



Pride in Law

NSW CHAPTER

FEATURE ARTICLE

TURNING RIGHTS INTO REALITIES: PROMOTING HUMAN RIGHTS IN AUSTRALIA THROUGH A NATIONAL HUMAN RIGHTS INDICATOR INDEX

By Samuel Jenkins (He/Him)

Recently, Australia has seen numerous conservative efforts to limit the access of gender-affirming hormone therapy for transgender children. In January 2025, trans advocates, medical experts, and human rights groups slammed the Queensland Government's decision to ban the use of hormone blockers and hormone replacement therapy to treat gender dysphoria in children (Equality Australia, 2025).

The decision has been described as “catastrophic” and completely “at odds with the current evidence base” which demonstrates “that denying access to this care will cause young people immeasurable trauma, contributing to depression, anxiety and in some cases self-harm” (Equality Australia, 2025). This is just one example of the many insufficiencies in Australia's human rights performance, where the Commonwealth fails to intervene and protect the rights of individuals under harmful state legislation.



Australia's human rights framework is piecemeal rather than comprehensive. The implementation of a National Human Rights Act in conjunction with a National Human Rights Indicator Index proposes to transform this framework (AHRC, 2023). Whilst a Commonwealth Human Rights Act would ensure legislative human rights protection to all Australians, an indicator index would enable comprehensive incorporation of international human rights obligations into domestic law by translating those obligations into tangible and operational targets for compliance (AHRC, 2023). The UK's Equality and Human Rights Monitor (EHRM) demonstrates how an indicator index could see Australia emerge with a world-class human rights system which can proactively identify and target performance issues, such as

transgender rights in Australia.

In its 2023 report, the EHRM assessed the state of trans rights in the UK across six domains of life including education, work, living standards, health, justice and personal security and participation (Equality and Human Rights Commission, 2023). Through utilising census data and surveys, the EHRM developed a comprehensive evaluation of the quality of experience/realisation of trans people's human rights.

Not only did the EHRM report on trans people's lower experiences of wellbeing across the domains of life, it also reported specific examples of the social structures underpinning those statistics. For example, the EHRM qualified trans people's poorer outcomes in the health domain with evidence of excessive clinic waiting times, ignorance of knowledge amongst medical practitioners, and the stigmatised use of sexual health services in accordance with their sex registered at birth. The EHRM provided several recommendations to the UK Government to address the poorer enjoyment of human rights for trans people, with emphasis upon the unacceptably long waiting times for gender identity clinics.

Overall, the EHRM provides a broad and insightful analysis of how human rights are experienced by trans individuals in the UK and demonstrates the value in adopting an Australian model to better assess, understand, and target human rights issues. However, the UK Supreme Court's recent ruling to exclude trans women from the definition of woman under the law in spite of the EHRM's reporting demonstrates a significant limitation of the EHRM model in its inability to directly influence governmental decision-making.

An Australian adoption of an indicator index has the opportunity to learn from the benefits and deficiencies of the UK model, and in conjunction with a National Human Rights Act, it would create a robust and living data source of human rights measurement to demand Commonwealth accountability and intervention. An evidence-based approach to the reform process could see Australia emerge with a world-class human rights system, with the capability to proactively target and prevent human rights violations such as Queensland's restrictions upon gender-affirming health care.

This piece is adapted from the paper, 'Turning Rights into Realities: Promoting human rights in Australia through a National Human Rights Indicator Index' (Samuel Jenkins and Amy Maguire, 2025)



Learn more...

Australian Human Rights Commission, Revitalising Australia's Commitment to Human Rights: Free & Equal Final Report 2023 (Report, 2023)

Equality and Human Rights Commission, Equality and Human Rights Monitor (Report, November 2023)

<https://assets.publishing.service.gov.uk/media/654e5fae8a2ed4000d720d0e/Great_Britain_Equality_and_Human_Rights_Monitor_Final_PDF.pdf>

Equality Australia, 'Qld's hormone ban for trans youth slammed by medical experts and human rights groups' (Blog Post, 28 January 2025) <<https://equalityaustralia.org.au/qlds-hormone-ban-for-trans-youth-slammed-by-medical-experts-and-human-rights-groups/#:~:text=January%2028%2C%202025-,Qld's%20hormone%20ban%20for%20trans%20youth%20slammed%20by%20medical%20experts,blockers%20and%20cross%20sex%20hormones>>

Meet the author



Samuel (He/Him) is a proud transgender man who lives and works on Awabakal land in Newcastle/Muloobinba. He holds a Bachelor of Social Science and is currently completing his fifth and final year of his Bachelor of Laws (Honours)/Diploma of Legal Practice.

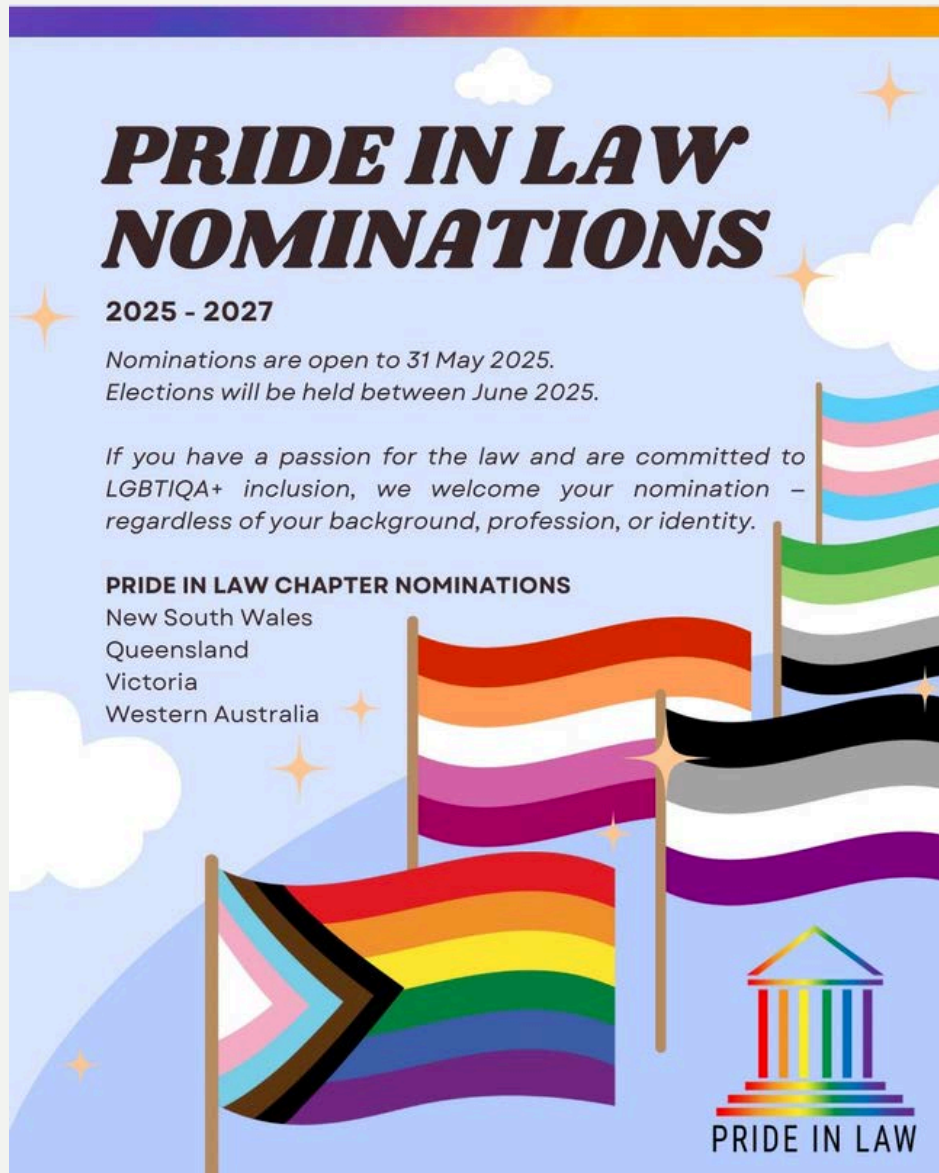
Samuel is passionate about utilising his studies to pursue a career in human rights law, with particular interest in working with LGBTQIA+ and First Nations communities.

Thank you Samuel for your wonderful contribution to the Pride in Law NSW newsletter!

*Want to write a piece?
Send submissions to*

communications.nsw@prideinlaw.org

Join our team!



Every two years, Pride in Law provides its members an opportunity to fill vacant positions on our Chapter Executive Committees, and **NSW has one vacant position!**

To nominate for a vacant Chapter Executive Committee position, please go to the following link and complete the require nomination form 🖱️

<https://lnkd.in/gzmVVVwW>

All nominations will close at midnight (AEST) on 31 May 2025.

For more information, contact president.nsw@prideinlaw.org

Upcoming Events

Stories from the Bar

DENTONS

On behalf of the NSW Chapter of Pride in Law, we are pleased to invite our valued readers to attend our upcoming panel event, Stories from the Bar, proudly hosted in collaboration with Dentons.

This event is being held in recognition of International Day Against Homophobia, Biphobia and Transphobia (**IDAHOBIT**) and will feature a panel of esteemed LGBTIQ+ leaders from the legal and corporate sectors, sharing their personal and professional experiences within the legal profession (including former legal professionals).

- **Date:** Thursday, 15 May 2025
- **Time:** 6:00 PM
- **Venue:** Dentons Sydney Office, Level 16, 77 Castlereagh Street, Sydney NSW 2000
- **Theme:** Stories from the Bar
- **Panelists:**
 - Ben Allen, Partner at Dentons
 - Kate Wickett, CEO at City Recital Hall and former CEO of Sydney WorldPride
 - Hannah Cohley, Barrister

This will be an insightful and empowering evening exploring visibility, inclusion, and lived experiences in the legal and corporate sector – with time for networking and community connection to follow.

Places are limited so please RSVP here: <https://events.humanitix.com/stories-from-the-bar-dentons-x-pride-in-law-panel-event>

News from NSW

Ban on LGBTQIA+ conversion practices!

CONTENT WARNING

On 22 March 2024, the NSW Parliament passed a bill that bans LGBTQIA conversion practices. The ban came into force on 4 April 2025.

What are Conversion Practices?

LGBTQA conversion practices are harmful practices which seek to change or suppress an individual's sexual orientation or gender identity. They are sometimes referred to as 'gay conversion' practices or 'conversion therapy'. Evidence shows that conversion practices are dangerous and damaging.

Conversion practices are not supported by medical research. There is no evidence that sexual orientation or gender identity can be changed or suppressed. While it may appear possible for some individuals to temporarily suppress a part of who they are, research shows it cannot be sustained and is harmful.

Conversion practices can include teachings, counselling, spiritual care activities, or other psychological or medical interventions based on the false ideology that there is something wrong or broken about people with diverse sexualities or gender identities.

Conversion practices can include people receiving subtle and repeated messages, that with faith or effort, they can change or suppress their sexual orientation or gender identity.

What Does the Act Say?

As stated in the *Conversion Practices Ban Act 2024* (NSW), a conversion practice means a practice, treatment or sustained effort that is:

- directed to an individual on the basis of the individual's sexual orientation or gender identity, and
- directed to changing or suppressing the individual's sexual orientation or gender identity.

The Act also outlines what is not a conversion practice:

- stating what relevant religious teachings are or what a religion says about a specific topic
- general requirements in relation to religious orders or membership or leadership of a religious community
- general rules in educational institutions
- parents discussing matters relating to sexual orientation, gender identity, sexual activity or religion with their children.

How Can I Make A Report?

From 4 April 2025, it is against the law for someone to try to change or suppress – or make you change or suppress – your sexual orientation or gender identity, even if you ask for help to do so.

Reports can be made to Anti-Discrimination NSW about conversion practices that occurred on or after 4 April 2025. If the practices began before 4 April 2025 but continued past this date, a report can still be made.

If you are unsure if what you have experienced or witnessed is considered a conversion practice, you can have a confidential discussion with Anti-Discrimination NSW about it.

Phone: 1800 670 812 (weekdays 9am to 4pm)

Email: complaintsadb@justice.nsw.gov.au

Via the [LGBTQA Conversion Practice Report Form](#)

Criminal Offences

Anyone who provides a conversion practice that causes substantial mental or physical harm, or endangers an individual's life, can face up to 5 years in prison.

Taking someone outside of NSW for these practices – or engaging someone from outside of NSW to deliver a conversion practice to someone in NSW – can lead to up to 3 years in prison, a fine, or both.

Find More Information @

<https://antidiscrimination.nsw.gov.au/discrimination/conversion-practices.html>

Need Support?

QLife	1800 184 527
Twenty10	8594 9555
Twenty10 (rural)	1800 65 2010
Rainbow Door	1800 729 367
Lifeline	13 11 14
Lifeline (text)	0477 13 11 14
Kids Helpline	1800 55 1800
Beyond Blue	1300 22 4636
1800RESPECT	1800 737 732
NSW Victims Services	1800 633 063
Victims Services (Aboriginal)	1800 019 123
MensLine	1300 78 99 78
13YARN	13 92 76
ACON	(02) 9206 9000
Inner City Legal Centre	(02) 9332 1966

News from NSW

Helen McKenzie passes away

We are deeply saddened by the passing of Helen McKenzie, a widely respected legal mind, business leader, and tireless advocate for equality.

Helen was appointed President of Anti-Discrimination NSW in February 2022, bringing to the role not only a remarkable career in law and governance, but also a deep commitment to justice and fairness. During her time as President, Helen guided the organisation through pivotal and often challenging moments – from navigating the complexities of the COVID-19 pandemic and the national Voice Referendum, to overseeing the implementation of significant legislative reforms, including new religious vilification protections and the Conversion Practices Ban Act 2024 (NSW).

Helen's leadership was grounded in wisdom, empathy and purpose. Her strategic insight and unwavering focus on inclusion left a profound mark on Anti-Discrimination NSW and all who had the privilege to work alongside her.

Before leading the Board, Helen had an extraordinary legal career, serving as a partner at Ashurst (and its predecessor Blake Dawson) from 1991 to 2016, where she held key leadership positions including Deputy Managing Partner. Her expertise in employment, workplace relations and discrimination law made her a trusted advisor to both public and private sector organisations. In recent years, she continued this work as a consultant and as the independent Code Arbiter for Woolworths under the Food & Grocery Code of Conduct.

Helen McKenzie's legacy is one of strength, vision, and an unrelenting drive to make workplaces – and society – fairer and more respectful for everyone. Her contributions will not be forgotten.

Our thoughts are with Helen's family, friends, and colleagues at this time of great loss.

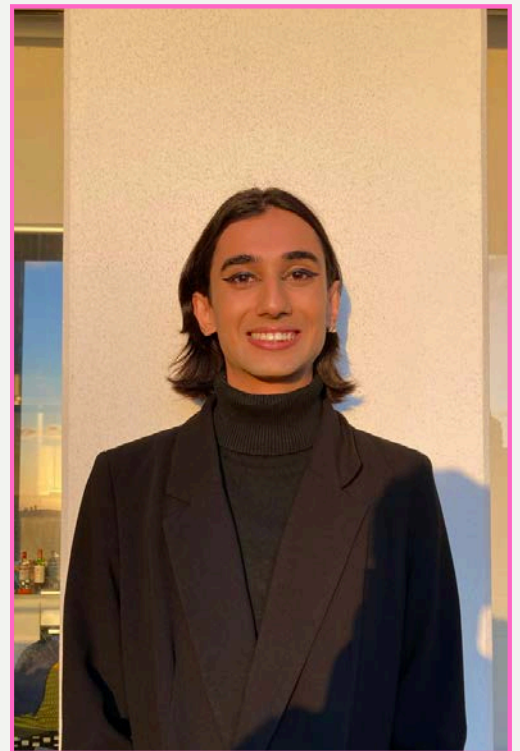
Meet our newest Events Officer!

Meet Dillan Solari (he/him)

Dillan recently completed his law degree and is currently undertaking PLT while working at a boutique family law firm in Sydney. Dillan is particularly interested in areas where the law intersects with social justice and community impact. Working in a client-facing, emotionally complex area of law has strengthened his interest in advocacy and accessible legal support.

Dillan is deeply committed to ensuring that LGBTQIA+ voices are heard and represented within the legal profession. He believes that diverse perspectives are essential for creating a more inclusive and equitable legal environment.

Outside of work, Dillan enjoys creative writing (having self-published a poetry book a while ago), planning social events with friends, hanging out with his partner, and (is not proud to admit) doom scrolling on social media!



Proud Pets

With paws, purrs and pride... Pride in Law NSW is embracing diversity in our furry, feathered and scaly friends!



INTRODUCING...

PERCY

Paw-rent: Amelia Simpson, *Pride in Law* member

Percy is a lovable and licky three year old cavoodle. He loves walks on the beach and hanging out with his best friend Nala, a golden doodle.

Percy has an ever-expanding collection of merino and alpaca jumpers and likes to eat only the most expensive kibble and tasty cheese.

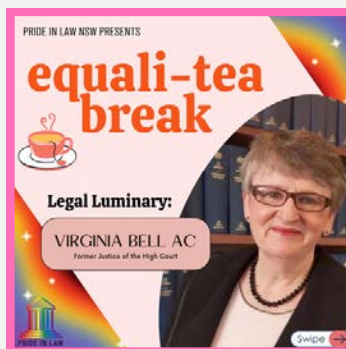
He is often seen eating bacon at brunch and zooming around the dog park, where he menaces any cats or birds in his vicinity. His brunch order is a side of bacon.

He also loves a nap.

Do you have a Proud Pet (or two)? Introduce them to us with some photos and fun facts! Send submissions to communications.nsw@prideinlaw.org

Want more Pride in Law?

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OR VISIT OUR WEBSITE: <https://www.prideinlaw.org/>

Write for us!

This newsletter is a place for you, our members and sponsors! We accept all kinds of submissions, including:

- Feature articles about LGBTIQ+ news or issues
- Spotlight on legal professionals, students or organisations doing great things for LGBTIQ+ people
- Letters from our sponsors or members, about your work, aspirations or journey
- Proud Pets (incl. photos!)
- Any other ideas you might have!

Send submissions to communications.nsw@prideinlaw.org