White designed a series of information sheets for wide dissemination which explained terminology and definitions, debunked myths, reported statistics about high unemployment and low education outcomes and reported the shocking statistics about poor mental health indicators and high suicide rates. Most of the quantitative data came from Australia's most comprehensive study at that time on transgender people, prepared in 1994 by Sydney transgender activist Roberta Perkins.<sup>52</sup> Finally, the information sheets included short biographies of four TGV members to humanise the experience of transgender Victorians.

Hulls' amendments faced a shaky path through parliament, not so much because of the opposition, but because of the independents who supported the ALP's minority government. While two of them were willing to support the legislation, Russell Savage MLA was insisting on amendments to the bill which drew on false stereotypes about trans women. In particular, Savage wanted the definition of transgender narrowed only to those who had gender affirmation surgery. He expressed discontent with the possibility of dressers filing anti-discrimination claims if they could not dress at work, and drew on the myth of men dressing as women to gain access to toilets. Savage also wanted exemptions for schools and religious

Savage threatened to withdraw support for the Bracks Government, forcing Hulls to slow the legislation and consider Savage's amendments. Eventually a team of ALP negotiators convinced Savage to drop all his amendments except one: transgender people must be 'bona fide' in their gender identity. While TGV and other activists saw this insertion as somewhat demeaning, they accepted

it because at least it was innocuous. Essentially, any transgender person in need of protection from discrimination was 'bona fide' in their identity.

Meanwhile, TGV formally launched on 26 April 2000 – almost two weeks after Hulls introduced the bill to parliament. Kayleen White's speech noted that TGV's two principal aims were legislative change to affirm transgender people's identities and rights, and education. She concluded her launch speech:

"THE BROADER COMMUNITY CAN
BENEFIT FROM BEING EDUCATED ABOUT
TRANSGENDER PEOPLE, AND FROM
DISCRIMINATION AGAINST TRANSGENDER
PEOPLE BEING PROHIBITED. THESE
BENEFITS ARE THAT TRANSGENDER
PEOPLE ARE ABLE TO CONTRIBUTE THEIR
UNIQUE EXPERIENCES AND SKILLS TO
THE BROADER COMMUNITY THEY LIVE
IN, AND THE COMMUNITY BENEFITS
INTRINSICALLY BY BECOMING A MORE
CARING AND INCLUSIVE COMMUNITY.

OUR MISSION IS TO SEEK JUSTICE AND EQUITY: WE ARE NOT ONLY ABOUT ENDING DISCRIMINATION: WE ARE SEEKING A WORLD WHERE TRANSGENDER PEOPLE ARE VALUED AS HUMAN BEINGS, AND THAT INCLUDES VALUING THE FACT THAT THEY ARE TRANSGENDER.

## WE HAVE A LONG WAY TO GO: WE INVITE YOU TO JOIN US ON THIS JOURNEY."

TGV spent the next few months lobbying furiously to secure the support of every member of parliament, but especially members of the opposition. Because the ALP did not have a majority in the Legislative Council, the opposition either needed to support the legislation or at least abstain. TGV representatives, especially Sally Goldner and Kayleen White, sent faxes, emails and made personal deputations to members of all parties across the parliament. They made appearances in the media, including on conservative talkback radio. Indeed, Sally Goldner recalls that conservative host Steve Price was quite sympathetic when she described the types of discrimination and harassment facing transgender Victorians in their daily lives.

Cisgender LGB and straight allies played important roles supporting the TGV leadership. The VGLRL strongly supported the amendments to the Equal Opportunity Act, and in July 2000 the publication of the results of the "Enough is Enough" survey reinforced the need for anti-discrimination protections for transgender people.

For instance, 65 per cent of transgender respondents reported feelings of invisibility (defined by participants as: "practices of self-censorship; lack of legal recognition of their relationships and sexuality; lack of social recognition of relationships and sexuality

and; a widespread lack of understanding about transgender issues"); 56 per cent reported difficulties with police; and 50 per cent reported discrimination in provision of goods, services and accommodation.53 At the July 2000 launch of the "Enough is Enough" report, Hulls affirmed that the Government would not back down on protecting LGBT people under the Equal Opportunity Act. The Coalition parties agreed not to oppose the amendments to the Equal Opportunity Act. The opposition still attacked the ALP for considering Savage's amendments, but several parliamentarians spoke passionately in support of transgender rights. TGV's lobbying and information sheets clearly paid off, as numerous members from both sides of the aisle spouted the statistic of 95 per cent of transgender people losing their jobs when they transitioned. Several parliamentarians shared the personal stories from the TGV information sheets, and some even mentioned TGV and its convenors by name for convincing them to support the legislation.

Just to give two excerpts from the speeches in Hansard – Maree Therese Luckins, Liberal MLC, said:

"I AM VERY PLEASED TO HAVE MET WITH THE REPRESENTATIVES OF TRANSGENDER VICTORIA AND TO HAVE HAD THEM OPEN MY MIND TO THE MANY CHALLENGES, OBSTACLES AND **HURDLES THEY FACE IN THEIR DAILY** LIVES. IT WAS INTERESTING TO SPEAK TO SOME OF THE REPRESENTATIVES ABOUT THEIR EXPERIENCES. I ASKED ONE PERSON WHO HAD CHANGED FROM MALE TO FEMALE WHETHER SHE HAD FOUND SHE WAS TREATED ANY DIFFERENTLY AFTER THE CHANGE. SHE SAID THAT ONCE SHE BECAME A FEMALE SHE WAS DISCRIMINATED AGAINST." 54

ALP MLC Robert Smith described the important attitudinal shifts that TGV representatives facilitated:

"WHO ARE TRANSGENDER PEOPLE?
THEY ARE NOT PERVERTS OR
MONSTERS, NOR ARE THEY PEOPLE
WHO EXERCISE FLIPPANT OR TRIVIAL
CHOICES OF SEXUAL ORIENTATION.
THEY EXPERIENCE GENUINE HEARTFELT
ISSUES OF SELF-IDENTITY — ISSUES
THAT ARE CONSIDERED TO BE
MEDICAL, AND IN SOME PLACES, LEGAL
ISSUES, IN ALL STATES OTHER THAN
QUEENSLAND." 55

The amendments to the Equal Opportunity Act passed the Legislative Assembly on 29 August 2000 and the Legislative Council on 6 September 2000. TGV and other community members in the viewing gallery celebrated, and Kayleen White was quoted as saying: "The community's been working on this for 25 years." 56

# HISTORICAL FIGURES OF NOTE





### **ORGANISATIONS**

TRANSGENDER VICTORIA
SUPPORTING THE RIGHTS AND WELLBEING OF TRANS PEOPLE

### **KEY ISSUES**

# **EQUAL OPPORTUNITY ACT LAW REFORM**

INCLUSION OF 'GENDER IDENTITY' PROTECTIONS IN VICTORIA

# BIOTHEISIE TRANSGENDER

**EPTEMBER 16, 1999** 



Sleave, we have five copies f Forever by Tina Cousins, the will be performing at ive away. To win, be one of he first five callers on 9429 301 on Wednesday, eptember 22 between 0.00-10.05am, Press 31 to each an operator who will ike your name and address.

ew lemon-lime flavoured leoholic beverage Dan to sveaway. To win, be one of he first three callers on 9429 301 on Wednesday, ieptember 22 between 0.10-10.15am, Press 31 to each an operator who will ake yourname. You will need o pick up your prize from the

We have five copies of Katty 3's single Let's Hear It For The Boy: The Dance Remixes o give away. To win, be one of the first five callers on 9429 301 on Wednesday, September 22 between 10,20-10,25am. Press 31 to each an operator who will ake your name and address.

### . . . . . . . . . Queerspot

eptember 1979. The asement bar of the Australia lotel had been camp since efore the Second World Var. It was known officially s the Woolshed and ffectionately (or not) as the nakepit. When it was finally hut down in 1979, nostalgic ucens gathered to bid it arewell. Over-zealous cops rrested two men, kissing ach other goodnight on the tairs, for offensive chaviour. Convicted, one of hem was then expelled from is Melbourne Uni college. Among those who were outraged were catering staff t the uni, who held a union topwork, and a couple of traight women, who rganised a public kiss-in to lefy an archaic law.

Brought to you by the Australian Lesbian and Gay



### Birthday bash

Koorie social and support groups Outblack and Sistagirl celebrated their second birthday with a hig bash at Barracuda on Saturday, September 11. The evening featured two great shows and money raised will support the groups' activities in the indigenous and queer communities. More pics on page 41.

# **Burke offers transgenders** link to Government

State Liberal politician Leonie Burke has offered to be a link between the transgender community and the Victorian Government to organise discussions over transgender law reform.

"I will continue to talk and meet with the transgendered community and will organise discussions with the new Attorney General on the issues of law reform," she said.

Burke's offer comes after earlier comments at a Meet the Candidates Forum organised by the Victorian Gay and Lesbian Rights Lobby.

At the Forum, Burke was asked about the inclusion of transgendered identity in the Equal Opportunity Act and responded: "I'm against all discrimination and I believe your group is more discriminated against than anybody and I do

personally support you." Later, when asked about changing bigoted attitudes within the Liberal party, Burke said: "The big issue is actually educating the members. How many of our members would actually get a chance to sit down with the transgendered community and talk to them? I think my responsibility is to try to get more members to actually sit down with them and actually

understand their issues."

Prahran for Saturday's state election, described her offer as "too little too late". Openly gay, O'Reilly requires a swing of 4.61 per cent to defeat Burke.

"We've had enough discussion on this issue," he said. "People of transgendered identity know that they need legal protection from discrimination and so does Labor and that's what we're offering,"

Labor's recently released gay and lesbian policy includes changing the Victorian Equal Opportunity Act to make discrimination on the basis of transgender identity unlawful. The Liberal Party does not have a gay and lesbian policy or a transgender policy.

Labor's policy has been praised by transgender rights group Transgender Victoria and the Australian Democrats' candidate for Monash, Julie Peters, who is transgendered. Both Peters and Transgender Victoria have also welcomed Burke's offer.

"I'm very pleased Leonie has offered to do that," Peters told Joseph O'Reilly, who is BrotherSister." Even if there is a bring about the change the

Burke's ALP opponent for Labor Government, the Liberals will continue to dominate the Upper House. We still need Liberals in the Upper House to pass it [transgender law reform]. It's important for both the Liberals and Labor to support the right of transgendered people to be protected by the Equal Opportunity Act."

"We need dialogue as part of action," said Sally Goldner from Transgender Victoria. "Naturally we would have preferred to see all action complete long ago so as to enhance the happiness and quality of life of transgender people. However, in order to gain a cross-partisan approach, which will ultimately achieve the best legislative result for transgender people, we need the correct process of education."

"Obviously we support Transgender Victoria," said Megan Jenner, the Co-Convenor of the Victorian Gay and Lesbian Rights Lobby, "We support any changes to legislation that includes benefits for our community. The Lobby is nonpartisan. We recognise that we need to work with both parties to

community seeks. The Lobby is looking forward to working with all parties to ensure changes to legislation, not only for the gay community but also the transcender community."

Transgender Victoria estimates that over 90 per cent of transgender people lose their employment when they "adopt a lifestyle congruent with their sense of gender identity". The inclusion of transgender identity in the Equal Opportunity Act would provide transgender people with a legal remedy for discrimination in employment, education and housing in

The group will also lobby for "improved" and "consistent" conditions for transgendered people in prisons. It will soon release a petition to gather community support on the issue.

Meanwhile, an AgePoll shows that primary vote support for Labor is 41% and support for the State Government is 48%.

More election coverage on page 7. How-to-vote on page 8, party profiles and candidate

interviews on pages 12-13.

# REPRESENTATION AND **REFORMS: 2000-2004**

named Sharon Menzies sued a former employer for sacking her The transgender anti-discrimination bill was not vet passed, so she was suing under protections against discrimination on the

problems confronting transgender Victorians, but the law was an important tool for change. As early as September 2000 the Equal Opportunity Commission Victoria was preparing a pamphlet on Gender Identity for its series titled "your right to A Fair Go," which

They also produced a nine-page set of "Guidelines for employers

The cohort of transgender sex workers also diversified from being almost exclusively white in the early 1990s, to more transgender women of colour from Asian, Pacific Islander and

transgender and intersex groups were forging strong alliances to

MAN (representing trans men). There were also presentations from representatives of the Monash Gender Dysphoria Clinic,

State authorities also recognised the importance of working with

The anti-discrimination reforms and representation on the Equal

issues across five key focus areas: mental health, drugs and

## THE GLASSHOUSE - LOVE IT !

LIBERA DEMI

Electio It's almost

down to the

Our electio

policies on

issues and

openly gar

transgender

Sleazy Sydney's 5

year has at

with the the

Preparati

details plus

of Tina Cc

be perform

Propert

When spri

property m

Check out I

pageliftout

property be

need to kno

Colum

Giveaway!

Upfront

Global

Letters

Encore

Names.

Scene

Rev-limit

Party Anir

DJ Profile

Singles

Albums

Go, Girl!

Destination

Wine & D

Teletuggie

Trade

Communi

Stars

The MACGLH was conscious about the importance of considering diversity within the LGBTIQ+ community, accounting for Koorie health, people from non-English speaking backgrounds, young people and the elderly. The first MACGLH Action Plan noted the importance of recognising the diverse needs within the transgender and LGBTIQ+ communities broadly:

"TRANSGENDERED PEOPLE INCLUDING TRANSSEXUALS, INTERSEX PEOPLE AND CROSS DRESSERS, HAVE A DIVERSE RANGE OF PHYSICAL HEALTH NEEDS. TRANSSEXUALS, FOR EXAMPLE REQUIRE ACCESS TO A RANGE OF HIGHLY SPECIALISED HEALTH **SERVICES, INCLUDING SURGICAL** PROCEDURES, HORMONE THERAPIES AND COUNSELLING AND SUPPORT. THEIR NEEDS VARY ACCORDING TO THE INDIVIDUAL'S STAGE OF TRANSITION WHETHER HE OR SHE IS PRE OR POST **OPERATIVE AND INVOLVE NEGOTIATING** LIFELONG TREATMENT REGIMENS. THEY **ALSO VARY BETWEEN MALE-TO-FEMALE** TRANSSEXUALS AND FEMALE-TO-MALE TRANSSEXUALS. THE DEVELOPMENT OF A COMPREHENSIVE GLBT HEALTH **PLAN MUST ACKNOWLEDGE THE WAYS** IN WHICH SEXUAL OR BIOLOGICAL DIFFERENCE INTERVENES TO SHAPE THE PHYSICAL HEALTH NEEDS OF LESBIANS, GAY MEN AND TRANSGENDER **PEOPLE IN DIFFERENT WAYS." 5** 

The MACGLH produced its first two major discussion papers in March 2002.<sup>58</sup> While the reports did include transgender issues around the five focus areas, many transgender people were unhappy that the papers' focus on mental, physical and sexual health were really about what Transgender Victoria called 'secondary health issues.' In a long response to the discussion paper, TGV outlined key areas of transgender primary health overlooked in the MACGLH reports: counselling for people before, during and after transition; all aspects of the medical transition from hormones through to surgery; appropriate funding of the Monash Gender Dysphoria Clinic and other gender centres; equitable and respectful treatment at hospital emergency wards. Transgender people continued to sit on the MACGLH, and by the 2010s it was being much more conscious of not just including, but specifically focusing on transgender health issues as distinct from LGB concerns.

The other significant advisory group established by the Bracks Government was the Attorney-General's Advisory Committee on Gay, Lesbian and Transgender Issues. The first focus of the transgender reforms was on birth certificates.

After 2000 Victoria was the only state or territory which did not have a process by which transgender people could amend their birth certificates or obtain a certificate of recognition in their affirmed genders. This placed transgender people at risk, for instance, if they were required to present a birth certificate for employment or other identification purposes.

While transgender people universally saw the importance of having an option to amend the gender on their birth certificates or to obtain some sort of certificate of recognition (akin to what South Australia and Western Australia had in place), there were divisions within the transgender community over who should be allowed to change their birth certificates.

This historical moment c. 2002-04 was one of the few times tha

divisions within the transgender community threatened to derai reform.

Those divisions played out in community organisations such as TGV, with a breakaway group of trans women who had gender affirmation surgery forming a new association they called Australian WOMAN Network. The Australian WOMAN Network argued that being transgender was a form of intersex variation and strongly believed that there should be no distinction made between cisgender women and trans women who had gender affirmation surgery. The Australian WOMAN Network mostly existed as a small, online group, and did not expand substantially beyond its founding membership.

When it came to the birth certificate issue, some transgender people believed that anyone whose affirmed gender was different from their birth certificate should be allowed to change it, regardless of surgery. Others believed that surgery should be a prerequisite.

These debates played out within the community and stalled any progress with the government. Indeed, at one stage the Attorney-General Rob Hulls approved a proposal to permit transgender people to change their birth certificate even if they had not undergone surgery, so long as they had been diagnosed with gender dysphoria, were on hormones, and could obtain statutory declarations from two doctors that they had been living in their affirmed gender for at least eighteen months.

According to *The Age*, resistance from other transgender community members, as well as gay and lesbian activists, led the Attorney-General to abandon this proposal. 59

Finally, in 2004 Hulls introduced amendments to facilitate the change of birth certificates but only for those transgender people who underwent 'sex affirmation surgery', defined as

"A SURGICAL PROCEDURE INVOLVING THE ALTERATION OF A PERSON'S REPRODUCTIVE ORGANS CARRIED OUT FOR THE PURPOSE OF ASSISTING THE PERSON TO BE CONSIDERED TO BE A MEMBER OF THE OPPOSITE SEX." 60

This definition meant that trans men would have to undergo a hysterectomy, even though this was neither medically necessary nor desired by many trans men. The document required statutory declarations from two medical practitioners verifying they had undergone gender affirmation surgery, or (where applicable) a certificate of gender recognition from interstate. The legislation also required the person to be unmarried, meaning those transgender people who were married were required to divorce their spouses before they could change their birth certificates. Like the 2000 amendments to the Equal Opportunity Act, the legislation obtained broad support from across the parliament. Jenny Mikakos from the ALP explained the significance of the bill in the Legislative Council:

"AMONG THE MANY CHALLENGES
THAT PEOPLE WITH TRANSSEXUALISM
FACE IS AN INABILITY TO HAVE THEIR
BIRTH CERTIFICATE AMENDED TO
SHOW THEIR AFFIRMED SEX, WHICH
THOSE IN ALL OTHER JURISDICTIONS
AROUND AUSTRALIA ARE ABLE TO DO.
A BIRTH CERTIFICATE IS TO MOST OF
US A PIECE OF PAPER THAT IS FILED
SOMEWHERE AND IS PULLED OUT FROM
TIME TO TIME WHEN WE APPLY FOR A
PASSPORT, A JOB OR A BANK ACCOUNT.
FOR TRANSSEXUAL PEOPLE, HOWEVER,

# THIS DOCUMENT CAN BE A CAUSE OF EMBARRASSMENT AND POTENTIAL DISCRIMINATION." 61

Interestingly, Liberal MLC Andrea Coote supported the bill bu argued that it did not go far enough to support intersex Victorians She said:

"THE INTERSEX PEOPLE BELIEVE THE BILL DOES NOT GIVE THEM A CHOICE. WHEN THEY ARE BORN WITHOUT THE SEXUAL CHROMOSOMES TO MAKE THEM EITHER FEMALE OR MALE AND ARE ASSIGNED A GENDER AT BIRTH, THEY DO NOT GET A CHOICE BECAUSE THE DOCTORS AT THE TIME DECIDE TO GIVE THEM THAT NON-THERAPEUTIC IRREVERSIBLE TREATMENT. THEY ARE NOT ABLE TO MAKE AN INFORMED CONSENT BECAUSE THEY ARE SMALL BABIES. THEREFORE THEY BELIEVE THIS MATTER SHOULD HAVE BEEN DEALT WITH BETTER IN THE BILL." 62

ALP member Robert Smith, MLC also argued that he would like to see the bill go further by allowing those transgender people who could not afford surgery to change their birth certificates.<sup>63</sup> Yet, he believed, like the transgender advocates who pushed the legislation, that this reform was an important step forward and could be built on in the future. That future would take some time, though: the framework for birth certificates introduced in 2004 remained in place until 2019.

The bill was indeed an important step and brought Victoria in line with the other states and territories. Yet, the law disadvantaged those transgender people who did not want or could not afford surgery. There were also transgender people with medical conditions that prevented them from being surgical candidates, and there was the problem that very few Australian surgeons even performed gender affirmation surgeries

The law had disproportionate adverse effects for trans men. For trans men the best surgery to affirm gender, or assist with being read by others as male, was chest surgery or the reconstruction of the chest to appear more male by removing the breast tissue. The Registry of Births, Deaths and Marriages considered breasts to be secondary reproductive organs and did not include it as gender affirmation surgery.

A full hysterectomy was required, even though this did nothing to assist the person to appear more male. Some activists have called the hysterectomy requirement to change their birth certificate a form of forced sterilisation.

### **ORGANISATIONS**

**AUSTRALIAN WOMAN NETWORK** 

 ${\it MOSTLY ONLINE TRANS ADVOCACY GROUP}$ 

### **KEY ISSUES**

MINISTERIAL ADVISORY
COMMITTEE ON GAY AND LESBIAN
HEALTH (MACGLH)

### **ADVOCACY**

MACGLH ESTABLISHED ENABLING TRANS ADVISORY WORK TO GOVERNMENT

# MEDIA AND **TRANSGENDER VICTORIANS**

Through the 1990s and into the early 2000s, media coverage of transgender issues broadly fell into three categories. The first were stories that covered political issues of the day, such as the debates over the anti-discrimination legislation. Generally speaking, this coverage across the mainstream press tended to be objective, notwithstanding some letters to the editor or opinion pieces that expressed colourful, transphobic views.

The second type of stories, when there were not any major legal or political issues, sensationalised transgender people to shock, mock or deride. Sociologist Dave King analysed British newspaper coverage of transgender people from 1950-83 and found that to be newsworthy, transgender people had to do something new and different. Through the sensational language of the 'sex change', the press "introduced its readership to (amongst others) the sex change cop, the sex change bride, the sex change sailor, the sex change prisoner, the sex change burglar, the sex change vicar, sex change surgeons, sex change conferences, sex change tennis." 6

The Herald Sun was especially prone to such stories, with a classic example still remembered by a few transgender people being the July 2003 cover story "Sex Swap Cop." The story reported that Victoria Police had received an application from its first openly transgender candidate. The headline the following day, "Revolt on Swap Cop," reported that a survey of readers – including police officers - revealed mass opposition to permitting transgender people to join the force.65

Victoria Police, the state government, premier and Equal Opportunity Commission Victoria all stood by the anti-discrimination protections (though the then-opposition leader expressed his disapproval over permitting the transgender cop). The following year, the *Herald Sun* continued to refer to the transgender police officer as the 'sex-swap cop' when reporting her graduation from the police academy.66

The third type of story was the more respectful transgender human-interest story. These were more common in The Age or local newspapers, and they, too, needed to have an original hook. In June 2009, *The Age* ran a story about Will – the first openly trans man to play competitive football in the Victorian Country Football League. Will had the support of the league's chief executive and the encouragement of Collingwood Magpies captain Nathan Buckley, who told Will, "Don't be afraid to be yourself."

Will was quoted as saying "I thought, well, if fat blokes who are in their 40s are playing football, surely I can. The only thing stopping me is other people's prejudice."67 There were no questions about fairness or sensationalised reports, as would become common in the 2010s when reporting on trans people (or, more often, trans women) in sport.

The most comprehensive coverage of transgender issues was in the LGBTIQ+ press. There had always been inclusion of transgender stories, and from the 1990s the most comprehensive Victorian publications were the weekly or fortnightly Melbourne Star Observer/Melbourne Star (1985-2006), Brother Sister (1992-2000) and MCV (2000-2018).68 There were also a plethora of national magazines, smaller newsletters and a few transgender specific publications like Seahorse's monthly newsletter and the Sydney Gender Centre's monthly magazine Polare.

These publications all printed opinion pieces from activists and, in addition to reporting on the legislative debates, covered some of the tensions between the transgender and gay and lesbian

In 2003, for instance, one conflict between transgender women and radical lesbians went to the Victorian Civil Affairs Tribunal (VCAT). The organisers of the 2004 National Lesbian Festival and Conference (Lesfest), to be held in Daylesford, successfully applied to VCAT for an exemption from the Equal Opportunity Act to restrict the event for "lesbians born female only." They argued that this was a matter of security for cisgender lesbians, many of whom had been abused by men. The Lesfest organisers purported not to be against transgender people, arguing they could celebrate their transgender identities in other forums.6

Not surprisingly, the transgender community erupted in opposition, affirming trans women's identities as women. While there was some coverage in the mainstream press, this story became front-page news in the LGBTIQ+ press and there was deeper engagement with the perspectives of both the lesbian organisers and trans people.

Most letters published in the LGBTIO+ press supported the trans women, with one arguing

"WHEN AN OPPRESSED GROUP BECOMES AN OPPRESSOR GROUP, SOMETHING IS FUNDAMENTALLY WRONG IN A SO-**CALLED DEMOCRATIC SOCIETY"** 

and another asserting

"THAT WE AS A COMMUNITY CONTINUE TO MAKE TRANSGENDER AND INTERSEX **WOMEN FEEL UNWELCOME (OR IN THIS** CASE, ACTIVELY EXCLUDE THEM) IS TO **OUR GREAT SHAME."** 70

Shannon Dowd wrote an opinion piece in the magazine Lesbiana in which she argued: "In putting on a festival that seems encouraging, empowering and energising for all the women involved, it seems a real shame that this group of [transgender] women are prohibited from attending; almost as if the organisers of Les fest perceive transgender women to be some sort of a threat to other lesbians. TG lesbians self identify as lesbian women and should be treated

Within a fortnight, VCAT reversed its decision because the Lesfest organisers had not informed the tribunal about a complaint from The WOMAN Network's Karen Gurney. Gurney was reported as saving, "The strong support we received for our full acceptance as the women we are was particularly appreciated by people with transsexualism."<sup>72</sup> By the 2010s women who challenged trans women's identities became popularly known as trans-exclusionary radical feminists (TERFs). Their influence in Victoria's lesbian and LGBTIQ+ communities has waned significantly, though still they hold sway in some organisations and in 2019 founded a new group called Victoria Women's Guild. Broadly speaking, though, TERF attitudes have not become part of the mainstream of Victoria's LGBTIO+ community.

# FUULY PUB MIKES TRANSEXUAL COOK

RANSEXUAL is working as an assistant chef in a pub owned VFL coach Ron Barassi and former VFL player Adrian

erri Carr, 24, works at the intain View Hotel, in Bridge d, Richmond, a pub frequented ooty celebrities and writers.

Gags" Gallagher said regulars ted Terri as a woman.

She's a fine assistant and her chef Michael Penner-Wilson. he's never seen a person so

on Barassi said: "What our staff with their private lives is their

Terri is a very hard worker and s about her job, which is more I can say for a lot of people in

erri, a tall brunette with small sts, said she had not yet had a change operation because of the

e said: "I was born a male but I

### Barassi to the defence

"I enjoy cooking and no one seems to bother about my sexuality.

"The pub employs me for what I am - an assistant cook - not a man

"No patrons at the pub suspect I am really a man, they don't really seem to care.

"I use the ladies' loo and no one has complained about that."

A black ban was recently placed on the pub because some workers had not joined The Federated Li-quor and Allied Industries Employees' Union.

Gallagher said the ban had been lifted after he assured the union he would try to get employees to join.



no dope!

★ ASSISTANT chef Terri Carr (left), "Gags" Gallagher and cf Penner-Wilson have a quiet drink.

# BOOZE PAIR STAY O THE ROAD Actress

# in death smash

NEWLY-INVESTED ight killed himself and o other men in a car sh only 12 days after he ined his knighthood, an juest has been told. Sir Donald von Bibra was

ving on the wrong side of road and was possibly conscious, Launceston roner Mr H.J. Panitzki s found.

Sir Donald, 77, and two n in another car — John stt Murray, 56, of Sand-gham, and Denis Gordon tler, 30, of Launceston died in the bead-on ash on June 27.

Sir Donald "failed to inate any driving actions ich might have averted accident," Mr Panitzki

There was no evidence of ohol or drugs, and Sir naid had not suffered a art attack or cerebral

MOTOR

**ACCIDENTS** 

CAN LEAD TO

COSTLY LEGAL

COMPLICATIONS

for free advice

TWO motorists caught driving with blood alcohol levels almost twice the legal limit have been given \$200 good behavior bonds and allowed to continue driving

One of the drivers had held a licence for only 12 months, but the other driver, a pensioner, had been driving for 50 years. Neither had any convictions

for traffic offences. Both pleaded guilty to driv-ing with blood alcohol levels

Magistrate Kevin Craddock. who heard the two cases in Melbourne's Prahran Court, said both drivers were in a category where he felt justified in exercising the discretionary power he was given under the

### Charged

Stephen Roy Miller, 71, pensioner, of Widdop Crescent, Moorabbin, a south-east Melbourne suburb, was charged with exceeding .05 after he drove past a Do Not Enter sign and down an exit road toward the Eastern Freeway at Bulleen on the night of March 13.

The court was told Miller had driven trucks and taxis for most of the 50 years he had held a licence.

Miller said he had been to his grandson's 21st birthday party

LOTTO

Play Econo' 80 and prize money is guaranteed if you pick only 2 of the winning

ECONO 81.

Cost to Play \$9.00 For only \$5 and S.A.E. we will send you ECONO' 80. as all the information ranging from system 8 to 40 and

Kerry Kulken's

By ERIC WICKS

at Doncaster the night he was

Simon Moore, 19, truck jockey, of Boston Avenue, East Malvern, was charged with exceeding .05 after an accident about 10 pm on January 15 at the corner of Warrigal and Waverley Roads in suburban Chad-

Constable Eric North told the court Moore's motorcycle had collided with a taxi, which made a right turn across his

Moore told the court that earlier in the night he was told he had failed HSC.

Moore then went to a hotel.

He went to his girlfriend's home for comfort, but instead

He was on his way home when the accident happened. Mr Craddock put Moore on a

good behavior bond and told him to pay \$100 to the court

### TRUTH

★ SEVEN men sentenced to 330 years for gang raping a 23-year-old girl in Tenerife, Canary Islandds, have been freed from jail because their victim forgave

Ellie got her break into the American sovie scene when she was introduced at a Los Angeles party to world famous morie director Francis Ford Coppola, the master-mind behind such blockbusters as The God-Magic Shop

away from the drug scene.

AUSTRALIAN actress Ellie "There seems to be a b Maclure (above) believes she has actors taking drugs, becau take you seriously the secret for any Aussie hoping to "I stood out because I make it big in Hollywood - stay

grass or snorting anything. Ellie, 27, then wrote to Co She says she went from being unknown to

work. She was "knocked director asked her to make a sought after by several big names — mainly because she never touched drugs. led to several minor parts. Ellie also appeared in Streams, directed by John

starring Jon Voight. She believes her reputs reliable and not associated w her to get this role, too.

# NEW ORGANISATIONS AND TRANSGENDER HEALTH IN THE NEW MILLENNIUM

By the 2000s, transgender people were speaking and advocating for themselves through multiple associations. Transgender Victoria continued to advocate for legal rights for transgender people and would become more influential in the 2010s. Seahorse continued to operate as a group primarily supporting dressers, but it came to identify more explicitly under the transgender umbrella. Seahorse has continued the monthly meetings and also organises more informal gatherings at trans-friendly cafes and venues, such as DT's in Richmond. Seahorse still hosts its annual ball, and they held very special thirtieth and fortieth anniversary balls in 2005 and 2015 and published a forty-fifth anniversary retrospective in 2020. Chameleons continued to advertise in the LGBTIQ+ press as a support organisation for all transgender people until 2011, though their regular meetings stopped sometime in the 2000s.

Other transgender organisations or networks have come and gone over the years, and they have changed in their modus operandi. One was the Trans Melbourne Gender Project, which began in 2004 as an online forum and listserve to share announcements and information. In 2006 the Trans Melbourne Gender Project produced a twenty-one page information booklet titled "GQ Gender Questioning," targeting young people between ages sixteen and twenty-five who were questioning their gender identities.

In May 2013 Andrew Eklund, Dale Crane (formerly from Boys Will Be Boys) and three others founded FTM Shed (now known as The Shed) as a peer support group for trans masculine identified people. This was the first Melbourne-based group for trans men since Boys Will Be Boys. The Shed aimed to build the resilience of trans masculine people through the sharing of their lived experience with each other. Over fifty people attended the first meeting, which have been held monthly.

The Shed runs a private Facebook group of over 900 members, a binder program, annual camps throughout Victoria and a website offering STPs (stand to pee) and packing devices to assist trans masculine and gender diverse people to express their gender as best supports them.

Other more recent groups have been primarily on social media, such as Trans Pride – Melbourne or the national group Sistergirls & Brotherboys Australia, supporting trans and gender diverse Indigenous Australians. The emergence of trans-organised groups challenged the authority that doctors had for so long wielded. No longer were psychiatrists able to frame the discussions around who was transgender. Instead, debates were evolving into how to support and empower transgender people, and this included thinking through new models of health care provision which centred the trans patients in an informed consent model.

The move towards informed consent faced a serious setback when reports in *The Age* exposed ongoing problems at the Monash Gender Dysphoria Clinic. In November 2003 the media reported that a former patient who had been diagnosed with 'transsexualism' in 1986 and underwent gender affirmation surgery two years later was suing the clinic. He alleged that he had been misdiagnosed and had detransitioned in 1996. Because the statute of limitations had passed on medical negligence cases, the gentleman needed the court to approve his case. This led to a long, drawn-out legal process, and in 2005 the Victorian Court of Appeal upheld the patient's right to sue the Monash Gender Dysphoria Clinic.<sup>73</sup>

The case of transition regret put a spotlight on the clinic, and this

came to a head in 2009. The press reported that eight former patients who had undergone gender affirmation surgery since the late 1980s claimed they had been misdiagnosed and regretted their gender transitions. The reports exposed that there had been a series of reviews into the operations of the Monash Gender Dysphoria Clinic, including a confidential internal review in 2004 and a second in 2006 that both said patients were not having proper mental health services before or after surgery. Indeed, a huge complaint made by former patients was that there was inadequate follow-up on patient care.<sup>74</sup>

The Monash Gender Dysphoria Clinic was temporarily shut down and Trudy Kennedy was forced to resign, pending further investigation. Transgender activists were outraged and believed that the attacks on the clinic were directed by members of the religious right. The Monash Gender Dysphoria Clinic reopened later in 2009 with Dr Fintan Harte as its new director. Under Harte, the clinic adopted a more friendly model for working with transgender people. Still the clinic has not fully shifted towards an informed consent model because staff are cautious to avoid future cases of transition regret.

The year 2009 also saw the founding of the Australian and New Zealand Professional Association for Transgender Health (renamed the Australian Professional Association for Transgender Health or AusPATH in April 2019). AusPATH advocates for and educates health and allied health practitioners who work with transgender patients. The organisation also advocates for access to health care and legal recognition for transgender Australians. It includes both a research committee and an education committee, which both incorporate TGD Australians, especially those with experience working in health fields.

The Monash Gender Clinic (renamed in 2016) and AusPATH have become attuned to trans-centric approaches to health care, but they still have been primarily run by cisgender allies (although more recently there have been more TGD people elected to AusPATH leadership positions). There were sporadic attempts at founding a trans-run health centre in Melbourne. In 2007 a working group ran a public meeting and online survey to discuss the possibility of founding a gender centre in Melbourne. Loosely modelled on Sydney's Gender Centre, the Zoe Belle Gender Centre (late renamed Collective) would be a trans-run organisation to provide health and wellbeing support to TGD Victorians. The organisation was named after transgender activist Zoe Belle, who was one of the major proponents of the centre who passed away in early 2008.

The Zoe Belle Gender Collective had the support of the ALSO Foundation, and before the 2010 election received in-principle support from the ALP, Greens and Australian Sex Party (now Fiona Patton's Reason Party).

The ALP lost government that year, and the Zoe Belle Gender Collective has continued to operate primarily as an online suite of resources. Now working under the auspices of community health provider Cohealth and with Youth Affairs Council Victoria's Healthy Equal Youth (HEY) grants, the Zoe Belle Gender Collective offers diversity and inclusion training workshops and specific programs targeting TGD young people.

Through this whole period the Ministerial Advisory Committee on Gay, Lesbian, Bisexual, Transgender and Intersex Health and Wellbeing continued to convene. In February 2013 the Minister for Health and Ageing and Minister for Mental Health established a Transgender and Intersex Health and wellbeing working group. As its first task, the working group undertook a research study to scope health issues confronting transgender Victorians, focusing on the barriers to healthcare access, the policy environment around transgender health and the available services. The group published the "Transgender and gender diverse health and wellbeing Background paper" in 2014. This document laid the groundwork for developing and implementing new initiatives in Victoria for transgender healthcare and increased funding to support existing services.

In 2016, the then-Victorian AIDS Council (now Thorne Harbour Health) founded Australia's first peer-led TGD health service: Equinox. The clinic came after lots of hard work from the VAC's Trans and Gender Diverse Advisory Group and the VAC's project lead for trans health, Jeremy Wiggins. Equinox provides GP services as well as support for sexual health and mental health. Its online resources provide information for GPs about working with TGD patients and prescribing hormones.

Indeed, now more GPs are educating themselves about TGD health and have become more comfortable prescribing hormones. There are online training modules written by doctors like Ruth McNair, and several Victorian health networks subscribe to HealthPathways, which includes a section on trans health as a step-by-step resource for GPs. In June 2019, the Victorian Government announced plans to fund two more similar TGD health clinics: one in Ballarat and one in Preston. TGD Victorians including Wiggins are again being involved in the design and implementation of how these new clinics will operate.

### HISTORICAL FIGURES OF NOTE







### **ORGANISATIONS**

# TRANS MELBOURNE GENDER PROJECT

ONLINE TRANS SUPPORT GROUP

**FTM SHED** 

TRANS MEN'S SUPPORT GROUP

### AUSTRALIAN PROFESSIONAL ASSOCIATION FOR TRANSGENDER HEALTH (AUSPATH)

PROFESSIONAL ASSOCIATION FOR HEALTH AND ALLIED HEALTH PRACTITIONERS WORKING WITH TRANS PATIENTS

### **ZOE BELLE GENDER COLLECTIVE**

TRANS LED HEALTH AND WELLBEING SUPPORT ORGANISATION

#### **EQUINOX**

AUSTRALIA'S FIRST PEER LED TRANS HEALTH SERVICE

### **KEY ISSUES**

### INFORMED CONSENT

**HEALTH SERVICES** 

COMMUNITY PUSH FOR AN INFORMED CONSENT MODEL OF TRANS HEALTHCARE

# TRANS AND GENDER DIVERSE YOUNG PEOPLE

The other major issue in transgender health is part of a wider shift in transgender issues and advocacy in the new millennium: trans and gender diverse children and young people. Transgender oral histories almost unanimously describe knowing from a young age that they did not fit with society's constructions of gender. Usually it was only in adulthood that TGD people had the language, knowledge and courage to transition. But there have always been children and young people whose gender identity was different from the sex they had been assigned at birth; it is just that silence and societal discrimination kept them invisible.

By the early 2000s, the growing visibility of transgender people meant new possibilities for TGD children and young people. As Sally Goldner was quoted explaining in 2004, "I think young people are becoming more aware of it [transgender], and the internet has made a massive difference. They can ask questions safely and get some answers." The 2000s and 2010s have also seen an increase in trans people, especially young people, identifying as non-binary or genderqueer, which has led to 'trans and gender diverse' (TGD) becoming a new umbrella term for the community.

In December 2003 the *Herald Sun* reported about a fifteen-year-old who wanted to transition from female to male. Then in April 2004 the Family Court approved a thirteen-year-old trans boy to commence hormones in two stages: puberty blockers at age thirteen, then testosterone at sixteen, with the opportunity for gender affirmation surgery after he turned eighteen. This set a precedent: only the Family Court could grant approval for children to undergo medical transitions, which were dubbed 'special medical procedures'.

The press reports about transgender children sparked some debate, but during the 2000s this was relatively muted and the news cycle quickly moved on. For most of that decade the number of children seeking medical transitions was minute. The Royal Children's Hospital received its first referral in 2003, then only one referral in each of 2005 and 2007. In 2008 they received two referrals and still under ten per year until 2011.

Since 2012, the number of referrals began to grow exponentially, and it was over 250 in 2017. $^{77}$  In October 2017 the Royal Children's Hospital Gender Service released the first "Australian Standards of Care and Treatment Guidelines for trans and gender diverse children and adolescents." $^{78}$  In 2019 the Royal Children's Hospital Gender Service received 336 new referrals, and in 2020 that increased to 473.

In 2013 the case Re Jamie overturned the requirement to obtain Family Court authorisation for TGD children to access stage one medical treatment (puberty blockers). But the ruling still confirmed that the Family Court must grant authorisation for TGD children to access stage two treatment: prescribed oestrogen or testosterone. The Family Court ruling thus made it difficult for TGD children to access treatment in a timely manner (with delays sometimes between eight to ten months). This caused even further mental duress for TGD children and was costly for families.

In November 2014, Four Corners aired an episode titled 'Being Me' about transgender children, bringing the Family Court barrier to the public eye. In May 2015 Dr Michelle Telfer, director of the

Royal Children's Hospital Gender Service, addressed the Royal Australasian College of Physicians conference in Cairns, calling for a change in the law so that the Family Court was not responsible for medical decisions reserved for the doctor, patient and parents. A movement for change was in motion.

An August 2016 episode of *Australian Story* featured Victorian teenager Georgie Stone. The story, viewed by more than one million people, introduced a new activist advocating for the rights and access of TGD children and young people. By 2016 there was a coalition of TGD children and young people, doctors, families and lawyers who were actively lobbying politicians in Canberra to change the law.

It would not be politicians who ushered in reform, though, but rather another court case. The ruling in Re Kelvin on 30 November 2017 set a new precedent: children and families no longer required the authorisation of the Family Court to access stage two hormones. A subsequent ruling in Re Matthew a few months later also overturned the need to obtain Family Court authorisation for gender affirmation surgeries. Georgie Stone was honoured as the Globe LGBTI Awards GLBTI Person of the Year in 2016; Victorian Young Australian of the Year in 2018; and in 2020 was the youngest person to be awarded the Medal of the Order of Australia with the citation 'For service to the trans and gender diverse community'. A young actress, she joined the cast of *Neighbours* in 2019.

The push to support TGD young people has extended beyond just the Royal Children's Hospital. The organisation Minus18 was founded in 1998 to organise dance parties for LGBTIQ+ children and young people. In its early years the group was predominantly for LGB young people, though there were occasionally TGD patrons who attended with rural youth groups. In 2010, recognising the need for more peer support for TGD young people, Sim-Victor C Kennedy (then a youth work student) began holding monthly meetings with like-minded peers. From this group, the organisation YGender was born with specific aims to support TGD young people under twenty-five. In 2011 YGender first participated in Melbourne Pride March and organised one of Melbourne's first Trans Day of Remembrance public events. The organisation has consistently held monthly events that are a mix of peer support and social gatherings with regular attendance. YGender also was one of the first groups to develop education programs and materials about gender diversity focusing especially on the needs of young people. Ygender from its founding had a balance of femme, non-binary/ genderqueer, and masc gender identities within the organisation. Due to other intersectionalities embedded within the group, YGender has consistently worked with other groups to run social support programs. At the time, YGender's monthly program was unique and worked with a section of TGD young people who were never engaged in health services since gender realisation.

The program was purpose-made and Ygender had a direct and indirect impact on other groups and organisations via at least a dozen community development projects. The volunteers facilitating events and programs with YGender have benefited through the acquisition of important leadership and planning skills which they have been able to apply in different career or education settings. In the 2010s so too did Minus18 shift much of its support, advocacy and social events to support TGD young people. Both Minus18

and YGender contributed to the Safe Schools Coalition's 2016 Gender Is Not Uniform Campaign, developing a resource guide to support schools to be more inclusive of gender diversity. Minus18 and YGender member Margot Fink coordinated the development of a series of videos and teaching activities for the Safe Schools Coalition (described below) to support the Health and Physical Education area of the Australian Curriculum. In recognition of her work with Minus18 to support TGD young people, in 2016 Margot Fink was the first openly trans person to be a finalist for Victoria's nomination for Young Australian of the Year – an honour Georgie Stone won two years later.

Other organisations support parents of TGD children and young people. Rainbow Families Victoria was founded in 2006 to support and advocate for all families with parents who are LGBTIQ+identified. In July 2019 the national organisation published its first Trans and Gender Diverse Parents Guide, providing personal stories about trans and gender diverse parents. Another organisation, founded in 2012 by Georgie Stone's mother Rebekah Robertson, is Transcend. This is the first parents-led peer support network to support families of TGD children and young people. Parents of Gender Diverse Children was founded in 2016 as another peer support, education and advocacy group. Another Victorian parent of a transgender child, Jo Hirst, has authored two children's books affirming and normalising gender diversity: *The Gender Fairy* (2015) and *A House for Everyone* (2018).

The other major initiative to support TGD children and young people has attracted far more public attention: the Safe Schools Coalition. This was a program designed by Roz Ward (from the Australian Research Centre for Sex, Health and Society at La Trobe University) with two aims: to combat bullying, and to affirm young people's diverse sexualities and genders. The program began in Victoria in 2010 and from 2013 went national with federal funding. Then in early 2016, conservative politicians and commentators began to wage a war on the Safe Schools Coalition, arguing that it was so-called cultural Marxism, sexualised young people, was a form of grooming children and was utterly inappropriate. A review commissioned by the federal government found the program to be generally above-board, but this did not stop the virulent opposition from conservative politicians and the Murdoch press.<sup>20</sup>

Among all governments, Victoria alone stood by the program and promised to continue funding it once federal funding expired. Premier Daniel Andrews challenged the misinformation campaign by conservatives and vowed to roll out Safe Schools across all state secondary schools. However, the Education Department terminated its contract with La Trobe early to assume control of Safe Schools, removing Roz Ward. This move was an attempt to mitigate criticism, as much of the conservative attacks targeted Ward's avowed Marxist ideology (even though this was not part of the program). As of January 2018, 321 out of 404 secondary state schools were running Safe Schools, with the government intending to have it in place in all schools by the end of that year.<sup>81</sup>

### HISTORICAL FIGURES OF NOTE









### **ORGANISATIONS**

MINUS18

SUPPORTING THE RIGHTS AND WELLBEING OF LGBTIQ + YOUNG PEOPLE

**YGENDER** 

ADVOCATING FOR THE RIGHTS AND REPRESENTATION OF TRANS YOUNG PEOPLE

SAFE SCHOOLS COALITION

 ${\it NATIONAL~ANTI-BULLYING~INITIATIVE~FOR~LGBTIQ+STUDENTS}$ 

### **KEY ISSUES**

# STAGE 2 HORMONE TREATMENT LAW REFORM

STAGE 2 HORMONE TREATMENT RULING IN FAVOUR OF TRANS YOUNG PEOPLE & FAMILIES

## SAFE SCHOOLS MEDIA

MEDIA & POLITICAL CAMPAIGN TO DEFUND SAFE SCHOOLS COALITION

# PHYSICAL AND MENTAL HEALTH

Notwithstanding the increased transgender visibility and shifts in societal attitudes, TGD people continue to experience disproportionately high levels of violence and poorer mental health outcomes. TGD people have always faced threats of violence, whether that be intimate partner violence or hate crimes. Historically, many cases of physical assault – whether in the home or by strangers on the street – went unreported because transgender people feared police just as much as perpetrators.

As mentioned earlier, the 2000 VGLRL report "Enough is Enough," examining discrimination confronting LGBT Victorians, found that 56 per cent of transgender respondents reported discrimination in their dealings with police. <sup>82</sup>

Perhaps Victoria's most high-profile transgender victim of a hate crime was Adele Bailey, a sex worker who had gone missing in 1978 and whose remains were found in 1995. The coroner recorded an open finding over Bailey's death in 1999, but there have always been allegations of police involvement in her murder and cover-up.<sup>83</sup> Relations between the transgender community and police improved since the founding of the GLLO program (gay and lesbian liaison officers – later renamed lesbian, gay, bisexual, transgender and intersex liaison officers) in 2000.

Research focusing on transgender people in Australia was thin on the ground even in the 1990s. Roberta Perkins' 1994 study *Transgender Lifestyles* and *HIV/AIDS Risk* was Australia's first to look at a range of transgender issues, reporting stark findings of high unemployment, drug use and poorer sexual, physical and mental health outcomes.

It also found that out of 146 respondents (twenty of whom were Victorian), 33 per cent reported having been raped by one person, 12 percent pack raped and 19 per cent being subjected to some other form of sexual assault.<sup>84</sup> "Enough is Enough" reported in 2000 that: over 90 per cent of transgender respondents had been verbally abused in public; 64 per cent exposed to threats of violence; and 21 per cent assaulted or bashed.<sup>85</sup>

Since the 2000s there have more trans-inclusive surveys on a wider variety of subjects. Most have been national surveys, but they still reveal astounding figures about the effects of stigma and discrimination on transgender Victorians. The 2006 Private Lives national survey found that 61.8 per cent of trans men and 36.4 per cent of trans women reported experiencing intimate partner

The 2016 Victorian Royal Commission into Family Violence explored the silent epidemic of family violence among LGBTIQ+ people, including for transgender Victorians. The Royal Commission examined LGBTIQ+ experiences as a group, while acknowledging that transgender and intersex people sometimes faced different types of violence (e.g. denying their affirmed gender) and barriers to access services.

The principal LGBTIQ+-related recommendations advocated more research, more training for family violence support services to be LGBTIQ+-inclusive, and more support for LGBTIQ+ organisations to deal with family violence.<sup>87</sup>

Mental health outcomes have been another consistent area of transgender disadvantage. In 2016 the National LGBTI Health Survey reported that:

- transgender people aged eighteen and over were nearly eighteen times more likely to have thoughts of suicide.
- 57.2% of TGD people over age eighteen have at some stage in their life been diagnosed with depression
- Transgender people were almost eleven times more likely than the general population to attempt suicide.<sup>88</sup>

The poor mental health outcomes are not because of innate illness or disorder about being transgender; rather, they are a consequence of societal attitudes and discrimination which have demeaned, demonised and disadvantaged TGD people.

One recent example that numerous transgender oral histories discuss as affecting their mental health was the 2017 marriage equality postal survey. National debates over marriage equality had been raging in Australia since at least 2004, and by the 2010s a majority of public support was in favour of legalising marriage equality.

The Commonwealth Coalition Government policy called for a public vote on marriage equality, which they implemented over the period August-October 2017 in the form of a postal survey.<sup>99</sup>

Much of the 'no' campaign did not focus on the issue of marriage between same-sex couples, but instead targeted other, tangential topics: Safe Schools, gender fluidity, so-called religious freedom and the supposedly negative outcomes of marriage equality for children (while of course overlooking same-sex couples raising children, and those children who identified as LGBTIQ+).

Counselling services such as QLife, Drummond Street Services and Switchboard Victoria reported spikes in the number of calls and the detrimental effects that the marriage equality survey and debate was having on LGBTIQ+ people.

Oral histories suggest that the 'no' campaign's messaging disproportionately affected TGD Australians. There are even reports of TGD people who completed suicide during the marriage equality survey.

The 'yes' campaign knew that the 'no' campaign's messages were designed to distract, so generally did not engage with the specious arguments. 'Yes' campaigners instead focused the conversation on marriage and the positive message about equal love. Many people in the TGD community felt erased with so much of the 'yes' campaign being focused on 'same-sex marriage', rather than as marriage being between two people.

The 'yes' side won with 61.6 per cent of the vote nationally and 64.9 per cent in Victoria. The marriage equality legislation passed through the Commonwealth parliament on 7 December 2017. In the aftermath of the survey, though, some TGD and other LGBTIQ+ activists have criticised the 'yes' campaign for not doing enough to combat the transphobic messaging of the 'no' campaign.

Marriage equality advocates wanted to channel much of the grassroots energy and campaign networks into a new national organisation for LGBTIQ+ rights. In December 2018 the Equality Campaign, one of the chief drivers of the 'yes' campaign, relaunched as Equality Australia. Based in Melbourne, this organisation has already been working to support LGBTIQ+ rights and reforms across the Commonwealth and state governments.





TGD visibility reached a significant tipping point in the mid-2010s, and since then there have been a plethora of programs, organisations, social media groups, activists and cultural events. Melbourne's Midsumma program is awash in exhibitions, performances and social events highlighting the contributions of the TGD community. TGD performers and events run across the entire year, including the annual TILDE trans and gender diverse film festival since 2014. Events marking International Transgender Day of Visibility (31 March) and Transgender Day of Remembrance (20 November) have grown in prominence.

Melbourne's LGBTIQ+ radio station Joy 94.9 began hosting the program Transmission Time in February 1999, and the show celebrated its 400th episode in January 2012. Over the years, other TGD programs on Joy 94.9 have included Trans P.O.V. (Transgender Point of View) and the recent history podcast Transgender Warriors. Longstanding transgender activist Sally Goldner has also hosted Out of the Pan on community radio station 3CR since 2005. Channel 31 program Bent TV regularly runs episodes discussing TGD issues, featuring community leaders, activists and artists. In 2014 Bent TV produced a thirteen-episode series called "Trans-mission", exploring the lives of TGD people in Victoria. All of these programs are available to stream online or to download as podcasts.

The 2010s have also been a time of legislative reform and political change. The Australian Defence Force lifted its ban on transgender service in 2010, and in 2011 the Department of Foreign Affairs and Trade changed passport guidelines to allow citizens to nominate their gender without surgery, or use the marker 'X'. The Commonwealth government amended the Sex Discrimination Act in 2013 to provide federal anti-discrimination protections on the grounds of sexuality, gender identity and intersex variations. Two long-time transgender activists from Victoria, Brenda Appleton and Sally Goldner, received Order of Australia (AO) awards as part of the 2019 Australia Day Honours.

The Victorian Equal Opportunity and Human Rights Commission (VEOHRC) has consistently played a role to educate workplaces and community groups about their obligations under the Equal Opportunity Act. In 2014 VEOHRC published "Guideline: Transgender people at work > Complying with the Equal Opportunity Act in employment." Designed in conjunction with TGV, the guide and supplementary materials assist employers with supporting transgender employees. The supplementary materials include a transition plan for transgender employees and a template for workplaces to design policies to support transgender people. In 2017 VEOHRC published "Guideline: Trans and gender diverse inclusion in sport", with supplemental materials outlining common scenarios, policy templates and a shorter information guide called "The Basics".

TGD inclusion is very much a part of the Andrews Government's (November 2014- ) agenda. The government appointed self-described 'gender walker' Ro Allen as the state's inaugural Gender and Sexuality Commissioner in July 2015. Allen and staff have worked across a range of government departments and with community stakeholders, private enterprises, statutory bodies and non-government organisations to advocate for and support the needs of TGD (and all LGBTIQ++) people.

Transgender Victoria CEO Brenda Appleton was appointed cochair of the new Victorian LGBTIQ++ Taskforce in September 2015. Appleton was the first trans person to chair/co-chair a Government Taskforce in Australia. The Taskforce has representatives from across the rainbow alphabet and takes a holistic approach to advise the state government on legislation, policies and programs affecting all LGBTIQ++ Victorians. The two working groups informing the Taskforce, focusing on health and human services and justice, also include TGD representatives.

The main legislative reform pushed in the last two terms of government was around birth certificates. In 2016 the Andrews Labor Government introduced legislation that would remove the

requirements for TGD people to have surgery and to be unmarried to change their birth certificates. The legislation also would have introduced the option of a non-specified or non-binary gender and would allow the person to use their own wording to describe their gender identity. The bill passed the Legislative Assembly, but the opposition and part of the cross-bench blocked its passage in the Legislative Council. The Legislative Council passed an updated bill in 2018, following the Commonwealth legalisation of marriage equality, which removed the requirement that married people obtain a divorce before they could change their birth certificates.

The November 2018 election returned the Andrews Government with an increased majority in the Legislative Assembly and a very different cross-bench in the Legislative Council. In June 2019 the government again tabled a bill to remove the requirement for TGD people to have surgery to change their birth certificates, and to introduce the option of non-binary gender markers.

The bill passed through the parliament in August 2019 with the support of the Greens and most independents (the Liberal-National Coalition again opposed the bill, along with three Legislative Council minor party members). This reform brought Victoria in line with birth certificate legislation already passed in the ACT (2014), South Australia (2016), Northern Territory (2018) and Tasmania (2019). Within the first two weeks of the law going into effect on 1 May 2020, Births, Deaths and Marriages Victoria received fifty applications to 'change record of sex'. To put that in perspective: in all of 2019 they received forty applications and in 2015 they received only twenty-four.

In February 2019 the Andrews Government also announced plans to introduce legislation to ban so-called conversion therapy, which numerous studies have found to be harmful to LGBTIQ+ people. In October 2019 the government began a consultation process to consider what sorts of practices should be banned and how the new legislation should be drafted and implemented. In November 2020 the government published its consultation paper. A bill to ban so-called conversion therapy passed the Legislative Assembly in December 2020 and the Legislative Council in February 2021, making Victoria the third Australian jurisdiction (after Queensland and the ACT) to ban conversion therapy practices.

In the TGD health space, the Andrews Government has also responded to community concerns and the growing demand for services. Doctors, community members and allied health professionals associated with the publicly funded Monash Gender Clinic and Royal Children's Hospital Gender Service have long lobbied for more funds. By 2015 the waitlists for an initial consultation at the Royal Children's Hospital Gender Service were over a year. In June 2015 the Victorian Government announced a funding boost of \$6 million over four years, and in April 2016 the government delivered a similar funding increase of \$6.7 million over four years to the Monash Gender Clinic.

In 2018 the Victorian government committed \$3.4 million dollars over four years "to expand the Victorian health system's capacity to support trans and gender diverse people, and ensure they get the healthcare they need." Two of the three projects funded by this initiative are being run by a consortium led by Your Community Health. The first two are new multidisciplinary gender clinics, one in Preston and the second in Ballarat.

The second initiative is a state-wide training program for health professionals focused on inclusive and responsive healthcare. This will assist clinicians across Victoria to provide better services for trans and gender diverse Victorians. The clinics have TGD peer navigators and the training includes TGD peer educators.

The third component is a million dollar partnership between the government and TGV to co-design a peer support program for TGD Victorians. The program is supported by an Expert Project Steering Committee, chaired by the Commissioner for LGBTIQ+Communities, Ro Allen. In March 2019 there was an initial,

from the trans and gender diverse community, providing initial for people from diverse cultural and linguistic backgrounds – Group. In 2020 they launched a Trans and Gender Diverse Peer become more trans-inclusive. that Revitalise Kinship), to resource the development of new LGBTIQ+ bookshop Hares & Hyenas even hosted a special Trans sustainable networks of affinity and belonging and to make visible some of the excellent peer support that is already happening in TGD communities. The project is funded to continue until mid-

Away from government, the TGD community has itself witnessed some marked shifts in the 2010s. Much of the history outlined in One organisation that very much celebrates multicultural this report has been Melbourne-centric, and that is reflective of transgender women is the Miss Gay and Miss Transsexual the capital city's more open transgender community and of where Australia pageant. Begun in 2010, this beauty pageant the medical and support services have been located. Of course, there have always been TGD people living in regional Victoria.

who would drive to Melbourne for events and who wrote articles for the monthly newsletter. One of the founding members of the Victorian Transgender Rights Lobby and Transgender Victoria began the vlog TSchitchat. The videos posted on Youtube feature was an intersex person who lives in regional Victoria.

In the 2010s, the increase in transgender visibility (inter)nationally was mirrored with increased visibility in regional Victoria. In June 2015 Geelong hosted a two-day forum bringing together over 100 TGD young people, as well as a separate summit Perhaps emblematic of the intersectional turn in Victoria's trans for GPs, psychologists and other trans health providers. The and gender diverse community was the cover event for the 2019 Geelong Advertiser also ran a feature about FTM Shed founder Midsumma Festival. Gender Euphoria was an ensemble of ten Andrew Eklund, while a 2018 episode of the ABC program Back TGD performers from various cultural backgrounds. It mixed Roads showcased trans woman Di Reeves in Violet Town.93

festivals and consciously including TGD people and events on their programs. More regional and rural organisations have also introduced LGBTIQ+ inclusion training modules, with the aged care sector a prominent site of training.

The 2010s also witnessed an intersectional turn within TGD advocacy and organisations. It is not that transgender activism or support groups actively excluded Indigenous or other marginalised groups. Yet, organisations were not making a conscious effort to consider the distinct challenges that might confront TGD people from Indigenous and ethnically diverse backgrounds. Oral histories recollect that the membership of transgender support and advocacy organisations before the 2000s was predominantly from Anglo-European backgrounds.

The First National Indigenous Sistergirl Forum held on Magnetic Island, Queensland in 1999 (which did not have any Victorian representatives) made twenty-five recommendations.

The majority focused on ways to promote access, awareness and outreach for sistergirls within government programs, education resources, LGBTIQ+ organisations and any Indigenous-run or other service providers.94

Even so, it would not be until well into the 2010s – as there was transgender organisations were more proactively incorporating Indigenous perspectives in their decision-making and advocacy.

Sistergirls and brotherboys from Victoria have also organised their own events and groups. Many Victorian sistergirls and brotherboys are members of the closed Facebook group Sistergirls & Brotherboys Australia, created in 2013. About eighty-five sistergirls and brotherboys from across Australia came to Wurundjeri country in November 2016 for a weekend retreat called Kungah, which in the Ngarigu language means 'gathering'.95

successful 'TransGathering' with more than 70 representatives Victoria hosts numerous LGBTIQ+ social and support groups ideas for the peer support program. There are two TGD peer including the Australian GLBTIQ Multicultural Council, founded support workers working with a TGD Community Reference in 2004 – and many of these organisations, too, have aimed to

> Transgender Day of Visibility 2019 (organised jointly by TGV's Teddy Murray, Margot Fink, and radio station 3CR). In 2019 Margot Fink became the first trans person of colour to lead TGV as Executive Director.

showcases transgender people – many of whom come from Asian backgrounds - in a spectacle of colour and beauty. '

As early as the 1970s, Seahorse had members living in the country Other TGD people of colour have developed new, innovative ways of connecting and sharing their stories through social media. In November 2011 a group of TGD people of colour from Melbourne the hosts chatting with different TGD people from Australia, sometimes while doing an activity like cooking. The episodes are anywhere from a few minutes to a half hour, with a few episodes produced each month.96

> dance, burlesque, singing and poetry to celebrate explorations of gender and identity. The show at the Victorian Arts Centre was so popular that it returned for the Melbourne International Arts

### HISTORICAL FIGURES OF NOTE





### **ORGANISATIONS**

TILDE

TRANS FILM FESTIVAL

**SISTERGIRLS & BROTHERBOYS AUSTRALIA** 

ONLINE SOCIAL SUPPORT GROUP FOR ABORIGINAL AND TORRES STRAIT ISLANDER GENDER DIVERSE PEOPLE

### **KEY ISSUES**

INTERSECTIONAL INCLUSION **ACTIVISM** 

GREATER INCLUSION OF DIVERSE TRANS PEOPLE ACROSS CULTURAL AND INTERSECTING MINORITY BACKGROUNDS

#### **TIMELINE 1700s - 1970s** 1951 Dr Herbert Bower begins treating patients at **VIC AUS GLOBAL** Royal Park Mental Hospital **1930s** Psychiatry and whose gender identity 1879 Edward De Lacy psychology professions was different from their sex Evans discovered to begin to use language **1928** British sexologist assigned at birth have been born Ellen of transvestism and Havelock Ellis uses **1966** Compton's Cafeteria Tremayne. Evans eonism, though not the term 'eonism' to Riot in San Francisco features in numerous frequently describe males who marks a turning point newspaper reports and have the urge to dress in transgender people is forced to live the rest in women's clothing fighting for rights. of their life as Tremayne 1966 Beaumont Society founded in UK as a social **1880s Onwards** group for dressers **1930-31** First gender men caught dressed as affirmation surgeries women charged either performed on Danish 1788 First Fleet for 'offensive behaviour' woman Lili Elbe in 1970 Campaign Against Moral commences European or 'vagrancy'. Women Germany. She died Persecution (CAMP) founded in colonisation of the caught dressed as men from complications **1953** Former Sydney. CAMP would be the most continent charged as well, although following surgery American GI prominent gay and lesbian rights not as frequently Christine Jorgensen group in the 1970s undergoes gender **1970** Sylvia Rivera founds affirmation surgery 1901 Australian Colonies **Street Transvestite Action** in Denmark and **Federate** Revolutionaries (STAR) as an becomes a global activist and support group for celebrity trans women, especially sex workers and women of colour 1971 Seahorse founded in Sydney. 1971 Corbett v Corbett 1888 Gordon case in UK sets common law Lawrence arrested precedent - later applied in for being dressed 1936 Zdeněk Koubek **1960** Virginia Prince Australia – that people can as a woman from Czechoslovakia begins publishing change their gender but not at Melbourne's has female-to-male magazine *Transvestia* their biological sex Centennial gender affirmation in the USA Time immemorial 1835 Melbourne International surgery Aboriginal and Torres Strait founded Exhibition at Islander occupation of the the Melbourne continent. Several of these Exhibition Buildina. cultures include terms in 1940s - 1950s their languages for a third 1851 Victorian Artist Balls and Movie gender beyond the binary **1912** First mention Gold Rushes Balls in Sydney are a of 'transvestism' in begin site for dressing and Cultures around the world Australian newspapers. experimenting with recognise gender identities 1969 First gender affirmation surgery gender expression beyond the binary and believed to have been performed in often these people have Victoria special roles within the **1954** Dr Harry **1969** Daughters of Bilitis (Melbourne) societies. Examples include Benjamin publishes 1910 German sexologist and Homosexual Law Reform

movement 47

Transsexualism and

and Somato-Psychic

Syndromes, outlining

a medical model of

transsexualism

Transvestism as

Psycho-Somatic

Association (Canberra) founded as

groups

Australia's first gay and lesbian rights

1969 Stonewall Riots in New York City,

begun by trans women of colour Sylvia

beginning of the modern LGBT rights

Rivera and Marsha P. Johnson, mark the

Magnus Hirschfeld

discourse

publishes Transvestites:

Dress, for the first time

The Erotic Drive to Cross

identifying a category of

'transvestism' in Western

Hijra (India), Fa'afafine

(Samoa) and Winkte

(Lakota)

### **TIMELINE 1970s - 1990s**

### **VIC AUS GLOBAL**

c. 1979 Elaine Barrie Project founded as a breakaway group from

1979 Victorian Transsexual Coalition founded by transgender women agitating for legal reforms around anti-discrimination and recognition of affirmed genders. They also ran the Victorian Transsexual Association Self-help group

1975 Gender clinic founded at Melbourne's Queen Victoria Hospital. This would become the present-day Monash Gender Clinic

1975 Seahorse Victoria founded

1980 Homosexual law reform passed, decriminalising consenting adult male sex. This also has the unintended consequence of ending prosecution of trans women for dressing.

> 1983 Roberta Perkins' book The Drag Queen Scene is published, documenting experiences of drag queens and trans women in Kings Cross and Darlinghurst.

1988 South Australia passes Sex

Reassignment Act, allowing those who have undergone gender affirmation surgery to apply for a

'certificate of recognition' as a new

identity document. This is the first

to recognise transgender people's

state to introduce a mechanism

1986 Lou Sullivan

International in the USA

founds FTM

1985 Proposed

into parliament

legislation to recognise

affirmed gender floated

transgender people's

but never introduced

affirmed genders

1983 Tiresias House founded in Sydney with the support of the NSW Government as a refuge and support service for homeless trans women. This would later become the Gender Centre.

1983 ABC broadcasts documentary "Call of the Frock", following transgender patients at the Melbourne Queen Victoria Hospital

1976 Petition by Study Group for Legitimisation of Sex Reassianment calling for trans birth certificate reforms tabled in Victorian **Parliament** 

Perkins leads Australian Transsexual Association in Sydney and stages a public protest at a shopping centre.

1982 Roberta

1981 First cases of AIDS diagnosed in the USA

1979 Australian and New Zealand Committee on Transsexualism founded for doctors in the field

**1978** Report from Family Law Council notes the challenge of states implementing reforms to birth certificate laws in order for recognition of transgender people's affirmed genders

**1978** First Sydney Gay and Lesbian Mardi Gras **1984** Reforms to passport regulations allow people who have undergone gender affirmation surgery to have passports issued in their affirmed gender.

1992 Melbourne branch of Boys Will Be Boys set up by Dale Crane

**1992** Publication of Leslie Feinberg's Trans Gender Liberation: A Movement Whose Time has Come

> 1995 Equal Opportunity Act amended to add 'lawful sexual activity' as a protected category, thus outlawing discrimination against LGB people

1995 Transgender Liberation and Care founded by Jonathan Paré and Sharon Saunders as a peer support and education

1995 Anna Langley publishes The Good Tranny Guide to highlight friendly shops, doctors and support services across Australia and New Zealand

1996-97 Senate Inquiry

into Sexuality Discrimination canvasses structural and legal discrimination against transgender Australians and recommends passage of a Commonwealth Sexuality Discrimination Bill which would protect LGBT people from discrimination

> 1998 Victorian Transgender Rights Lobby formed as a subcommittee of Transgender Liberation and Care until, finding the arrangement unworkable, the group disbands in

early 1999

**1989** Toye de Wilde runs as an independent in Queensland state byelection. She is the first known openly transgender person to run for parliament in Australia

1990 Law Reform

Commission of Victoria

**Equal Opportunity Act** 

protected category in the

recommends adding

'transsexuality' as a

1991 Boys Will Be Boys founded in Sydney as Australia's first trans men's group

> 1994 Parliamentary committee's Review of the **Equal Opportunity Act** 1984 makes no reference to transsexualism

**1994** Roberta Perkins publishes Australia's first comprehensive, national study on challenges facing transgender people: "Transgender Lifestyles and HIV/AIDS Risk: National Transgender HIV/AIDS Needs Assessment Project"

1996 Julie Peters runs for seat

of Batman in federal election for Australian Democrats and for Leaislative Council province of Monash in the Victorian state election; she is the first openly transgender person to run for the federal and Victorian parliaments

**1996** Elaine Barrie Project renamed Chameleons

> 1997 Victorian Gay and Lesbian Rights Lobby founded. Despite input from transgender people, the steering committee decides not to include them in the remit.

**1997** Julie Peters holds foundational meeting of Victorian Transgender Rights Lobby

### **TIMELINE 1990s - 2020s**

**VIC AUS GLOBAL** 

2000 After strong lobbying from Transgender Victoria and allies, Victorian parliament amends Equal Opportunity Act to add 'gender identity' as a protected category

2000 VGLRL publishes

2000 VGLRL publishes "Enough is Enough", detailing discrimination facing LGBT Victorians **2009** ANZPATH (later renamed AusPATH) founded

**2009** First International Transgender Day of Visibility

**2013** FTM Shed (later renamed The Shed) founded to support trans men and trans masculine identified people.

**2013** Commonwealth Sex Discrimination Act amended to add sexuality, intersex variations and gender identity as protected categories

**2013** In Re Jamie the Full Court of the Family Court repeals requirement that the Family Court authorise stage one hormones for children, but still requires court approval for stage two treatment

**2019** bill passes Victorian Parliament to allow TGD people to change the gender marker on their birth certificates to whatever they designate and without the requirement of gender affirmation surgery. The law comes into effect in May 2020

**2019** plans announced for two more TGD health services in Ballarat and Preston

**2019** Gender Identity Disorder removed from World Health Organisation's diagnostic manual of mental disorders

who undergo gender affirmation surgery to change their sex marker on their birth certificates

2004 law changed to

allow transaender people

**2011** Passport regulations updated to allow self-identification of gender and option of gender marker X

**2016** legislation that would remove gender affirmation surgery requirement to amend birth certificates passes Legislative Assembly but is blocked in the Legislative Council

**2016** Parents of Gender Diverse Children founded as another peer support and advocacy group

**2016** Equinox founded as Australia's first peer-led trans and gender diverse health service

**2016** Kungah gathering of Sistergirls and Brotherboys hosted on Wurundjeri country

**2016** Margot Fink first openly trans finalist for 2016 Victorian Young Australian of the Year

**2016** Safe Schools Coalition comes under attack by conservative media and politicians

2020 Georgie Stone becomes the youngest person to be awarded the Medal of the Order of Australia

PRESENT

**1999** Transgender Victoria founded to advocate for law reforms to protect and recognise transgender people

**1999** First National Indigenous Sistergirl Forum held on Magnetic Island, Queensland

**1999** Transgender Day of Remembrance founded by Gwendolyn Ann Smith to remember transgender victims of hate crimes **2003** Royal Children's Hospital has first case of a transgender child seeking and ultimately approved to medically transition

2003 VCAT reverses decision to permit Lesfest to exclude transgender women from the event

2003 Family Court approves children's medical transition in Re Alex but classifies the treatment as a 'special medical procedure'. The precedent means the Family Court must authorise all cases of stage one and stage two hormone treatment for children

2006 Rainbow Families

Victoria founded

**2010** Safe Schools Coalition founded in Victoria as a school program to combat bullying and affirm children's genders and sexualities

**2010** YGender founded as peer-led support and advocacy group for TGD young people

**2010** First annual Miss Gay and Miss Transsexual Australia pageant held in Melbourne during Midsumma Festival

**2010** Ban on transgender service in the Australian Defence Force lifted

**2012** Transcend founded as parents-led peer support group to support families of TGD children and young people

2015 Brenda
Appleton appointed
inaugural co-chair of
the Victorian LGBTI
Taskforce and Ro Allen
appointed inaugural
Gender and Sexuality
Commissioner

2018 law changed so that TGD people no longer have to get divorced to change their birth certificates
2018 Family Court

overturns requirement for court authorisation for gender affirmation surgeries in Re Matthew

**2018** Georgie Stone becomes first openly trans person to win Victorian Young Australian of the Year

2014 First annual TGD film festival TILDE held in Melbourne

**2014** Safe Schools Coalition made a national program

**2014** ACT becomes first jurisdiction to remove requirement of gender affirmation surgery to change birth certificates and to allow non-binary gender markers on birth certificates

**2017** Royal Children's Hospital Gender Service releases the first "Australian Standards of Care and Treatment Guidelines for trans and gender diverse children and adolescents"

**2017** Family Court ruling Re Kelvin overturns requirement that Family Court authorise stage two hormone treatment

**2017** Marriage equality plebiscite and legalisation of marriage equality

**2021** Victoria outlaws so-called 'conversion therapy'

### ADAPTED FROM THE TGV LANGUAGE GUIDE

#### TRANS AND GENDER DIVERSE (TGD)

An umbrella term used to describe anyone whose gender identity or expression is different from that which was assigned at birth or is expected of them by society. This includes those who identify as: trans; transgender; transsexual; genderqueer; non-binary; cross-dressers; Sistergirls, Brotherboys, and other culturally-specific identities; as well as a variety of other gender labels. TGD people may or may not access services to medically transition – this is different for everyone, and there is no requirement for medical transition in order to be transgender and/or gender diverse.

### **TRANSGENDER**

Transgender people have gender identities and expressions that differ from their assigned sex at birth (for example, someone who was assigned male at birth and is transgender may be female, genderqueer, non-binary, agender, or any other gender that is not male). Transgender is often used as an umbrella term, either on its own or as part of the larger term 'trans and gender diverse', but may also be used as a gender in and of itself.

### **TRANSSEXUAL**

Like transgender people, transsexual people have gender identities and expressions that differ from their assigned sex at birth. Transsexual is an older term originally coined by the medical profession, and commonly refers to someone who has accessed services to medically transition through the use of hormones and surgery. Transsexual people may more often identify with a binary gender of male or female. This is a term that some people now find offensive, but for others, it is an important identity label.

#### AMAB

Assigned Male At Birth.

### **AFAB**

Assigned Female At Birth.

### **TRANS WOMAN**

A trans woman is a woman who was assigned male at birth. Some trans women prefer to simply be referred to as women, whereas others feel being trans is an important part of their gender label. Some trans women use terminology such as MTF/M2F (male-to-female/male-2-female), but for others these terms place too much emphasis on birth assigned sex and are considered offensive.

### **TRANSFEMININE**

A transfeminine person is someone who was assigned male at birth, but does not identify as male. Being transfeminine usually also means identifying with femininity in some way, but for some people may simply indicate a move away from their birth assigned gender. Someone who is transfeminine may be a trans woman, non-binary, genderqueer, agender, a Sistergirl, or many other gender labels.

#### **TRANS MAN**

A trans man is a man who was assigned female at birth. Some trans men prefer to simply be referred to as men, whereas others feel being trans is an important part of their gender label. Some trans men use terminology such as FTM/F2M (female-to-male/female-2-male), but for others these terms place too much emphasis on birth assigned sex and are considered offensive.

### **TRANSMASCULINE**

A transmasculine person is someone who was assigned female at birth, but does not identify as female. Being transmasculine usually also means identifying with masculinity in some way, but for some people may simply indicate a move away from their birth assigned gender. Someone who is transmasculine may be a trans man, non-binary, genderqueer, agender, a Brotherboy, or many other gender labels.

### **GENDERQUEER**

A gender that falls outside of male and female categories. Genderqueer people may describe themselves as masculine, feminine, androgynous, non-binary, bi-gender, multi-gender/pan-gender, agender, transgender, another gender label, or simply as genderqueer.

### **NON-BINARY**

Non-binary refers to any gender that falls outside of the categories of male and female. It is usually a descriptive term added to gender labels such as transgender/trans and genderqueer, but some people simply use non-binary to describe their genders. Some non-binary people may partially identify with a binary gender, and self-describe as a "non-binary woman" or "non-binary man".

### **ANDROGYNE/ANDROGYNOUS**

Someone who is androgynous, or an androgyne, is neither male nor female but instead has a gender that often combines traits traditionally labelled as masculine and feminine. Androgynes may identify as "in-between" male and female, or as a separate gender altogether.

#### **AGENDER**

An agender person is someone who has no gender. Agender people may also be transgender, non-binary, genderqueer, or another gender label.

### **BI-GENDER/MULTI-GENDER**

Bi-gender and multi-gender people are people who have multiple genders (bi-gender people have two genders, multi-gender many/more than two different genders). Bi-gender and multi-gender people may experience different genders from day to day, and may use different names, pronouns, gender labels, and ways of presenting (clothes, jewellery, etc) to express this.

### **GENDERFLUID**

Genderfluid people are people who shift between different genders, or expressions of gender. Some genderfluid people may also be bi-gender or multi-gender, but others may not have two or more established genders which they move between, and instead may experience many different genders that change in a more fluid fashion.

#### **CROSS-DRESSER/DRESSER**

A cross-dresser is someone who dresses in clothes typically assigned to the "opposite" gender, but does not necessarily live full-time as that gender. Instead, cross-dressing is often a part-time way of exploring gender. For some people, cross-dressing is a beginning step to transitioning, but for others it is an important way to honour feelings about their gender without requiring transition. Some trans people find the term cross-dresser offensive and prefer just dresser.

#### **SISTERGIRL**

Sistergirls are Aboriginal transgender women (assigned male at birth) who have a distinct cultural identity and often take on female roles within the community, including looking after children and family. Many Sistergirls live a traditional lifestyle and have strong cultural backgrounds. Their cultural, spiritual, and religious beliefs are pivotal to their lives and identities.

#### **BROTHERBOY**

Brotherboys are Indigenous transgender people with a male spirit, whose bodies were considered female at birth. Brotherboys choose to live their lives as male, regardless of which stage/path medically they choose. Brotherboys have a strong sense of their cultural identity.

#### **CISGENDER**

A cisgender person is someone who identifies with the gender that was assigned to them at birth. For example, a cisgender (or cis) woman is someone who was assigned female at birth and currently identifies as female.

### **PRONOUNS**

Pronouns are the words we use to refer to someone when not using their name. Common pronouns are she/her/hers, they/them/theirs, and he/him/his. There are many other pronouns that people use, and it's important to ask before assuming. Some people may use different pronouns depending on their gender that day, or the environment they're in, or who they're with. It's important to follow people's lead.

# REFERENCES

**Oral History Interviews** 

Appleton, Brenda. 21 February 2018. Melbourne.
Doulman, Julia. 26 April 2018. Central Coast, NSW.
Goldner, Sally. 27 August 2018. Melbourne.
Hoeg, Latoya. 9 August 2019. Melbourne.
Kennedy, Sim-Victor C. 6 January 2021. Melbourne.
Langley, Anna. 17 March 2019. Cambridge, UK.
Laybutt, Jasper. 21 August 2019. Newcastle.
McGearey, Greer. 1 September 2018. Melbourne.
Paré, Jonathan. 10 December 2018. Brisbane.
Peters, Julie. 23 February 2018. Melbourne
Reeves, Diane. 8 November 2018. Violet Town.
Sidek, Sasja. 8 August 2019. Melbourne.
White, Kayleen. 30 September 2018 and 28 January 2019. Melbourne.
Zebra-Thyone, Max. 26 August 2019. Newcastle.

Anderson, Paul, Michael Warner and Geoff Wilkinson. "Revolt on Swap Cop." *Herald Sun.* 10 July 2003: 1: 4.

Australia. Senate Legal and Constitutional References Committee. *Inquiry into Sexuality Discrimination*. Submission 2, Julie Peters and Jane Langley.

-----. Senate, Legal and Constitutional References Committee. "References Sexuality discrimination inquiry." Melbourne, 8 August 1996.

Baker, Richard. "State to move on transsexual status." *The Age.* 4 March 2004: 3

"Baron Wears Woman's Clothes." The Age. 28 September 1912: 21.

Benjamin, Harry. "Transsexualism and Transvestism as Psycho-Somatic and Somato-Psychic Syndromes." In *The Transgender Studies Reader*, edited by Susan Stryker and Stephen Whittle, 45-52. New York: Routledge, [1954] 2006.

Bowles, Robin. No Justice. Sydney: Pan Macmillan, 2000.

Boys will be boys. Newsletter no. 1. February 1992: 5

Burin, Margaret. "Sistergirls and brotherboys unite to strengthen spirits." *ABC News.* 21 November 2016. https://www.abc.net.au/news/2016-11-21/sistergirls-and-brotherboys-unite-to-strengthen-spirits/8040928. Accessed 7 August 2019.

Bychowski, M. W., Howard Chiang, Jack Halberstam, Jacob Lau, Kathleen P. Long, Marcia Ochoa, C. Riley Snorton, Leah DeVun, and Zeb Tortorici. "'Trans\*Historicities': A Roundtable Discussion." *TSQ: Transgender Studies Quarterly* 5, no. 4 (2018): 658-85.

Calder, Bill. *Pink Ink: The Golden Era for Gay and Lesbian Magazines*. Newcastle upon Tyne: Cambridge Scholars Publishing, 2016.

Carr, Adam. "Lesfest bans trannies." *Melbourne Star.* 18 September 2003: 1: 7.

Chesser, Lucy. Parting with My Sex: Cross-Dressing, Inversion and Sexuality in Australian Cultural Life. Sydney: Sydney University Press, 2008.

-----. "Transgender-Approximate, Lesbian-Like, and Genderqueer: Writing About Edward De Lacy Evans." *Journal of Lesbian Studies* 13, no. 4 (2009): 373-94.

Colligan, Mimi. "The Mysterious Edward/Ellen De Lacy Evans: The Picaresque in Real Life." *La Trobe Journal* 69 (2002): 59-68.

Costello, Michael and Rusty Nannup. "Report of the First National Indigenous Sistergirl Forum: A Forum for all Indigenous People who Identify as Sistergirl or who have Transgender Qualities, Magnetic Island, Queensland, July 17-20, 1999." AIDS Trust of Australia and Queensland AIDS Council. 1999.

"Court rules in favour of transsexual's legal action." *ABC News.* 19 August 2005.

Crane, Courtney. "Lifelong battle for man trapped in wrong body." *Geelong Advertiser.* 13 June 2015: 11.

----. "Transgendered find voice," Geelong Advertiser, 13 June 2015: 11.

Davies, Susanne. "Sexuality, Performance, and Spectatorship in Law: The Case of Gordon Lawrence, Melbourne, 1888." *Journal of the History of* 

Sexuality 7, no. 3 (1997): 389-408.

Dempsey, Deb. "Enough is Enough: A Report on Discrimination and Abuse Experienced by Lesbians, Gay men, Bisexuals and Transgender People in Victoria." Victorian Gay and Lesbian Rights Lobby, 2000.

Dowd, Shannon. "Lesfest – Who's a 'real' woman anyway?" *Lesbiana*. October 2003: 10.

Feinberg, Leslie. *Trans Gender Liberation: A Movement Whose Time Has Come.* New York: World View Forum, 1992.

-----. Trans/Gender Warriors: Making History from Joan of Arc to Dennis Rodman. Boston: Beacon Press, 1996.

Gough, Deborah. "Court Faces Up To A Gender Divide." *The Age.* 17 April 2004: 3.

Greenwich, Alex, and Shirleene Robinson. Yes Yes Yes: Australia's Journey to Marriage Equality. Sydney: NewSouth Publishing, 2018.

Haire, Bridget. "Boys will be boys will be..." *Melbourne Star Observer*. 31 March 1994: 4.

Hammond, Graeme. "Suffering for the sake of identity." *Sunday Herald Sun.* 28 March 2004: 86.

Hodge, Dino, ed. Colouring the Rainbow: Blak Queer and Trans Perspectives: Life Stories and Essays by First Nations People of Australia. Mile End. SA: Wakefield Press, 2015.

"House of LilitH aka TSchitchat." https://www.youtube.com/user/ TSCHITCHAT/featured. Accessed 8 August 2019.

Joyce, Jodie. "MPs target of gender lobby group." *Brother-Sister.* 13 November 1997: 3

King, Dave. The Transvestite and the Transsexual: Public Categories and Private Identities. Aldershot, UK: Avebury, 1993.

Langley, Jane Anna. "Transsexual Power." *Melbourne Star Observer.* 18 February 1994: 15

Lardner, Susan. "The First 25 Years: 1975-2000." *Seahorse Times*. July 2000.

Law, Benjamin. Moral Panic 101: Equality, Acceptance and the Safe Schools Scandal. Quarterly Essay 67. Carlton, VIC: Schwartz Publishing Ptv Ltd. 2017.

Law Reform Commission of Victoria. "Review of the Equal Opportunity Act." Report No. 36, October 1990.

"Lesfest bans overturned." MCV. 3 October 2003: 3.

"Letters to the Editor." MCV. 3 October 2003.

Lothstein, Leslie Martin. Female-to-Male Transsexualism: Historical, Clinical, and Theoretical Issues. Boston: Routledge & Kegan Paul, 1983.

"Man Dressed in Woman's Clothes; No Offence, Decides P.M." *Advertiser* (Adelaide). 15 August 1935: 10.

"Masqueraded as woman." Argus (Melbourne). 5 December 1925: 38.

McIntosh, Philip. "From man to woman," *The Saturday Age*, 22 August 1987: 1-2.

McKenzie, James. "Labor pledges funds and law reform to gay cause." Brother-Sister. 2 September 1999.

Michelmore, Karen. "Violet Town proves it's more than just rainbow flags and flowers for Lady Di." *ABC News.* 29 January 2018. Available from https://www.abc.net.au/news/2018-01-29/violet-town-is-more-than-flowers-rainbows-for-lady-di-back-roads/9344408. Accessed 15 August 2019.

Miller, Calvin. "Sex change program on again." *Herald* (Melbourne). 29 June 1989.

Milne, Andrew. "Queer spaces?" MCV. 19 September 2003: 1; 4.

Moody, Sherele. "Lesfest ban quashed." *Melbourne Star.* 2 October 2003: 1.

NAA. A432, 1983/005019/01.

NAA. A432, 1985/10784.

NAA, A432, 1985/12478.

NAA. A1838, 1622/1/44 PART 2.

NAA. C2831, 1056252.

National LGBTI Health Alliance. "Snapshot of Mental Health and Suicide Prevention Statistics for LGBTI People." July 2016. https://lgbtihealth.org.au/wp-content/uploads/2016/07/SNAPSHOT-Mental-Health-and-Suicide-Prevention-Outcomes-for-LGBTI-people-and-communities.pdf. Accessed 7 August 2019.

----. "Snapshot of Mental Health and Suicide Prevention Statistics for LGBTI People." February 2020. https://d3n8a8pro7vhmx.cloudfront. net/lgbtihealth/pages/240/attachments/original/1595492235/2020-Snapshot\_mental\_health\_%281%29.pdf?1595492235. Accessed 13 January 2021.

Perkins, Roberta. "Transgender Lifestyles and HIV/AIDS Risk: National Transgender HIV/AIDS Needs Assessment Project." School of Sociology, University of New South Wales, 1994.

Peters, Julie. A Feminist Post-Transsexual Autoethnography: Challenging Normative Gender Coercion. Abingdon, UK and New York: Routledge, 2019

----- "Transsexuals and Gay Discrimination." *Melbourne Star Observer.* 4 March 1994: 11.

Pitts, Marian, Anthony Smith, Anne Mitchell, and Sunil Patel. "Private Lives: A Report on the Health and Wellbeing of Glbti Australians." Melbourne: Gay and Lesbian Health Victoria and The Australian Research Centre in Sex, Health & Society, March 2006.

"Positive Step Towards Transgender Reform in Victoria." *TLC Transgender Liberation and Care.* Newsletter no. 20. October 1999: 6

PROV. 10977/P1/unit 16 and 10977/P1/unit 17

PROV. VPRS 17369, P0001, unit 228, 902/L02/01523.

PROV. VPRS 18024, P0002, unit 33, 93/65/36/2.

"Public to pay for sex changes." *Truth* (Melbourne). 27 May 1989: 2.

Rawson, Kelly Jacob, and Cristan Williams. "Transgender\*: The Rhetorical Landscape of a Term." *Present Tense* 3, no. 2 (2014): 1-9.

"Remarkable Imposture. A Man Disguised as a Girl." Weekly Times (Melbourne). 6 October 1888: 6.

Riggs, Damien W., and Kate Toone. "Indigenous Sistergirls' Experiences of Family and Community." *Australian Social Work* 70, no. 2 (2017): 229-40.

Riseman, Noah. "Representing Transgender in the 1970s Australian Media." *Gender & History*. 33, no. 1 (2021): 227-248.

-----. "Searching for Trans Possibilities in Australia, 1910-39." *Journal of Australian Studies* 44, no. 1 (2020): 33-47.

-----. "Transgender Inclusion and Australia's Failed Sexuality

Discrimination Bill." Australian Journal of Politics and History 65, no. 2
(2019): 259-277.

Rose, Michelle. "Sex-change man to sue." *Herald Sun.* 25 November 2003: 12.

"Sex swaps to get legal sanction." Herald. 4 December 1985.

Shaw, Andrew. "'At 9.33 last night...' Parliament passes gender identity bill." *Melbourne Star Observer.* 8 September 2000: 1.

Stark, Jill. "I will never be able to have sex again. Ever'." Sunday Age. 31 May 2009: 4.

----. "I'm just an ordinary guy who wants to play footy." *Sunday Age.* 7 June 2009: 3.

Stryker, Susan. *Transgender History: The Roots of Today's Revolution.* 2nd ed. New York: Seal Press, 2017.

Telfer, Michelle. "Gender Dysphoria in Children and Adolescents: An update on clinical practice, research and advocacy." 1 September 2018.

Telfer, Michelle, Fiona Kelly, Debi Feldman, Georgie Stone, Rebekah Robertson, and Zeffie Poulakis. "Transgender Adolescents and Legal Reform: How Improved Access to Healthcare Was Achieved through Medical, Legal and Community Collaboration." *Journal of Paediatrics and Child Health* 54, no. 10 (2018): 1096-99.

Telfer, Michelle, Michelle Tollitt, Carmen Pace and Ken Pang. "Australian Standards of Care and Treatment Guidelines for trans and gender diverse children and adolescents version 1.1." Melbourne, Royal Children's Hospital, 2018. Available from https://www.rch.org.au/uploadedFiles/Main/Content/adolescent-medicine/australian-standards-of-care-and-treatment-guidelines-for-trans-and-gender-diverse-children-and-adolescents.pdf. Accessed 6 August 2019.

Tomazin, Farrah. "Safe Schools faces uncertain future in Victoria, despite high sign-up rate." *The Age.* 6 January 2018. https://www.theage.com. au/national/victoria/safe-schools-faces-uncertain-future-in-victoria-despite-high-signup-rate-20180106-h0ef2h.html. Accessed 7 August 2019

Tommy Doesn't Exist Anymore. Directed by Ian Munro, produced by Aviva Ziegler. Sydney: Transmedia Productions for the National Nine Network, 1985

"Trans Directory." *TLC Transgender Liberation and Care.* Newsletter. September 1995: 7.

"Trans-Affirming Language Guide." TransHub. Available from https://www.transhub.org.au/language. Accessed 13 January 2021.

"Transsexuals: Those Who Have Made the Choice." Four Corners. ABC, 1977.

Victoria. Births, Deaths and Marriages Registration (Amendment) Act 2004

-----. Department of Health and Human Services. "Development of trans and gender diverse services in Victoria: Final report." June 2018.

-----, Legislative Assembly, Official Hansard, 16 November 1976.

----, Legislative Council, Official Hansard, 6 September 2000.

----. Legislative Council. Official Hansard. 25-26 May 2004.

-----. Ministerial Advisory Committee on Gay and Lesbian Health. "What's the Difference? Health Issues of Major Concern to Gay, Lesbian, Bisexual, Transgender and Intersex (GLBTI) Victorians." Ed. William Leonard. Victoria, Department of Human Services, July 2002.

-----. Ministerial Advisory Committee on Gay, Lesbian, Bisexual, Transgender and Intersex Health and Wellbeing. "Transgender and gender diverse health and wellbeing Background paper." Victoria, Department of Health. 2014.

-----. Royal Commission into Family Violence: Report and recommendations. Vol. 5. Parliamentary paper no. 132. March 2016.

Victorian Gay and Lesbian Rights Lobby. "Enough is Enough: A Report on Discrimination and Abuse Experienced by Lesbians, Gay men, Bisexuals and Transgender People in Victoria." Fitzroy, VIC: Victorian Gay and Lesbian Rights Lobby, 2000.

Wade, Matthew. "New Retreat for Trans and Gender Diverse Aboriginal People." *Star Observer*. 17 May 2016. http://www.starobserver.com.au/news/national-news/victoria-news/victorian-government-announces-australia-first-retreat-for-trans-and-gender-diverse-aboriginal-people/149285. Accessed 7 August 2019.

Walters & Ors v. Finch (2005), VSCA 203.

Wilkinson, Geoff and Michael Warner. "Sex Swap Cop." *Herald Sun.* 9 July 2003: 1-2.

Wotherspoon, Sarah. "Sex-swap cop earns stripes." *Herald Sun.* 30 October 2004: 14

### **ENDNOTES**

- 1 "Trans-Affirming Language Guide," available from https://www.transhub.org.au/language, accessed 13 January 2021.
- 2 Kelly Jacob Rawson and Cristan Williams, "Transgender": The Rhetorical Landscape of a Term," Present Tense 3, no. 2 (2014): 3,
- 3 Arguably the first major text about trans men was published in 1983. See Leslie Martin Lothstein, Female-to-Male Transsexualism: Historical, Clinical, and Theoretical Issues (Boston: Routledge & Kegan Paul, 1983).
- 4 Leslie Feinberg, Trans Gender Liberation: A Movement Whose Time Has Come (New York: World View Forum, 1992).
- 5 Rawson and Williams, "Transgender\*: The Rhetorical Landscape of a Term," 1.
- 6 Susan Stryker, Transgender History: The Roots of Today's Revolution, 2nd ed. (New York: Seal Press, 2017), 1.
- 7 Ibid., 12-40.
- 8 Leslie Feinberg, Trans/Gender Warriors: Making History from Joan of Arc to Dennis Rodman (Boston: Beacon Press, 1996); Stryker, Transgender History: The Roots of Today's Revolution.
- 9 The journal *Transgender Studies Quarterly* published a special issue devoted to trans-historicities. The most useful article to explain the broad concept and application of trans-historicities is M. W. Bychowski et al., "Trans\*Historicities': A Roundtable Discussion," *TSO: Transgender Studies Quarterly* 5, no. 4 (2018): 658-85.
- 10 Damien W. Riggs and Kate Toone, "Indigenous Sistergirls' Experiences of Family and Community," Australian Social Work 70, no. 2 (2017): 229-30.
- 11 Dino Hodge, ed. Colouring the Rainbow: Blak Queer and Trans Perspectives: Life Stories and Essays by First Nations People of Australia (Mile End, SA: Wakefield Press, 2015).
- 12Lucy Chesser, "Transgender-Approximate, Lesbian-Like, and Genderqueer: Writing About Edward De Lacy Evans," Journal of Lesbian Studies 13, no. 4 (2009): 373-94; Mimi Colligan, "The Mysterious Edward/Ellen De Lacy Evans: The Picaresque in Real Life," La Trobe Journal 69 (2002): 59-68.
- 13 Lucy Chesser, Parting with My Sex: Cross-Dressing, Inversion and Sexuality in Australian Cultural Life (Sydney: Sydney University Press, 2008).
- 14"Remarkable Imposture. A Man Disguised as a Girl," Weekly Times (Melbourne), 6 October 1888: 6. See also Susanne Davies, "Sexuality, Performance, and Spectatorship in Law: The Case of Gordon Lawrence, Melbourne, 1888," Journal of the History of Sexuality 7, no. 3 (1997): 389-408.
- 15 "Man Dressed in Woman's Clothes; No Offence, Decides P.M.," *Advertiser* (Adelaide), 15 August 1935: 10; "Masqueraded as woman," Argus (Melbourne), 5 December 1925: 38; Noah Riseman, "Searching for Trans Possibilities in Australia, 1910-39," *Journal of Australian Studies* 44, no. 1 (2020): 33-47.
- 16 "Dressed As Woman; Man Discharged With Caution," Canberra Times, 4 February 1932: 2.
- 17 "Man Dressed in Woman's Clothes; No Offence, Decides P.M.," Advertiser (Adelaide), 15 August 1935: 10.
- 18 "Baron Wears Woman's Clothes," The Age, 28 September 1912: 21.
- 19 Harry Benjamin, "Transsexualism and Transvestism as Psycho-Somatic and Somato-Psychic Syndromes," in *The Transgender Studies Reader*, ed. Susan Stryker and Stephen Whittle (New York: Routledge, [1954] 2006), 45-52.
- 20 Dr John Grigor, 11 December 1985, in Public Records Office Victoria (hereafter PROV), VPRS 17369, P0001, unit 228, 902/L02/01523; Philip McIntosh, "From man to woman," The Saturday Age, 22 August 1987: 1-2.
- 21 "Public to pay for sex changes," Truth (Melbourne), 27 May 1989: 2; Calvin Miller, "Sex change program on again," Herald (Melbourne), 29 June 1989.
- 22 "Transsexuals: Those Who Have Made the Choice," Four Corners, ABC, 1974.
- 23 National Archives of Australia (hereafter NAA), C2831, 1056252.
- 24 Tommy Doesn't Exist Anymore, directed by Ian Munro, produced by Aviva Ziegler, Sydney: Transmedia Productions for the National Nine Network, 1985.
- 25 Noah Riseman, "Representing Transgender in the 1970s Australian Media," Gender & History, published online 3 December 2020, https://doi.org/10.1111/1468-0424.12510.
- 26 Susan Lardner, "The First 25 Years: 1975-2000," Seahorse Times (July 2000).
- 27 Before the split into state-based organisations, the national Seahorse did write a submission to the Royal Commission into Human Relationships in October 1975 and met with commissioner Anne Devesor. This was the only real political intervention by Seahorse.
- 28 Letter from Julie Wilson, Victorian Transsexual Association Self Help Group, no date (April 1982), courtesy Julie Peters.
- 29 Victorian Transsexual Coalition, "General Information Circular," February 1985.
- 30 Dr Eileen Stack, to Victorian Transsexual Coalition Secretary, 30 November 1983, in Public Records Office Victoria (hereafter PROV), VPRS 18024, P0002, unit 33, 93/65/36/2.
- 31 Victorian Transsexual Coalition, "Submission: Equal Opportunities Bill 1983."
- 32 Ian Sharp, letter to the Honourable John Cain MP, 21 September 1983, University of Melbourne Archives, Julian Phillips papers, 92/165, folder 8.
- 33 NAA, A1838, 1622/1/44 PART 2; NAA, A432, 1985/10784.
- 34 Robert Fordham, MLA, Victorian Legislative Assembly, Official Hansard, 16 November 1976, 4164.
- 35 Family Law Council, Working Paper No. 1, "Birth Certificate Recognition of the Sexually Reassigned," July 1978, NAA, A432, 1983/005019/01.
- 36 "Sexual Reassignment: Report of Officers' Sub-Committee," Standing Committee of Attorneys-General, August 1984, NAA, A432, 1985/12478.
- 37 "Sex swaps to get legal sanction," Herald, 4 December 1985.
- 38 Law Reform Commission of Victoria, "Review of the Equal Opportunity Act," (Report No. 36, October 1990), 26.
- $39 \, Submissions \, to \, the \, \textit{'Review of the Equal Opportunity Act 1984'} \, (1993) \, are \, available \, from \, PROV \, 10977/P1/unit \, 16 \, and \, 10977/P1/unit \, 17.$
- 40 Jane Anna Langley, "Transsexual Power," Melbourne Star Observer, 18 February 1994: 15. Note: the term 'tranny' is now generally considered offensive by most transgender people, though it was used by some activists in the 1990s.
- 41 Jane Anna Langley, to Demetri Dollis MP, 25 February 1995, courtesy Julie Peters.
- 42 For more on Peters' life, see Julie Peters, A Feminist Post-Transsexual Autoethnography: Challenging Normative Gender Coercion (Abingdon, UK and New York: Routledge, 2019).
- $43\ Julie\ Peters, "Transsexuals\ and\ Gay\ Discrimination,"\ \textit{Melbourne}\ Star\ Observer, \ 4\ March\ 1994:\ 11.$
- 44 Noah Riseman, "Transgender Inclusion and Australia's Failed Sexuality Discrimination Bill," Australian Journal of Politics and History 65, no. 2 (2019): 259-277.
- 45 Commonwealth of Australia, Senate Legal and Constitutional References Committee, Inquiry into Sexuality Discrimination, submission 2, Julie Peters and Jane Langley.
- $46\ Kayleen\ White, confidential\ submission\ to\ Senate\ Inquiry\ into\ Sexuality\ Discrimination,\ 16\ July\ 1996,\ courtesy\ Kayleen\ White.$
- 47 Julie Peters, in "Reference: Sexuality discrimination inquiry," Melbourne, 8 August 1996: 296.
- 48 "Trans Directory," *TLC Transgender Liberation and Care*, newsletter, September 1995: 7.
- 49 Boys will be boys, newsletter no. 1, February 1992: 5; Bridget Haire, "Boys will be boys will be..." Melbourne Star Observer, 31 March 1994: 4.
- 50 Jodie Joyce, "MPs target of gender lobby group," *Brother-Sister*, 13 November 1997: 3.
- 51 "Positive Step Towards Transgender Reform in Victoria," *TLC Transgender Liberation and Care*, newsletter no. 20, October 1999: 6; James McKenzie, "Labor pledges funds and law reform to gay cause," *Brother-Sister*, 2 September 1999.
- 52 Roberta Perkins, "Transgender Lifestyles and HIV/AIDS Risk: National Transgender HIV/AIDS Needs Assessment Project," (School of Sociology, University of New South Wales, 1994).
- 53 Victorian Gay and Lesbian Rights Lobby, "Enough is Enough: A Report on Discrimination and Abuse Experienced by Lesbians, Gay men, Bisexuals and Transgender People in Victoria" (Fitzroy, VIC: Victorian Gay and Lesbian Rights Lobby, 2000).

- 54 Maree Therese Luckins, MLC, Victorian Legislative Council, Official Hansard, 6 September 2000, 286.
- 55 Robert Smith, MLC, Victorian Legislative Council, Official Hansard, 6 September 2000, 283.
- 56 Andrew Shaw, "At 9.33 last night...' Parliament passes gender identity bill," Melbourne Star Observer, 8 September 2000: 1.
- 57 "Draft Action Plan Ministerial Advisory Committee on Gay and Lesbian Health," 2000, courtesy Julie Peters.
- 58 Victoria, Ministerial Advisory Committee on Gay and Lesbian Health, "What's the Difference? Health Issues of Major Concern to Gay, Lesbian, Bisexual, Transgender and Intersex (GLB-TI) Victorians," ed. William Leonard (Victoria, Department of Human Services, July 2002).
- 59 Richard Baker, "State to move on transsexual status," The Age, 4 March 2004: 3.
- 60 Victoria, Births, Deaths and Marriages Registration (Amendment) Act 2004
- 61 Jenny Mikakos, MLC, Victorian Legislative Council, Official Hansard, 25 May 2004, 1067.
- 62 Andrea Coote, MLC, Victorian Legislative Council, Official Hansard, 25 May 2004, 1070.
- 63 Robert Smith, MLC, Victorian Legislative Council, Official Hansard, 26 May 2004, 1135-1136.
- 64 Dave King, The Transvestite and the Transsexual: Public Categories and Private Identities (Aldershot, UK: Avebury, 1993), 101.
- 65 Geoff Wilkinson and Michael Warner, "Sex Swap Cop," Herald Sun, 9 July 2003: 1-2; Paul Anderson, Michael Warner and Geoff Wilkinson, "Revolt on Swap Cop," Herald Sun, 10 July 2003: 1: 4.
- 66 Sarah Wotherspoon, "Sex-swap cop earns stripes," Herald Sun, 30 October 2004: 14.
- 67 Jill Stark, "I'm just an ordinary guy who wants to play footy," Sunday Age, 7 June 2009: 3.
- 68 For a history of Australia's LGBTIQ+ press, see Bill Calder, Pink Ink: The Golden Era for Gay and Lesbian Magazines (Newcastle upon Tyne: Cambridge Scholars Publishing, 2016).
- 69 Adam Carr, "Lesfest bans trannies," Melbourne Star, 18 September 2003: 1; 7; Andrew Milne, "Queer spaces?" MCV, 19 September 2003: 1; 4.
- 70 "Letters to the Editor." MCV. 3 October 2003.
- 71 Shannon Dowd, "Lesfest Who's a 'real' woman anyway?" Lesbiana, October 2003: 10.
- 72 Sherele Moody, "Lesfest ban quashed," Melbourne Star, 2 October 2003: 1; "Lesfest bans overturned," MCV, 3 October 2003: 3.
- 73 Walters & Ors v. Finch (2005), VSCA 203; Michelle Rose, "Sex-change man to sue," Herald Sun, 25 November 2003: 12; Graeme Hammond, "Suffering for the sake of identity," Sunday Herald Sun, 28 March 2004: 86; "Court rules in favour of transsexual's legal action," ABC News, 19 August 2005.
- 74 Jill Stark, "I will never be able to have sex again. Ever'," Sunday Age, 31 May 2009: 4
- 75 Victoria, Ministerial Advisory Committee on Gay, Lesbian, Bisexual, Transgender and Intersex Health and Wellbeing, "Transgender and gender diverse health and wellbeing Background paper," (Victoria, Department of Health, 2014).
- 76 Deborah Gough, "Court Faces Up To A Gender Divide," The Age, 17 April 2004: 3.
- 77 A/Prof Michelle Telfer, Director, Royal Children's Hospital Gender Service, "Gender Dysphoria in Children and Adolescents: An update on clinical practice, research and advocacy," 1 September 2018; Victoria, Ministerial Advisory Committee on Gay, Lesbian, Bisexual, Transgender and Intersex Health and Wellbeing, "Transgender and gender diverse health and wellbeing Background paper." (Victoria, Department of Health, 2014). 11.
- 78 Michelle Telfer, Michelle Tollitt, Carmen Pace and Ken Pang, "Australian Standards of Care and Treatment Guidelines for trans and gender diverse children and adolescents version 1.1," Melbourne, Royal Children's Hospital, 2018, available from https://www.rch.org.au/uploadedFiles/Main/Content/adolescent-medicine/australian-standards-of-care-and-treatment-guidelines-for-trans-and-gender-diverse-children-and-adolescents.pdf, accessed 6 August 2019.
- 79 Michelle Telfer et al., "Transgender Adolescents and Legal Reform: How Improved Access to Healthcare Was Achieved through Medical, Legal and Community Collaboration," *Journal of Paediatrics and Child Health* 54, no. 10 (2018): 1096-99.
- 80 Benjamin Law, Moral Panic 101: Equality, Acceptance and the Safe Schools Scandal, Quarterly Essay 67 (Carlton, VIC: Schwartz Publishing Pty Ltd, 2017).
- 81 Farrah Tomazin, "Safe Schools faces uncertain future in Victoria, despite high sign-up rate," *The Age*, 6 January 2018, https://www.theage.com.au/national/victoria/safe-schools-faces-uncertain-future-in-victoria-despite-high-signup-rate-20180106-h0ef2h.html, accessed 7 August 2019.
- 82 Deb Dempsey, "Enough is Enough: A Report on Discrimination and Abuse Experienced by Lesbians, Gay men, Bisexuals and Transgender People in Victoria" (Victorian Gay and Lesbian Rights Lobby, 2000), 5.
- 83 Robin Bowles, No Justice (Sydney: Pan Macmillan, 2000)
- 84 Perkins, "Transgender Lifestyles and HIV/AIDS Risk: National Transgender HIV/AIDS Needs Assessment Project," 39.
- 85 Dempsey, "Enough is Enough," 34-35.
- 86 Marian Pitts et al., "Private Lives: A Report on the Health and Wellbeing of Glbti Australians," (Melbourne: Gay and Lesbian Health Victoria and The Australian Research Centre in Sex, Health & Society, March 2006). 51.
- 87 Victoria, Royal Commission into Family Violence: Report and recommendations, vol. 5, parliamentary paper no. 132 (March 2016), 141-166.
- 88 National LGBTI Health Alliance, "Snapshot of Mental Health and Suicide Prevention Statistics for LGBTI People," July 2016, https://lgbtihealth.org.au/wp-content/uploads/2016/07/SNAPSHOT-Mental-Health-and-Suicide-Prevention-Outcomes-for-LGBTI-people-and-communities.pdf, accessed 7 August 2019. The February 2020 updated report quotes the same statistics: "Snapshot of Mental Health and Suicide Prevention Statistics for LGBTI People," February 2020, https://d3n8a8pro7vhmx.cloudfront.net/lgbtihealth/pages/240/attachments/original/1595492235/2020-Snapshot\_mental\_health\_%281%29.pdf?1595492235, accessed 13 January 2021.
- 89 The history of the marriage equality debates and movement is available from Alex Greenwich and Shirleene Robinson, Yes Yes Yes: Australia's Journey to Marriage Equality (Sydney: NewSouth Publishing, 2018).
- 90 See "Guideline: Transgender people at work > Complying with the Equal Opportunity Act 2010 in employment," available from https://www.humanrightscommission.vic.gov.au/home/our-resources-and-publications/eoa-practice-guidelines/item/632-guideline-transgender-people-at-work-complying-with-the-equal-opportunity-act-2010, accessed 7 February 2020.
- 91 See "Guideline: Trans and gender diverse inclusion in sport > Complying with the Equal Opportunity Act 2010," available from <a href="https://www.humanrightscommission.vic.gov.au/home/our-resources-and-publications/eoa-practice-guidelines/item/1560-guideline-trans-and-gender-diverse-inclusion-in-sport-complying-with-the-equal-opportunity-act-2010, accessed 7 February 2020.
- 92 The Hon Martin Foley MP, Minister for Equality, "Proud and strong: more support for LGBTI Victorians," 1 May 2018, available from <a href="https://www.premier.vic.gov.au/proud-and-strong-more-support-for-lgbti-victorians/">https://www.premier.vic.gov.au/proud-and-strong-more-support-for-lgbti-victorians/</a>, accessed 11 February 2020. See also Victoria, Department of Health and Human Services, "Development of trans and gender diverse services in Victoria: Final report," June 2018.
- 93 Courtney Crane, "Transgendered find voice," *Geelong Advertiser*, 13 June 2015: 11; Courtney Crane, "Lifelong battle for man trapped in wrong body," *Geelong Advertiser*, 13 June 2015: 11; Karen Michelmore, "Violet Town proves it's more than just rainbow flags and flowers for Lady Di," *ABC News*, 29 January 2018, available from https://www.abc.net.au/news/2018-01-29/violet-town-is-more-than-flowers-rainbows-for-lady-di-back-roads/9344408, accessed 15 August 2019.
- 94 Michael Costello and Rusty Nannup, "Report of the First National Indigenous Sistergirl Forum: A Forum for all Indigenous People who Identify as Sistergirl or who have Transgender Qualities, Magnetic Island, Queensland, July 17-20, 1999," AIDS Trust of Australia and Queensland AIDS Council, 1999, 9-10.
- 95 Margaret Burin, "Sistergirls and brotherboys unite to strengthen spirits," *ABC News*, 21 November 2016, https://www.abc.net.au/news/2016-11-21/sistergirls-and-brotherboys-unite-to-strengthen-spirits/8040928, accessed 7 August 2019; Matthew Wade, "New Retreat for Trans and Gender Diverse Aboriginal People," *Star Observer*, 17 May 2016, http://www.starobserver.com.au/news/national-news/victoria-news/victorian-government-announces-australia-first-retreat-for-trans-and-gender-diverse-aboriginal-people/149285, accessed 7 August 2019.
- 96 "House of LilitH aka TSchitchat," https://www.youtube.com/user/TSCHITCHAT/featured, accessed 8 August 2019.