## NOTICE OF FILING

#### **Details of Filing**

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)

Court of Filing FEDERAL COURT OF AUSTRALIA (FCA)

Date of Lodgment: 22/12/2022 12:03:51 PM AEDT

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File Number: NSD1148/2022

File Title: ROXANNE TICKLE v GIGGLE FOR GIRLS PTY LTD ACN 632 152 017 &

ANOR

Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagor

Registrar

#### **Important Information**

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 59 Rule 29.02(1)

## **Affidavit**

No.

of 20

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

**ROXANNE TICKLE** 

Applicant

GIGGLE FOR GIRLS PTY LTD

First Respondent

SALLY GROVER

Second Respondent

Affidavit of:

Roxanne Tickle



Date:

#### Contents

Document number	Details	Paragraph	Page
1	Affidavit of Roxanne Tickle in support of Application for an Extension of Time in relation to Federal Court Application alieging breach of Sex Discrimination Act 1984 (Cth) affirmed on 22 December 2022.		1
2	Annexure "RT-1", being copy of the complaint filed with the Australian Human Rights Commission on 5 December 2021.	4	4
3	Annexure "RT-2", being copy of the Notice of Termination supplied to me by a delegate of the President of the Australian Human Rights Commission dated 5 April 2022.	7	12

Filed on behalf of (name & role of party) Respondent Prepared by (name of person/lawyer) Helois sel Will farms Law firm (if applicable) Barry.Nil ssollawyers Tel 03 9909 6365 Fax Email Heloise.williams@bnlaw.com.au/Comna.Dowling@bnlawr.come.ici Address for service Level 6/600 Bourke Street, Melbourne Victoria 3000 (include state and postcode)

Version 3 form approved 02/05/2019]

Document number	Details	Paragraph	Page
4	Annexure "RT-3", being a copy of the Application filed in the Federal Circuit and Family Court of Australia alleging unlawful discrimination pursuant to the Sex Discrimination Act by the Respondents, dated 6 June 2022.	8	16
5	Annexure "RT-4", being a copy of the notice of discontinuance filed on my behalf in relation to my originating application, dated 4 July 2022.	10	35

I Roxanne Tickle	3	affirm:

- 1. I am the Applicant in this matter.
- 2. I make this affidavit from my own knowledge and belief and based on information received from my former legal representatives, the Inner City Legal Centre.
- 3. I make this application in support of my application for the Court to allow me more time than 60 days after the issue of notice under s46PH of the Sex Discrimination Act 1984 (Cth) (SDA) to file my application in this matter.
- On 5 December 2021, I made a complaint to the Australian Human Rights Commission 4. (AHRC) under section 22 of the SDA naming both Giggle for Girls Pty Ltd (the First Respondent) and Ms Sally Grover (the Second Respondent). Annexed to this affidavit and marked "RT-1" is a copy of the Complaint.
- I stated in my complaint "I believe I was being discriminated against by being provided 5. extremely limited functionality of a smart phone app by the app provider compared to that of other users because I am a transgender woman. The app appears to not recognise transgender women as female. I am legally permitted to identify as female."
- On 20 January 2022, the AHRC sent a copy of my complaint to the First and Second 6. Respondent by the AHRC. On 3 March 2022, the Feminist Legal Centre (FLC) sent a reply to the AHRC on behalf of the Respondents. The response said that the Respondents declined to attend the conciliation convened by the AHRC.
- 7. On 5 April 2022, a delegate of the President of the AHRC notified me that my complaint was being terminated pursuant to section 46PH(1B)(b) of the Australian Human Rights Commission Act 1986 (Cth) (AHRCA) because was no reasonable prospect of the matter being settled by conciliation. Annexed to this affidavit and marked "RT-2" is a copy of that Notice of Termination.
- 8. On or about 6 June 2022, my former representatives, the Inner City Legal Centre (ICLC) filed an application on my behalf in the Federal Circuit and Family Court of Australia alleging unlawful discrimination pursuant to the SDA by the First and Second Respondents (Originating Application). Annexed to this affidavit and marked "RT-3" is a copy of that Originating Application.
- The matter was listed for a Directions Hearing on 8 July 2022 before Judge Laing. 9.
- 10. I became concerned that I would be unable to afford to pay a costs order if my Court application was unsuccessful. I instructed the ICLC to discontinue my Application. to this affidavit and marked "RT-4" is a copy of this Notice of Discontinuance.

11. After the Notice of Discontinuance was filed, I obtained (limited) funding for adverse costs indemnity available if I am the subject of an adverse costs order in relation to my application. I only obtained the limited funding on 15 November 2022. Once I obtained the indemnity, I decided to commence a fresh application. I now wish to pursue my case in court.



**HELOISE WILLIAMS** Level 6, 600 Bourke Street Melbourne, VIC. 3000 An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)



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## **Exhibit Affidavit**

No. of 2022

Federal Court of Australia District Registry: New South Wales Division: Human Rights

**ROXANNE TICKLE** Applicant

**GIGGLE FOR GIRLS PTY LTD MS SALLY GROVER** Respondent

## **ANNEXURE "RT-1"**

A true copy of the Applicant's Complaint to the Australian Human Rights Commission of 5 December 2021.

This exhibit is marked "RT-1" now produced and shown to Ms Roxanne Tickle at the time she affirmed this affidavit.

Page 4

22.12.2022

Before me:

**HELOISE WILLIAMS** 

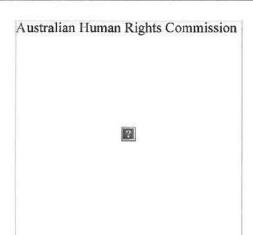
Level 6, 600 Bourke Street Melbourne, VIC. 3000 An Australian Legal Practitioner within the meaning of the

erral Profession Uniform Law (Victoria)

# RT-1

From: To: Subject: Date: Australian Human Rights Commission

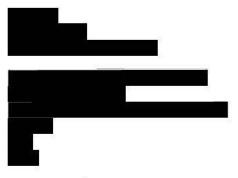
Sunday, December 5, 2021 10:11:47 PM





# Your Details (Your complaint)

Name: Ms Roxanne Tickle



Would you like a copy of your complaint emailed to you: Yes
(A copy of the complaint

Do you require assistance to participate in the complaint process?: No

Do you require assistance to participate in the complaint process?:

Do you have a legal representative or advocate? No

## Who is the complaint about

# **Organisation Details**

Organisation name: Giggle for Girls Pty Ltd

ABN: 79 632 152 017

Address:

Email

Phone (Business hours):

Mobile:

Fax:

What is their relationship to you or the aggrieved person?:

Provider of smart phone application

Do you want to add another respondent? Yes

2nd Respondent's Details Name: Sall Grover

Address:

Email

Phone (Business hours):

Phone (After hours):

Mobile:

Fax:

What is their relationship to you or the aggrieved person?: Giggle for Girls Pty Ltd's Chief Executive Officer

What are you complaining about

I have been discriminated against because of my:

age: No disability: No

association to a person with a disability: No

use of an assistance animal or disability aid or because I have a carer: No

sex: No pregnancy: No

marital or relationship status: No family responsibilities: No sexual orientation: No gender identity: Yes

What is your gender identity? Female (more specifically ... a transgender woman)

intersex status: No

race (including colour, national origin, descent, ethnicity and immigrant

status): No

trade union activity (employment only): No criminal record (employment only): No religion (employment only): No social origin (employment only): No

Please state the other reason(s):

I believe that I am being discriminated against by being provided extremely limited functionality of a smart phone app by the app provider compared to that of other users because I am a transgender woman. The app provider appears to not recognise transgender women as female. I am legally permitted to identify as female.

When did the alleged event(s) happen?

I became aware that I was being treated differently in September 2021.

Reason(s) for delay

What happened?

What Happened to Me 1. In February 2021, I downloaded Giggle from the Apple iPhone App Store and completed its in-app registration process. 2. Giggle is a social media app. It is marketed as "the female app". 3. The app registration process included supplying my mobile phone number, choosing a user name and taking a "selfie" from within the app. 4. Giggle's provider is Giggle for Girls Pty Ltd, a company based in Queensland. 5. Giggle for Girls Pty Ltd's CEO is apparently Sall Grover. 6. Giggle is marketed to, and is apparently used by, a global user base. 7. Giggle's terms clearly stipulate that app users must be female. 8. I am resident. 9. Although my sex assigned at birth was male, my birth certificate has been reissued confirming that my sex is female. I also have a gender confirmation letter from my physician

confirming that my gender is female. 10. Giggle apparently uses socalled bio-metric gender verification software to determine whether the registering user is "male" or "female" based on their "selfie", as well as using human beings in a secondary process to verify the software's gender determination. Presumably the gender verification software attempts to determine the applicant's sex assigned at birth, rather than their current legal sex or gender. 11. The so-called bio-metric gender verification software and human beings apparently both determined that my gender was female as I was permitted to complete my app registration, 12. Between February 2021 and September 2021, I occasionally opened the app and read randomly selected posts. 13. In late September 2021 I noticed that although I was able to read posts made by other users, I was unable to make comments on any of these posts, read any comments made by other app users or make any posts myself. I contacted Giggle through its in-app contact form to alert them of my restricted use. I received no response. 14. In early October 2021. I sent a follow up email to the main contact email address ) listed on the app's website (joinagiggle.com). I received no response. 15. A week later I sent an email to the main contact email address and the generic welcome email address . I received a response requesting that I supply my mobile phone number so the problem could be looked into. I provided my mobile telephone number as requested. I received no further response. 16. Over the next 4 weeks I sent a further 6 emails following up my query. I received no response to any of them, 17. I sent another follow up query through the in-app contact form. I received no response. 18. The singular emailed response that I did receive from Giggle, apparently from Sall Grover, contained an email signature panel with a mobile telephone number. 19. In late October 2021, I sent a text message to this number. I received no response. 20. In late October 2021, I made an unanswered phone call to this number. I decided to not leave a voice mail message. The voice mail system was one where the audio message is converted to a text message. After the trouble I had gone to to try and talk with the app provider, I thought direct voice communication was the best option. The following morning, I missed a returned phone call from this number. The caller did not leave a message. I tried calling the phone number again 1 week later and was unable to get through, 21. I considered at that point that I had gone over and above a reasonable level of effort attempting to make contact with the provider of the app. 22. My use of the app does not appear to be terminated, but vastly restricted. When I attempt to access certain app functionality, I am presented with a "User Blocked" error message. I am presented with the same error message if I attempt to purchase Premium Features in the app. 23. It appears that Giggle's provider only wishes cisgender women and transgender men to register for and use the app, apparently deliberately intending to exclude transgender women, cisgender men, and non-binary people. 24. Tweets published by Sall Grover's Twitter handle (@salltweets) appear to show a poor understanding of sex and gender, often using the terms interchangeably. The Twitter handle commonly refers to transgender

women as men and transgender men as women. 25. I have felt increasingly uncomfortable by announcements made by Sall Grover, both on Twitter and in interviews with various media outlets, both local and international, as well as posts made within the Giggle app itself by Sall Grover and other app users. 26. Transphobic comments posted in the app's social media discussion threads appear to not be moderated, and in fact appear to be encouraged, both within the app, and on Twitter, by Sall Grover. 27. I believe that I am being discriminated against because of my gender identity. I believe that Giggle and Sall Grover have decided in error that I am male and have declined to grant me full use of the app. If this is true, I am uncertain why I have been permitted to retain partial use of the app. How Does it Happen to me and Others? As a , along with other protected categories of people including those based on race, disability, sex, age, sexual orientation, intersex status, marital status and others, I am meant to be protected from discrimination based on my gender identity by legislation at both the state and federal level. This safety net appears to me to have some holes in it. Discrimination based on gender identity still seems to be fair game. It is often left to transgender and gender diverse people and their direct allies to be reactive at the time and place of any discrimination. It appears still to be an accepted form of bigotry amongst many people. Everybody has the right to be a bigot, somebody once said, and many people are continuing to make use of that right. It is the bigotry that need not hide its face. I can't recall hearing of an actual group of people that actively discriminates based on age. I have been unable to locate a Facebook page or website for the Ku Klux Klan in Australia. Yet groups that favour discrimination against people based on their gender identity appear to have no need to hide their face. They have Facebook pages. They have websites. They have email addresses. Here is a sample of Australian groups that have no fear in condoning and/or encouraging discrimination against transgender and gender diverse people: • Coalition for Biological Reality • LGB Alliance Australia · Save Womens Sport Australasia · Women Speak Tasmania • IWD Brisbane Meanjin • Feminist Legal Clinic Inc. Not only that, individuals with platforms, including journalists, politicians, business people, lawyers and others have no qualms about speaking out against transgender and gender diverse people and encouraging their readers. listeners and/or constituents to discriminate against transgender and gender diverse people. They don't campaign for legislative change, mind you, they just openly encourage discrimination. Because they are seemingly allowed to. In fact, for some of them it often appears to be their raison d'être. Here are a handful of examples: • Sall Grover: https://www.youtube.com/watch?v=4bqXNXQwgpk • Associate Professor Holly Lawford-Smith: https://www.youtube.com/watch? v=9GeTliLuoUs • Peta Credlin AO: https://www.skynews.com.au/opinion/peta-credlin/erasing-women-nswwoman-of-the-year-could-be-awarded-to-a-transwoman/video/a2c774ae1882c3d6fd9a79b256d4c36d • The Honourable Mark Latham MLC: https://www.news.com.au/national/nswact/politics/mark-latham-seeks-to-outlaw-ability-to-identify-astransgender-and-rejects-gender-fluidity/newsstory/217dca3f008fb57ee825a4ef69a1156c · Senator Amanda Stoker: https://qnews.com.au/queensland-lnp-senator-calls-for-support-tofight-transgender-agenda/ • Senator Pauline Hanson: https://www.starobserver.com.au/news/pauline-hanson-saystransgender-children-should-be-taken-from-parents/197282 • The Honourable Scott Morrison MP: https://www.sbs.com.au/news/genderwhisperers-scott-morrison-criticised-for-hateful-tweet-about-transstudents/513b958c-4dce-49a7-85ea-ebc9d3c6792d • Kirralie Smith: https://twitter.com/KirralieS/status/1159717711317889024?s=20 · The Honourable Barnaby Joyce MP: https://omny.fm/shows/drive-withtom-elliott/barnaby-joyce-fires-back-at-mother-of-transgender • Senator Claire Chandler: https://fb.watch/9H jLrMCxx/ · Annie Kia: https://anniekia.net/10-uncritical-allegiance-the-harms-of-queerideology/ • Katherine Deves: https://www.youtube.com/watch? v=U6sor5C3Y60 • Bernard Lane:

https://www.smh.com.au/business/companies/substantial-distress-presswatchdog-rebukes-the-australian-for-reporting-on-gender-issues-20210903-p580i7.html These are just some names that spring to mind and some easily found relevant material. I could go on and on if I had the time and resources. To the best of my knowledge, none of the individuals mentioned above have any qualifications or experience in psychology, psychiatry, paediatrics, gender counselling or indeed any relevant area of primary or ancillary health care. Why is it, then, that they believe that they get to control the public narrative about our lives? What is the point of having legislation to protect us from discrimination when it appears that so many people with such prominent platforms have no regard for it? Not only that, but they openly and unashamedly encourage their readers, listeners and/or constituents to flout the legislation as well. Transgender and gender diverse people, along with their closely connected allies, are often left to defend themselves against incidences of discrimination. Often, they overlook the discrimination due to the huge amount of emotional labour and stress involved in following up and prosecuting the discrimination. This is overwhelmingly the case when Sistergirls and Brotherboys are involved, as it usually is with any other instances of intersectionalism. My complaint relates to what I believe has been, and continues to be, discrimination against me, but I have also witnessed other trans women and their allies ejected from Giggle without repercussion. I have witnessed other instances of discrimination and verbal assault based on gender identity. People usually say nothing, put their head down and attempt to carry on with their lives with a concomitant decline in their mental health. We have often tended to attempt to live with discrimination in the past because obtaining a favourable outcome, although it may be better for our mental health in the long term, is only good for our mental health if we are successful ... when we are successful. Until then, if it indeed happens, it is detrimental to our mental health. So we usually put our head down and try to move on. Acts of discrimination against transgender and gender diverse people happen far too frequently, without penalty. Why is it

that trans and gender diverse people and their allies are often left alone to fight to defend their already existing legal rights? Must we be the ones to take legal action each and every time it happens? Must we? Surely there must be a better way?

Do you intend to email the Commission supporting information? No

Upload Document File ID:

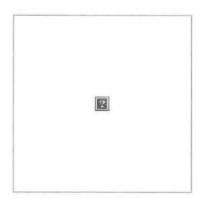
## Other Information

How do you think the complaint could be resolved? Giggle management should seek out education relating to sex, gender and gender identity to be better placed to provide a smart phone app targeted at "females". Giggle should extend full app functionality to me and all other people that identify as female as long as they comply with all other app terms & conditions.

Have you complained about this to another organisation?

Were you referred to us by another organisation?

Organisation's name: Queensland Human Rights Commission



Copyright © Australian Human Rights Commission

## **Exhibit Affidavit**

No. of 2022

Federal Court of Australia District Registry: New South Wales Division: Human Rights

ROXANNE TICKLE
Applicant

GIGGLE FOR GIRLS PTY LTD MS SALLY GROVER Respondent

#### **ANNEXURE "RT-2"**

A true copy of the Notice of Termination provided to the Applicant by a delegate of the President of the Australian Human Rights Commission on 5 April 2022.

This exhibit is marked "RT-2" now produced and shown to Ms Roxanne Tickle at the time she affirmed this affidavit.

Thank 22.12.2022

Before me

**HELOISE WILLIAMS** 

Level 6, 600 Bourke Street Melbourne, VIC. 3000 An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)

19571313\_1

# RT-2

## **AUSTRALIAN HUMAN RIGHTS COMMISSION**

FILE NO: 2021-25534

Between

Roxanne Tickle Complainant

AND

Giggle for Girls Pty Ltd (ABN 79 632 152 017) First Respondent

Sall Grover Second Respondent

#### NOTICE OF TERMINATION

Issued under section 46PH(2) of the Australian Human Rights Commission Act 1986 (Cth) (AHRCA).

This complaint alleging unlawful discrimination under the *Sex Discrimination Act 1984* (Cth) has been terminated under section 46PH(1B)(b) of the AHRCA on the ground that I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

Section 46PO(1) of the AHRCA provides that if a complaint has been terminated under section 46PH(1B)(b) of the AHRCA, an affected person may make an application to the Federal Circuit and Family Court of Australia (FCFCOA) or the Federal Court of Australia (FCA) alleging unlawful discrimination by one or more of the respondents to the terminated complaint. The FCFCOA and FCA can award costs against either party in proceedings under section 46PO of the AHRCA.

Reasons for this decision are provided in Attachment A.

A copy of the complaint is provided at Attachment B.

DATED 5 April 2022.

Hyun Joo Lee

**Delegate of the President** 



#### **ATTACHMENT A**

Our ref: 2021-25534

5 April 2022

Ms Roxanne Tickle
Sent by email only

Dear Ms Tickle

## Termination of the complaint

I am writing to advise you of my decision regarding your complaint to the Australian Human Rights Commission (the Commission) against Giggle for Girls Pty Ltd (Giggle) and Ms Sall Grover, alleging gender identity discrimination under the Sex Discrimination Act 1984 (Cth).

## The complaint

#### **Documents**

Your complaint totals 7 pages, a copy of which was emailed to you on 20 January 2022. Another copy is provided with this letter marked as Attachment B.

#### Respondent contact

A copy of your complaint was provided to the respondents on 20 January 2022. The Commission received a reply from the respondents on 3 March 2022. The Commission emailed you a copy of this reply on 8 March 2022.

#### My decision

Under section 46PH(1B)(b) of the Australian Human Rights Commission Act 1986 (Cth) (AHRCA) the President must terminate a complaint if satisfied that there is no reasonable prospect of the matter being settled by conciliation.

I note that the Commission shared information with both parties about the Commission's complaint handling and conciliation processes. I understand that Giggle and Ms Grover declined to participate in conciliation. Accordingly, it did not appear that the complaint could be resolved by conciliation.

I have therefore decided to terminate the complaint under section 46PH(1B)(b) of the AHRCA as I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

#### Possible further action

The AHRCA says that after a complaint is terminated, the person affected by the alleged discrimination may be able to apply to the Federal Circuit and Family Court of Australia (FCFCOA) or the Federal Court of Australia (FCA) to have the allegations decided by the court.

If you apply to the FCFCOA or the FCA, you will need to attach the following documents to the application:

- this letter (Attachment A);
- the enclosed Notice of Termination; and
- the enclosed copy of the complaint (Attachment B).

Any application to the court must be made within 60 days of the date on the Notice of Termination.

If a matter proceeds to court, the FCFCOA and FCA can award costs against either party. Information about the court or the court process is available from a court registry or from its websites at www.fcfcoa.gov.au and www.fedcourt.gov.au.

Yours sincerely

Hyun Joo Lee

Delegate of the President

## **Exhibit Affidavit**

No. of 2022

Federal Court of Australia District Registry: New South Wales Division: Human Rights

ROXANNE TICKLE
Applicant

GIGGLE FOR GIRLS PTY LTD MS SALLY GROVER Respondent

#### **ANNEXURE "RT-3"**

A true copy of the Originating Application filed on behalf of the Applicant by the Inner City Legal Centre dated 6 June 2022.

This exhibit is marked "RT-3" now produced and shown to Ms Roxanne Tickle at the time she affirmed this affidavit.

Before me:

22.12.2022

HELOISE WILLIAMS
Level 6, 600 Bourke Street
Melbourne, VIC. 3000
An Australian Legal Practitioner
within the meaning of the
Legal Profession Uniform Law (Victoria)

19571306\_1

# RT-3

#### NOTICE OF FILING AND HEARING

This document was lodged electronically in the FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA (FCFCOA) on 6/06/2022 2:33:17 PM AEST and has been accepted for filing under the Court's Rules. Filing and hearing details follow and important additional information about these are set out below.

#### Filing and Hearing Details

Document Lodged:

Application - Alleging Unlawful Discrimination

File Number:

SYG808/2022

File Title:

ROXANNE TICKLE v GIGGLE FOR GIRLS PTY LTD ABN 79 632 152

017 & ANOR

Registry:

SYDNEY REGISTRY- FEDERAL CIRCUIT AND FAMILY COURT -

FEDERAL LAW

Reason for Listing:

To Be Advised

Time and date for hearing:

To Be Advised

Place:

To Be Advised





Dated: 6/06/2022 3:29:59 PM AEST

Registrar

#### **Important Information**

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

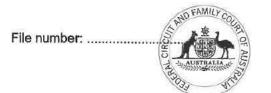
The Reason for Listing shown above is descriptive and does not limit the issues that might be dealt with, or the orders that might be made, at the hearing.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

Amended

# IN THE FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA

**REGISTRY: SYDNEY** 



Roxanne Tickle Applicant

Giggle for Girls Pty Ltd First Respondent

Sally Grover Second Respondent

# **Application – Human Rights**

# Type of application

This application alleges unlawful discrimination under section 46PO of the *Australian Human Rights Commission Act* 1986.

First court date				c
This application is listed for hearing	g at (court location	):		***************************************
Court date and time (registry staff t	o insert):		at	am/pm.
All parties or their legal representa any party fails to attend. The Court give directions for the future condu	may hear and de	termine all inte		
		(for) Regi Date:	strar //	······································
Filed on behalf of Roxanne Ti	ckle			
Prepared by Phoebe Mountain	in	Lawyer's	code 69211	
Name of law firm Inner City L	egal Centre			
Address for service in Australia	PO Box 25			
Potts Point	State	NSW	Postc	ode 1335
Email phoebe@iclc.org.au	II			
Tel 02 9332 1966	Fax		Attention F	hoebe Mountain

1

	AND FAMILY COL
Part A – Orders sought	OF AUSTRALIA AS
Pursuant to subsection 46PO(3A) of the Australian Human Rights Commission Act 1986, an application can only be brought to the Court in certain circumstances. Please select the most appropriate:	☐ I request leave of the Court to make this application
	If leave of the Court is requested, an Affidavit is to be filed specifying the reasons the Applicant considers that leave ought to the granted.
	☐ The President of the Australian Human Rights Commission has indicated that the subject matter of the complaint involves an issue of public importance that should be considered by the Federal Court of Australia or the Federal Circuit and Family Court of Australia.
	☑ The President of the Australian Human Rights Commission has indicated that there is no reasonable prospect of the matter being settled by conciliation

## 2. Final orders sought by applicant/s

State precisely each order sought by way of final relief. Examples of remedies include an apology from the respondent, employment or re-employment, and compensation.

If you seek compensation you must provide details of how much compensation you are claiming and how the amount has been calculated; for example, loss of income

- Orders under s 46PO (4) of the Human Right Commission Act (AHRCA) as set out below.
  - a. A declaration that the First and Second Respondents committed unlawful discrimination against the Applicant in breach of ss 5B and 22 of the Sex Discrimination Act 1984 (Cth) (SDA), when they refused to allow, or limited, the Applicant access to the First Respondent's online Platform available through a mobile phone application (the App) from in or about September 2021.
  - b. A declaration that the Second
     Respondent committed unlawful discrimination against the Applicant in breach of ss 5B and 22 of the Sex Discrimination Act 1984 (Cth) (SDA), when she made statements to the effect of one or more of the following:
    - The Second Respondent considered transgender women, including the Applicant, to be male;
    - ii. Transgender women, including the Applicant to be not women;
    - iii. Transgender women, including the Applicant, to be men claiming to be women; and
    - iv. Transgender women, including the Applicant, are wrong to identify as women.
  - c. An order requiring the First and/or Second Respondents to pay damages to the Applicant by way of compensation for non-economic loss suffered by the applicant because of

- the conduct of the First and Respondent.
- d. The First and/or Second Respondent publish a written apology to the Applicant for discriminating against her on the App and in publications and platforms to be identified.
- The First Respondent not to prevent the Applicant access to the App as is provided to other users.
- f. The Second Respondent undertake education regarding gender identity and the impact of discrimination on the ground of gender identity on the transgender and gender diverse population.
- g. The First Respondent publish an agreed summary of the reasons on the App.
- Certification that it was reasonable to engage counsel to appear for the Applicant in the proceedings pursuant to Rule 22.15 Federal Circuit and Family Court of Australia (Division 2) (General Law) Rules 2021 (Cth) (Rules).
- Costs in accordance with section 214 of the Federal Circuit and Family Court of Australia Act 2021 (Cth) (FCFCA) or section 43 of the Federal Court of Australia Act 1976 (Cth).
- Interest up to the date of judgment in accordance with section 211 of the FCFCA.
- Interest on judgment in accordance with section 212 of the FCFCA.
- Such other orders as the Court thinks necessary.

QIV.			AUSTRALIA LES			
3. Interlocutory, interim or procedural orders sought by applicant/s  Complete only if interlocutory, interim or procedural orders are sought			1. An order pursuant to r22.03 of the Federal Circuit and Family Court Rules, that the maximum costs that may be recovered by each party on a party/party basis be limited t \$20,000.			
Part B – Grounds of  4. What discrimination  The unlawful discrimination (a) be the same or sub- discrimination that we complaint terminated Rights Commission, (b) arise out of the same acts, omissions or pro- of complaint.	n are you on must: stantially the eas the subj d by the Aus or e or substal	complaining of? e same as the ect of the stralian Human	1. Discrimination by the First and Second Respondents against the Applicant on the ground of her gender identity by limiting her access to the social media application, Giggle and making certain statements about the Applicant as set out in the Orders (above).			
5. Under what Act is the discrimination you are complaining of unlawful?			☐ the Age Discrimination Act 2004 ☐ the Disability Discrimination Act 1992 ☐ the Racial Discrimination Act 1975 ☑ the Sex Discrimination Act 1984			
6. State all sections of the Act that are relevant to this claim			Section 5B, Sex Discrimination Act 1984 Section 22, Sex Discrimination Act 1984			
Part C – The applic	ant/s					
7. Full name(s) Attach extra page for	☐ Mr ☐ Mrs	Family name:	Tickle			
any additional applicants		Given names:	Roxanne			

5

					AND FAMILY COUS	
8. Home or contact address (including postcode)					ADSTRALIA	
9. Telephone/Fax No.	Business hours:			After hours:		
	Fax no:					
1. Are you over 18 years?			⊠ Yes □ No			
11. What is your first i		1	English			
This includes languages s				MN-		
12a. Do you need an i 12b. If yes, please sta			∐ Yes	⊠ No		
13. Do you have any s If yes, please give details access, hearing loop, pre- carer.	; for example, wheelch	air	☐ Yes	⊠ No		
Part D - The respo	ndent/s					
14. What is your relati organisation agains application?			☐ For ☐ Co- ☑ Cus	mer employe employee	rson/organisation ee of person/organisation rson/organisation pecify)	
Part E – Extension	of time					
15. Do you need an ex You must complete this se and claim is made more to of issue of written notice of complaint by the Presiden Rights Commission. If yes	ection if your application than 60 days after the d of the termination of the of the Australian Hun	n late nan	Yes D	₫ No		
Part F – Required	documents					
15. These documents your application a	a (일) (2) 전경 경기 (2) 전 등 중요 경기 (2) 전경 (2) (1) 1 (2) (2) (2) (2) (2) (2) (2) (2) (2) (2)	Hi ⊠ Th	uman R ne notic	lights Comm e of terminat t of the Austr	al complaint to the Australian ission (if available). tion of complaint given by the ralian Human Rights	

## Signature of applicant/s or lawyer



8 Mountain	
Signed by (print name/s) Phoebe Mountain	
☐ the applicant/s or ☒ lawyer for the applicant/s	
Date: 6 / 6 / 2022	

## IMPORTANT NOTICE TO RESPONDENT/S

To the respondent (name): Giggle for Girls Pty Ltd of (address):

To the respondent (name):

Sally Grover

of (address):

You should seek legal advice about this application. You may file a response. If you file a response, you must file and serve the response within 28 days of receiving this application. If you do not file a response, you must file and serve a notice of address for service before the hearing.

Form approved by the Chief Judge pursuant to Subrule 2.04(1) for the purpose of subrule 26.03(1)

HR\_Application\_0921V1



#### **AUSTRALIAN HUMAN RIGHTS COMMISSION**

FILE NO: 2021-25534

Between

Roxanne Tickle Complainant

AND

Giggle for Girls Pty Ltd (ABN 79 632 152 017) First Respondent

Sall Grover Second Respondent

#### NOTICE OF TERMINATION

Issued under section 46PH(2) of the Australian Human Rights Commission Act 1986 (Cth) (AHRCA).

This complaint alleging unlawful discrimination under the Sex Discrimination Act 1984 (Cth) has been terminated under section 46PH(1B)(b) of the AHRCA on the ground that I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

Section 46PO(1) of the AHRCA provides that if a complaint has been terminated under section 46PH(1B)(b) of the AHRCA, an affected person may make an application to the Federal Circuit and Family Court of Australia (FCFCOA) or the Federal Court of Australia (FCA) alleging unlawful discrimination by one or more of the respondents to the terminated complaint. The FCFCOA and FCA can award costs against either party in proceedings under section 46PO of the AHRCA.

Reasons for this decision are provided in Attachment A.

A copy of the complaint is provided at Attachment B.

DATED 5 April 2022.

Hyun Joo Lee

**Delegate of the President** 





## ATTACHMENT A

Our ref: 2021-25534

5 April 2022

Ms Roxanne Tickle	
Sent by email only:	

Dear Ms Tickle

## Termination of the complaint

I am writing to advise you of my decision regarding your complaint to the Australian Human Rights Commission (the Commission) against Giggle for Girls Pty Ltd (Giggle) and Ms Sall Grover, alleging gender identity discrimination under the Sex Discrimination Act 1984 (Cth).

## The complaint

#### **Documents**

Your complaint totals 7 pages, a copy of which was emailed to you on 20 January 2022. Another copy is provided with this letter marked as Attachment B.

#### Respondent contact

A copy of your complaint was provided to the respondents on 20 January 2022. The Commission received a reply from the respondents on 3 March 2022. The Commission emailed you a copy of this reply on 8 March 2022.

## My decision

Under section 46PH(1B)(b) of the Australian Human Rights Commission Act 1986 (Cth) (AHRCA) the President must terminate a complaint if satisfied that there is no reasonable prospect of the matter being settled by conciliation.

I note that the Commission shared information with both parties about the Commission's complaint handling and conciliation processes. I understand that Giggle and Ms Grover declined to participate in conciliation. Accordingly, it did not appear that the complaint could be resolved by conciliation.

I have therefore decided to terminate the complaint under section 46PH(1B)(b) of the AHRCA as I am satisfied that there is no reasonable prospect of the matter being settled by conciliation.

#### Possible further action

The AHRCA says that after a complaint is terminated, the person affected by the alleged discrimination may be able to apply to the Federal Circuit and Family Court of Australia (FCFCOA) or the Federal Court of Australia (FCA) to have the allegations decided by the court.

If you apply to the FCFCOA or the FCA, you will need to attach the following documents to the application:

- this letter (Attachment A);
- · the enclosed Notice of Termination; and
- the enclosed copy of the complaint (Attachment B).

Any application to the court must be made within 60 days of the date on the Notice of Termination.

If a matter proceeds to court, the FCFCOA and FCA can award costs against either party. Information about the court or the court process is available from a court registry or from its websites at <a href="https://www.fcfcoa.gov.au">www.fcfcoa.gov.au</a> and <a href="https://www.fcdcourt.gov.au">www.fcdcourt.gov.au</a>.

Yours sincerely

Hyun Joo Lee

**Delegate of the President** 

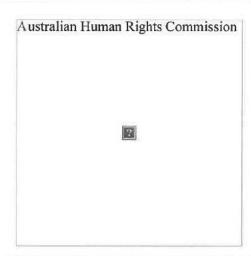


From: To: Australian Human Rights Commission

To: Subject: Date:

AHRC Make a Complaint Form

Sunday, December 5, 2021 10:11:47 PM





## Your Details (Your complaint)

Name: Ms Roxanne Tickle

Address:

Email:

Mobile:
Fax:
TTY:

Would you like a copy of your complaint emailed to you: Yes
(A copy of the complaint form will be sent to

Do you require assistance to participate in the complaint process?: No



Do you require assistance to participate in the complaint process?:

Do you have a legal representative or advocate? No

## Who is the complaint about

## **Organisation Details**

Organisation name: Giggle for Girls Pty Ltd ABN: 79 632 152 017

Address:

**Email** 

Phone (Business hours):

Mobile:

Fax:

What is their relationship to you or the aggrieved person?:

Provider of smart phone application

Do you want to add another respondent?

Yes

2nd Respondent's Details

Name: Sall Grover

Address:

Email:

Phone (Business hours):

Phone (After hours):

Mobile:

Fax:

What is their relationship to you or the aggrieved person?: Giggle for Girls Pty Ltd's Chief Executive Officer

What are you complaining about



#### I have been discriminated against because of my:

age: No disability: No

association to a person with a disability: No

use of an assistance animal or disability aid or because I have a carer: No

pregnancy: No

marital or relationship status: No family responsibilities: No sexual orientation: No gender identity: Yes

What is your gender identity? Female (more specifically ... a transgender

woman)

intersex status: No

race (including colour, national origin, descent, ethnicity and immigrant

status): No

trade union activity (employment only): No criminal record (employment only): No religion (employment only): No social origin (employment only): No

Please state the other reason(s):

I believe that I am being discriminated against by being provided extremely limited functionality of a smart phone app by the app provider compared to that of other users because I am a transgender woman. The app provider appears to not recognise transgender women as female. I am legally permitted to identify as female.

When did the alleged event(s) happen?

I became aware that I was being treated differently in September 2021.

Reason(s) for delay

What happened?

What Happened to Me 1. In February 2021, I downloaded Giggle from the Apple iPhone App Store and completed its in-app registration process. 2. Giggle is a social media app. It is marketed as "the female app". 3. The app registration process included supplying my mobile phone number, choosing a user name and taking a "selfie" from within the app. 4. Giggle's provider is Giggle for Girls Pty Ltd, a company based in Queensland. 5. Giggle for Girls Pty Ltd's CEO is apparently Sall Grover. 6. Giggle is marketed to, and is apparently used by, a global user base. 7. Giggle's terms clearly stipulate that app users must resident. 9. Although my sex assigned at birth be female. 8. I am was male, my birth certificate has been reissued confirming that my sex is female. I also have a gender confirmation letter from my physician



confirming that my gender is female. 10. Giggle apparently uses socalled bio-metric gender verification software to determine whether the registering user is "male" or "female" based on their "selfie", as well as using human beings in a secondary process to verify the software's gender determination. Presumably the gender verification software attempts to determine the applicant's sex assigned at birth, rather than their current legal sex or gender. 11. The so-called bio-metric gender verification software and human beings apparently both determined that my gender was female as I was permitted to complete my app registration. 12. Between February 2021 and September 2021, I occasionally opened the app and read randomly selected posts, 13. In late September 2021 I noticed that although I was able to read posts made by other users, I was unable to make comments on any of these posts, read any comments made by other app users or make any posts myself. I contacted Giggle through its in-app contact form to alert them of my restricted use. I received no response. 14. In early October 2021. I sent a follow up email to the main contact email address

) listed on the app's website (joinagiggle.com). I received no response. 15. A week later I sent an email to the main contact email address and the generic welcome email address

I received a response requesting that I supply my mobile phone number so the problem could be looked into. I provided my mobile telephone number as requested. I received no further response. 16. Over the next 4 weeks I sent a further 6 emails following up my query. I received no response to any of them. 17. I sent another follow up query through the in-app contact form. I received no response. 18. The singular emailed response that I did receive from Giggle, apparently from Sall Grover, contained an email signature panel with a mobile telephone number. 19. In late October 2021, I sent a text message to this number. I received no response. 20. In late October 2021, I made an unanswered phone call to this number. I decided to not leave a voice mail message. The voice mail system was one where the audio message is converted to a text message. After the trouble I had gone to to try and talk with the app provider, I thought direct voice communication was the best option. The following morning, I missed a returned phone call from this number. The caller did not leave a message. I tried calling the phone number again 1 week later and was unable to get through. 21. I considered at that point that I had gone over and above a reasonable level of effort attempting to make contact with the provider of the app. 22. My use of the app does not appear to be terminated, but vastly restricted. When I attempt to access certain app functionality, I am presented with a "User Blocked" error message. I am presented with the same error message if I attempt to purchase Premium Features in the app. 23. It appears that Giggle's provider only wishes cisgender women and transgender men to register for and use the app, apparently deliberately intending to exclude transgender women, cisgender men, and non-binary people. 24. Tweets published by Sall Grover's Twitter handle (@salltweets) appear to show a poor understanding of sex and gender, often using the terms interchangeably. The Twitter handle commonly refers to transgender



women as men and transgender men as women. 25. I have felt increasingly uncomfortable by announcements made by Sall Grover, both on Twitter and in interviews with various media outlets, both local and international, as well as posts made within the Giggle app itself by Sall Grover and other app users. 26. Transphobic comments posted in the app's social media discussion threads appear to not be moderated, and in fact appear to be encouraged, both within the app, and on Twitter, by Sall Grover. 27. I believe that I am being discriminated against because of my gender identity. I believe that Giggle and Sall Grover have decided in error that I am male and have declined to grant me full use of the app. If this is true, I am uncertain why I have been permitted to retain partial use of the app. How Does it Happen to me and Others? As a resident , along with other protected categories of people including those based on race, disability, sex, age, sexual orientation, intersex status, marital status and others, I am meant to be protected from discrimination based on my gender identity by legislation at both the state and federal level. This safety net appears to me to have some holes in it. Discrimination based on gender identity still seems to be fair game. It is often left to transgender and gender diverse people and their direct allies to be reactive at the time and place of any discrimination. It appears still to be an accepted form of bigotry amongst many people. Everybody has the right to be a bigot, somebody once said, and many people are continuing to make use of that right. It is the bigotry that need not hide its face. I can't recall hearing of an actual group of people that actively discriminates based on age. I have been unable to locate a Facebook page or website for the Ku Klux Klan in Australia. Yet groups that favour discrimination against people based on their gender identity appear to have no need to hide their face. They have Facebook pages. They have websites. They have email addresses. Here is a sample of Australian groups that have no fear in condoning and/or encouraging discrimination against transgender and gender diverse people: • Coalition for Biological Reality • LGB Alliance Australia • Save Womens Sport Australasia • Women Speak Tasmania · IWD Brisbane Meanjin · Feminist Legal Clinic Inc. Not only that, individuals with platforms, including journalists, politicians, business people, lawyers and others have no qualms about speaking out against transgender and gender diverse people and encouraging their readers, listeners and/or constituents to discriminate against transgender and gender diverse people. They don't campaign for legislative change, mind you, they just openly encourage discrimination. Because they are seemingly allowed to. In fact, for some of them it often appears to be their raison d'être. Here are a handful of examples: • Sall Grover: https://www.youtube.com/watch?v=4bqXNXQwgpk • Associate Professor Holly Lawford-Smith: https://www.youtube.com/watch? v=9GeTliLuoUs • Peta Credlin AO: https://www.skynews.com.au/opinion/peta-credlin/erasing-women-nsw-

https://www.skynews.com.au/opinion/peta-credlin/erasing-women-nsw woman-of-the-year-could-be-awarded-to-a-transwoman/video/a2c774ae1882c3d6fd9a79b256d4c36d • The Honourable Mark Latham MLC: https://www.news.com.au/national/nswact/politics/mark-latham-seeks-to-outlaw-ability-to-identify-as-



transgender-and-rejects-gender-fluidity/newsstory/217dca3f008fb57ee825a4ef69a1156c • Senator Amanda Stoker: https://qnews.com.au/queensland-lnp-senator-calls-for-support-tofight-transgender-agenda/ · Senator Pauline Hanson: https://www.starobserver.com.au/news/pauline-hanson-saystransgender-children-should-be-taken-from-parents/197282 • The Honourable Scott Morrison MP: https://www.sbs.com.au/news/genderwhisperers-scott-morrison-criticised-for-hateful-tweet-about-transstudents/513b958c-4dce-49a7-85ea-ebc9d3c6792d • Kirralie Smith: https://twitter.com/KirralieS/status/1159717711317889024?s=20 • The Honourable Barnaby Joyce MP: https://omny.fm/shows/drive-withtom-elliott/barnaby-joyce-fires-back-at-mother-of-transgender • Senator Claire Chandler: https://fb.watch/9H\_jLrMCxx/ • Annie Kia: https://anniekia.net/10-uncritical-allegiance-the-harms-of-queerideology/ • Katherine Deves: https://www.youtube.com/watch? v=U6sor5C3Y60 • Bernard Lane:

https://www.smh.com.au/business/companies/substantial-distress-presswatchdog-rebukes-the-australian-for-reporting-on-gender-issues-20210903-p58oi7.html These are just some names that spring to mind and some easily found relevant material. I could go on and on if I had the time and resources. To the best of my knowledge, none of the individuals mentioned above have any qualifications or experience in psychology, psychiatry, paediatrics, gender counselling or indeed any relevant area of primary or ancillary health care. Why is it, then, that they believe that they get to control the public narrative about our lives? What is the point of having legislation to protect us from discrimination when it appears that so many people with such prominent platforms have no regard for it? Not only that, but they openly and unashamedly encourage their readers, listeners and/or constituents to flout the legislation as well. Transgender and gender diverse people, along with their closely connected allies, are often left to defend themselves against incidences of discrimination. Often, they overlook the discrimination due to the huge amount of emotional labour and stress involved in following up and prosecuting the discrimination. This is overwhelmingly the case when Sistergirls and Brotherboys are involved, as it usually is with any other instances of intersectionalism. My complaint relates to what I believe has been, and continues to be, discrimination against me, but I have also witnessed other trans women and their allies ejected from Giggle without repercussion. I have witnessed other instances of discrimination and verbal assault based on gender identity. People usually say nothing, put their head down and attempt to carry on with their lives with a concomitant decline in their mental health. We have often tended to attempt to live with discrimination in the past because obtaining a favourable outcome, although it may be better for our mental health in the long term, is only good for our mental health if we are successful ... when we are successful. Until then, if it indeed happens, it is detrimental to our mental health. So we usually put our head down and try to move on. Acts of discrimination against transgender and gender diverse people happen far too frequently, without penalty. Why is it



that trans and gender diverse people and their allies are often left alone to fight to defend their already existing legal rights? Must we be the ones to take legal action each and every time it happens? Must we? Surely there must be a better way?

Do you intend to email the Commission supporting information? No

Upload Document File ID:

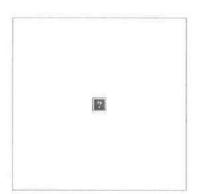
#### Other Information

How do you think the complaint could be resolved? Giggle management should seek out education relating to sex, gender and gender identity to be better placed to provide a smart phone app targeted at "females". Giggle should extend full app functionality to me and all other people that identify as female as long as they comply with all other app terms & conditions.

Have you complained about this to another organisation? No

Were you referred to us by another organisation? Yes

Organisation's name: Queensland Human Rights Commission



Copyright © Australian Human Rights Commission

# **Exhibit Affidavit**

No. of 2022

Federal Court of Australia District Registry: New South Wales Division: Human Rights

**ROXANNE TICKLE** Applicant

GIGGLE FOR GIRLS PTY LTD **MS SALLY GROVER** Respondent

#### **ANNEXURE "RT-4"**

A true copy of the Notice of Discontinuance filed on the Applicant's behalf by the Inner City Legal Centre and dated 4 July 2022.

This exhibit is marked "RT-4" now produced and shown to Ms Roxanne Tickle at the time he affirmed this affidavit.

Before me:

22.12.2022

HELOISE WILLIAMS

Level 6, 600 Bourke Street Melbourne, VIC. 3000 An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)

19571291\_1

### RT-4

#### NOTICE OF FILING

This document was lodged electronically in the FEDERAL CIRCUIT AND FAMILY COURT OF AUSTRALIA (FCFCOA) on 4/07/2022 12:47:54 PM AEST and has been accepted for filing under the Court's Rules. Details of filing follow and important additional information about these are set out below.

#### **Details of Filing**

Document Lodged:

Notice of discontinuance

File Number:

SYG808/2022

File Title:

ROXANNE TICKLE v GIGGLE FOR GIRLS PTY LTD ABN 79 632 152

017 & ANOR

Registry:

SYDNEY REGISTRY- FEDERAL CIRCUIT AND FAMILY COURT -

FEDERAL LAW





Dated: 4/07/2022 3:01:59 PM AEST

Registrar

#### Important Information

As required by the Court's Rules, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Court. Under the Court's Rules the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4.30 pm local time at that Registry) or otherwise the next working day for that Registry.

### **Notice of Discontinuance**

Federal Circuit and Family Court of Australia (Family Law) Rules 2021 - RULE 10.02
Federal Circuit and Family Court of Australia (Division 2) (General Federal Law) Rules 2021 - RULE 13.01

answer any questions.	Client ID	
Use this form if you are no longer seeking all or some of the orders previously sought by you.	File number/appeal number SYG 808/2022_	
Filed in:	0 Pales C03A	
Federal Circuit and Family Court of Australia	Filed on	
Family Court of Western Australia	Court date	
Other (specify)		
Type of proceedings:	NOTE:	
Family law proceedings	<ul> <li>This notice must be served on any other party,</li> </ul>	
Migration proceedings	including any independent children's lawyer as soon as practicable after filing.	
General federal law proceedings	<ul> <li>Filing this notice does not prevent any other party</li> </ul>	
Other (specify)	from continuing with their case, and obtaining orders, including for costs.	
Filed on behalf of: Full name:ROXANNE TICKLE	<ul> <li>If this notice relates to an appeal in the appellate jurisdiction of the Federal Circuit and Family Court of Australia (Division 1) the notice must be filed in</li> </ul>	
ruii fiame. <u>ROAANNE TICKLE</u>	the National Appeal Registry.	
	the National Appeal Registry.	
Part A About the parties	the National Appeal Registry,	
	the National Appeal Registry.  RESPONDENT 1	
Part A About the parties		
Part A About the parties  1 APPLICANT 1 / APPELLANT 1	RESPONDENT 1	
Part A About the parties  1 APPLICANT 1 / APPELLANT 1 Family name as used now	RESPONDENT 1 Family name as used now GIGGLE FOR GIRLS PTY LTD (ABN 79 632 152	
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igned	Date		
		4 07 / 2022	
is notice was signed by	applicant respondent appellant	lawyer for the applicant lawyer for the respondent lawyer for the appellant	
his notice was prepared by	applicant respondent appellant	lawyer for the applicant lawyer for the respondent lawyer for the appellant	
		Anastasia Kalos - Inner City Legal Centre	
		69211	
		PRINT NAME AND LAWYER'S CODE	

### NOTICE OF FILING

#### **Details of Filing**

Document Lodged: Affidavit - Form 59 - Rule 29.02(1)

Court of Filing FEDERAL COURT OF AUSTRALIA (FCA)

Date of Lodgment: 13/09/2023 5:39:47 PM AEST

Date Accepted for Filing: 13/09/2023 5:39:50 PM AEST

File Number: NSD1148/2022

File Title: ROXANNE TICKLE v GIGGLE FOR GIRLS PTY LTD ACN 632 152 017 &

ANOR

Registry: NEW SOUTH WALES REGISTRY - FEDERAL COURT OF AUSTRALIA



Sia Lagos

Registrar

### **Important Information**

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Form 59 Rule 29.02(1)

### **Affidavit**

NSD 1148 of 2022 No.

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

#### **ROXANNE TICKLE**

Applicant

### GIGGLE FOR GIRLS PTY LTD

First Respondent

### SALLY GROVER

Second Respondent

Affidavit of: **Roxanne Tickle** 

Address:

Occupation:

Date: 13 September 2023

#### Contents

Document number	Details	Paragraph	Page
1	Affidavit of Roxanne Tickle in support of Application alleging breach of the Sex Discrimination Act 1984 (Cth) by the Respondents affirmed on 13 September 2023.	1-41	1-7
2	Annexure " <b>RT-1</b> ", being a copy of my reissued Queensland Birth Certificate and Change of Name Certificate dated 19 May 2018.	5	8-10
3	Annexure "RT-2", being a copy of my reissued Queensland Birth Certificate dated 18 September 2020.	7	11-12

Filed o	on behalf of (name &	role of party)	Roxanne Tickle, the Applicant
Prepar	red by (name of person	on/lawyer)	Tinashe Makamure
Law fir	m (if applicable)	Barry Nilsson	Lawyers
Tel	+61 3 9909 6365		Fax
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[Version 3 form approved 02/05/2019]

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4	Annexure "RT-3", being a copy of Ms Grover's 'X' post that I responded to between 14 and 15 January 2021.	9	13-15
5	Annexure "RT-4", being a copy of the Giggle for Girls Pty Ltd App Terms of Use dated 2 December 2020.	11	16-26
6	Annexure "RT-5", being a copy of the Giggle for Girls Pty Ltd in-app contact form filled out by the Applicant.	17	27-30
7	Annexure "RT-6", being a copy of the text message sent to Ms Grover on 30 October 2021.	28	31-32
8	Annexure "RT-7", being a copy of an email chain with Ms Grover dated between 4 October 2021 and 5 November 2021.	31	33-36
9	Annexure "RT-8", being a copy of the complaint filed with the Australian Human Rights Commission dated 5 December 2021.	33	37-44
10	Annexure "RT-9", being a copy of some of the statements that Ms Grover has posted to 'X'.	36	45-60
11	Annexure "RT-10", being a copy of online publications, newspaper articles and blog pieces that Ms Grover has authored or been interviewed for.	36	61-68
12	Annexure "RT-11", being a copy of the online posts made about the various television and podcast interviews that Ms Grover has participated in.	36	69-76
13	Annexure "RT-12", being a copy of some of the online messages I have received from people and online comments made about myself and this case.	39	77-99
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### I, Roxanne Tickle of Equation 1.

- 1. I am the Applicant in this matter.
- I make this affidavit from my own knowledge and belief and rely on the information stated in my previous affidavit that was filed in this Court on 22 December 2022.
- At birth, the sex that I was assigned was male.
- Since about June 2017, I have lived as a female. Later in 2017, I started to use the female name 'Roxy Tickle'.
- 5. On 19 May 2018, my Queensland birth certificate was reissued to change my legal name from the control of the control of the certificate was reissued to change my legal name from the certi

Annexed to this affidavit and marked "RT-1" is a copy of the reissued Queensland Birth Certificate and Change of Name Certificate.

- 6. In October 2019, I underwent gender affirming surgery to affirm my gender as a woman.
- 7. On 18 September 2020, upon receiving all necessary supporting documents, my birth certificate was reissued by the Queensland Registry of Births, Deaths and Marriages to confirm that my sex is female.
  - Annexed to this affidavit and marked "RT-2" is a copy of my reissued birth certificate.
- 8. In or around January 2021, I had first became aware of Ms Sally Grover (the **Second Respondent**) when I came across her profile on the social media platform 'X' (which was formerly known as 'Twitter' at the time). When I first came across Ms Grover's 'X' profile, I noticed that she posted a lot of content about transgender issues and made several statements that she did not consider transgender women to be females.
- During 14 to 15 January 2021, I first interacted with Ms Grover when we exchanged a number of 'tweets' through the social media platform 'X' (formerly known as 'Twitter'). I responded to a post she made about women-only spaces on 14 January 2021.
  - Annexed to this affidavit and marked "RT-3" is a copy of Ms Grover's Twitter post that I responded to between 14 and 15 January 2021.
- 10. During or after these online interactions with Ms Grover, I discovered that she had created an App named 'Giggle' (**Giggle App** or **App**), a social media platform for females. I decided that, being a female myself, I wanted to try out the Giggle App.
- 11. In February 2021, I downloaded the Giggle App from the Apple iPhone App Store. I noted the term of the Giggle App that stated that users must be female.
  - Annexed to this affidavit and marked "RT-4" is a copy of the Giggle for Girls Pty Ltd App Terms of Use dated 2 December 2020.
- 12. Upon downloading the Giggle App, I completed the in-app registration process by providing my mobile phone number, choosing a username and taking a photograph of myself (a 'selfie') within the Giggle App. My 'selfie' was analysed by artificial intelligence (AI) software to determine whether I was male or female. The AI software was provided within the Giggle App by a third party called 'Kairos'. The Giggle App stated that a person from its organisation would then view my 'selfie' to verify the determination made by the AI software. Both the AI software and the person who examined my 'selfie' correctly determined that I was female and I was granted access to the Giggle App.
- 13. The Giggle App consisted of two main sections:
  - a. A social media section titled 'Giggle Talk', which was similar to the way 'X', or 'Twitter' as it was then known, operated; and

- b. Another section comprised of small groups called 'Giggles'. Users were able to join a 'Giggle' to discuss specific topics of interest such as cooking, travel, health etc.
- 14. Between February 2021 and July/August/September 2021, I periodically opened the Giggle App to peruse a selection of posts in the social media section 'Giggle Talk'. I had access to set up a profile in the 'Giggles' section of the App to join small interest groups, but I found that there were not many users to connect with. I tried joining a few different 'Giggles' during this period and lost interest.
- 15. In about July, August or September 2021, I noticed that my access to the Giggle App had been restricted, although I cannot be certain from when this occurred. I was able to read content posted by others, though I was unable to post content, read comments made by other users or comment on any posts. When I attempted to access these functions on the Giggle App, I was presented with a 'User Blocked' error message.
- 16. During July, August and September 2021, I began to notice that a significant number of posts being made on the Giggle App were about transgender women and contained transphobic content. Transphobic content did not appear to be discouraged.
- 17. In or around late September 2021, I contacted Giggle (the First Respondent) through its in-app contact form to alert it of my restricted use. I did not receive a response. Annexed to this affidavit and marked "RT-5" is a copy of the Giggle in-app contact form.
- 18. On 4 October 2021 at 1:11 pm, I sent a follow up email to and the First Respondent's 'welcome' email address.
- 19. On 8 October 2021 at 10:32 pm, I received a response email from Ms Grover, the founder and CEO of Giggle. Ms Grover requested that I supply my mobile number so that she could personally look into my restricted use issue within the Giggle App.
- 20. On 11 October 2021 at 10:58 pm, I provided my mobile number to Ms Grover as requested. I did not receive a response.
- 21. On 16 October 2021 at 8:28 pm, I sent a follow up email to Ms Grover. I did not receive a response.
- 22. On 20 October 2021 at 9:19 pm, I sent another follow up email to Ms Grover and informed her that I was still receiving the 'User Blocked' error message on the Giggle App. I did not receive a response.
- 23. On 22 October 2021 at 9:33 pm, I sent another follow up email to Ms Grover. I did not receive a response.

- 24. On 28 October 2021, I attempted to purchase the Premium Features in the App, but I was still presented with the 'User Blocked' error message in the Giggle App. I submitted a bug report within the Giggle App.
- 25. On 28 October 2021 at 10:59 pm, I sent another follow up email to Ms Grover and explained that I did not have access to pay for the premium features within the Giggle App. I did not receive a response.
- 26. On 29 October 2021, I made a phone call to the mobile number contained in Ms Grover's email signature in the email she had sent to me on 8 October 2021. My call was not answered. I did not leave a voice mail message.
- 27. On 29 October 2021 at 7:00 pm, I sent another follow up email to Ms Grover and explained that I had tried to call her earlier that day. I suggested that I would try call her again on 3 November 2021. I did not receive a response.
- 28. On the morning of 30 October 2021, I missed a returned phone call from Ms Grover. She did not leave me a voice mail message. At 4:35pm on the same day, I sent Ms Grover a text message that I would be available on 1 November 2021 to talk with her. I received no response.
  - Annexed to this affidavit and marked "RT-6" is a copy of this text message.
- 29. On 5 November 2021 at approximately 5:00 pm, I tried calling Ms Grover's mobile number again, but did not receive an answer.
- 30. On 5 November 2021 at 5:48 pm, I sent another follow up email to Ms Grover and explained that I had tried to call her again. I received no further response.
- 31. Between the period of 4 October 2021 and 5 November 2021, I sent a total of 8 follow up emails to Ms Grover regarding my restricted access issue on the Giggle App. Only once did I receive a response.
  - Annexed to this affidavit and marked "RT-7" is a copy of the email chain with Ms Grover.
- 32. I believe that the Respondents removed my access to the Giggle App because I am a transgender woman.
- 33. On 5 December 2021, I made a complaint to the Australian Human Rights Commission (AHRC) under section 22 of the Sex Discrimination Act 1984 (Cth) (SDA) naming the Respondents.
  - Annexed to this affidavit and marked "RT-8" is a copy of the complaint.
- 34. On 20 January 2022, the AHRC sent a copy of my complaint to the Respondents.

- 35. On 1 April 2022, the AHRC advised me that the Respondents had declined to participate in conciliation to resolve the matter.
- 36. Following these events, Ms Grover has publicly made statements about me and the complaint that I made to the AHRC via the following forums:
  - a. "X" (Formerly known as 'Twitter').
    - Annexed to this affidavit and marked "RT-9" is a copy of some of the statements that have been posted to "X" by Ms Grover;
  - b. Written online publications, newspaper articles and blog pieces.
    - Annexed to this affidavit and marked "RT-10" is a copy of publications that have interviewed Ms Grover or have been authored by Ms Grover; and
  - c. Television, podcast and online interviews.
    - Annexed to this affidavit and marked "RT-11" are copies of the posts made about these interviews involving Ms Grover.
- 37. Many of Ms Grover's posts about me and the AHRC complaint that I made against her have contained false information, including that I am a man and that I have harassed her.
- 38. The above events involving the Giggle App and Ms Grover have had a significant impact on my life. The respondents' unilateral decision that I am not a woman, and therefore cannot access the Giggle App, has upset me greatly and has resulted in me having to go to great lengths to prove that I am a woman. It has been exhausting and draining to do so.
- 39. Ms Grover's public statements about me and this case have been distressing, demoralising, embarrassing, draining and hurtful. This has led to individuals posting hateful comments towards me online and indirectly inciting others to do the same. Ms Grover's online posts reach large domestic and international audiences, which has led to the scale of online hate towards me being enormous. This has consumed my life outside of my work and sport, which has led to me experiencing constant anxiety and occasional suicidal thoughts.
  - Annexed to this affidavit and marked "RT-12" is a copy of some of the online messages I have received and some of the online comments that have been made about me and this case.
- 40. I have also seen a supporter of Ms Grover selling merchandise about this case on the website 'Etsy'. Much of the merchandise is transphobic and contains a number of awful

statements related to me and this case. Profits from the merchandise are being donated to Ms Grover's crowdfund campaign.

Annexed to this affidavit and marked "RT-13" is a copy of the merchandise that a supporter of Ms Grover has been selling online.

41. I have been regularly taking anti-anxiety medication since May 2020 to assist with managing the emotional aspects of my gender transition. Ms Grover's actions and the online hate I have received from her supporters, who are actively working towards stopping me from living as a woman, compounds my extant anxiety. I earnestly wish to wean myself off my anti-anxiety medication now that my gender transition is nearly complete, though I am fearful that my anxiety attacks will return if I do so, due to the stress and anxiety I have experienced from Ms Grover's actions and this legal case.

Affirmed by the deponent at c/- Barry Nilsson Lawyers Level 9, 1 O'Connell Street Sydney, NSW, 2000 on 13.09.2023 Before me:



No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

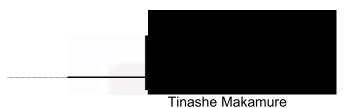
### **SALLY GROVER**

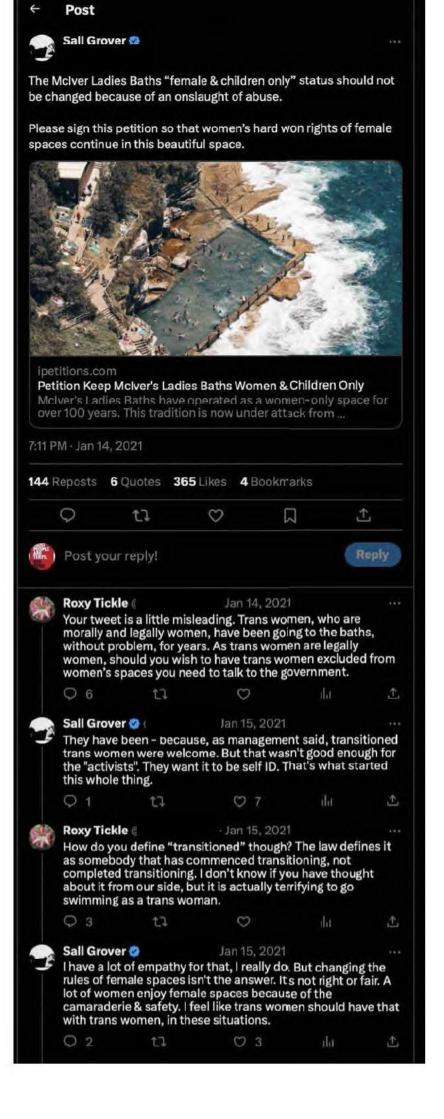
Second Respondent

### **ANNEXURE "RT-3"**

A true copy of Ms Grover's "X" post dated 14 January 2021.

This is the exhibit marked "RT-3" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.





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No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

#### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-4"**

A true copy of Giggle for Girls Pty Ltd App Terms of Use dated 2 December 2020.

This is the exhibit marked "RT-4" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.



**Tinashe Makamure** 

# GIGGLE FOR GIRLS PTY LTD – APP TERMS

FAQ

Contact Us

join giggle

## Welcome to Giggle for Girls!

Our online platform (**Platform**) is operated by Giggle for Girls Pty Ltd (ABN 79 632 152 017) or its successors and assignees (**we, our** or **us**). It is available through our mobile application (**App**) and may be available through other addresses or channels.

Please read these Terms (defined below) carefully as they set out your rights and responsibilities when using our Platform. You'll need to stop using our Platform if you do not agree to these Terms. We may vary these Terms by publishing the varied terms on our Platform. We recommend you check our Platform regularly to ensure you are aware of our current Terms.

We provide the services set out on our Platform. Our Platform allows females to connect with one another on the giggle app either in public or private spaces.

## Accepting these terms

By downloading our App or otherwise accessing and/or using our Platform, you and each person, entity or organisation using our Platform (you): (a) warrant to us that you have reviewed these terms and conditions, including our Privacy Policy (available on our Platform) (Terms) and you understand them; (b) warrant to us that you have the legal capacity to enter into a legally binding agreement with us; and (c) agree to use our Platform in accordance with these Terms.

You must be 16 years of age or older to create an Account (defined below).

You must be female to use the App.

If you access or download our App from the Apple App Store, you agree to Apple's Licensed Application End User License Agreement and any usage rules set forth in the App Store Terms of Service. If you access or download our App from the Google Play Store, and you agree to the Android, Google Inc. Terms and Conditions including the License Agreement and Terms of Application.

We may use Google Maps/Earth mapping services, including Google Maps APIs. Your use of Google Maps/Earth is subject to the Google Maps/Google Earth Additional Terms of Service.

### **Collection notice**

We collect personal information about you in order to enable you to access and use our Platform, to connect with other users on our Platform and for other purposes set out in our Privacy Policy.

We may disclose that information to third party service providers who help us deliver our services (including information technology service providers, data storage, web-hosting and server providers, professional advisors, third party payment processors and our business partners) or as required by Law. If you do not provide this information we may not be able to provide you with access to our Platform. In certain circumstances, we may disclose your personal information to third parties located, or who store data, outside Australia.

Our Privacy Policy contains further information about: (a) how we store and use your personal information; (b) how you can access and seek correction of your personal information; (c) how you can make a privacy-related complaint; and (d) our complaint handling process.

By providing personal information to us, you consent to us collecting, holding, using and disclosing your personal information in accordance with our Privacy Policy.

We do not sell user data.

## Registering

You must register on our Platform and create an account (**Account**) to access the functionality of our Platform.

You must provide basic information when registering for an Account including your name or pseudonum, your mobile number and a selfie. You must be female to create an Account.

We use third party software, Kairos, in the Account creation process. If you have difficulty creating an Account, please contact us using the email address at the end of these Terms and we will assist you to create an Account.

You will be able to select a unique username for your Giggle Talk Account. Your username does not need to identify you and it should not be your email address. You may apply to verify your unique username to establish authenticity of your identity by contacting us through the app and providing us with identification documents.

You must provide accurate, current and complete information during the registration process and you must update such information to keep it current and complete. The selfie required to complete registration must be authentically taken at the time of registration, of the person that owns the phone number, and photos of photos will not be accepted.

You are responsible for keeping your Account details confidential, your phone device secure, and you will be liable for all activity on your Account, including purchases made using your Account details, whether or not you authorised such activities or actions.

You will immediately notify us of any unauthorised use of your Account.

## Acceptable use of our Platform

Giggle for Girls is a place where female users feel comfortable expressing themselves, sharing information, and communicating with one another. You must access and use our Platform only for legal, authorised, and acceptable purposes. You will not use (or assist others in using) our Platform in ways that: (a) violate, misappropriate, or infringe our rights, our users' rights, or other rights, including privacy, publicity, Intellectual Property, or other proprietary rights; (b) are illegal, obscene, defamatory, threatening, intimidating, harassing, hateful, racially or ethnically offensive, or instigate or encourage conduct that would be illegal or otherwise inappropriate, including promoting violent crimes; (c) involve publishing falsehoods, misrepresentations, or misleading statements; (d) impersonate someone; (e) involve sending illegal or impermissible communications, such as bulk messaging; or (f) involve any non-personal use of our Platform.

You may not interfere with the Services in any way, such as by accessing the services through automated means; by hacking the services; by accessing without authorisation areas of the Services that are protected by technical measures designed to prevent unauthorised access: by testing the vulnerability of the services; by impersonating Giggle or the Services; by accessing the Services for any purpose that competes with the interests of Giggle; by spamming the users of the services, by failing to respond to communications or requests from Giggle; or through any other type of interference with the Services or Giggles relationship with others.

### **Premium versions**

We offer in-app purchases for premium versions of our Platform, which you may purchase for the advertised fee (**Fee**) in advance of accessing that functionality. You must pay the Fee via your chosen payment method and as offered by the application store from which you download the App, such as the Apple App Store or the Google Play Store. The Fee is non-refundable. To the maximum extent permitted by Law, there will be no refunds for any unused features of in-app purchases (or part thereof).

### Licence to use our Platform

We grant you a personal, non-exclusive, royalty-free, revocable, worldwide, non-transferable licence to use our Platform in accordance with these Terms. All other uses are prohibited without our prior written consent.

### Information contained on our Platform

Our Platform contains materials and information for you to read, explore, and interact with (**Content**). The Content is not comprehensive and is for general information purposes only. It does not take into account your specific needs, objectives or circumstances, and is not advice. While we use reasonable

attempts to ensure the accuracy and completeness of the Content, we make no representation or warranty regarding it, to the extent permitted by Law. The Content is subject to change without notice. However, we do not undertake to keep our Platform up-to-date and we are not liable if any Content is inaccurate or out-of-date.

## **Intellectual Property Rights**

Unless otherwise indicated, we own or licence all rights, title and interest (including Intellectual Property Rights) in our Platform and all of the Content. Your use of our Platform and your use of and access to any Content does not grant or transfer to you any rights, title or interest in relation to our Platform or the Content.

You must not, without the prior written consent of ourselves or the owner of the Content (as applicable):

- copy or use, in whole or in part, any Content;
- reproduce, retransmit, distribute, disseminate, sell, publish, broadcast or circulate any Content to third party; or
- breach any Intellectual Property Rights connected with our Platform, including (without limitation) by:
- · altering or modifying any of the Content;
- causing any of the Content to be framed or embedded in another website; or
- · creating derivative works from the Content.

## Content you upload

We encourage you to interact with our Platform! You may be permitted to post, upload, publish, submit or transmit relevant information and content, including reviews (User Content) on our Platform. You are encouraged to initiate communication on our Platform, and this communication is one of your purposes for using our Platform (Purpose).

Your Purpose may be to start a discussion, post an advertisement, or propose a transaction, in one of our many subcategories set out on our Platform. By posting a Purpose in any category excluding giggle talk, you may receive responses from up to 6 other girls, who have all consented to being added to a new giggle (Giggle). Once your Giggle is created, you can communicate with the other girls in your Giggle. You may view posts on the Giggle Talk feed without creating a profile. To join the discussion you will need to create a profile and register a unique username.

By making available any User Content on or through our Platform, you grant to us a worldwide, irrevocable, perpetual, non-exclusive, transferable, royalty-free licence to use the User Content, with the right to use, view, copy, adapt, modify, distribute, license, transfer, communicate, publicly display, publicly

perform, transmit, stream, broadcast, access, or otherwise exploit such User Content on, through, or by means of our Platform.

You agree that Giggle or it's service providers or partners may display advertising with your content and otherwise monetise your content without compensation to you.

You agree that you are solely responsible for all User Content that you make available on or through our Platform. You represent and warrant that:

- you are either the sole and exclusive owner of all User Content or you have all rights, licences, consents and releases that are necessary to grant to us the rights in such User Content as contemplated by these Terms; and
- · neither the User Content nor the posting, uploading, publication, submission or transmission of the User Content, including information shared in a Giggle, or our use of the User Content on, through or by means of our Platform will infringe, misappropriate or violate another user's rights, or a third party's Intellectual Property Rights, or rights of publicity or privacy, or result in the violation of any applicable Law or regulation.

We do not endorse or approve and are not responsible for any User Content. We may, at any time at our sole discretion, remove any User Content.

Our Platform may contain links to websites operated by third parties. Unless expressly stated otherwise, we do not control, endorse or approve and are not responsible for the content on those websites. You should make your own investigations with respect to the suitability of those websites.

We may, at any time and without notice to you, discontinue our Platform, in whole or in part. We may also exclude any person from using our Platform, at any time at our sole discretion. We are not responsible for any Liability you may suffer arising from or in connection with any such discontinuance or exclusion.

## **Notice regarding Apple**

- To the extent that you are using or accessing our Platform on an iOS device, you further acknowledge and agree to the terms of this clause. You acknowledge that these Terms are between you and us only, not with Apple Inc. (Apple), and Apple is not responsible for our Platform and any content available on our Platform.
- Apple has no obligation to furnish you with any maintenance and support services with respect to our Platform.
- If our App fails to conform to any applicable warranty, you may notify Apple and Apple will refund the purchase price of our App to you. To the maximum extent permitted by applicable Law, Apple will have no other warranty obligation whatsoever with respect to our App and any other claims, losses, liabilities, damages, costs or expenses attributable to any failure to conform to any warranty will be our responsibility.

- Apple is not responsible for addressing any claims by you or any third party relating to our App or your use of our App, including but not limited to:
- product liability claims;
- any claim that our App fails to conform to any applicable legal or regulatory requirement; and
- claims arising under consumer protection or similar legislation.
- Apple is not responsible for the investigation, defence, settlement and discharge of any third-party claim that our App infringes that third party's Intellectual Property Rights.
- You agree to comply with any applicable third-party terms when using our App.
- Apple and Apple's subsidiaries are third-party beneficiaries of these Terms, and upon your acceptance of these Terms, Apple will have the right (and will be deemed to have accepted the right) to enforce these Terms against you as a third-party beneficiary of these Terms.
- You hereby represent and warrant that:
- you are not located in a country that is subject to a U.S. Government embargo, or that has been designated by the U.S. Government as a "terrorist supporting" country; and
- you are not listed on any U.S. Government list of prohibited or restricted parties.

## Warranties, disclaimers and indemnity

To the extent permitted by Law, we make no representations or warranties about our Platform or the Content, including (without limitation) except those that cannot be disclaimed under the law:

You read, use, and act on our Platform and the Content at your own risk. We are not responsible for and are not obligated to control the actions or information (including User Content) of other users or other third parties. You release us and our subsidiaries and affiliates and our or their directors, officers, employees, partners and agents from any claim, complaint, cause of action or controversy and damages, known or unknown relating to, arising out of, or in any way connected with any such claim you have against third parties.

Despite anything to the contrary, to the maximum extent permitted by Law:

- our maximum aggregate Liability arising from or in connection with these Terms (including the services we provide and/or the subject matter of these Terms) will be limited to, and must not exceed the aggregate amount of fees paid by you to us during the three-month period immediately preceding the event that gave rise to the Liability or \$100 if no such fees have been paid; and
- we will not be liable to you for any consequential loss, indirect loss, loss of profit (including anticipated profit), loss of benefit (including anticipated benefit), loss of revenue, loss of business, loss of

goodwill, loss of opportunity, loss of savings (including anticipated savings), loss of reputation, loss of use and/or loss or corruption of data,

whether under statute, contract, equity, tort (including negligence), indemnity or otherwise.

Despite anything to the contrary, to the maximum extent permitted by Law, we will have no Liability, and you release and discharge us from all Liability, arising from or in connection with any:

- transaction or event discussed on or resulting from your Giggle;
- event or circumstance beyond our reasonable control;
- acts or omissions of you or your personnel;
- defect, error, omission, lack of functionality or suitability (or the absence of, or reduction in, any anticipated result, outcome or benefit), inaccessibility of, interruption or outage with respect to our Platform;
- use of our Platform and/or Content;
- User Content;
- interaction you have with other users whether in person or online;
- injury or loss to any person;
- Content which is incorrect, incomplete or out-of-date; or
- breach of these Terms or any Law.

You agree that, to the maximum extent permitted by Law, these Terms exclude all terms, conditions and warranties implied by statute, in fact or on any other basis, except to the extent such terms, conditions and warranties are fully expressed in these Terms.

To the maximum extent permitted by Law, you must indemnify us, and hold us harmless, against any Liability suffered by us arising from or in connection with your use of our Platform or any breach of these Terms or any applicable Laws by you. This indemnity is a continuing obligation, independent from the other obligations under these Terms, and continues after these Terms end. It is not necessary for us to suffer or incur any Liability before enforcing a right of indemnity under these Terms.

### Australian Consumer Law

Certain legislation, including the Australian Consumer Law (ACL) in the Competition and Consumer Act 2010 (Cth), and similar consumer protection laws and regulations, may confer you with rights, warranties, guarantees and remedies relating to the provision of our Platform by us to you which cannot be excluded, restricted or modified (Statutory Rights).

If the ACL applies to you as a consumer, nothing in these Terms excludes your Statutory Rights as a consumer under the ACL. You agree that our Liability for our Platform provided to an entity defined as a consumer under the ACL is governed solely by the ACL and these Terms.

Subject to your Statutory Rights, we exclude all express and implied warranties, and all material, work and services (including our Platform) are provided to you without warranties of any kind, either express or implied, whether in statute, at law or on any other basis.

This clause will survive the termination or expiry of these Terms.

## **Termination**

- If you delete our App from your device, your Account will remain active.
- You may cancel your Account and terminate these Terms at any time via the "Delete Account" feature (or similar) on our Platform or by sending us an email to the address at the end of these Terms. You can also deactivate your Account at any time via our Platform.
- We may terminate these Terms for convenience at any time by giving you 30 days' notice via push notification, text message to your device or email.
- At our sole discretion, we may suspend your Account or terminate these Terms immediately without notice if you are in breach of these Terms, any applicable Laws, regulations or third party rights or we receive complaints about you or your behaviour.

In the event of any dispute arising from, or in connection with, these Terms (**Dispute**), the party claiming there is a Dispute must give written notice to the other party setting out the details of the Dispute and proposing a resolution. Within 7 days after receiving the notice, the parties must meet at least once to attempt to resolve the Dispute or agree on the method of resolving the Dispute by other means, in good faith. All aspects of every such conference, except the fact of the occurrence of the conference, will be privileged. If the parties do not resolve the Dispute or (if the Dispute is not resolved) agree on an alternate method to resolve the Dispute, within 21 days after receipt of the notice, the Dispute may be referred by either party (by notice in writing to the other party) to litigation.

## **Assignment**

You may not assign, transfer or delegate these Terms and your rights and obligations under the Terms without our prior written consent. We may without restriction assign, transfer or delegate these Terms and any rights and obligations under these Terms, at our sole discretion, with 30 days prior notice. Your right to terminate these Terms, in accordance with these Terms, remains unaffected.

### Severance

If a provision of these Terms is held to be void, invalid, illegal or unenforceable, that provision must be

read down as narrowly as necessary to allow it to be valid or enforceable. If it is not possible to read down a provision (in whole or in part), that provision (or that part of that provision) is severed from these Terms without affecting the validity or enforceability of the remainder of that provision or the other provisions in these Terms.

### **Jurisdiction**

Your use of our Platform and these Terms are governed by the Laws of Queensland. You irrevocably and unconditionally submit to the exclusive jurisdiction of the courts operating in Queensland and any courts entitled to hear appeals from those courts and waive any right to object to proceedings being brought in those courts.

Our Platform may be accessed throughout Australia and overseas. We make no representation that our Platform complies with the Laws (including Intellectual Property Laws) of any country outside Australia. If you access our Platform from outside Australia, you do so at your own risk and are responsible for complying with the Laws of the jurisdiction where you access our Platform.

### **Definitions**

**Intellectual Property** means any domain names, know-how, inventions, processes, trade secrets or confidential information; or circuit layouts, software, computer programs, databases or source codes, including any application, or right to apply, for registration of, and any improvements, enhancements or modifications of, the foregoing.

**Intellectual Property Rights** means for the duration of the rights in any part of the world, any industrial or intellectual property rights, whether registrable or not, including in respect of Intellectual Property.

**Laws** means all applicable laws, regulations, codes, guidelines, policies, protocols, consents, approvals, permits and licences, and any requirements or directions given by any person with the authority to bind the relevant party in connection with these Terms or the provision of our Platform.

**Liability** means any liability, loss, cost, payment, damages, debt or expense (including reasonable legal fees).

For any questions and notices, please contact us at:

Giggle for Girls Pty Ltd ABN 79 632 152 017

Email:

Last update: 2nd December 2020

# Have a question or want to partner with us?

email\* name\* phone number\* message\*

contact us

FAQ



No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

#### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

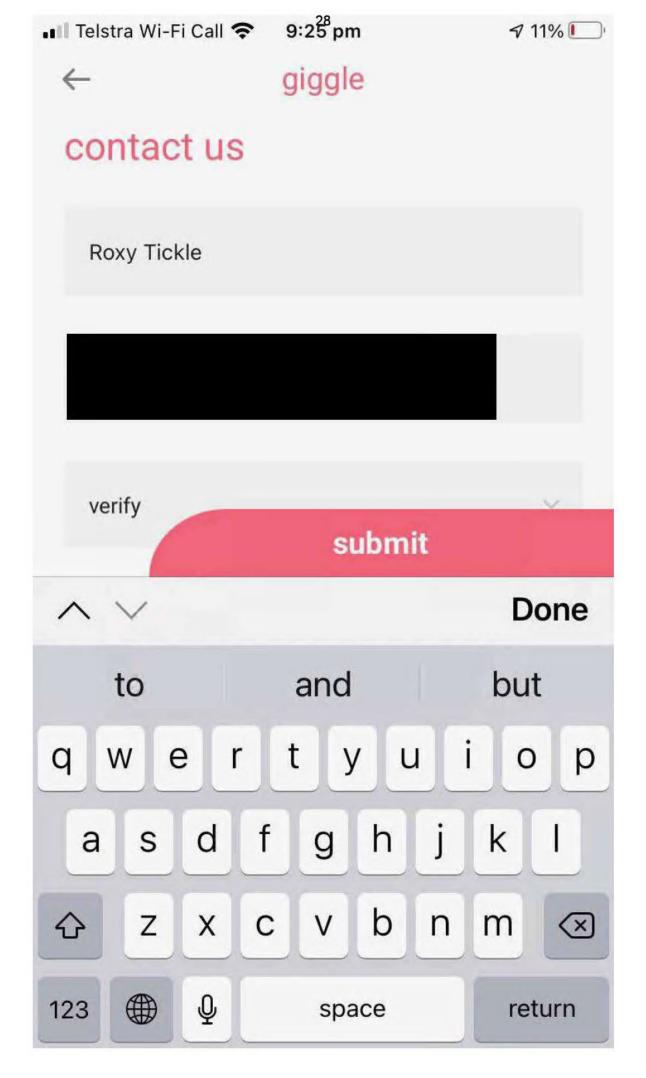
Second Respondent

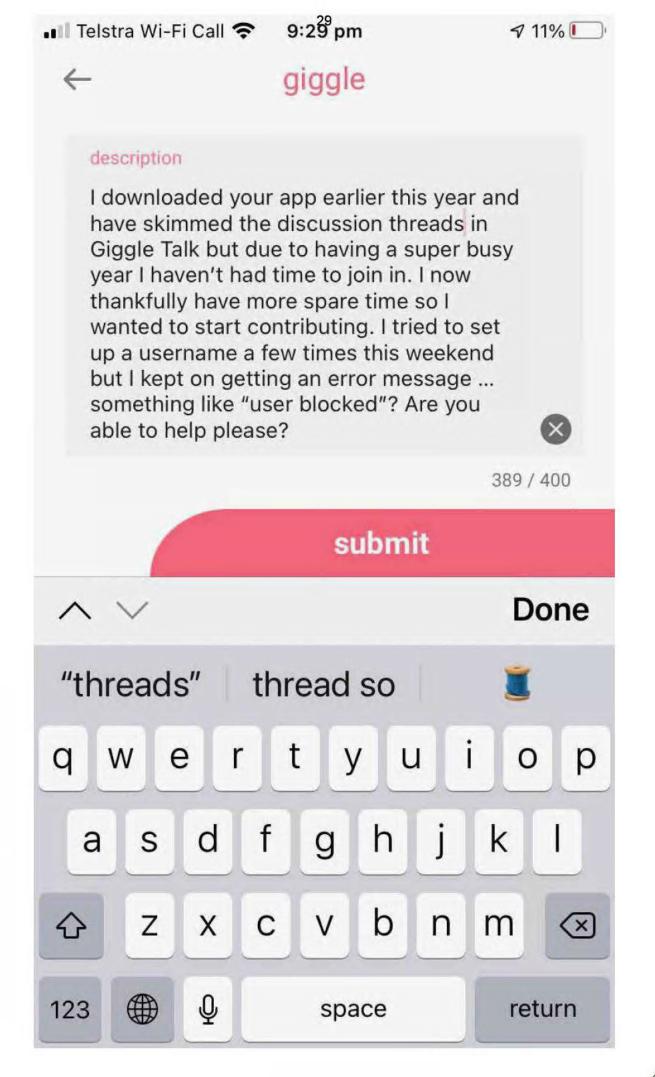
### **ANNEXURE "RT-5"**

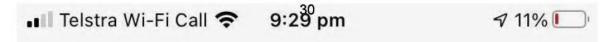
A true copy of the of the Giggle for Girls Pty Ltd in-app contact form filled out by the Applicant.

This is the exhibit marked "RT-5" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.

**Tinashe Makamure** 









your verify has been sent!

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

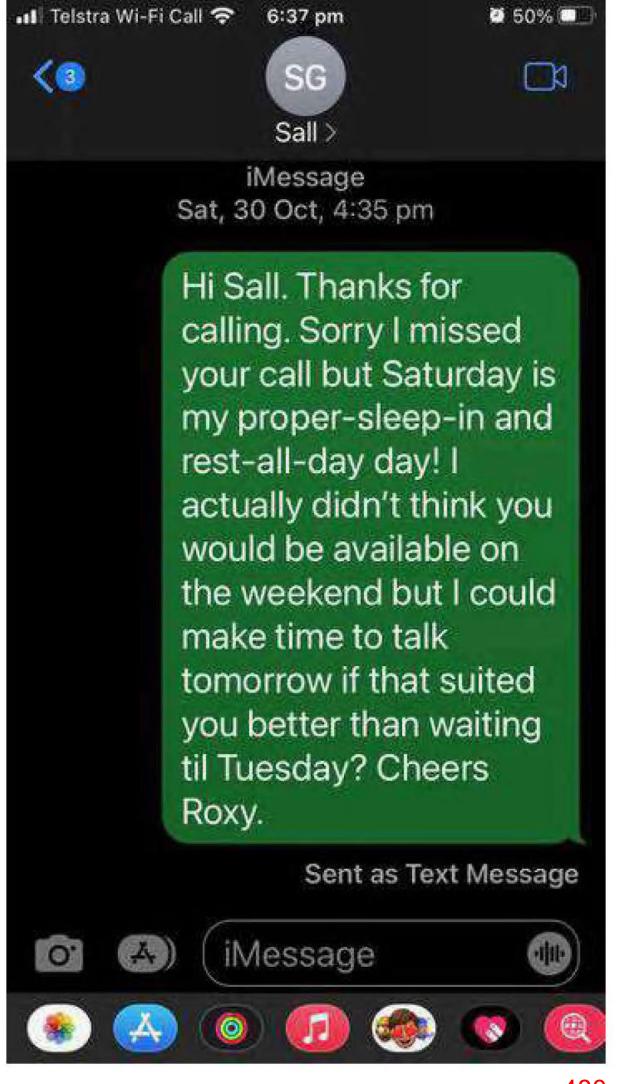
Second Respondent

### **ANNEXURE "RT-6"**

A true copy of the text message the Applicant sent to Ms Grover on 30 October 2021.

This is the exhibit marked "RT-6" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.

**Tinashe Makamure** 



No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-7"**

A true copy of an email chain between the Applicant and Ms Grover dated between 4 October 2021 and 5 November 2021.

This is the exhibit marked "RT-7" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.



Tinashe Makamure



Hi Sall,

Oh goodness what a week. Sorry I didn't get a chance to try and call you on Tuesday ... really busy week. I tried just before 5pm today but my call went straight to voice mail. I will try again in the morning.

Have a nice evening!

Cheers,

Roxy.

On 29 Oct 2021, at 7:00 pm	, Roxy Tickle wrote:
Hi Sall,	
I tried to call this afternoon bafternoon.	out didn't catch you unfortunately. I'm pretty busy for a few days. I might try again on Tuesday
Have a great weekend.	
Cheers,	
Roxy.	
On 28 Oct 2021, at 10:59	pm, Roxy Tickle wrote:
Hi Sall,	
I am still trying to work out provide my perspective or	t why I only have partial access to the app. There are some interesting posts that I would like to a.
	n't pay for premium features either - I submitted a bug report. I will try and give you a call after we can work out what is going wrong.
Hope you are having a gro	eat week!
Cheers,	
Roxy.	
On 22 Oct 2021, at 9:33	3 pm, Roxy Tickle < wrote:
Hi Sali umm any r	news?
┐_(ツ)_/⁻	
On 20 Oct 2021, at 9	:19 pm, Roxy Tickle
Hi Sall,	
I tried to set up my us actually blocked? It w	sername again tonight and got the "user blocked" error message again. Um I hope I'm not rould be a weird form of blocking if I am allowed to see posts but not comments and not allowed uite apart from the fact that the concept of being blocked at all has me scratching my head.
I tried to set up my us actually blocked? It w comment myself q	rould be a weird form of blocking if I am allowed to see posts but not comments and not allowed

Cheers, Roxy. Begin forwarded From: Roxy Tick Subject: Re: He Date: 16 Octobe To: Sall Grover Hi Sall ... any luck yet? Cheers, Roxy. On 11 Oct 2021, at 10:58 pm, Roxy Tickle Hi Sall, Sorry for the delay! I try and put my email away for the weekend and then I had a massive day at work today. Thanks for your help. Cheers, Roxy. On 8 Oct 2021, at 10:32 pm, Sall Hi Roxy, am so sorry for this! Can you send me your phone number and I will personally look into it right now. All the best, founder & CEO www.joinagiggle.com On 4 Oct 2021, at 1:11 pm, Roxy Tickle Hi Sall, I sent this message through your app a week ago and haven't received a response as yet. Sorry to disturb you, but would you mind passing it on to the appropriate person please? I couldn't find any other way of contacting tech support. Thanks in advance! Cheers,



### **Exhibit Certificate**

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-8"**

A true copy of the Applicant's complaint filed with the Australian Human Rights Commission dated 5 December 2021.

This is the exhibit marked "RT-8" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.

**Tinashe Makamure** 

Solicitor for the Applicant

From: To: Subject:

Date:

Australian Human Rights Commission

AHRC Make a Complaint Form Sunday, December 5, 2021 10:11:47 PM



### Complaint

### Your Details (Your complaint)

Name: Ms Roxanne Tickle

Address:



Phone (After hours): Phone (Business hours):



TTY:

Would you like a copy of your complaint emailed to you: Yes (A copy of the complaint form will be sent to

Do you require assistance to participate in the complaint process?:

No

Do you require assistance to participate in the complaint process?: No

Do you have a legal representative or advocate?

### Who is the complaint about

### **Organisation Details**

Organisation name: Giggle for Girls Pty Ltd

ABN: **79 632 152 017** 

Address:

Email:

Phone (Business hours):

Mobile: Fax:

What is their relationship to you or the aggrieved person?:

Provider of smart phone application

Do you want to add another respondent?

Yes

2nd Respondent's Details

Name: Sall Grover

Address:

Email:

Phone (Business hours):

Phone (After hours):

Mobile:

Fax:

What is their relationship to you or the aggrieved person?: Giggle for Girls Pty Ltd's Chief Executive Officer

What are you complaining about

I have been discriminated against because of my:

age: **No** disability: **No** 

association to a person with a disability: No

use of an assistance animal or disability aid or because I have a carer: No

sex: No

pregnancy: No

marital or relationship status: **No** family responsibilities: **No** sexual orientation: **No** gender identity: **Yes** 

What is your gender identity? Female (more specifically ... a transgender

woman)

intersex status: No

race (including colour, national origin, descent, ethnicity and immigrant

status): No

trade union activity (employment only): **No** criminal record (employment only): **No** religion (employment only): **No** social origin (employment only) : **No** 

Please state the other reason(s):

I believe that I am being discriminated against by being provided extremely limited functionality of a smart phone app by the app provider compared to that of other users because I am a transgender woman. The app provider appears to not recognise transgender women as female. I am legally permitted to identify as female.

When did the alleged event(s) happen?

I became aware that I was being treated differently in September 2021.

Reason(s) for delay

What happened?

confirming that my gender is female. 10. Giggle apparently uses socalled bio-metric gender verification software to determine whether the registering user is "male" or "female" based on their "selfie", as well as using human beings in a secondary process to verify the software's gender determination. Presumably the gender verification software attempts to determine the applicant's sex assigned at birth, rather than their current legal sex or gender. 11. The so-called bio-metric gender verification software and human beings apparently both determined that my gender was female as I was permitted to complete my app registration. 12. Between February 2021 and September 2021, I occasionally opened the app and read randomly selected posts. 13. In late September 2021 I noticed that although I was able to read posts made by other users, I was unable to make comments on any of these posts, read any comments made by other app users or make any posts myself. I contacted Giggle through its in-app contact form to alert them of my restricted use. I received no response. 14. In early October 2021, I sent a follow up email to the main contact email address ) listed on the app's website (joinagiggle.com). I received no response. 15. A week later I sent an email to the main contact email address ( and the generic welcome email address I received a response requesting that I supply my mobile phone number so the problem could be looked into. I provided my mobile telephone number as requested. I received no further response. 16. Over the next 4 weeks I sent a further 6 emails following up my query. I received no response to any of them. 17. I sent another follow up query through the in-app contact form. I received no response. 18. The singular emailed response that I did receive from Giggle, apparently from Sall Grover, contained an email signature panel with a mobile telephone number. 19. In late October 2021, I sent a text message to this number. I received no response. 20. In late October 2021, I made an unanswered phone call to this number. I decided to not leave a voice mail message. The voice mail system was one where the audio message is converted to a text message. After the trouble I had gone to to try and talk with the app provider, I thought direct voice communication was the best option. The following morning, I missed a returned phone call from this number. The caller did not leave a message. I tried calling the phone number again 1 week later and was unable to get through. 21. I considered at that point that I had gone over and above a reasonable level of effort attempting to make contact with the provider of the app. 22. My use of the app does not appear to be terminated, but vastly restricted. When I attempt to access certain app functionality, I am presented with a "User Blocked" error message. I am presented with the same error message if I attempt to purchase Premium Features in the app. 23. It appears that Giggle's provider only wishes cisgender women and transgender men to register for and use the app, apparently deliberately intending to exclude transgender women, cisgender men, and non-binary people. 24. Tweets published by Sall Grover's Twitter handle (@salltweets) appear to show a poor understanding of sex and gender, often using the terms interchangeably. The Twitter handle commonly refers to transgender

women as men and transgender men as women. 25. I have felt increasingly uncomfortable by announcements made by Sall Grover, both on Twitter and in interviews with various media outlets, both local and international, as well as posts made within the Giggle app itself by Sall Grover and other app users. 26. Transphobic comments posted in the app's social media discussion threads appear to not be moderated, and in fact appear to be encouraged, both within the app, and on Twitter, by Sall Grover. 27. I believe that I am being discriminated against because of my gender identity. I believe that Giggle and Sall Grover have decided in error that I am male and have declined to grant me full use of the app. If this is true, I am uncertain why I have been permitted to retain partial use of the app. How Does it Happen to me and Others? As a resident , along with other protected categories of people including those based on race, disability, sex, age, sexual orientation, intersex status, marital status and others, I am meant to be protected from discrimination based on my gender identity by legislation at both the state and federal level. This safety net appears to me to have some holes in it. Discrimination based on gender identity still seems to be fair game. It is often left to transgender and gender diverse people and their direct allies to be reactive at the time and place of any discrimination. It appears still to be an accepted form of bigotry amongst many people. Everybody has the right to be a bigot, somebody once said, and many people are continuing to make use of that right. It is the bigotry that need not hide its face. I can't recall hearing of an actual group of people that actively discriminates based on age. I have been unable to locate a Facebook page or website for the Ku Klux Klan in Australia. Yet groups that favour discrimination against people based on their gender identity appear to have no need to hide their face. They have Facebook pages. They have websites. They have email addresses. Here is a sample of Australian groups that have no fear in condoning and/or encouraging discrimination against transgender and gender diverse people: • Coalition for Biological Reality • LGB Alliance Australia • Save Womens Sport Australasia • Women Speak Tasmania • IWD Brisbane Meanjin • Feminist Legal Clinic Inc. Not only that, individuals with platforms, including journalists, politicians, business people, lawyers and others have no qualms about speaking out against transgender and gender diverse people and encouraging their readers, listeners and/or constituents to discriminate against transgender and gender diverse people. They don't campaign for legislative change, mind you, they just openly encourage discrimination. Because they are seemingly allowed to. In fact, for some of them it often appears to be their raison d'être. Here are a handful of examples: • Sall Grover: https://www.youtube.com/watch?v=4bqXNXQwgpk • Associate Professor Holly Lawford-Smith: https://www.youtube.com/watch? v=9GeTliLuoUs • Peta Credlin AO: https://www.skynews.com.au/opinion/peta-credlin/erasing-women-nswwoman-of-the-year-could-be-awarded-to-a-transwoman/video/a2c774ae1882c3d6fd9a79b256d4c36d • The Honourable

Mark Latham MLC: https://www.news.com.au/national/nswact/politics/mark-latham-seeks-to-outlaw-ability-to-identify-astransgender-and-rejects-gender-fluidity/newsstory/217dca3f008fb57ee825a4ef69a1156c • Senator Amanda Stoker: https://qnews.com.au/queensland-lnp-senator-calls-for-support-tofight-transgender-agenda/ • Senator Pauline Hanson: https://www.starobserver.com.au/news/pauline-hanson-saystransgender-children-should-be-taken-from-parents/197282 • The Honourable Scott Morrison MP: https://www.sbs.com.au/news/genderwhisperers-scott-morrison-criticised-for-hateful-tweet-about-transstudents/513b958c-4dce-49a7-85ea-ebc9d3c6792d • Kirralie Smith: https://twitter.com/KirralieS/status/1159717711317889024?s=20 • The Honourable Barnaby Joyce MP: https://omny.fm/shows/drive-withtom-elliott/barnaby-joyce-fires-back-at-mother-of-transgender • Senator Claire Chandler: https://fb.watch/9H iLrMCxx/ • Annie Kia: https://anniekia.net/10-uncritical-allegiance-the-harms-of-queerideology/ • Katherine Deves: https://www.youtube.com/watch? v=U6sor5C3Y60 • Bernard Lane:

https://www.smh.com.au/business/companies/substantial-distress-presswatchdog-rebukes-the-australian-for-reporting-on-gender-issues-20210903-p580i7.html These are just some names that spring to mind and some easily found relevant material. I could go on and on if I had the time and resources. To the best of my knowledge, none of the individuals mentioned above have any qualifications or experience in psychology, psychiatry, paediatrics, gender counselling or indeed any relevant area of primary or ancillary health care. Why is it, then, that they believe that they get to control the public narrative about our lives? What is the point of having legislation to protect us from discrimination when it appears that so many people with such prominent platforms have no regard for it? Not only that, but they openly and unashamedly encourage their readers, listeners and/or constituents to flout the legislation as well. Transgender and gender diverse people, along with their closely connected allies, are often left to defend themselves against incidences of discrimination. Often, they overlook the discrimination due to the huge amount of emotional labour and stress involved in following up and prosecuting the discrimination. This is overwhelmingly the case when Sistergirls and Brotherboys are involved, as it usually is with any other instances of intersectionalism. My complaint relates to what I believe has been, and continues to be, discrimination against me, but I have also witnessed other trans women and their allies ejected from Giggle without repercussion. I have witnessed other instances of discrimination and verbal assault based on gender identity. People usually say nothing, put their head down and attempt to carry on with their lives with a concomitant decline in their mental health. We have often tended to attempt to live with discrimination in the past because obtaining a favourable outcome, although it may be better for our mental health in the long term, is only good for our mental health if we are successful ... when we are successful. Until then, if it indeed happens, it is detrimental to our mental health. So we usually put our head down and try to move on. Acts of discrimination against transgender and gender diverse people happen far too frequently, without penalty. Why is it

that trans and gender diverse people and their allies are often left alone to fight to defend their already existing legal rights? Must we be the ones to take legal action each and every time it happens? Must we? Surely there must be a better way?

Do you intend to email the Commission supporting information? No

Upload Document File ID:

### Other Information

How do you think the complaint could be resolved? Giggle management should seek out education relating to sex, gender and gender identity to be better placed to provide a smart phone app targeted at "females". Giggle should extend full app functionality to me and all other people that identify as female as long as they comply with

Have you complained about this to another organisation? No

Were you referred to us by another organisation? Yes

all other app terms & conditions.

Organisation's name: Queensland Human Rights Commission



Copyright © Australian Human Rights Commission

### **Exhibit Certificate**

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

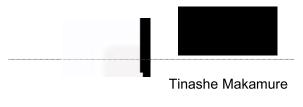
### **SALLY GROVER**

Second Respondent

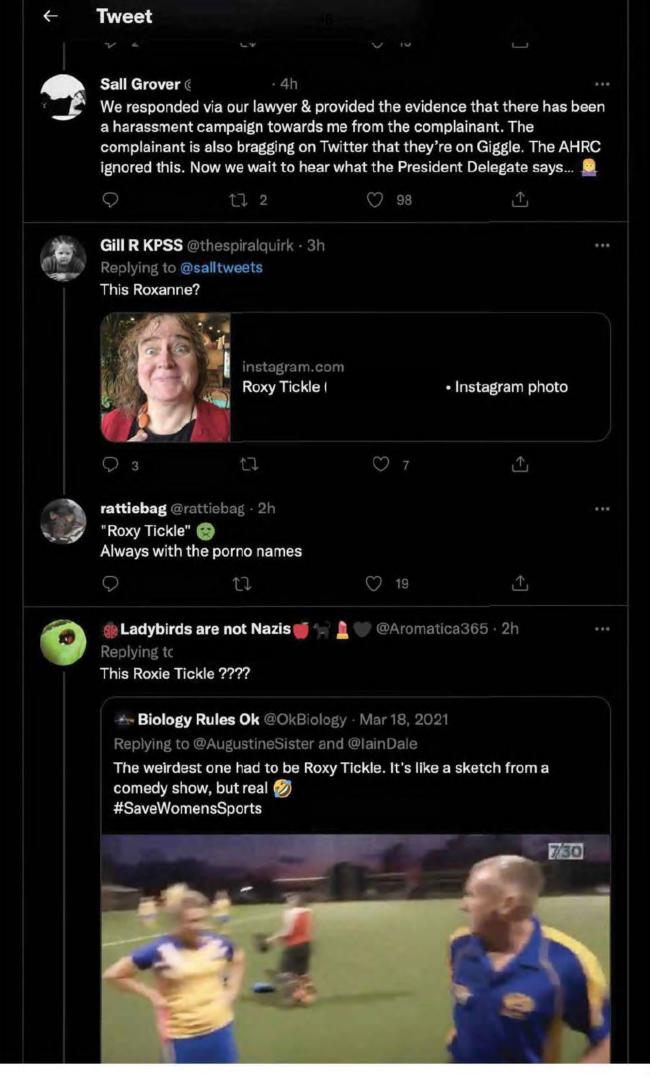
### **ANNEXURE "RT-9"**

A true copy of the various statements that Ms Grover has posted to 'X' about the Applicant and this case.

This is the exhibit marked "RT-9" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.



Solicitor for the Applicant





Tweet



Sall Grover

In January 2022, I received an Australian Human Rights Commission complaint against both Giggle & me personally, from a trans identified male who wants to use a social networking app for females & for me to be re-educated on sex & gender.

I am finally able to talk about it.

### er wars over face

### Trans woman banned from female network

Y chat group ognition softmembers is e Australian mmission to t allow men nen to join. of the social Siggle, Sall ole point of "safe space m men.

ner Hollynow Gold facing an human

rights body. Her popular app uses Al facial recognition computer software to recognise female faces to admit new members, on top of screening by the human eye. More than 15,000 women from 88 countries have joined the platform since it started in 2020.

But Ms Grover, who says she wants to help women after experiencing sexual harassment in Hollywood, has been informed by the commission a complaint of "gender identity discriminagender woman Roxanne Tickle.

The AHRC told her that if she allows Ms Tickle to join the app and "all other people that identify as female", and undergo "education" about sex, gender and gender identity, the complaint will be dropped. Otherwise the case could be taken to the Federal Court.

"What I find quite chilling is the Australian Human Rights Commission is sending me something basically saying I

need to be re-educated," Ms Grover said.

"That, to me, is the scandal. I am already well educated about this, I just don't believe in gender ideology."

She says female-only gyms and pools exist, and men have male-only Men's Sheds, but she gets men from all over the world constantly trying to join the app objecting to males being in feevery day.

Women are entitled to have a place to connect and chat online and have fun away from

the male gaze," she said. "What the Human Rights Commission is basically suggesting is that it's not my or any other woman's human right to congregate away from males."

Liberal Senator Claire Chandler has blasted the situation, saying everyday Australians are being punished for male spaces such as bathrooms or sports teams.

"We are seeing a full-on authoritarian attack on the rights

11:34 AM · Mar 21, 2022 · Twitter for iPhone

129 Retweets

15 Quote Tweets

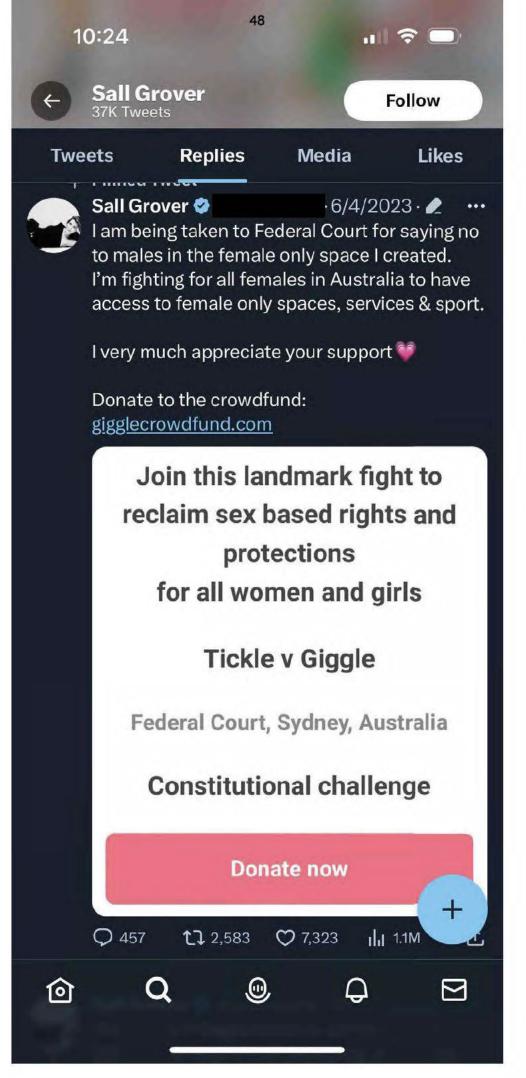
512 Likes

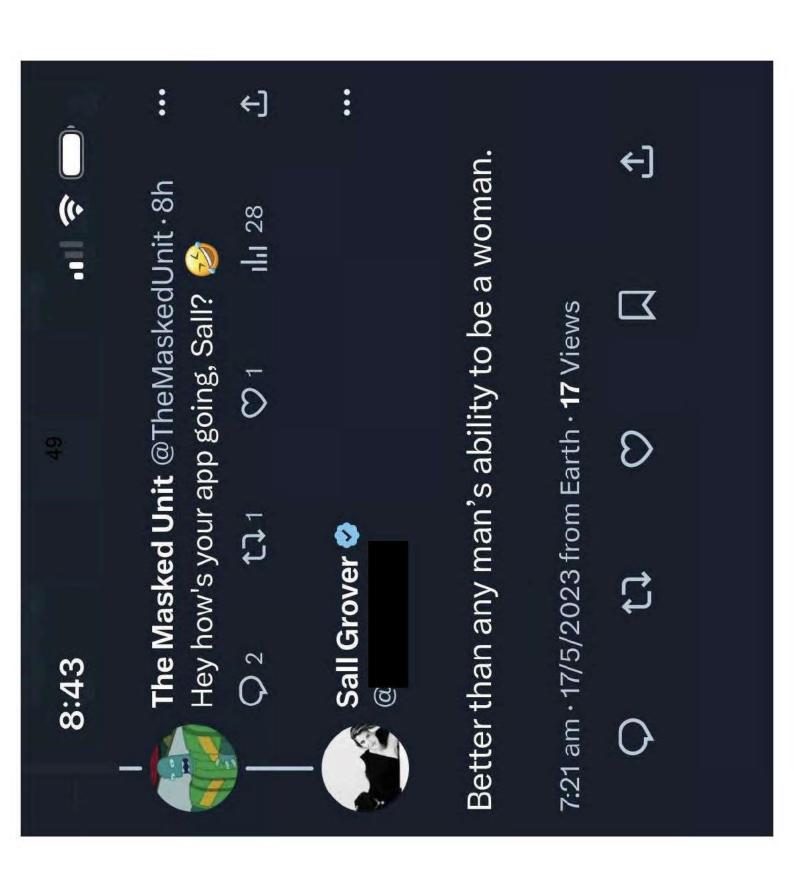


 $\uparrow$ 













### **Tweet**



Sall Grover 🔮 @: ·1h

It is irrelevant to me whether a man has gender dysphoria, autogynophilia or even if he has had "the surgery". None of it makes him a woman. None of it. So he's not coming into a woman only space.

Q 13

**11**3

♥ 731 III 7,290





eat at Dave's @DavidMaegraith · 1h Are any protests being planned over this Sall? What about a March on Federal Parliament House in July school holidays?

Q1

17

143





Sall Grover 🦃

Yep! They're being organized. Stay tuned.

4:24 pm · 21/5/2023 from Earth · 125 Views

5 Likes

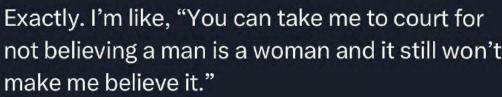










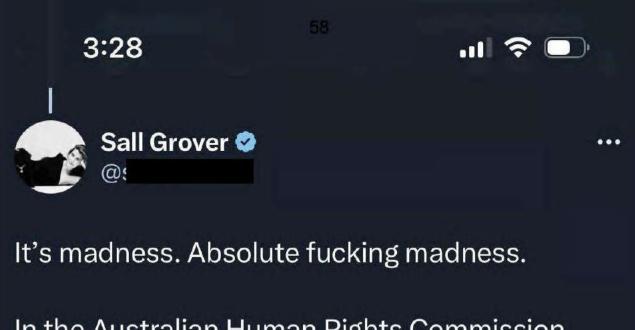


4:06 pm · 23/8/2023 from Earth · **459** Views

3 Reposts 55 Likes

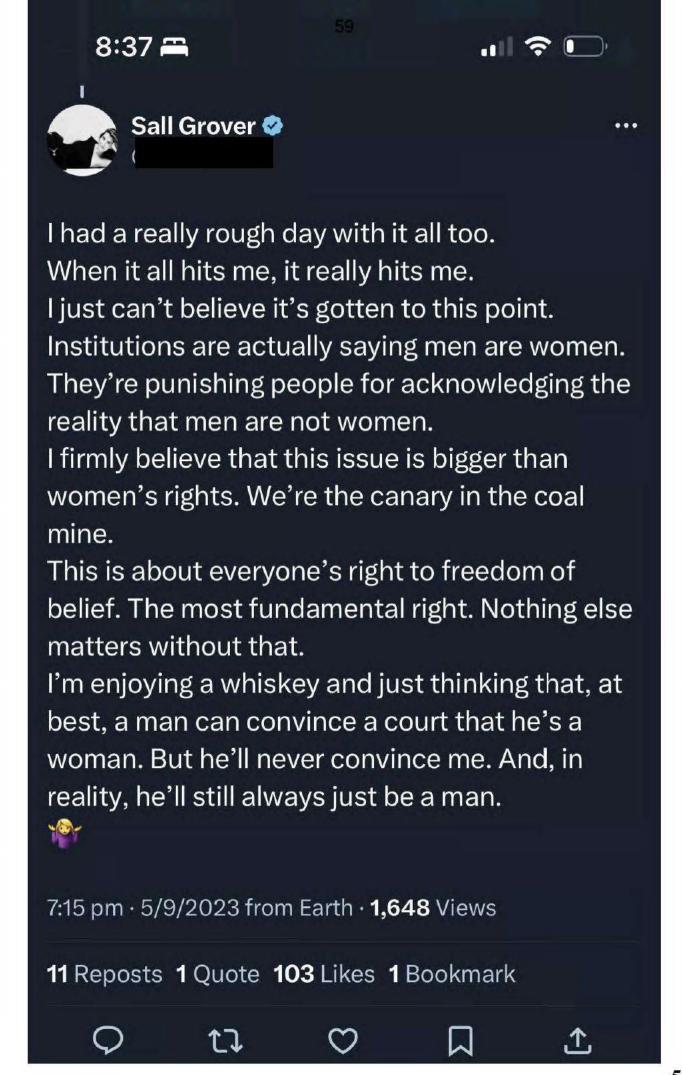






In the Australian Human Rights Commission complaint against me, one of the conditions of conciliation was I go to "sex & gender education" (which could only be "reeducation" because I am already \*very\* educated on the topic of sex & gender). Had I not been pregnant at the time, I may have agreed to go just to take notes on it and expose what they're "teaching". In fact, they're lucky I \*didn't\* go.

I could teach "sex & gender education" classes. So could <u>@angijones</u> & <u>@RachaelWongAus</u>.





No. You are worryingly confused here.

Feminists have always \*challenged\* what is \*expected\* by men and women of women and girls. Prior to the capture of language to suit men who claim to be women, they spoke clearly to challenge both sex and gender \*expectations\*. Many a trans activist has tried to use that as proof that men are women, because \*they captured the fucking language\*.

And I don't give a shit who started it. I'll finish it.

MEN ARE NOT WOMEN.

A simple fucking DNA test will prove this.

But, to be honest, I'm actually not going to have this debate with you. I muted the previous conversation because it is a waste of everyone's time, and I don't like to get angry. But for some of us, this isn't fun theories to test out on Twitter to get a response and a rise out of people. A nod to a bygone era of academia. It's our lives. It's our livelihoods. It's our actual rights in law. Guess which sex I'm talking about. I bet you know.

If you're on Team Tickle now, go be on Team Tickle. I don't care. He doesn't have to raise money, incidentally, he gets a free ride to attempt to destroy my life \*based on a lie\*. While everyone is testing out theories on gender, old fashion sexism is alive and fucking well.

6:25 PM · Sep 6, 2023 · 78 Views

### **Exhibit Certificate**

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-10"**

A true copy of various online publications, newspaper articles and blog pieces that have interviewed Ms Grover or have been authored by Ms Grover.

This is the exhibit marked "RT-10" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.



**Tinashe Makamure** 

Solicitor for the Applicant



### to women's rights and safety Echoes of Orwell in threat

A bold Gold Coast pioneer is standing up for her right to prioritise and protect sexual reality

ANGELA SHANAHAN



young businesswoman, a former scriptwriter who escaped Holly-wood and recently started an app Grover is an ambitious

travelling companions and per-haps exchange the on fashion, whatever, igirly sort of things as the name Giggle would imply, the name Giggle would imply. What man would possibly be ginterested? Think again. The app was designed for girls and women to connect with other girls, to find friends. Baimates,

Grover has found herself the subject of a complaint to the Aus-

want anyone who is not biological-ly female on the app. According to she must submit to "sex and gen-der re-education" and to allow all AHRC's conciliation process has to begin at the point where she identity because Grover does not Grover, to resolve the complaint males who identify as women on the app. In other words, the gives in to the complaint.

tralian Human Rights Commis-sion by a person who claims dis-crimination on the basis of gender

ginning her business there were a lot of men trying to get on to the app. Why is debatable. Some might have been trying to hit on girls So to prevent men from accessing her app, Grover uses an Al facial identification program to weed out male interlopers. Grover found shortly after be-

eleste & ane & Mostly it works. After all, men and women are different - differ-ent life experiences, different health needs and naturally,

different physiognomy. However, initially Grover did not count on trans women wanting to medical needs and hysiology, and, some nological females, differ use her app. After all, they too have different experiences from discriminate

times, even more pressing safety needs. Grover claims she does not want ous that an app called Giggle the should be obvinunity, but

Renata &

dex milieu of trans ned at the comnot

people, rather, it is aimed at women

come to maturity

used against them.

Nowhere is this loss of defi-nition of sex to gender identity to the detringent of women more ob-vious than in sport – winess the signed to protect women is being media and networking platform Giggle

recently won a prestigious furore over Lia Thomas, the

ler was subject to a complaint to the Tasmanian Anti-Discrimination Commission for writing designed for people of the female and women's changerooms are Women's sports, women's toilets In 2020, senator Claire Chandsex and should remain that way."

As Grover explained, the person "was removed from the Giggle app

because they are male, no other

reason. The removal was manual,

transgender woman, managed to get on to the app and was removed.

However, the complainant, a quently have their own different

as biological females and conse-

and saw a man. The Al software had let them through, thereby Grover has found herself in a dilemma that is the direct result of the phony notion of gender ident-This came about in 2013 during the

making a mistake that I rectified."

looked at the onboarding selfie

She, too, would have been re-quired to agree to sex and gender she wished to participate in conre-education and required to sign a confidentiality agreement if

and associations having legal ac-tion taken against them for offer-Save Women's Sport Bill gives Australian women and girls the right to single-sex sport and prevents sports clubs

> Gillard government, when the Sex Discrimination Act of 1984, originally put into place to protect

ity being defined as sexual reality

cation by activists working togeth-er 'to try to compel our speech and However, Chandler has been the subject of bullying and vilifilimit what we can say ing single-sex sport.

logical realities to allow gender identity, without regard to the per-

modified. They removed the definition of man and woman as bio-

education discrimination,

son's sex at birth. Births, deaths and marriages in most states have

Australian entrepreneur I Sally Grover, left, and her female-only

quires organisations and individu-als to prioritise self-affirmed gender/identity above sex." She makes the valid point that "the Sex Discrimination Act, de-signed to provide protections for women on the basis of sex, now re-

quently, what was originally de-

and ambiguity are obvious. Conse-

social

Hence the Australian Human Rights Commission's support of

genderidentity over sex in the case

things.

How else to explain the truly orthodoxy, as on many other though it is true that the proselyti-sing left has infiltrated the mindset of a young generation on gender Gender theory is no longer just a fixation of the political left, al-

Orwellian concept of sex and gen-der re-education? Even the term sounds like something from a communist playbook.

fertility and dity in sexual sexual orientation, and has culminated in he attempt to eradicate sexual sexual identity was not just politi-cal. It began in the promiscuity of However, the breakdown of the early post-war sexual revolution that divorced sex from child fluidity encouraged

Members of the general public are blithely unaware of this as they go about their lives because most

I have to confront that per-son, pregnant as I am, then I think weknow who is a woman and who is a man!" hood, or perhaps some brave course to the bleeding obvious "I Women in sport might be the woman like Grover, six months pregnant, might expose this em peror for his nakedness by refirst salvo in destroying this false

# Females-only app owner calls out 'scandalous' probe

### **CLARISSA BYE**

A FEMALE-ONLY chat group sion (AHRC) to explain why it ware to screen new members is being dragged to the Austrawon't allow men who identify using facial recognition softlian Human Rights Commisas women to join.

group is to have a "safe space But the founder of the social networking app Giggle, Ms Sall Grover, says the point of the

wood screenwriter now Gold Coast-based mum-to-be, faces an "Orwellian" investigation Ms Grover, an ex-Hollyfor women" away from men. by the human rights body.

Her popular app uses AI faware to recognise female faces to admit new members, on top of screening by the human eye. cial recognition computer soft-

Tickle to join the app and "all gender woman Roxanne Tickle. other people that identify as feaccept the complaint. More than 15,000 women from 88 countries have joined since it started in 2020.

male", and undergo "education" about sex, gender and gender identity, during a conciliation process, the complaint will be dropped. Otherwise she faces a threat of the case being taken to the Federal Court. But Ms Grover, who says she has been informed by the wants to help women after experiencing sexual harassment during her time in Hollywood, human rights body a complaint of "gender identity discrimination" has been made by trans-

he Australian Human Rights Commission is sending me something basically saying I need to be re-educated," Ms Grover said, "That, to me, is "What I find quite chilling is the scandal. I am already well

It told her if she allows Ms

The AHRC has decided to

educated about this, I just don't believe in gender ideology."

She says female-only gyms and pools exist, and men have male-only Men's Sheds,

"Women are entitled to have a place to connect and chat online and have fun away from the male gaze," she said.

"What the Human Rights other woman's human right to sesting is that it's not my or any Commission is basically sugcongregate away from males."



1

he warm Gold Coast sun is beaming on soonto-be mum Sall Grover but there's nothing sunny about her mood this morning. As she talks about the upcoming legal challenge to her

business, a female-only social networking platform, she struggles to contain her rage. In the final weeks of her pregnancy she should be nesting and preparing for the birth; instead she's gearing up for a battle that will have far-reaching implications not only for her, she believes, but for all women.

It all seemed so simple when she established the free app Giggle in 2019 as a female-only space where women can chat about issues, promote their business, find accommodation, network and share their intimate thoughts with like-minded users. The 37-year-old grew up on the Gold Coast, studying film, journalism and philosophy at Bond University before leaving Australia to fulfil her dream of being a romcom screenwriter in Hollywood. A decade later, after witnessing first-hand misogyny and sexual abuse towards women in Hollywood, she returned home and created the app as a means of therapy for herself and others. Anticipating that some men might try to crash the platform, she took steps to ensure that it could only be accessed by women. "When they [men] decide to really go after us, which they do every few weeks or months, they do it by the high thousands in a short period of time."

So to access Giggle, new members are required to upload a photograph to be verified through facial recognition software to confirm they are female. Grover says it is about 94 per cent accurate and women rarely run into problems; if they do it is often only due to a blurry or highly pixelated image. "If Giggle didn't have gatekeeping to

create a female-only platform, it wouldn't be one. It's as simple as that. An onboarding selfie is the easiest, most effective way to do this," she says. The platform soon grew and now connects 20,000 women in 88 countries. "We have women in countries like Saudi Arabia or Orthodox Jewish women where female-only spaces are incredibly important. We have women who are recovering and dealing with trauma, and the space has significance to them in their healing" she explains.

Just weeks after going live in the testing phase, Giggle found itself dealing with the first online attack. The security settings weren't in full effect and some new users left reviews accusing it of being transphobic. Grover was shocked; she never imagined her efforts to create a safe space for women would land her at the centre of a gender war and see her taken to the Federal Court for discrimination, labelled a TERF (trans-exclusionary radical feminist) and receive death threats.

"It's been hell," she says. "It's terrifying and I've had to navigate it all through nine months of pregnancy. I created a social network for women, myself included, where we can relax on the internet away from death threats and toxic male behaviour." While always outspoken about women's rights, she never considered herself an activist. And she still doesn't.

Grover says that during the app development phase it was envisaged that transwomen would be able to contact Giggle if they wished to join, "because honestly we thought we'd be dealing with a minuscule amount of people in this context". However, following the early attacks, this idea was dropped. Worried that some men were claiming to be women to gain access, "we changed the Giggle policy to strictly female-only out of necessity". But by then, the negative comments had stuck. "We did ad testing on Facebook and Instagram, and they got banned for hateful content. Google ads take our reviews into account and because we've been attacked our ads would

be pushed to the bottom of the pile," she explains. "We wanted to do equity crowd funding, which would allow women to have ownership in a start-up and have investment in the financial world. No equity crowd funding company would work with us, saying the trans issue was like an open wound."

Despite these setbacks, Grover remained steadfast that the app should be solely for biological women. So, in September last year, when manually checking the screening process, she saw a photo of a person she took to be a man who'd got through the screening and removed the profile. "I thought nothing of it because we'd removed men before and since," she says.

Realising she'd been removed, this person, Roxanne Tickle, emailed Giggle to confirm she was a transgender woman. Grover didn't reply to the email; she says it's impossible to respond to every email. The following month she says she received a text on her personal phone from Tickle, saying she wanted to talk about joining Giggle. "I froze. No other user had ever contacted me on my phone," she recalls. Then on January 20 this year Grover received a discrimination complaint made to the Australian Human Rights Commission by Tickle. The following day Tickle tweeted that she would be incurring quite a few expenses for her advocacy work this year and needed funding. On her Ko-fi page (a platform for collecting donations) she says: "I spend a lot of my 'spare' time and expend a lot of emotional energy drawing attention to our (already!) legally protected rights and helping cis people at least try to understand what it means to be trans."

In her complaint Tickle stated she believed she was being discriminated against by Giggle because she is a transgender woman. "The app provider appears to not recognise transgender women as female. I am legally permitted to identify as female."



"It's been hell": Sall Grover

Tickle called upon Giggle management to undergo education on sex, gender and gender identity and she wanted full access to the app for herself and other people identifying as female.

Grover refused to give ground. She says that, based on what Tickle was and still is seeking, conciliation would have resulted in her business and the space she's created for women around the world being destroyed. "Roxanne wants all males identifying as women to be allowed on, and any offensive comments to transwomen made on the app moderated," she says. "And for me to go to sex and gender education. I am educated on sex and gender: I just don't agree with their ideology. I am never going to agree with those things. It renders my company useless and takes away my own human rights."

Unable to reach conciliation, Tickle took the matter to the Federal Court alleging unlawful discrimination under the Australian Human Rights Commission Act 1986. When she was served the papers, a heavily pregnant Grover says she burst into tears. "I felt shattered. My first thought was, the first year or two of my daughter's life will be spent doing all of this," she says. 'I feel like I'm in in the midst of a nervous breakdown, like I'm under surveillance. When we created the app we did not think we'd be fighting something like this that could be a landmark legislative case for Australia."

issued a statement saying that "as there is a legal process unfolding, I would prefer not to comment at this stage". In the court documents Tickle said that although her sex at birth was male, she has had her birth certificate reissued to say she is a female and a letter from her physician confirming her gender is female. She is claiming discrimination in relation to comments from Grover "that she considered transgender women, including the applicant, to be male" and is seeking damages, an apology and full access to the app. "I believe Giggle and Sall Grover have decided in error that I am male and have declined to grant me full access to the app."

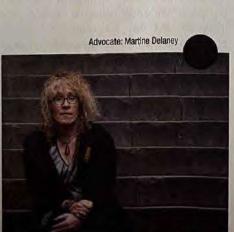
Christine Quinan, a lecturer in Gender Studies at the University of Melbourne, says the issue of allowing transwomen into women's spaces is charged and contentious. Quinan believes the Automatic Gender Recognition technology used by Giggle relies on an outmoded understanding of gender and reinforces marginalisation of trans people, preventing them from fully participating in society. "We cannot underestimate the impacts on health and wellbeing when trans and gender diverse people are continually asked to prove



their legitimacy and to prove their very existence," they said. "While biometrics and statistical surveillance supposedly provide proof that we are who we say we are, that burden of proof is unduly placed on those who do not 'match' expected norms, facilitating exclusionary, rather than inclusionary goals."

Equality Australia CEO Anna Brown says discrimination laws exist to ensure everyone has equal access to participate in public life on equal terms. "Women who are trans experience extraordinary rates of abuse, sexual assault and discrimination – often at the hands of men," Brown says. "The resulting social isolation drives some of the worst mental health outcomes in the community, with research revealing that almost one in two transgender people have attempted suicide." She says service owners and providers including online platforms and apps have the responsibility to ensure people can access their service without discrimination. "Products marketed for women must be inclusive of all women."

Having experienced exclusion and discrimination first-hand, Tasmanian trans advocate Martine Delaney has spent 20 years fighting for trans rights and legislative reform. She feels trans people are



being sent a clear message they are not welcome and are being denied access to crucial parts of life, including the ability to connect. "Giggle seems to be saying you are not welcome because our view is you don't belong in this community despite what the law may say," Delaney explains. "It is saying we are going to put a chromosome line in the sand, and it doesn't matter who you are as an individual and how you conduct yourself, but if you are trans you are not welcome here. So, it cannot be anything but discriminatory. It's a damaging message for people to get and the trans community is probably one of the most marginalised people already. It assumes all transwomen are unsafe. It assumes all cis women are safe."

Delaney believes Giggle should have a system that allows transwomen access but not males and that if the inclusion of transwomen on the app offends some women, then they have the ability to remove themselves. While she praised Tickle for bringing the action, she said she had "mixed feelings" about the court case. "In the current climate, it gives more ammunition to exclude trans people," she says. "It is not helped by trans activists giving Sall a hard time. Attacking is not of any real value."

Grover's lawyer Anna Kerr, principal solicitor at the Feminist Legal Clinic, contends the case goes to the heart of defining what is a woman and that the implications will be far-reaching. Kerr says the Commonwealth Sex Discrimination Act 1984 allows for "special measures" to advance women's substantive equality and provides for the exclusion of males where it is reasonable in all circumstances. However, state-based laws, which she says conflate the concepts of biological sex and socially constructed gender identity, enable males to claim to be "legally female" and thereby render these Commonwealth provisions effectively inoperable.

"This case will be the first to examine whether state laws that allow for change of sex are inconsistent with the operation of Commonwealth laws designed to advance affirmatively women's substantive equality," says Kerr. "If found to be inconsistent with Commonwealth laws, this would render state laws allowing for change of sex on birth certificates and official documents invalid under section 109 of the Australian Constitution."

She says the case will also examine how the 2013 amendments to the Sex Discrimination Act adding gender identity as a protected attribute should be interpreted to avoid internal inconsistencies that arise if males who have a trans identity are required to be recognised as women in all contexts. "If sex and gender/gender identity are to

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THE WEEKEND AUSTRALIAN MAGAZINE

be protected as distinct attributes, they must be clearly defined at law," she says. "Laws in all Australian jurisdictions that purport to protect the rights of women and girls as a sex class must now unequivocally distinguish sex from gender/gender identity."

Kara Dansky is a US lawyer, women's rights campaigner and author of the book *The Abolition of Sex: How the 'Transgender' Agenda Harms Women and Girls*. Like Kerr, Dansky fears women are on the brink of losing hard-fought rights and that Australia is moving down the US path. "The Biden administration has redefined the word sex to include gender identity throughout US Federal administrative law," Dansky says. "All of Biden's orders on this topic are currently subject to federal litigation. Nonetheless US Federal agencies are proceeding to annihilate women's rights at the altar of gender identity.

"It ought to be universally understood that women ought to have rights to our opinion and assembly without men," she adds. She believes Giggle is an important virtual space for women and if Grover were to lose the case it would be a backward step for women.

Grover has been bolstered by the support and



EIGHIING. EIOS II MOUL insists she and Giggle are not anti transgender. (Giggle does allow trans men – women who identify as men – on the platform.) "I don't care if you want to identify as a woman and live your life that way, I only care if you want to come into a female space," she says. "I am not a gender feminist. I want no labels. I am just a woman."

Grover says she is now regularly trolled online "For the most part I don't take it personally anymore, although there are some days that are harder than others. The trolling of women online by men is why we started a social network where that is not possible. We created this app for women, and I have spent two and half years, every day having to think about men."

Now embroiled in a court case, how far is Grover prepared to take it? "We will go as far as we have to go. We have to go with what is right.

"Having found out that I'm going to have a daughter during this whole process has only made the fight more personal," she adds. "It's my job to protect her and part of that is protecting her rights. I won't stop fighting until I know for sure that she can go to a change room or Girl Guides or use a female-only app and know it is truly for females." •



### **Exhibit Certificate**

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-11"**

A true copy of some of the posts that have been made about the television and podcast interviews that Ms Grover has participated in.

This is the exhibit marked "RT-11" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.

**Tinashe Makamure** 

Solicitor for the Applicant





**Follow** 

**Tweets** 

Replies

Media

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Sall Grover 💝 @ .57m

"I think one of the rights that [trans people] have is to know that no human being has ever changed sex... I don't think saying this is being hateful to trans people at all. I think this is actually treating them with respect."

Full clip: youtube.com/live/YGYkUybpt...



1,667 views

**Q** 11

**1** 56

**7** 232

4,210



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Opinion Andrew Bolt



## Female-only app founder defends banning a trans woman from Giggle for Girls

April 13, 2023 - 9:57PM sky news commu

The founder of a female-only app Giggle for Girls Sally Grover is set to defend her decision to bar a transgender woman from joining the platform after a federal court case was brought against her claiming discrimination. "This case is about sex it's not about gender; I discriminated on the basis of sex," she told Sky News host Andrew Bolt.

"A woman is an adult human female and that was excepted by everybody until men decided that they wanted to be women and the only way for a female-only space to exist is if it excludes males so we're going to be arguing that".

Up Next



Last Night of the Proms has become a 'political battleground'

Victorian councillor forced to apologise transgender posts for 'hurtful' anti-

Andrew Bolt

not going to India a tremendous snub Chinese President to Narendra Modi

must be defined by

Failure of Voice 'Great danger':

acist proposition' its 'fundamentally

Advartisament

Shares





### **Tweet**

ta Sall Grover Retweeted



MilkBarTV Podcast with guest @salltweets:

Sall Grover talks about having to defend herself in Australian Federal Court against a Humans Rights Violation for not allowing a Man/"Transwoman" Roxanne Tickle onto her female only app Giggle.

This case has the potential to legally define the definition of 'Woman' in Australia.

Support MilkBarTV: patreon.com/MilkBarTV





# Feminist Legal Clinic

Today I'm speaking with Sall Grover, an Australian businesswoman who is the co-founder of the female only networking app Giggle, and I can tell that you are already guessing where this story is going. Roxanne Tickle, a man who identifies not just as a transwoman but as female is taking Sall to court and saying that his gender identity is protected under the Sex Discrimination Act, because unfortunately, Australia passed this bonkers law a few years ago....



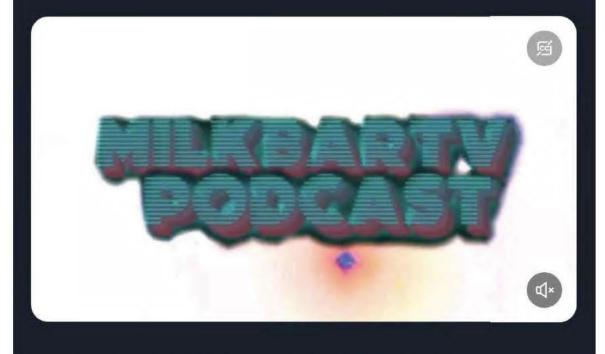


MilkBarTV Podcast with guest

Sall Grover talks about having to defend herself in Australian Federal Court against a Humans Rights Violation for not allowing a Man/"Transwoman" Roxanne Tickle onto her female only app Giggle.

This case has the potential to legally define the definition of 'Woman' in Australia.

Support MilkBarTV: patreon.com/MilkBarTV



1:14 pm · 31/5/2023 from Earth · **9,299** Views







# **Tweet**



I'll be on TNT radio with <u>@chrissmithonair</u> at 3:30pm talking about the already infamous 4 Corners episode, male sex offenders using trans laws as a loophole to womens prisons, censorship and, of course, Tickle V Giggle.

Tune in! 🐚



Listen here: tntradio.live

1:42 pm · 11/7/2023 from Earth · 1,202 Views

10 Retweets 27 Likes







<u>,</u>1,

### **Exhibit Certificate**

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

#### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

#### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-12"**

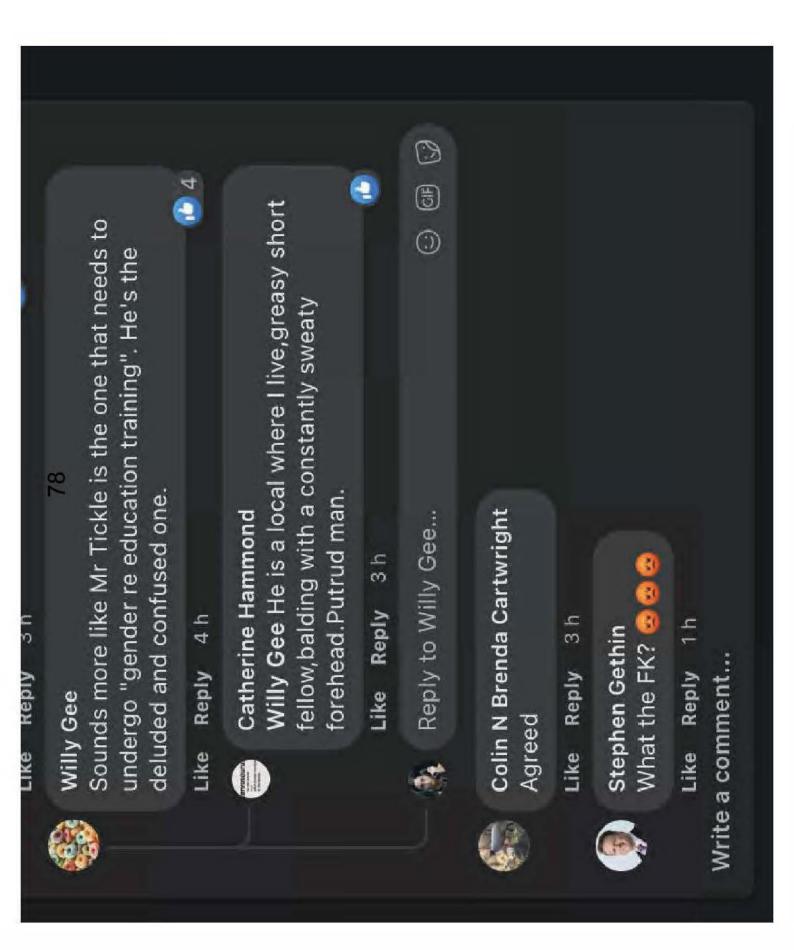
A true copy of some of the online messages that the Applicant has received and some of the online comments that have been made about the Applicant.

This is the exhibit marked "RT-12" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.



**Tinashe Makamure** 

Solicitor for the Applicant







# beejaybauer

beejaybauer20231987



# beejaybauer

beejaybauer20231987 · Instagram
0 followers · 0 posts
You don't follow each other on Instagram
New Instagram account

View profile

00:04



## YOU ARE A MAN, NOT A WOMAN! GIGGLES IS NOT FOR YOU!

# Accept message request from beejaybauer (beejaybauer20231987)?

If you accept, they will also be able to call you and see info such as your activity status and when you've read messages.

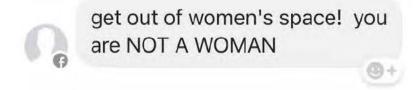
Block

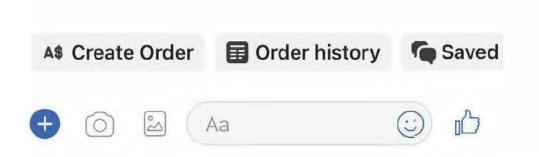
Delete

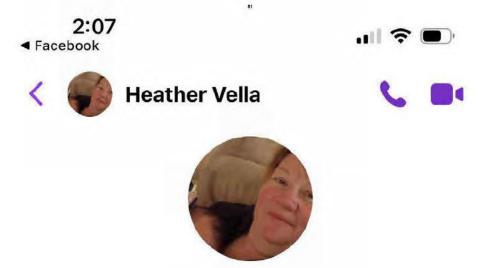
Accept



FRI 8:23 AM







# **Heather Vella**

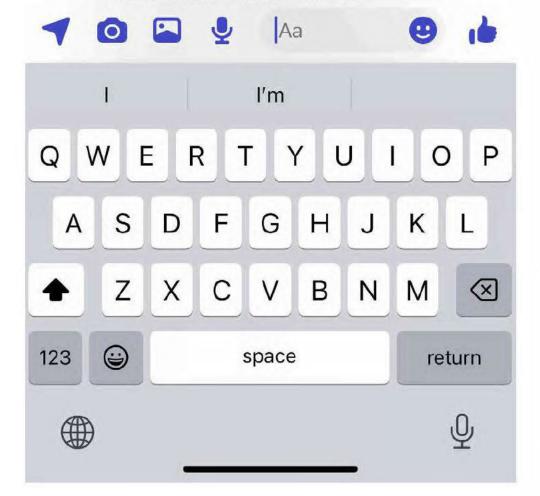
Facebook

You aren't friends on Facebook

13:51

So you can choose who you accept as a friend yet you insist on being accepted to the giggle site. Bit, a lot hy vitical don't you think.

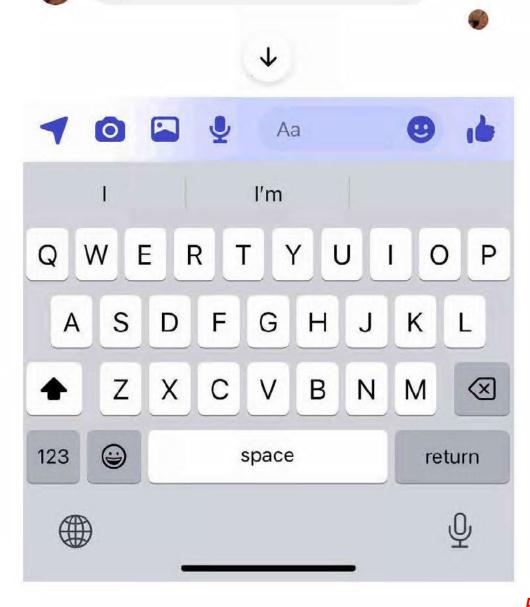
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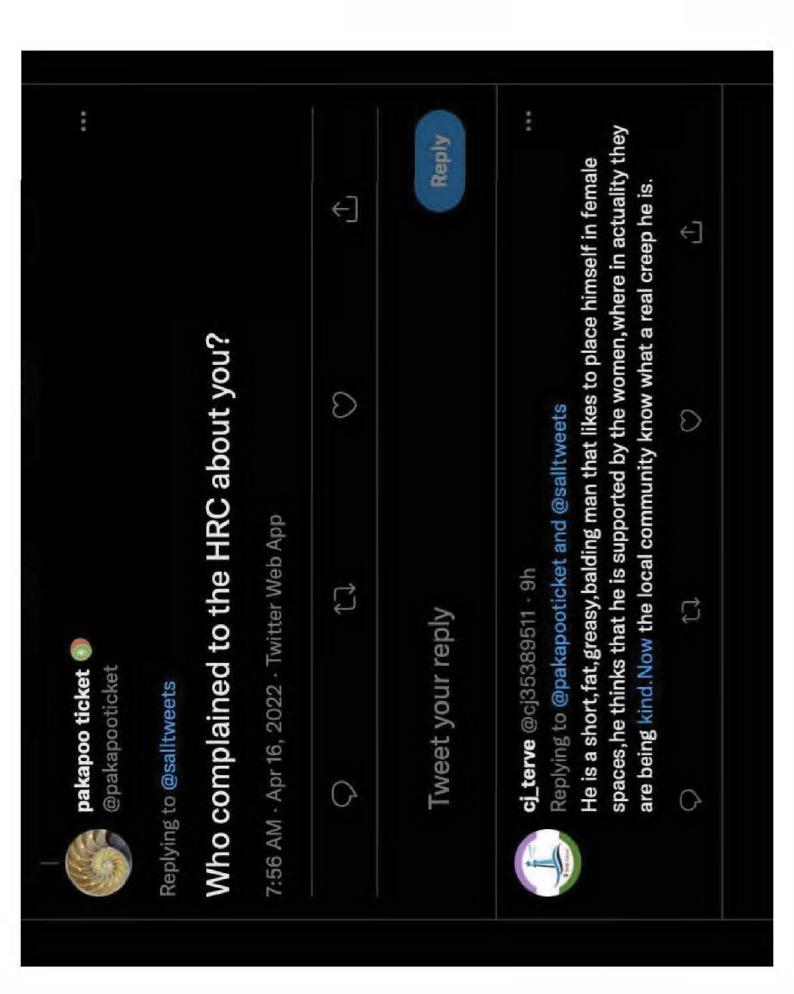




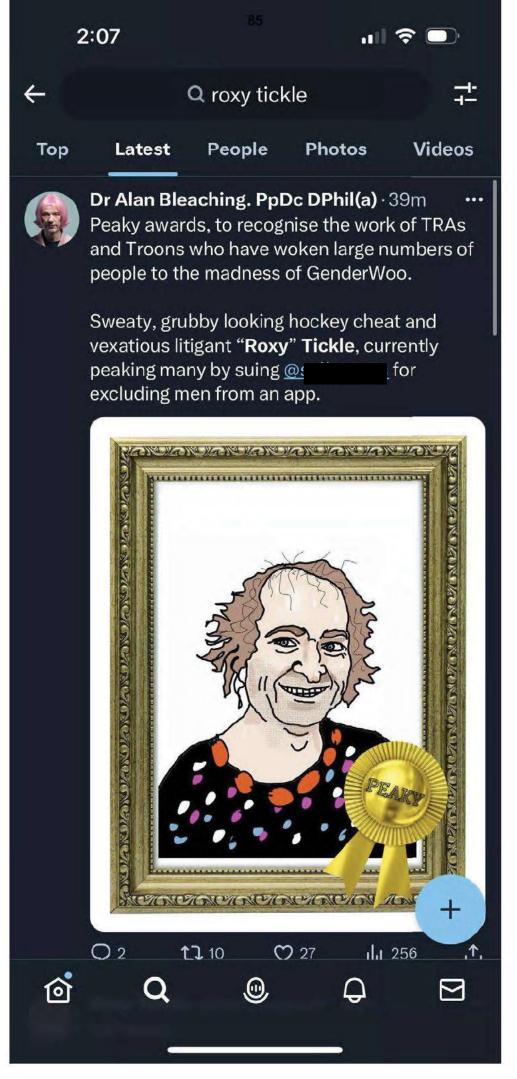
So you can choose who you accept as a friend yet you insist on being accepted to the giggle site. Bit, a lot hypocritical don't you think.

You cannot change your xy chromosomes into xx no matter what dress or make up you wear. Us real women, not your labelling "cis" women, would like to feel comfortable in our female spaces.

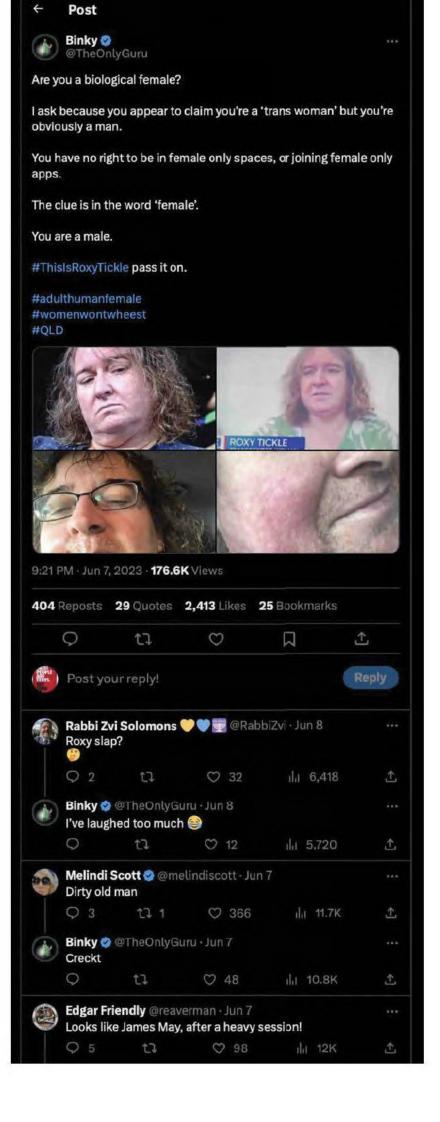


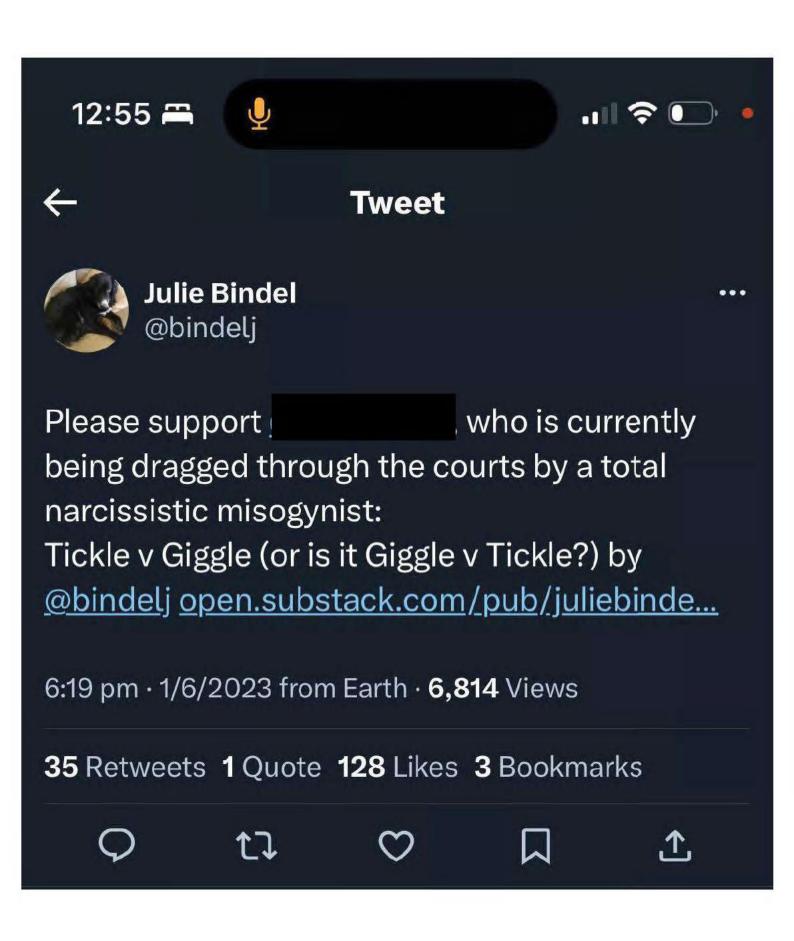




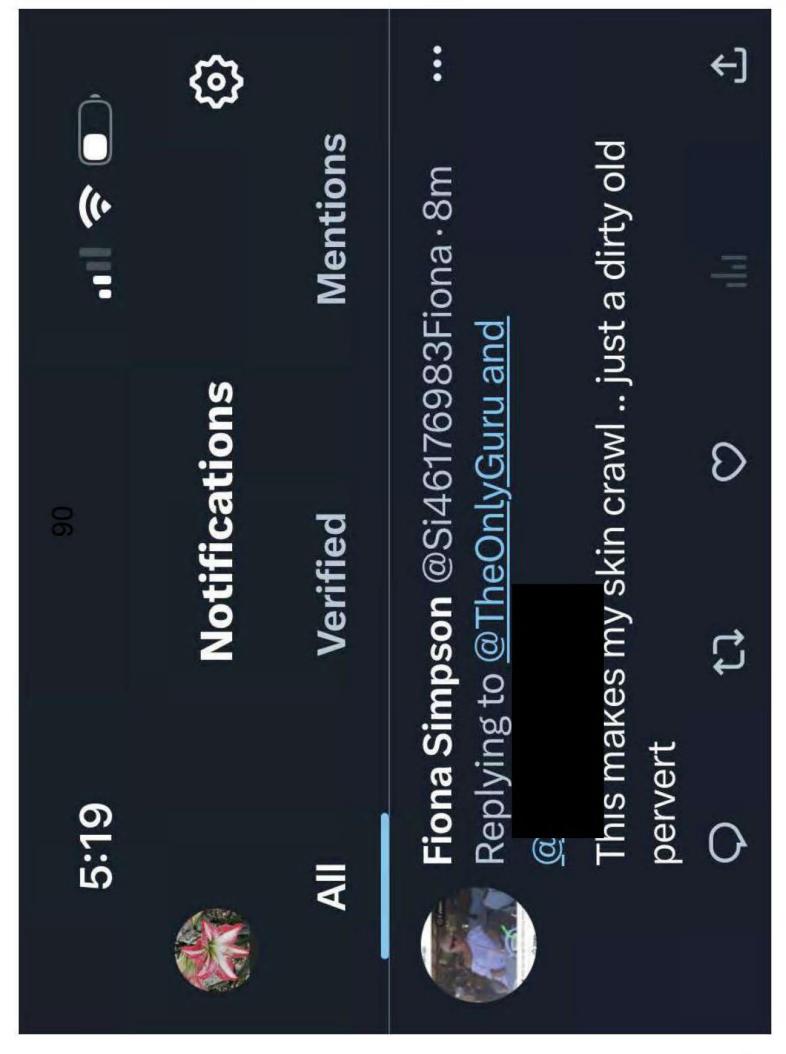


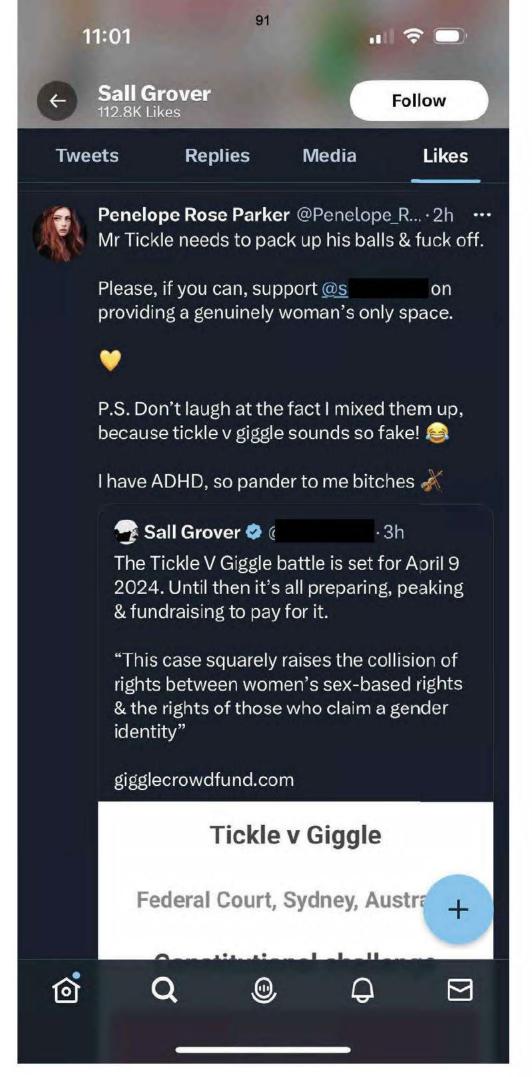




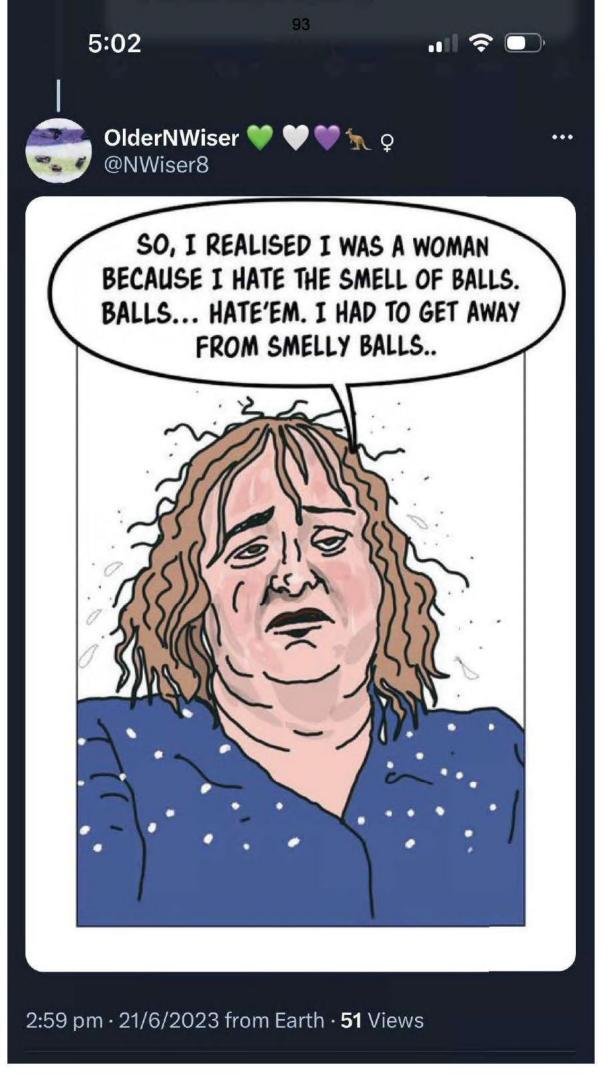






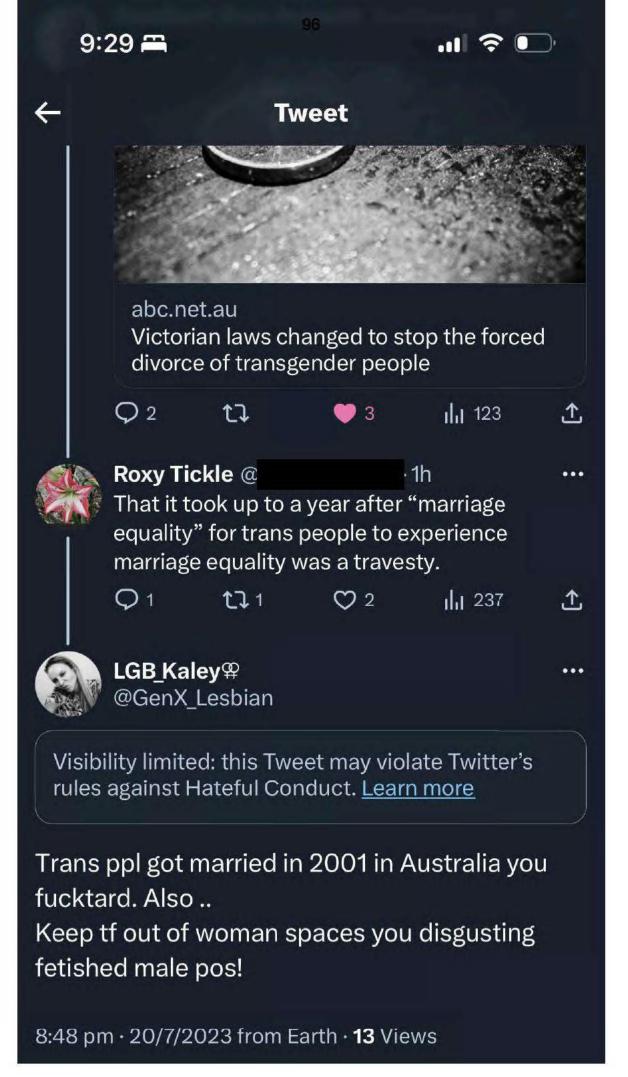


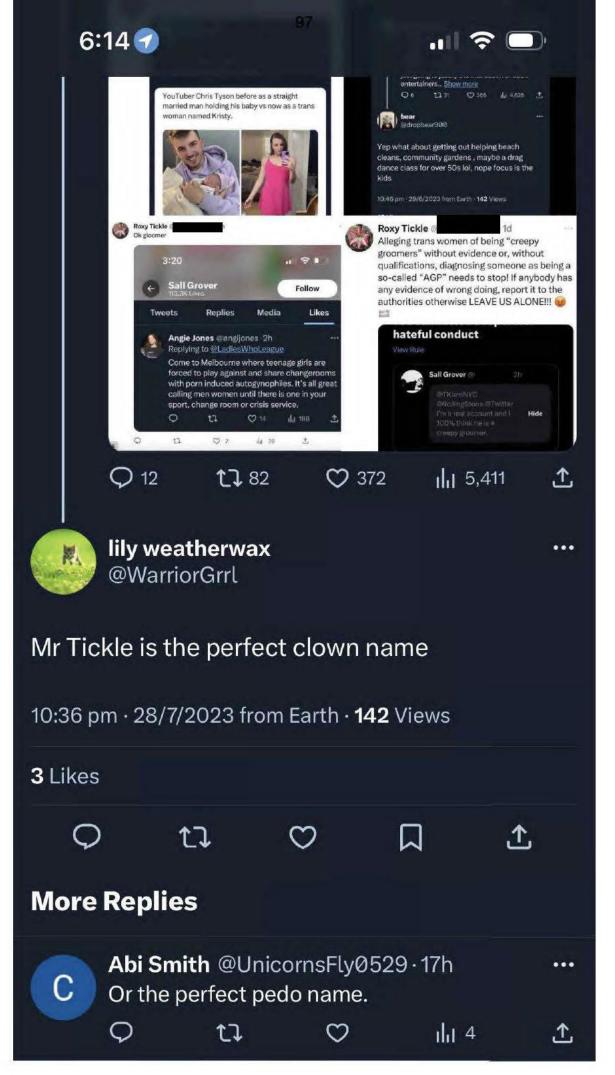














### Review posts and tags

### Review posts you're tagged in

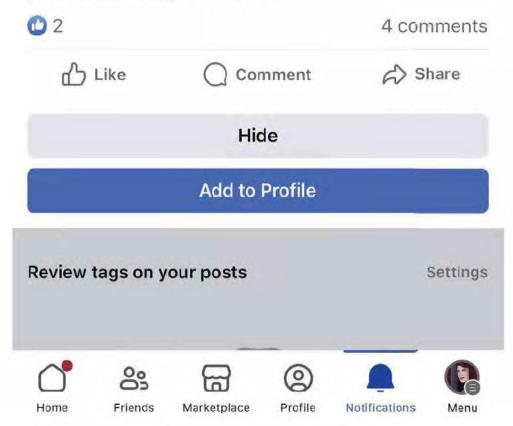
Settings

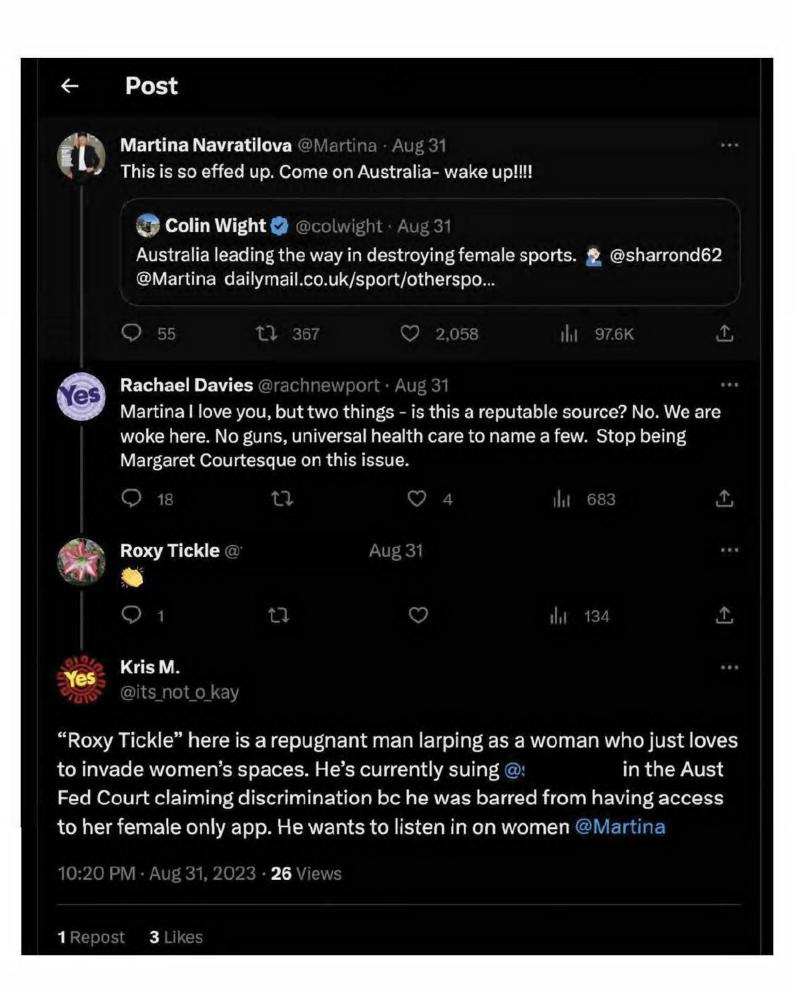


### **Paul Campion**

44 m · 🕥

Research shows that people who claim they are the opposite Sex to what they are born, cannot change their scent! No matter what they do! The scent of a biological woman is determined by pheromone and the scent of a biological male is Androstenol (fresh male sweat that is attractive to women) and Androstenone (less fresh ,exposed to oxygen and repulsive to women unless they are ovulating)! Males who claim to be female will only ever smell like males and vice versa, no matter what deodorants or perfumes they use to try and disguise their smell! Biological Men and Women can smell right through it! When this goes to the high court with Tickle V Giggle! Scent will be one of the truths on offer to prove what being a female is!





### **Exhibit Certificate**

No. NSD 1148 of 2022

Federal Court of Australia

District Registry: New South Wales Division: Human Rights Division

### **ROXANNE TICKLE**

**Applicant** 

### **GIGGLE FOR GIRLS PTY LTD**

First Respondent

### **SALLY GROVER**

Second Respondent

### **ANNEXURE "RT-13"**

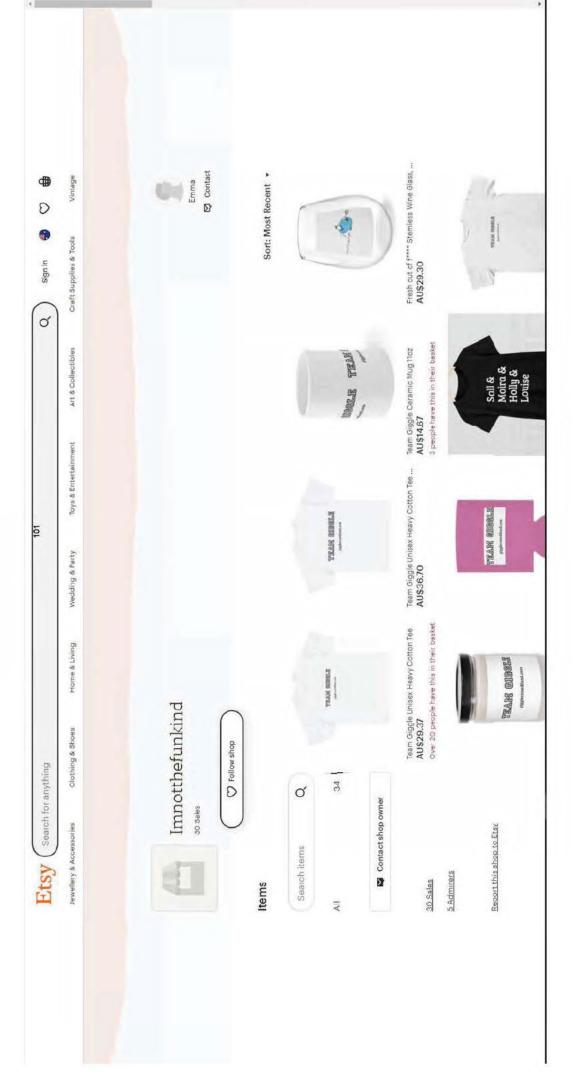
A true copy of the merchandise a supporter of Ms Grover is selling through Etsy.

This is the exhibit marked "RT-13" now produced and shown to Ms Roxanne Tickle at the time of affirming her affidavit on 13 September 2023 before me.



**Tinashe Makamure** 

Solicitor for the Applicant





Team Giggle Unisex Heavy Blend Hood... AU\$68.67



TEAM BURGLE

Team Giggle Pet Bandana Collar AU\$38.07



Team Giggle Trucker Cap AU\$31.33

Team Giggle Tote Bag

AU\$51.53



Fighting Women Cotton Tee





Sall & Moira & Holly &

Louise

Fighting Women Tote Bag (AOP) AU\$48.47

Four Fighting Women Tote Bag (AOP)

Fighting Women Natural Tote Bag

AU\$23.83

200

ouise &

Kirralie

Moira & Holly &

Sall &

AU\$48.47

AU\$34.83 Unisex Say It Off Twitter Crewneck Swe...



Harden up Sunshine Tough Phone Cases





Bottle Opener AU\$23.77

550

AU\$3.97

Men don't breastfeed Stickers

AU\$45.87



TEAM GURBLE

BELE TEAN

Fresh out of f\*\*\*\* Stemless Wine Glass, ... AU\$29.30

Over 20 people have this in their basket Team Giggle Unisex Heavy Cotton Tee AU\$29.37

Team Giggle Unisex Heavy Cotton Tee ... AU\$36.70



3 people have this in their basket



Team Giggle Toddler's Fine Jersey Tee AU\$26.70



TEAN GIGGLE

Pink Team Giggle Can Cooler AU\$12.10

Team Giggle Scented Soy Candle, 9oz

3 people have this in their basket

AU\$37.30



Women Fighting Black Cotton Tee 4 people have this in their basket AU\$49.07



Sall & Moira & Holly & Louise

Holly & Louise & Kirralie

Moira & Sall &

AU\$49.07

Unisex Fighting Women Hooded Sweat... AU\$81.53



TEAR GIGGLE



Five Women Fighting Black Cotton Tee



Team Giggle Can Cooler AU\$12.10

551

AU\$33.43

4 people have this in their basket

Five Fighting Women Cotton Tee





Unisex No Cat Hooded Sweatshirt AU\$68.67

Women's I don't believe him Cotton Tee

He's a man Crewneck Sweatshirt

Unisex Fresh Out of F\*\*\* Crewneck Sw...

AU\$45.87

AU\$45.87

AU\$33.43

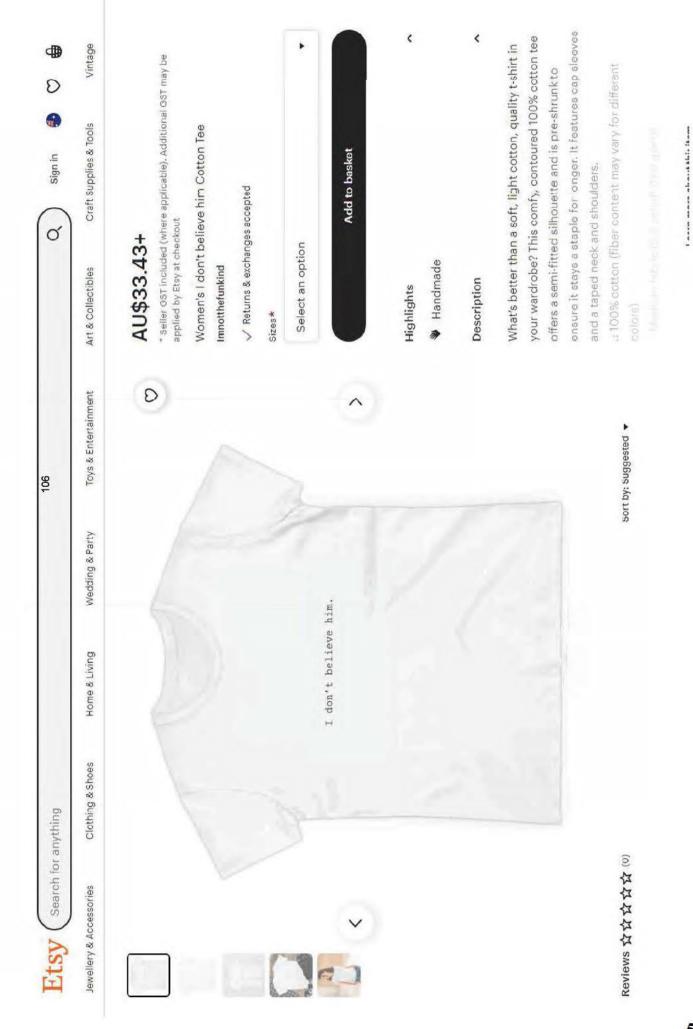


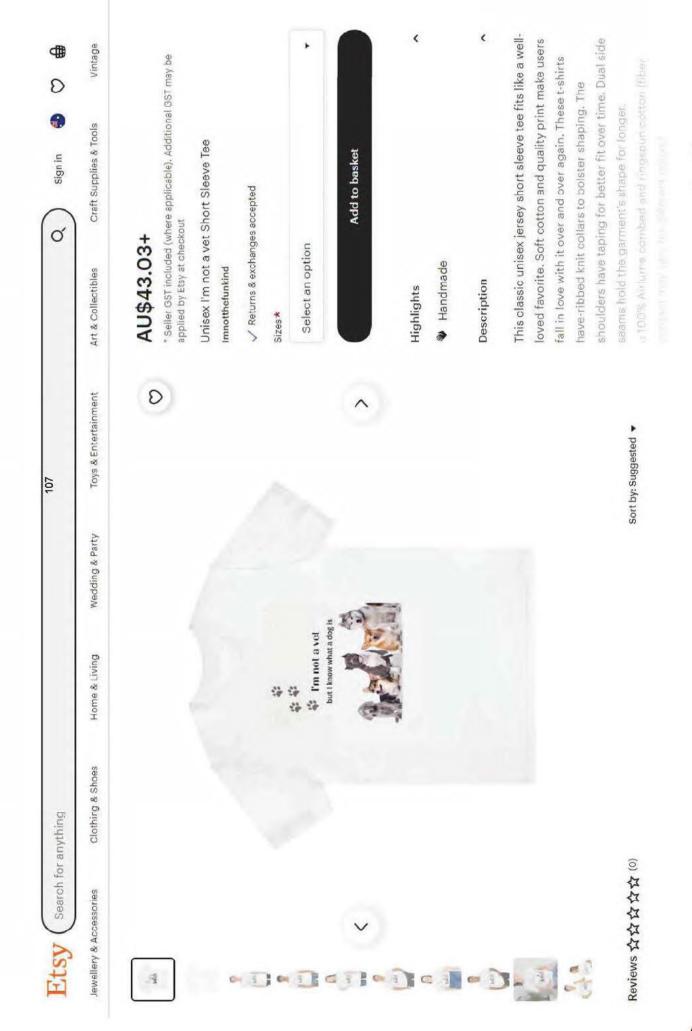


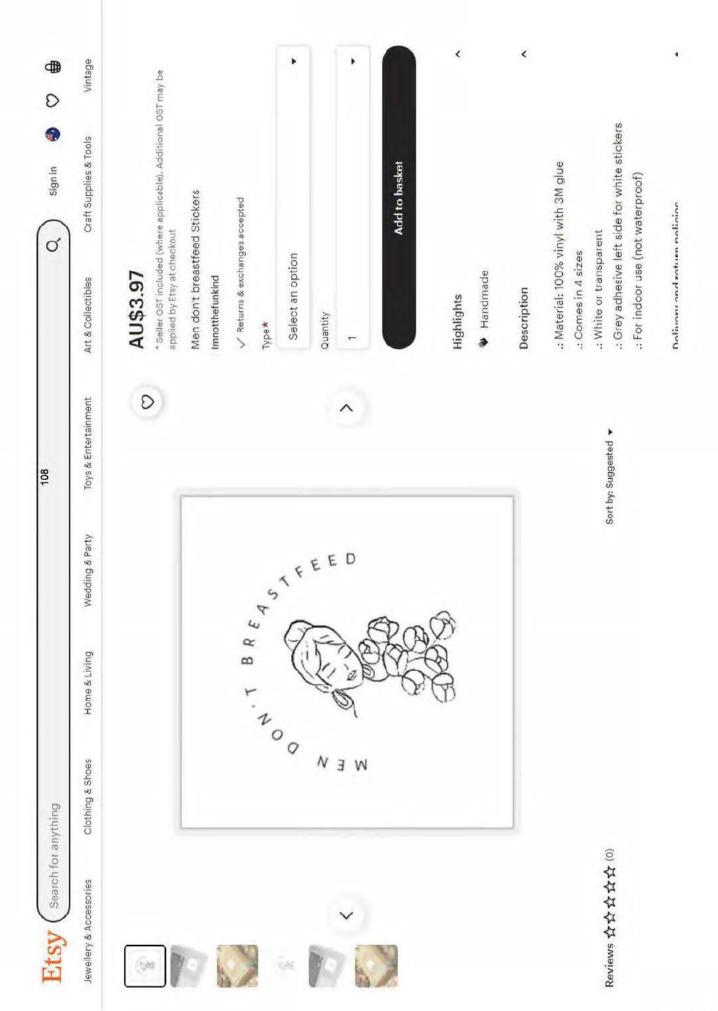
Women's Harden Up Sunshine Cotton T... AU\$33.43

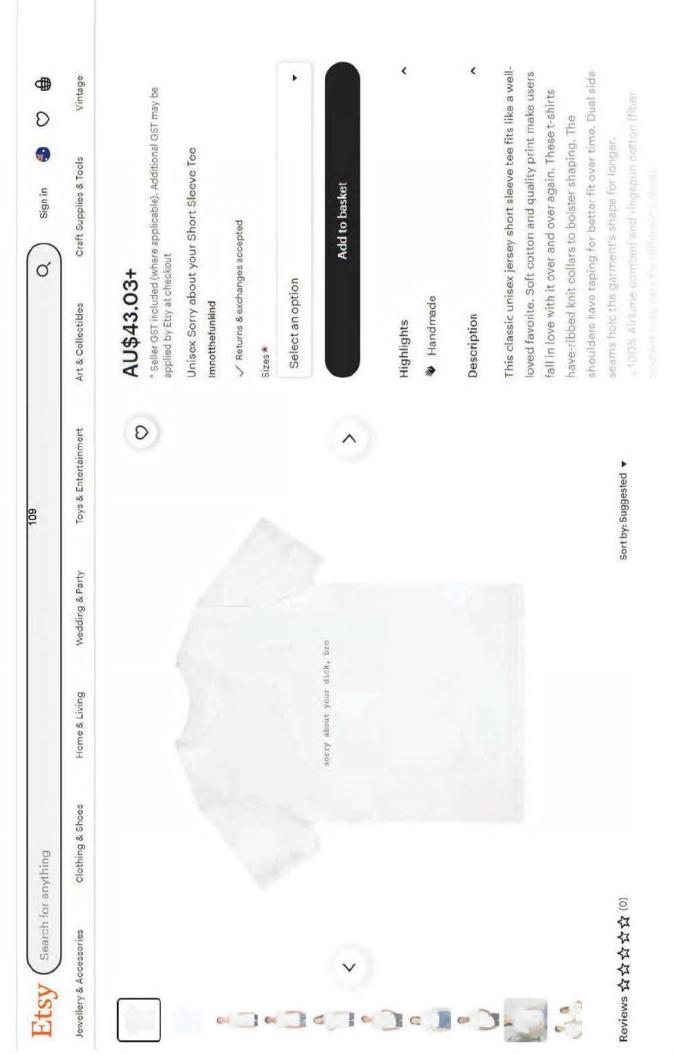


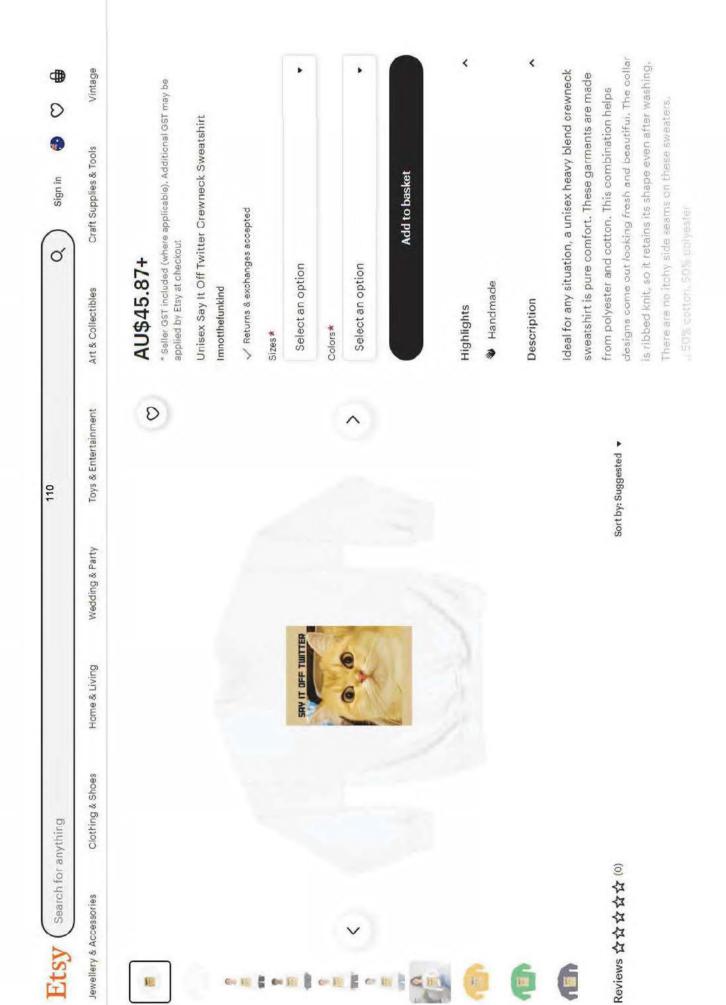


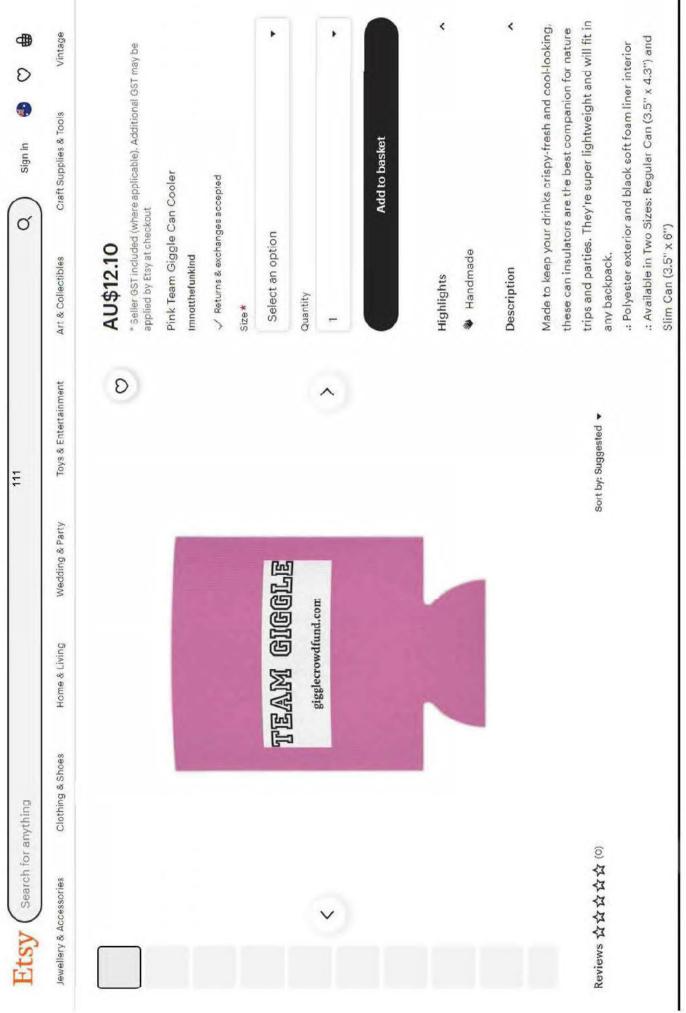


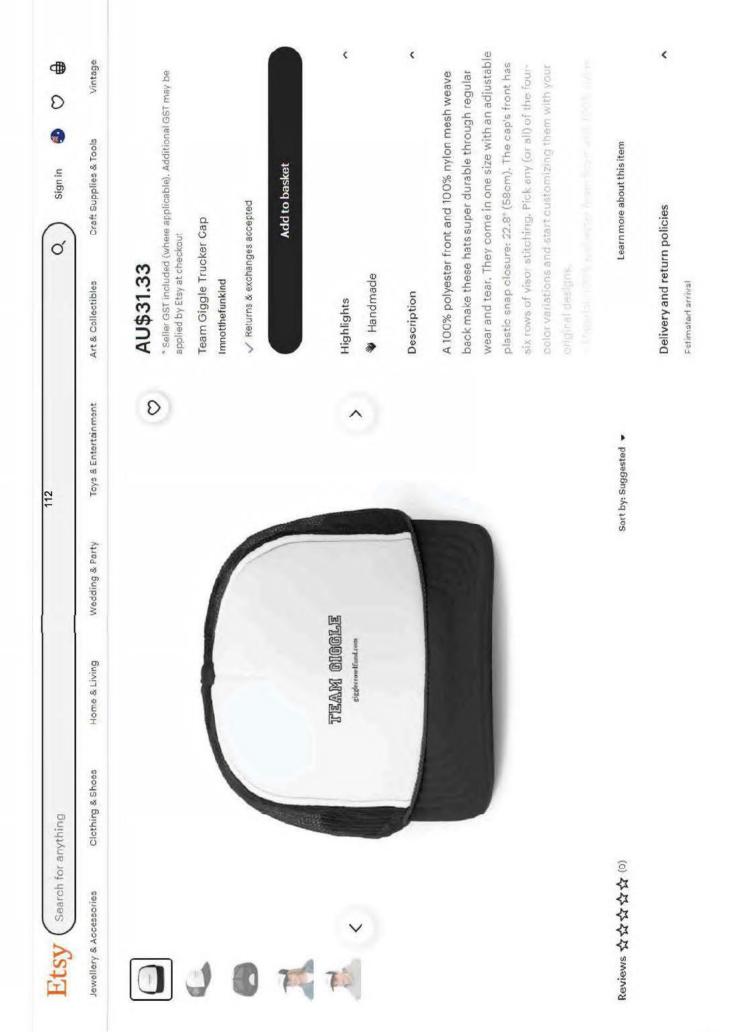


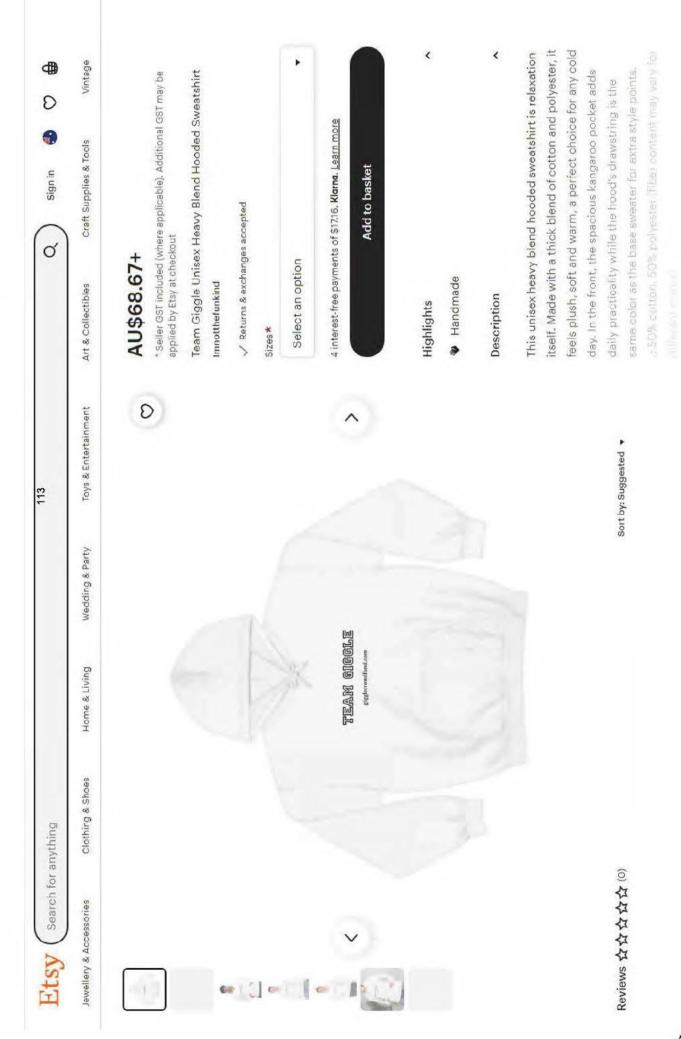










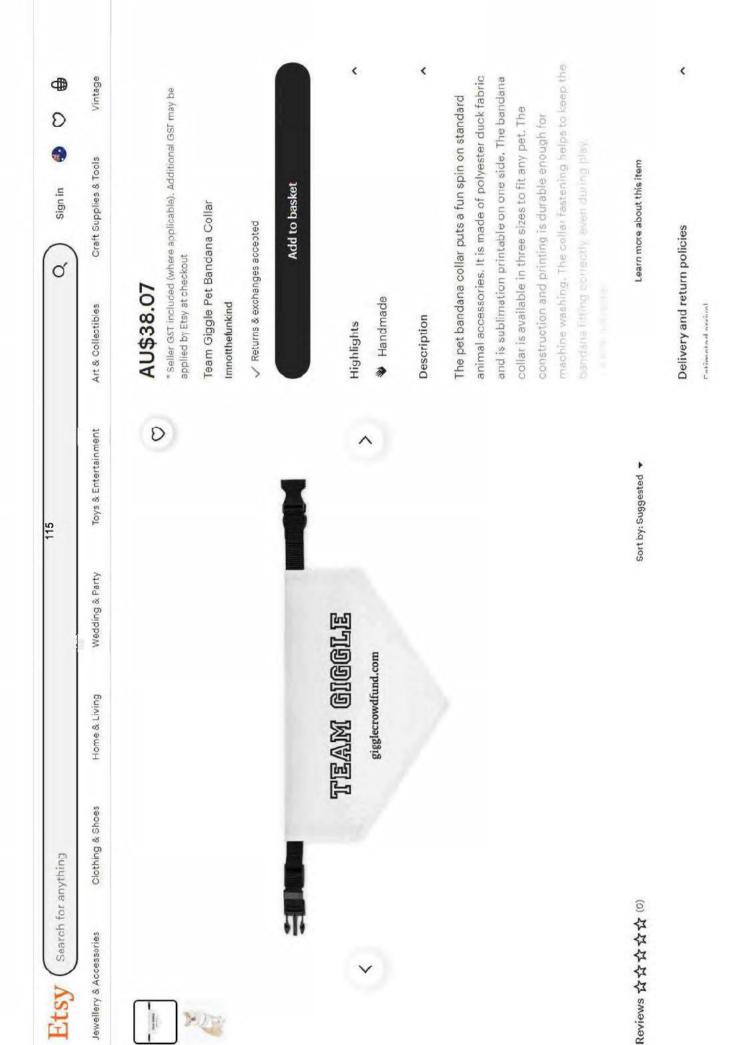


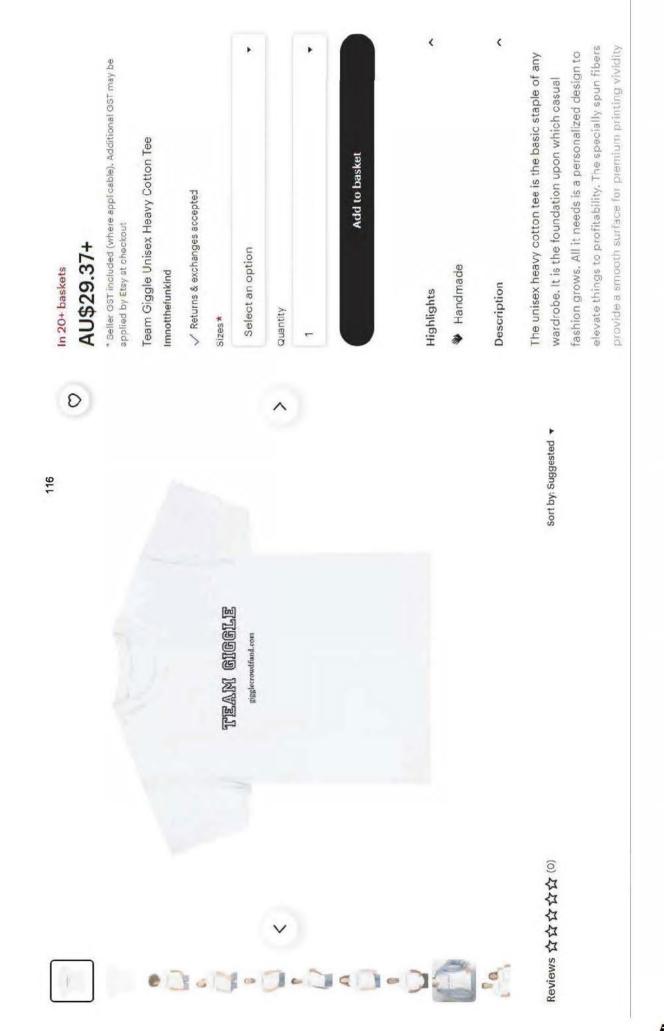


Warm-up with a nice cuppa out of this customized ceramic coffee mug. It's BPA and Lead-free, microwave & dishwasher-safe, and made of white, durable ceramic in 11-ounce size. Thanks to the advanced printing tech, your designs come to life with incredibly vivid colors—the perfect gift for coffee, tea, and chocolate lovers.

Sort by: Suggested .

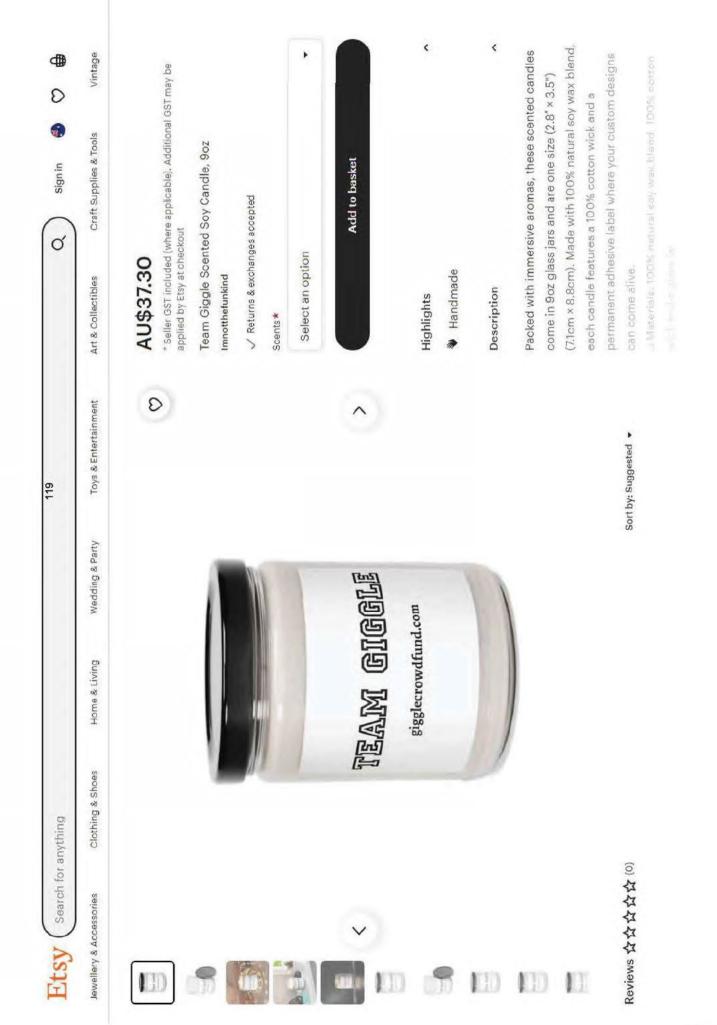
Reviews ななななな (0)



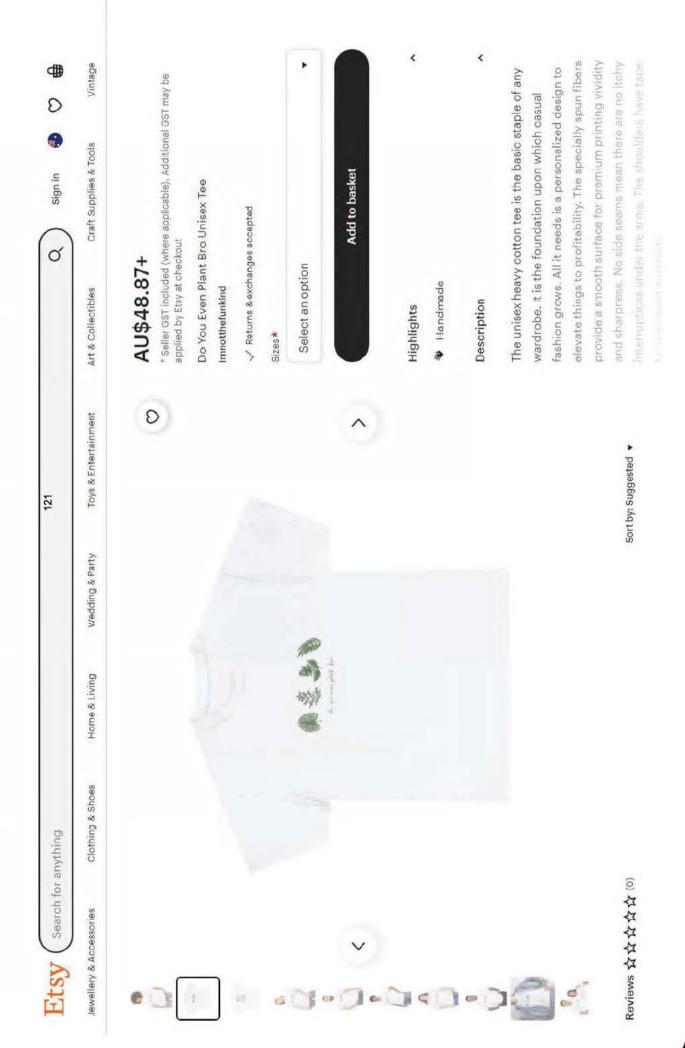


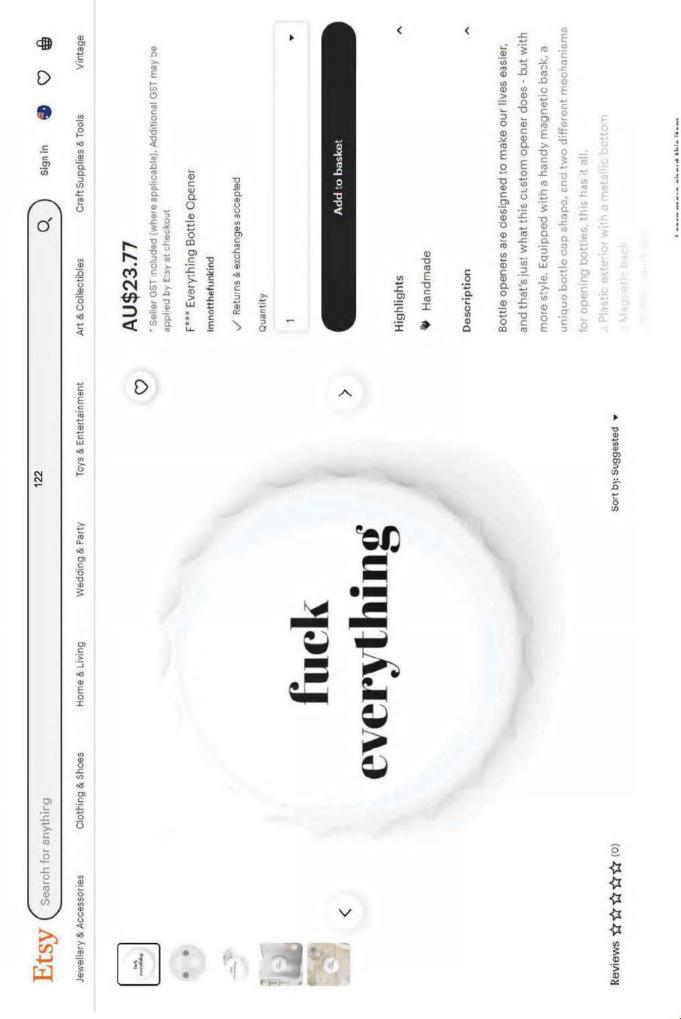


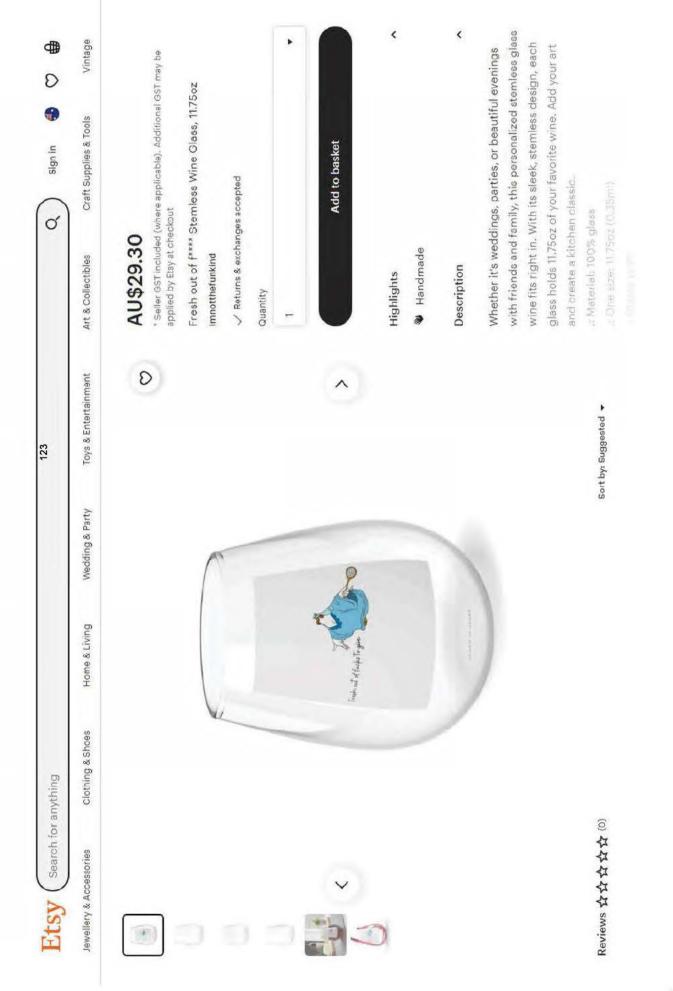


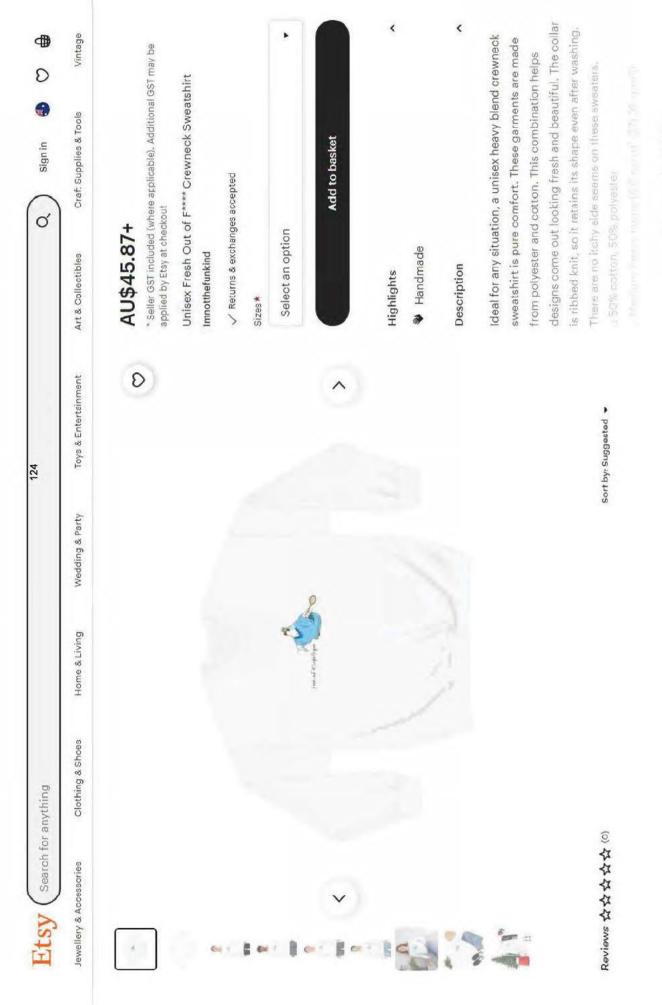












Learn more about this item

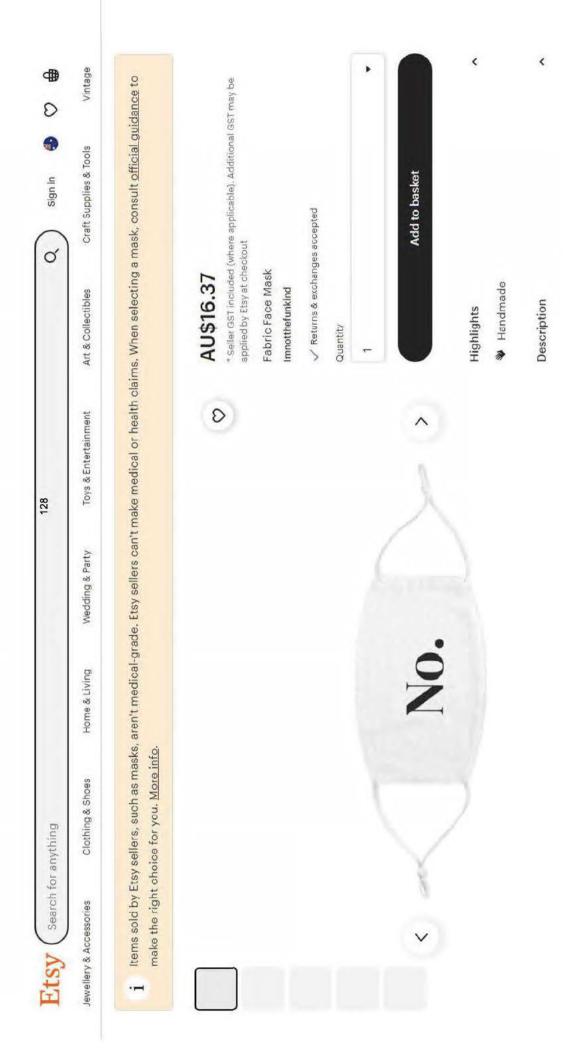






Learn more about this item

: Magnetic back



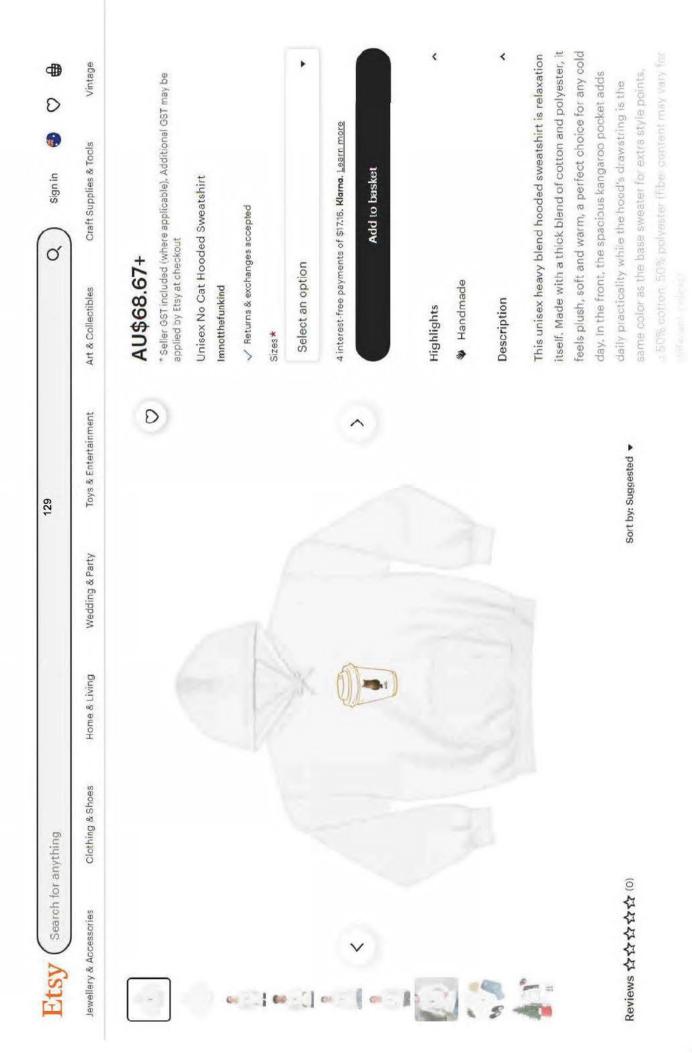
They, however, are not medical-grade, thus, not meant

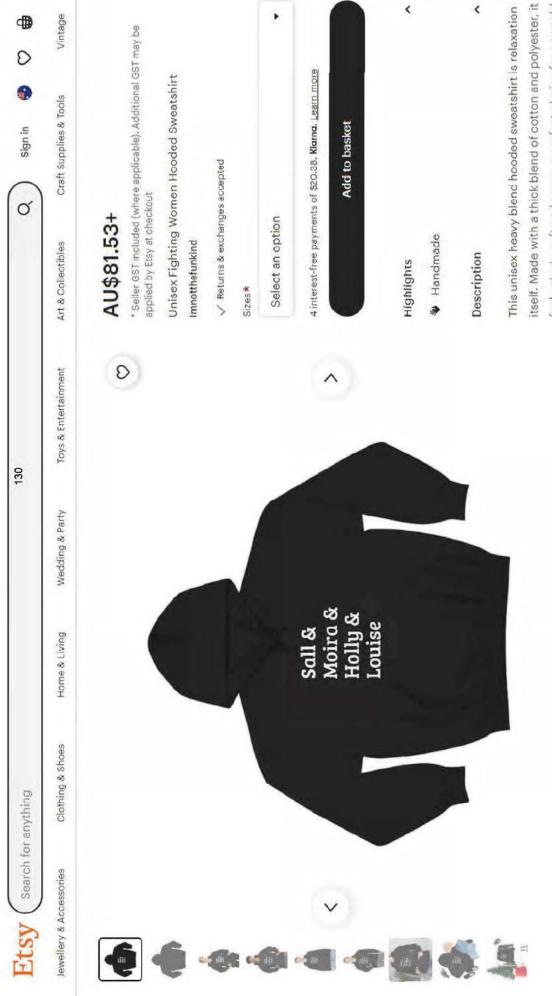
for medical use. Great for everyday use for overall

polyester provide a physical barrier around the face.

touch. These reusable cloth face masks made of 100%

Add an extra layer of protection with a personalized

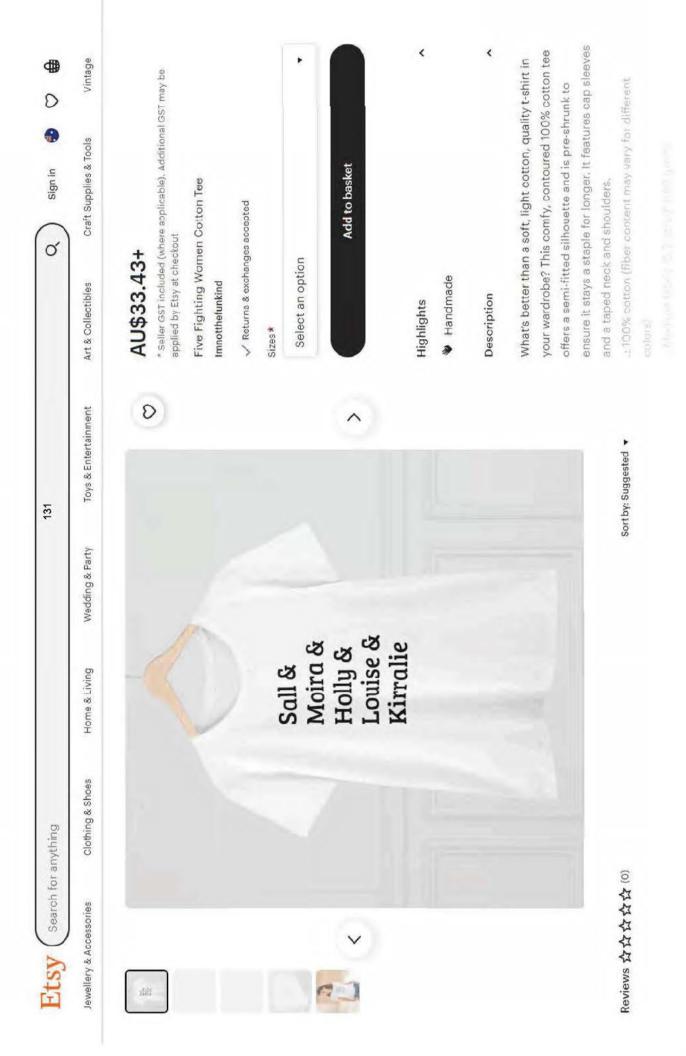




This unisex heavy blend hooded sweatshirt is relaxation itself. Made with a thick blend of cotton and polyester, it feels plush, soft and warm, a perfect choice for any cold day. In the front, the spacious kangaroo pocket adds daily practicality while the hood's drawstring is the same color as the base sweater for extra style points.

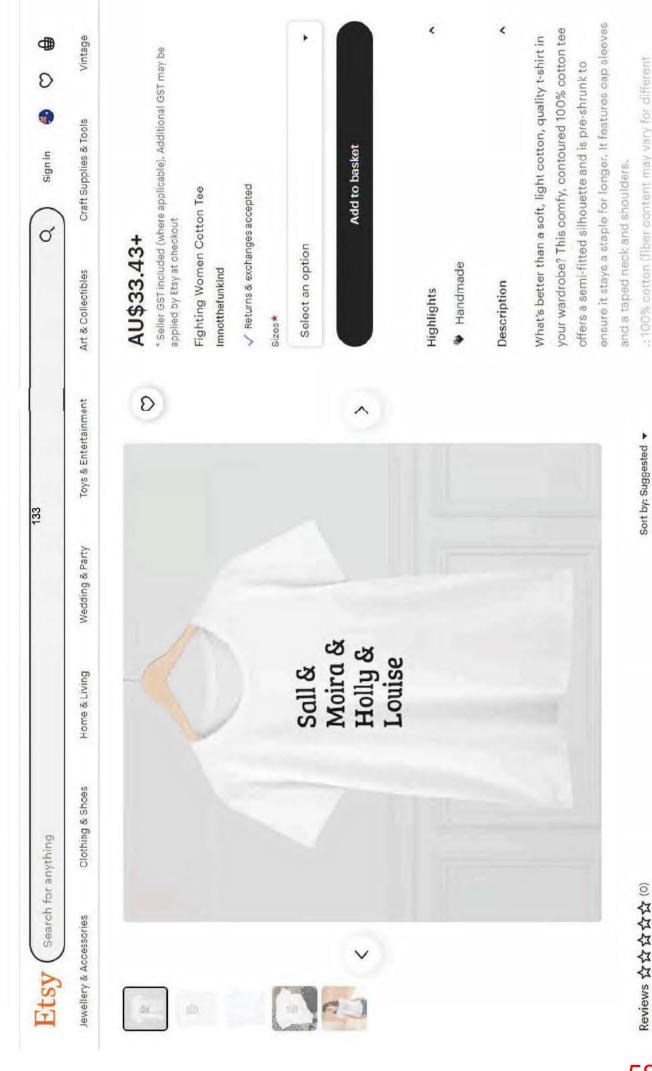
Sort by: Suggested .

Reviews ななななな [0]



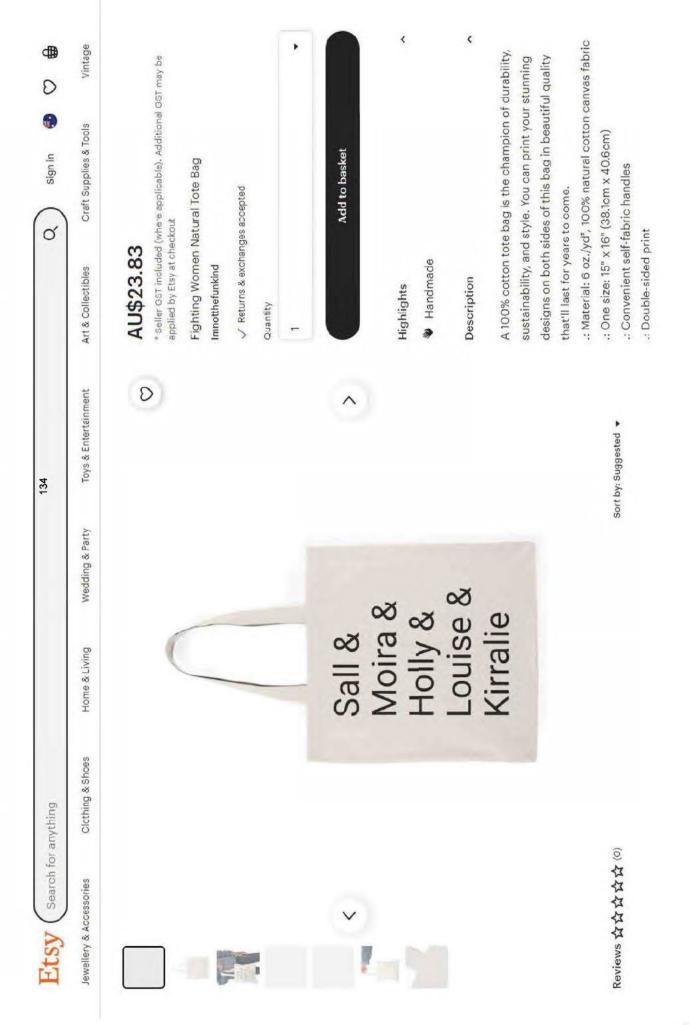


aplipra)



Sort by: Suggested 
.: 100% cotton (fiber content may vary for different polars)

the same and the same above





136



4

Sign in

O

## All categories > Home & Living > Home Decor > Candles & Holders > Candles > Pillar Candles 0

## AU\$37.30

Seller GST included (where applicable). Additional GST may be applied by Etsy at checkout

Sweaty Balls Team Giggle Scented Soy Candle, 9oz Imnotthefunkind O \*\*\*\*

✓ Returns & exchanges accepted

Scents\*

Select an option



10 54

TEAM GIGGLE Figherswelfund.com

Star Seller. This seller consistently earned 5-star reviews, dispatched on time, and replied quickly to any messages they received.



W Handmade

Highlights

<

Description

<

(7.1cm x 8.8cm). Made with 100% natural soy wax blend, Packed with immersive aromas, these scented candles come in 9oz glass jars and are one size (2.8" × 3.5") each candle features a 100% cotton wick and a permanent adhesive label.

Sort by: Suggested •

.: Materials: 100% natural soy wax blend, 100% cotton



8 - 8 shop reviews \*\*\*\*

\*\*\*\*

584

Great Tehirt for a areat assisal

E