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## Abuse and Mistreatment in Western Australia

### Blatant Discrimination against Pre-Operative Transsexuals in the Public Hospital System

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Samantha-Lee is physically and mentally exhausted. She has received no counselling nor medication of any kind, including her hormones, despite asking for them many times.

**F**or years there have been rumours, of varying degrees and types, of abuse and mistreatment within the Western Australian public hospital system, abuse and mistreatment of people with transsexualism and of those with a transsexual background. And they have remained just that, rumours, because nobody who has been so abused and mistreated has apparently summoned the courage to make formal complaints after having properly documented their experiences. This reluctance may stem from the low status that people born with transsexualism who have not had surgery 'enjoy' under the law in Western Australia.

*... [the social worker] proceeded to insult her ... by addressing her as 'mister' and 'sir', and by referring to her as 'he' and 'him'.*

A number of my fellow transsexual Western Australians have half-jokingly, half-seriously, described themselves as 'the scum of the Earth', 'officially sub-human' and 'the lowest of the low'.

Blatant discrimination against transsexual Western Australians undergoing sex affirmation treatment is perfectly legal under Western Australia's *Equal Opportunity Act 1984 (W.A.)*. Discrimination against us is permitted in every area of daily life. The list of permitted discriminations includes discrimination: within employment or applying for a job; while being or becoming a commission agent; working under contract; while being in a partnership; under the membership of professional or trade organisations or professional and trade qualifying bodies; by employment agencies; within education; when accessing places and vehicles; in obtaining goods and services; using any kind of public facility; in rental or other accommodation; when buying or inheriting land; when being a member of a club; when playing or administering or coaching or refereeing or umpiring sport; filling in application forms; and under membership of superannuation schemes and provident funds.

If you need it spelled out for you, on the grounds of being born with transsexualism and not having had surgery, Western Australians can be: summarily sacked; refused employment or contract work, or refused to be considered for such by employment agencies; refused membership of clubs, trade or professional organisations or qualifying bodies, or have their membership rescinded; refused education, or be thrown out of an educational institution; thrown out of offices, shops, train or bus stations, toilets, buses, trains, ferries, taxis, doctor's practices, clinics, hospitals, you name it; refused accommodation, or thrown out of accommodation; denied inheritance of land, or the right to buy land; and more.

Quite a roll call of shame, isn't it?

The amendment to the *Equal Opportunity Act 1984 (W.A.)* permitting all of this discrimination was written and passed under a previous Western Australian State *Liberal* Government, that of Richard Court, and not the current *A.L.P.* State Government.

The jury is out as to whether the Court government fully intended its amendments to the *Equal Opportunity Act 1984 (W.A.)* to *punish* people living with transsexualism, or whether those who wrote them were so incompetent that they created massive loopholes by accident. Nobody can be found who will put their hands up as having written the amendment. There is clear evidence within the source of the amendment - the *Gender Reassignment Act 2000 (W.A.)* - that it's framers had a *fundamental misunderstanding* of the nature of transsexualism. That should be the subject of a separate article.

In short though, the *Gender Reassignment Act 2000 (W.A.)* was apparently primarily created to *reward* Western Australians with transsexualism, who have had surgery, with a Gender Reassignment Certificate, which can then be used to request that their birth certificate be amended to reflect their affirmed sex.

*The Gender Reassignment Act 2000 (W.A.)* is laden with bizarre notions and freshly invented attributes with no legal or medical validity. It was designed to *protect* those who have had surgery, but at the same time it *punishes* those who have not. One rule for the lucky, one for those who are not. Within the Western Australian health system though, there appears to be no such distinction between the 'elect' and the 'damned'. From reports by patients, it seems that women who *have* had surgery are just as likely to be insulted by

nursing staff and mistreated by doctors and specialists as those who *have not* had surgery.

I will not write here about the many such cases where patients have not yet documented their mistreatment. That would be premature. But I *can* tell you about one tragic, and currently ongoing, case of a woman who has not completed her sex affirmation treatment, and will not be doing so.

She is dying of the untreatable form of hepatitis C, has attempted suicide twice in recent weeks, and continues to be insulted and mistreated by staff at one of the most notorious hospitals in Western Australia and especially by its mental-health centre. This hospital is just *one of several* with bad reputations when it comes to abuse and mistreatment of transsexual people.

Samantha-Lee Cassidy is in her mid-thirties, and her short life has been heavily dotted with beatings, attempted murders, gang rapes, gaol, addiction, suffering and redemption. It all began when her mother, herself a prostitute, put Samantha-Lee on the street as a child prostitute at the age of eleven after years of sexual abuse at the hands of her step-father.

In recent years Samantha-Lee has been running an online support group with a global membership, for people living with transsexualism, and has been doing a sterling job. At the same time she has been knee deep in her own suffering, in desperate need of local support, and has not been receiving any, save what little I and another woman can provide with our very limited means.

Samantha-Lee's life-long depression left her vulnerable to the attentions of what the Americans call a 'tranny-hawk', in this case a female prostitute who is said to have a history of brainwashing transsexual women into believing they have some kind of relationship with her, and then of using them to earn her money.

Continuous abuse by the 'tranny-hawk'/prostitute drove her to make two suicide attempts within a matter of weeks. The latest came when the prostitute threw her out of her up-market house south of Perth, after Samantha-Lee repeatedly refused to perform sexual favours for her clients.

The first time Samantha-Lee attempted suicide recently, she ended up in the hospital in question's mental-health centre, where her interviewing psychiatrist demanded to know what she expected them to do for her. "Stop me from killing myself?" she replied hopefully. The psychiatrist told her to "get over it". Samantha-Lee was sedated for several days, received no counselling, and was persuaded to check herself out well before she was physically and psychologically ready to do so.

Samantha-Lee's latest suicide attempt landed her in the same mental-health centre yet again. Again, the interviewing psychiatrist demanded that she "get over it". Shortly after arrival at the mental-health centre this time, Samantha-Lee was told that she would again be thrown out in a couple of days. She protested that she was homeless, but her protests fell on deaf ears. I am told by a clinical psychologist within the Health Department of W.A. that it is illegal for public hospitals to discharge homeless patients 'into the street'. Nonetheless, I am told by other hospital staff that it goes on all the time.

Samantha-Lee tells me that she has been discharged into the street by yet another notorious Western Australian Hospital, after another previous suicide attempt.

As I am writing this, I am in telephone contact throughout the day with Samantha-Lee. She tells me that she has been informed that she will be discharged into the street by the end of the week.

She has received no counselling, nor medication of any kind, including her hormones, despite asking for them many times. She asked for a second psychiatrist to assess her. The second one acted exactly like the first.

She saw a social-worker when she was admitted and he proceeded to insult her throughout the day by refusing to use her legal name, and addressing her as 'mister' and 'sir', and by referring to her as 'he' and 'him'.

Samantha-Lee is physically and mentally exhausted. When I visited her at the hospital four days ago she was a bag of bones. Today she tells me that she cannot stop shaking. She has not slept for days. Each time she tries to sleep during daylight hours she is shaken awake by nursing staff.

Nobody can yet predict the outcome of Samantha-Lee's case. It does not look good. Samantha-Lee faces a lonely and excruciatingly painful death from her liver finally shutting down. Or she faces an equally tragic death by her own hand. Which one will it be? Will she die in the street, or will she find someone to take her in, to spend her last hours under a roof and not in the gutter?

## Links to Relevant Acts of the Western Australian Parliament

[Equal Opportunity Act 1984 \(W.A.\)](#) 

[Gender Reassignment Act 2000 \(W.A.\)](#) 

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service providers. The Gender Centre is committed to educating the public and service providers about the needs of people with gender issues. We specifically aim to provide a high quality service, which acknowledges human rights and ensures respect and confidentiality.