

Gender diversity

Information for staff and students

Gender refers to socially constructed norms around 'masculinity' and 'femininity' that are typically applied to the male and female sex. People accept or reject gendered norms within their own lives to varying degrees. Although gender is a word that is often used to stand in for the word sex, it is important to note the sex, gender, gender expression, gender identity, and sexual orientation are discrete concepts.

What is gender identity?

The Queensland Anti-Discrimination Act defines gender identity as:

“Gender Identity; in relation to a person means that the person:

- Identifies, or has identified as a member of the opposite sex by living or seeking to live as a member of that sex; or
- Is of indeterminate sex and seeks to live as a member of a particular sex.”

There are different and changing terms people use to describe themselves, including trans, gender fluid, gender queer and non-binary.

Some transgender people decide to live completely and permanently as the opposite sex. They may, or may not, also take steps to change their body to reflect their gender identity. Non-binary refers to people who do not identify exclusively as either a man or a woman.

Because they challenge commonly held beliefs and expectations about gender norms, gender non-conforming people, people who identify as non-binary and transgender people can face significant discrimination and harassment, including physical violence. **State and Federal anti-discrimination legislation makes it unlawful to discriminate against or harass a person in employment, education, and other areas of social life on the basis of gender identity.**

The following points are intended to assist staff and students to engage with colleagues and peers who are transgender, gender non-conforming, or who identify as non-binary, in an open and respectful manner.

How you can support people:

- Respect the person's decision on their gender identity and presentation.
- Treat the person with the respect and dignity as you would accord any other staff member or student and that you would expect for yourself.
- Use the name and language that the person requests. If you are not sure how someone would like to be referred to, you can ask.
- When writing about a transgender person, do not put names or pronouns in quotes or italics, or state their previous name, unless otherwise requested or where required by law.
- Respect boundaries – your own and others. Do not ask intrusive or intimate personal questions that you would not ask another person or would not want others to ask of you (for example, don't ask questions about someone's body, relationships or sexuality, or any medical intervention). If a Trans person raises the topic, and is comfortable to do so in an appropriate and safe environment, and you feel comfortable too, then it is okay to discuss.
- Don't assume the person should be willing to discuss transgender related issues with you, or expect them to be an authority on such topics.
- Respect privacy. Don't tell others about a person's Trans status. A person may describe themselves in terms of their gender identity (e.g. as a man or as a woman) or may prefer to describe themselves as a transgender person.
- Do not condone or participate in gossip, jokes, flippant remarks, or sexual innuendos about the person or their gender identity. Be active in confronting or naming comments or behaviours that are discriminatory.
- Do not make assumptions about the person's sexual orientation or personal relationships. Gender identity and expression do not determine sexual orientation. The sexuality of transgender people can cover the spectrum of sexual diversity.

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- When a person has transitioned, many things about them will remain the same, in important ways they will be the same as before.
- You may not know much about transgender issues and may experience some apprehension when a person you know transitions or de-transitions. What matters most is you show respect for the person and at university support them to continue their study or work.
- JCU expects staff and students to treat each other with dignity and respect, and will not tolerate discrimination or harassment based on sex or gender identity.

Legislation

For information on the Sex Discrimination Act 1984 (Commonwealth) protections against discrimination and/or harassment on the basis of sex, sexual orientation, gender identity, intersex status, marital or relationship status, pregnancy or potential pregnancy, breastfeeding or family responsibilities visit <https://humanrights.gov.au/>

For the Australian Government Guidelines on the Recognition of Sex and Gender, visit <https://www.ag.gov.au/sites/default/files/2020-03/AustralianGovernmentGuidelinesontheRecognitionofSexandGender.pdf>

For Anti-Discrimination Act 1991(Queensland), and the Human Rights Act 2019 (Queensland), visit <https://www.qhrc.qld.gov.au/resources/legal-information/legislation>

The [Bullying, Discrimination, Harassment and Sexual Misconduct Policy and Procedures](#) can be utilised by staff and students, and [Equity Contact Officers](#) can provide advice on this policy.

JCU privacy and confidentiality policies and guidelines can be found here:

- <https://www.jcu.edu.au/policy/corporate-governance/information-privacy-policy>

The JCU student complaints process can be found here:

- <https://www.jcu.edu.au/students/feedback-and-complaints/complaints>

The JCU staff complaint process can be found here:

- <https://www.jcu.edu.au/policy/procedures/corporate-governance-procedures/discrimination-bullying-and-harassment-complaint-procedure-for-staff-and-affiliates>

Support

If staff have concerns about or require support in relation to gender transition at JCU they can contact the [Employee Assistance Program](#) or contact JCU Human Resources for further information.

Students can contact JCU Student Equity and Wellbeing: <https://www.jcu.edu.au/student-equity-and-wellbeing> for personal support, and for adjustments to studies through [AccessAbility](#) if you are experiencing mental health or medical difficulties. Support and Adjustments vary depending on individual needs.

Student Equity and Wellbeing JCU

Web <https://www.jcu.edu.au/student-equity-and-wellbeing>

Email studentwellbeing@jcu.edu.au

Phone 1800 246 446

In person Level 1 Library in Townsville and Cairns
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