



Women
With
Disabilities
Australia
(WWDA)



PEOPLE WITH DISABILITY
AUSTRALIA

Joint Submission

Response to the CRPD Committee's call for Submissions

Draft guidelines on addressing multiple and intersectional forms of discrimination against women and girls with disabilities

Joint submission by People With Disability Australia (PWDA) and Women With Disabilities Australia (WWDA).

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Introduction

Women With Disabilities Australia (WWDA)ⁱ and People With Disability Australia (PWDA)ⁱⁱ welcome the opportunity to contribute to the development of guidelines addressing multiple and intersectional forms of discrimination against women and girls with disabilities. This submission is grounded in a trans-inclusive, intersectional feminist framework that centres the lived experiences, rights, and leadership of women, girls, and gender-diverse people with disabilities.

This submission affirms the importance of recognising compounded discrimination, as articulated in CRPD General Comment No. 6 (para 20), which obliges States Parties to address discrimination arising from the intersection of disability with other identity characteristics such as gender, race, sexual orientation, and gender identity. While the CRPD refers to “women and girls with disabilities,” our analysis explicitly includes trans women, non-binary, and gender-diverse people with disabilities, whose experiences of discrimination are distinct and must be named to ensure no one is left behind. Therefore, **where the term ‘women and girls’ is used in this submission, this includes trans women, non-binary, and gender diverse people.** WWDA and PWDA call for a dedicated focus on intersectionality across all disability policy and programming. Only by centring the voices and leadership of women, girls, and gender-diverse people with disabilities—and recognising the full spectrum of their identities—can we advance genuine equality, empowerment, and justice.

1. Do the anti-discrimination legislation and/or policy frameworks in force in your country recognise disability and the denial of reasonable accommodation as prohibited forms of discrimination against persons with disabilities?

Anti-discrimination laws in Australia

Australia has a comprehensive framework of anti-discrimination laws that operate at both the national and state/territory levels. This system creates confusion, inconsistency and fragmentation. Nationally, the key pieces of legislation include the Racial Discrimination Act 1975, the Sex Discrimination Act 1984 (SDA), the Disability Discrimination Act 1992, and the Age Discrimination Act 2004. These laws are designed to protect individuals from discrimination based on race, sex, disability, and age, respectively. In addition, each state and territory has its own anti-discrimination legislation that addresses similar issues within their jurisdictions, setting out additional avenues for individuals to seek redress against discriminatory practices.

The Disability Discrimination Act 1992 (DDA)

The DDA is Australia's key federal law prohibiting discrimination based on disability. It addresses both direct discrimination (section 5) —where a person with disability is treated less favourably—and indirect discrimination (section 6), which arises when seemingly neutral practices disproportionately disadvantage people with disabilities. Section 24 specifically mandates reasonable adjustments in the provision of goods, services, and facilities to ensure equal access.

Despite these provisions, the DDA's implementation has been inconsistent. Denial of reasonable accommodation is not always recognised as unlawful discrimination, creating gaps in protection. The 2017 *Sklavos v Australian College of Dermatologists* decision by the Full Federal Court further weakened the DDA by requiring individuals to prove that their disability was the reason for the failure to provide adjustments. This interpretation introduced a significant legal hurdle, discouraging complaints and undermining alignment with the UN Convention on the Rights of Persons with Disabilities (CRPD), particularly Articles 5 and 24.^{iii iv}

Policy frameworks in education and employment acknowledge reasonable accommodation, but enforcement remains weak. The frequent use of “unjustifiable hardship” to deny adjustments—often without transparency—exacerbates inequality, especially for women and gender-diverse people with disabilities.

The Disability Rights Now CRPD Shadow Report (2019), endorsed by WWDA and PWDA, calls for urgent reform.^v Key recommendations include: a standalone provision in the DDA explicitly defining failure to provide reasonable adjustments as discrimination; revised definitions of direct and indirect discrimination to reflect positive duties; and strengthened enforcement mechanisms to ensure timely, accessible remedies.

The Australian Government is currently reviewing the DDA, which includes a public consultation process. WWDA and PWDA will be advocating for the above reforms to ensure the DDA is fit for purpose.

The Disability Royal Commission

The Disability Royal Commission (DRC) has made several recommendations to address disability discrimination in Australia.^{vi} These recommendations emphasise the need for legislative reform to recognise the denial of reasonable accommodation as a form of discrimination, including through an explicit standalone provision in the DDA. Additionally, the DRC recommended amendments to the definitions of direct and indirect discrimination to reflect the positive duty to accommodate. Strengthening enforcement mechanisms and complaint pathways is also recommended to ensure accessible, timely, and effective remedies. These recommendations aim to align Australia's legal framework with the principles outlined in the CRPD, particularly Articles 5 and 24.

Additionally, Australian Disability Representative Organisations (DROs) have issued a joint statement advocating for a national Human Rights Act, that includes specific protections for people with disability.^{vii} This position is grounded in the findings of the DRC, which exposed widespread systemic abuse and neglect of people with disability in Australia. Embedding disability rights within a broader human rights framework offers stronger, more enforceable protections. The statement also calls for inclusive consultation, intersectional protections, reform to the DDA, positive duties public authorities, and adequate resourcing to support systemic change. The Attorney-General's Department (AGD) is currently considering the Parliamentary Joint Committee on Human Rights' (PJCHR) recommendation for such an act.^{viii}

While Australia's legislative framework recognises disability discrimination, the denial of reasonable accommodation remains inadequately addressed. This submission joins ongoing calls for clear, enforceable, and rights-based reforms to ensure that people with disability—particularly women, girls, and gender-diverse people—can access their rights without systemic barriers or legal ambiguity.

2. Do the anti-discrimination legislation and/or policy frameworks in force in your country recognise the multiple and intersecting forms of discrimination affecting women with disabilities on account of their disability and other factors, such as sex, gender, ethnicity, migration status, origin, socio-economic status, religious beliefs, etc.?

Australia's current anti-discrimination legislation and frameworks do not adequately recognise or respond to the multiple and intersecting forms of discrimination experienced by women, girls, and gender-diverse people with disabilities. Despite Australia's obligations under international instruments such as CRPD and the CEDAW, domestic laws remain fragmented, gender-neutral, and insufficiently attuned to intersectionality.

Legislative gaps and fragmentation

Australian discrimination law is structured around discrete grounds resulting in a siloed approach.^{ix} This legal architecture obscures the lived realities of those who experience compounded discrimination across multiple dimensions simultaneously.

Notably:

- The DDA does not prohibit systemic or intersectional discrimination.
- Gender identity and sexual orientation are inconsistently recognised, leaving trans, non-binary, and LGBTQIA+ people with disabilities without adequate legal protection. The CRPD General Comment No. 6 (para 19) affirms the obligation of States Parties to “recognise the particular barriers faced by LGBTI persons with disabilities”.
- The *Tickle v Giggle* case currently under appeal underscores the ambiguity in interpreting gender identity and sex under the SDA, with significant implications for trans women’s rights.^x

Policy frameworks and missed opportunities

National policy instruments such as Australia’s Disability Strategy (2021–2031) continue to lack gender-specific and intersectional measures. Reviews of these frameworks have identified gender equality as a persistent gap, with women with disability largely excluded from targeted strategies—despite references to other population cohorts such as Indigenous and culturally diverse communities.^{xi}

Towards reform and recognition

There is strong sector support for legislative reform to embed intersectionality as a core principle across all anti-discrimination and human rights frameworks. This includes:

- Strengthening the DDA to explicitly prohibit multiple and systemic forms of discrimination.
- Enacting a National Human Rights Act to provide a cohesive framework for implementing Australia’s international obligations.
- Integrating a substantive gender perspective across all national laws and policies, as recommended by the CEDAW Committee.^{xii}

The Disability Rights Now 2019 Shadow Report and WWDA’s Position Statements call for urgent action to ensure that legal and policy frameworks reflect the full spectrum of identities—including gender, age, ethnicity, Indigenous status, sexual orientation, migration status, and socio-economic background.^{xiii}

While Australia has made formal commitments to recognising intersectional discrimination, these are not yet meaningfully reflected in domestic law or policy. Comprehensive reform is needed to ensure that women, girls, and gender-diverse people with disabilities are fully protected and included across all legal and policy domains.

3. Do authorities in your country collect data reflecting intersectionality between disability and other factors such as sex, gender, ethnicity, migration status, origin, socio-economic status, religious beliefs, etc.

Australia's data collection systems fail to reflect the intersection of disability with other identity factors, —undermining obligations under Article 31 of the CRPD.^{xiv} Despite sustained advocacy from UN bodies and civil society, intersectional and disaggregated data remains limited. National datasets rarely capture the experiences of women and girls with disabilities, particularly those who are Indigenous, CALD, migrant, refugee, or LGBTQIA+.^{xv}

The 2019 CRPD Shadow Report further notes that Australia has not funded a comprehensive assessment of the situation of women, children, youth, or Indigenous people with disability. Without nationally consistent, disaggregated data, monitoring the Disability Strategy or the Sustainable Development Goals (SDGs) is impossible. Trans, gender-diverse and intersex people with disability are also excluded from national datasets, despite evidence of compounded discrimination in health, housing, education, and violence. The UN Independent Expert on Sexual Orientation and Gender Identity has called for inclusive, participatory data collection that recognises diverse identities—an urgent priority if Australia is to meet its international obligations and design equitable policy.^{xvi}

WWDA and PWDA consistently advocate for the establishment of a nationally consistent framework for intersectional data collection, including:

- Inclusive design of data collection tools, allowing individuals to self-identify across multiple axes of identity.
- Mandatory disaggregation of data by sex, gender identity, sexual orientation, disability status, ethnicity, cultural background, migration status, and other relevant factors.
- Public reporting of intersectional data to inform policy, monitor rights implementation, and support accountability.
- Dedicated funding for intersectional research and assessments.

In alignment with CRPD General Comment No. 6 (para. 60), this submission urges the Committee to reinforce the obligation for inclusive and participatory data collection that reflects the full diversity of people with disabilities^{xvii}. Only through robust, intersectional data can States Parties formulate and implement policies that give full effect to the Convention and ensure that no one is left behind.

4. What are the main Intersectional risks and forms of discrimination faced by women and girls with disabilities? Do you consider that the violence and discrimination against women and girls with disabilities is due to two or more of personal characteristics, or that is coloured by these characteristics? For example: being a woman with a disability and indigenous; being a woman with a disability and living with albinism; being a woman with a disability and also an elderly; being a woman with disability and also a child or teenager; being a woman with a disability and a migrant or an asylum seeker, or a person seeking international protection or a refugee; a member of the LGBTIQ+ community; or being someone with diverse sexual orientation or gender identity. Please specify.

Women and girls with disabilities in Australia face compounded and intersectional forms of violence and discrimination. These harms are not merely additive but multiply and intensify, creating distinct and often more severe experiences of exclusion, abuse, and rights violations.^{xviii} The violence and discrimination experienced by women and girls with disabilities cannot be attributed to a single cause—such as gender or disability—but rather emerges from the interplay of multiple systems of oppression, including ableism, sexism, racism, ageism, homophobia, transphobia, and xenophobia.

Key groups facing heightened risk

Indigenous women with disability

Indigenous women with disability are disproportionately affected by indefinite detention, poverty, and systemic neglect. These outcomes reflect the intersection of colonisation, racism, ableism, and gender-based violence.^{xix}

Women with disability who are LGBTIQ+

These women face heightened risks of violence, misgendering, denial of gender-affirming care, and exclusion from services. Trans and gender-diverse people with disability experience disproportionate harm in institutional settings such as group homes and prisons.^{xx}

Women with disability who are migrants, asylum seekers, or refugees

Discriminatory migration policies, such as the Significant Cost Threshold, exclude people with disability from protection and support. These women often face compounded barriers to accessing healthcare, housing, and justice^{xxi}

Women with disability who are older or children/teenagers

Older women with disability face housing insecurity and neglect, while children and young people with disability experience high rates of bullying, exclusion, and abuse in education and care settings.

Women with disability from CALD backgrounds or with specific religious identities

These women experience overlapping forms of oppression based on race, language, religion, and citizenship status. Cultural stigma and systemic racism further compound their marginalisation.^{xxii}

Specific forms of intersectional violence and discrimination

Forced sterilisation and reproductive violence

Women with disability—especially those who are Indigenous, from CALD backgrounds, or gender-diverse— experience greater rates of non-consensual medical interventions, violating CRPD Articles 17 and 23.^{xxiii}

Bullying, exclusion, and denial of participation

Discrimination in education, employment, housing, and justice systems is intensified for those with intersecting identities, leading to lifelong exclusion and poverty.^{xxiv}

Sexual, physical, emotional, and financial abuse

Women and girls with disabilities face higher rates and severity of abuse, often in settings where they are isolated or dependent on others for care/support. Restrictive practices and denial of autonomy are common.^{xxv}

Specific CRPD alignment

This analysis aligns with CRPD General Comment No. 3 (para. 31), which calls for the elimination of violence in institutional and service settings, and General Comment No. 6, which emphasises the need to address the root causes of exclusion through an intersectional lens. The UN Special Rapporteur on Torture has also condemned forced medical interventions against trans and intersex people with disability as violations of international law.^{xxvi}

5. Describe the areas of life in which women and girls with disabilities exposed to multiple and intersecting forms of discrimination are more excluded from the access and enjoyment of their rights. (examples: in housing, access to justice, employment, political participation, etc.)

Women and girls with disabilities in Australia are disproportionately excluded from the full enjoyment of their rights across multiple domains of life. These exclusions are not isolated, but systemic and shaped by the interaction of disability with gender, age, race, migration status, sexual orientation, and other identity factors. The following areas are particularly affected.

Employment

Women and girls with disabilities face significant barriers to accessing, retaining, and progressing in employment. They are more likely than men with disabilities or non-disabled women to be:

- Unemployed or underemployed
- Concentrated in precarious, informal, or low-paid work
- Denied workplace adjustments and career development opportunities
- Subject to gender and disability bias in labour markets

As WWDA notes:

“Trans and non-binary people with disability also experience higher unemployment and workplace exclusion due to transphobia, misgendering, and lack of gender-affirming policies.” ^{xxvii}

Housing

Women with disabilities are over-represented in public housing, face housing insecurity, and are at increased risk of homelessness. Older women with disability are the fastest-growing cohort of homeless Australians. There are several barriers to public housing for people with disability, for example, long wait lists, physical inaccessibility, and the strong links between housing and gender-based violence. In a recent survey conducted by WWDA, 43% of respondents reported experiencing housing insecurity.^{xxviii} Alarming, 17% of these cases were connected to family or domestic violence.

“Women with disability... pay the highest level of their gross income on housing although they are in the lowest income brackets.”^{xxix}

Access to justice

Women and girls with disabilities face systemic barriers in the justice system, including:

- Discriminatory attitudes and credibility bias
- Lack of legal and procedural adjustments
- Inaccessible services and environments
- Institutionalisation and denial of legal capacity.

“Women with disability engaging in the justice system face significant barriers... often left without legal redress.” xxx

These barriers are intensified for Indigenous women, culturally diverse women, and LGBTQIA+ people with disability.

Political participation and decision-making

Women and girls with disabilities are frequently excluded from democratic processes, advocacy, and leadership roles due to:

- Structural barriers and stigma
- Paternalism and institutionalisation
- Lack of accessible voting systems and civic education.

“This exclusion has silenced their voices and rendered invisible their contribution and experiences.” xxxi

Education

Systemic ableism and lack of inclusive policies result in:

- Discrimination and bullying
- Higher dropout rates
- Inadequate supports and low expectations
- Exclusion from mainstream education.

“Students with disability routinely experience discrimination... entrenched systemic culture of low expectations.” xxxii

These issues are compounded for Indigenous students, migrants, and those from CALD backgrounds. Experiences of discrimination, bullying, inadequate supports and exclusion from mainstream primary and secondary schools leads to lower levels of participation in higher education.

Health and sexual/reproductive rights

Women and girls with disabilities face:

- Barriers to accessible, quality healthcare
- Forced or coerced medical interventions
- Lack of autonomy in reproductive decisions
- Invisibility in sexual health education and services

Trans and intersex people with disability are particularly vulnerable to reproductive violence, including non-consensual sterilisation and denial of gender-affirming care. ^{xxxiii}

LGBTQIA+ people with disabilities face significant barriers to healthcare, often due to discriminatory attitudes and a lack of understanding from healthcare providers. These barriers include misgendering, denial of gender-affirming care, and exclusion from services, which can lead to inadequate and inappropriate medical treatment. Trans and gender-diverse people with disabilities experience disproportionate harm in institutional settings, where they may experience heightened rates of violence and neglect.

CRPD alignment

These exclusions violate multiple articles of the CRPD, including Articles:

- 5 – Equality and non-discrimination
- 6 – Women with disabilities
- 24 – Education
- 25 – Health
- 27 – Work and employment
- 29 – Participation in political and public life

They also reflect the concerns raised in General Comment No. 3 (violence and abuse) and General Comment No. 6 (intersectional discrimination).

6. Indicate which remedies are available to women and girls with disabilities facing multiple and intersecting forms of discrimination. Are these remedies accessible, available, and effective?

Women and girls with disabilities in Australia face significant barriers to accessing justice and remedies for discrimination and rights violations. While legal frameworks such as the DDA and state-based anti-discrimination laws provide formal avenues for redress, these mechanisms are often inaccessible, ineffective, and ill-equipped to respond to intersectional experiences.

Legal and policy remedies: gaps and limitations

Existing remedies are frequently undermined by:

- Complex complaint processes that are difficult to navigate without legal support and finances. The lack of supported decision-making mechanisms for people with disabilities is a significant barrier to their autonomy and inclusion. Article 12 of the CRPD emphasises the right of individuals with disabilities to make their own decisions and have access to the necessary support to do so. However, in practice, many people with disabilities are denied this right, facing substituted decision-making arrangements that undermine their legal capacity and self-determination.
- Credibility bias and discriminatory attitudes within justice systems
- Lack of trauma-informed, culturally safe, and gender-affirming approaches
- Inadequate recognition of intersectional discrimination in law and practice.

As WWDA has consistently highlighted, current systems fail to account for the lived realities of women, girls, and gender-diverse people with disabilities—especially those who are Indigenous, LGBTQIA+, migrants, or from culturally and linguistically diverse backgrounds.^{xxxiv}

For trans and gender-diverse people with disability, legal remedies are often inaccessible due to fear of stigma, prior harm within legal and medical systems, and lack of recognition of their identities. The UN Independent Expert on Sexual Orientation and Gender Identity has called for remedies that are inclusive, participatory, and affirming of diverse experiences.^{xxxv}

Redress for violence

WWDA's briefing paper *Redressing Reproductive Violence Against Women with Disability* calls for a dedicated redress scheme following the findings of the Disability Royal Commission. This scheme must be designed and led by women with disability, grounded in a human rights framework, and responsive to the specific harms of forced sterilisation, reproductive coercion, and denial of bodily autonomy.^{xxxvi}

Education and employment remedies

WWDA has consistently emphasised the need for inclusive, accessible complaint pathways in education and employment settings. These must be supported by:

- Expanded data collection mandates, including disaggregation by disability, gender identity, sexual orientation, cultural background, and Indigeneity.^{xxxvii}
- Strengthened oversight mechanisms to ensure compliance with inclusive education and workplace standards.

Participation and co-design

Remedies must be co-designed with women and girls with disabilities, including non-binary and gender-diverse people. As outlined in CRPD General Comment No. 7, States Parties are obligated to ensure the active and meaningful participation of persons with disabilities in all aspects of policy and program development.^{xxxviii}

This includes:

- Resourcing representative organisations to support individuals in navigating complaints
- Embedding diverse representation in advisory bodies and consultation processes
- Ensuring feedback mechanisms are accessible and inclusive.

UN treaty body recommendations

Both the CRPD and CEDAW Committees have repeatedly recommended that Australia:

- Establish a comprehensive redress mechanism for survivors of violence and discrimination
- Implement a National Human Rights Act to embed international obligations into domestic law
- Ensure remedies are accessible to all persons with disabilities without discrimination of any kind, as affirmed in CRPD General Comment No. 6, para. 65.

While formal remedies exist, they are not yet accessible, available, affordable nor effective for many women and girls with disabilities—particularly those facing intersectional discrimination. This submission calls for urgent reform to ensure that justice systems, complaint pathways, and redress mechanisms are inclusive, participatory, and responsive to the full diversity of experiences.

7. Describe any example of positive initiative, plan, programme, strategy or piece of legislation addressing multiple and intersecting forms of discrimination against women and girls with disabilities.

While systemic discrimination remains widespread, there are emerging examples of promising initiatives that aim to address the intersectional experiences of women and girls with disabilities. These initiatives demonstrate the potential for inclusive, rights-based, and participatory approaches to policy and practice.

Rainbow to Recovery – Queensland, Australia

Following the 2022 floods, *Rainbow to Recovery*, a Queensland-based LGBTQIA+ disability advocacy collective, developed an inclusive emergency response network for queer and disabled people. The initiative:

- Provided gender-affirming, peer-led support during and after the disaster
- Partnered with local governments to embed inclusive practices in future disaster planning
- Created a community resilience framework that centres lived experience and intersectionality.

This initiative aligns with CRPD Article 11 (situations of risk and humanitarian emergencies) and Articles 4(3) and 33(3) on participation and consultation.^{xxxix}

Cost protection laws

The recent introduction of Costs Protection laws in Australia represents a significant advancement in enhancing access to justice, by mitigating the financial risks associated with pursuing legal action. Under this model, each party generally bears their own legal costs, regardless of the outcome of the case: even if a claimant loses their case, they are not required to pay the legal costs of the other party. This approach aims to reduce the financial burden and risk for individuals seeking to challenge

discrimination without fear of prohibitive expenses. While these laws are a positive step, there remain other significant barriers to accessing justice that need to be addressed.

Victoria's Gender Equality Act 2020

The Gender Equality Act 2020 in Victoria offers a promising model by explicitly acknowledging that gender inequality can be compounded by other forms of disadvantage including disability, Aboriginality, ethnicity, and sexual orientation. This recognition is crucial as it highlights the intersectional nature of discrimination, ensuring that policies and initiatives are more inclusive and responsive to the diverse experiences of individuals. This Act sets a valuable precedent for other jurisdictions aiming for a more equitable and inclusive approach to addressing gender inequality. However, this remains an exception rather than the norm.^{xi} It also falls short of recognising intersectionality as overlapping and mutually reinforcing systemic discrimination.

Conclusion

WWDA and PWDA affirm that intersectionality must be central to all guidelines, policies, and legal frameworks. The lived experiences of women, girls, and gender-diverse people with disabilities are shaped by multiple, overlapping systems of discrimination. These systems do not operate in isolation, and neither should the responses.

To be effective, the Committee's guidance must reflect the full diversity of women and girls with disabilities. These communities face distinct and compounded forms of marginalisation that must be explicitly named and addressed across all domains.

A truly inclusive disability rights framework must be grounded in lived experience, co-designed with those most affected, and supported by measurable improvements in law, policy, and outcomes. This includes:

- Embedding intersectional analysis in all anti-discrimination legislation and policy
- Ensuring accessible, trauma-informed, and culturally safe remedies
- Collecting and publicly reporting disaggregated data across all identity markers
- Resourcing representative organisations to lead consultation and implementation
- Recognising and redressing historic and ongoing harms, including reproductive violence and institutional abuse.

WWDA and PWDA reiterate that trans-inclusive feminism is integral to disability justice. The rights of all women and girls with disabilities—including those who are trans, intersex, non-binary, and gender-diverse—must be upheld with equal urgency, visibility, and respect.

We urge the Committee to adopt guidelines that are bold, inclusive, and transformative.

Endnotes

ⁱ WWDA is both a nationally recognised Disabled People’s Organisation (DPO) and National Women’s Alliance, uniquely positioned at the intersection of gender and disability advocacy. . WWDA’s work is informed by the Convention on the Rights of Persons with Disabilities (CRPD) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), linking gender and disability to the full spectrum of civil, political, economic, social, and cultural rights.

ⁱⁱ PWDA is Australia’s peak cross-disability Disability Representative Organisation (DRO). Funded by the Australian Government, PWDA represents all people with disability in Australia, including LGBTQIA+ people with disability. PWDA is governed by, and led by, people with disability. PWDA has played a pivotal role in shaping disability rights policy nationally and internationally, including contributing to the development and monitoring of the CRPD. Both organisations hold Special Consultative Status with the United Nations Economic and Social Council (ECOSOC).

ⁱⁱⁱ <https://pwd.org.au/media-release-disability-community-calls-for-reform-after-discrimination-claims-become-impossible-to-prove/>

^{iv} Media Release: Reforming the Disability Discrimination Act following ...

^v Disability Rights Now: Shadow Report to the United Nations Committee on ...

^{vi} Commonwealth of Australia, The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, 2023.

^{vii} <https://wwda.org.au/our-resources/publication/strengthening-protection-of-the-rights-of-people-with-disability-through-a-national-human-rights-act-hra/>

^{viii} https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Human_Rights/HumanRightsFramework/Report

^{ix} Blackham, A., & Temple, J. (2020). Intersectionality in Australian Discrimination Law: Achieving Substantive Equality for Women with Disability? UNSW Law Journal, 43(3), 775-776. Retrieved from <https://www.unswlawjournal.unsw.edu.au/wp-content/uploads/2020/09/02-BLACKHAM-AND-TEMPLE.pdf>.

^x Giggle v Tickle: The Appeal - [womensforumaustralia.org](https://www.womensforumaustralia.org/); Tickle v Giggle for Girls Pty Ltd (No 2) [2024] FCA 960

^{xi} Women with Disabilities Australia (WWDA) (2018). Submission to the Productivity Commission ‘National Disability Agreement Review’. August 2018. WWDA: Hobart, Tasmania. Submissions from WWDA and PWDA highlight that gender-neutral approaches in disability policy perpetuate invisibility and exclusion. As WWDA notes, people with disability are often treated as “asexual, genderless human beings,” a framing that erases gendered experiences and entrenches discrimination.

^{xii} Concluding observations on the 8th periodic report of Australia

^{xiii} Disability Rights Now: Shadow Report to the United Nations Committee on ...

^{xiv} <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-31-statistics-and-data-collection.html>

^{xv} Disability Rights Now: Shadow Report to the United Nations Committee on ... For example, WWDA’s submission to the Gender Economic Equality Study highlights that the lack of data on workforce participation by gender and disability obscures disparities and breaches CRPD Articles 6 and 31. Key gaps include the absence of disability pay gap reporting by the Workplace Gender Equality Agency (WGEA) and the lack of gender-specific employment targets in Australia’s Disability Strategy 2021–2031.

^{xvi} A/HRC/47/27: The law of inclusion - Report of the Independent Expert on ...

^{xvii} General comment No.6 on equality and non-discrimination

^{xviii} As WWDA has stated:

“Intersectional discrimination recognises that women and girls with disability do not experience discrimination as members of a homogenous group but rather, as individuals with multidimensional layers of identities, statuses and life circumstances... the heightened disadvantage... caused by multiple and intersecting forms of discrimination, which requires targeted and additional measures.”

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- ^{xix} WWDA Submission to inform Fourth Action Plan (2019-2022) of the National Plan to Reduce Violence Against Women and Their Children 2010-2022 and the development of a National Plan beyond 2021, December 2018, p. 20
- ^{xx} WWDA Submission to inform Fourth Action Plan (2019-2022) of the National Plan to Reduce Violence Against Women and Their Children 2010-2022 and the development of a National Plan beyond 2021, December 2018, p. 14
- ^{xxi} <https://alhr.org.au/wp/wp-content/uploads/2023/11/Reduced-Welcoming-Disability-Submission-to-DoH-2023-ReviewF4.docx.pdf>
- ^{xxii} Women With Disabilities Australia (WWDA) (2023) 'Accessing Formal Supports in Australia: The Experiences of Culturally and Linguistically Diverse Women with Disabilities.' Prepared by Georgia Scott for and on behalf of Women With Disabilities Australia (WWDA), Harmony Alliance and the National Ethnic Disability Alliance (NEDA), December 2023. WWDA: Hobart, Tasmania, p. 9
- ^{xxiii} UN Special Rapporteur on Torture (2016), "Report on Forced Medical Interventions," A/HRC/31/57, para. 48. Link
- ^{xxiv} Prevention of Violence Against Women and Girls with Disabilities, p.4; The Status of Women and Girls with Disability in Australia, p.9
- ^{xxv} Prevention of Violence Against Women and Girls with Disabilities, p.3–4
- ^{xxvi} CRPD General Comment No. 3, para. 31; CRPD General Comment No. 6
- ^{xxvii} Leonard, W., Lyons, A., & Bariola, E. (2015). Private Lives 2: Mental Health of LGBT Australians with Disability, La Trobe University
- ^{xxviii} Women With Disabilities Australia, Submission to Next Steps in Supported Employment: Consultation on the way forward, July 2025.
- ^{xxix} WWDA Submission – NDIS: An Ordinary Life, 2021
- ^{xxx} The Status of Women and Girls with Disability in Australia, p.51
- ^{xxxi} WWDA Position Statement 3: Participation, p.7
- ^{xxxii} The Status of Women and Girls with Disability in Australia, p.12–13
- ^{xxxiii} Egale & ARCH Disability Law Centre (2020). Access to Care, Access to Justice: Trans People with Disabilities in Health and Legal Systems
- ^{xxxiv} WWDA's Position Statement: Human Rights Act
- ^{xxxv} Independent Expert on sexual orientation and gender identity.
- ^{xxxvi} Redressing Reproductive Violence Against Women with Disability: Justice ...
- ^{xxxvii} WWDA Submission to the Review to Inform a Better and Fairer Education ...; Submission on International Disability Equity and Rights Strategy
- ^{xxxviii} [general-comments-and-recommendations/general-comment-no7-article-43-and-333-participation"](#) the participation of ...
- ^{xxxix} What we do: employment | Inclusive Futures
- ^{xl} <https://www.genderequalitycommission.vic.gov.au/applying-intersectionality>