

Industrial Relations and Other Legislation Amendment Bill 2022

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To Whom It May Concern

Re: Maternity Consumer Network's feedback for the Industrial Relations and Other Legislation Amendment Bill 2022

We are deeply offended at the removal of mother, she and her from the Bill. e.g. 10. Amendment of section 59 (Entitlement to birth-related leave) (1) Section 59(1), 'maternity'— omit, insert— birth-related

And subsequent removal of 'her' and 'she'.

The amendments to this Bill are extremely offensive to women, misogynistic, and completely excludes women, mothers and our experiences:

- Maternity is defined as: the period during pregnancy and shortly after childbirth. There is no need to remove this word to replace it with "birth related".
- The sexed-language of her and she need to be retained. Others may have a sense of self that doesn't align with their gender but erasing the use of 'her' and 'she' for more ambiguous language is discriminatory against women and contributes to the ongoing oppression of women, including access to maternity leave, to carer's leave, being denied support for time to breastfeed, to being fired for being pregnant. Pregnancy, birth and early motherhood are fundamentally sexed issues, not gendered. Pregnant and birthing women and new mothers and their infants have unique vulnerabilities and also require protection within the law
- According to Gamble, J, 2021, "Sex [a reproductive category], gender [a societal role], and gender identity [an inner sense of self] are not synonymous but are being treated as if they are."
- It is a principle of communication that the sex of individuals should be made visible when relevant. This ensures that sex-related needs and issues are not overlooked, and sex stereotyping is avoided. when discussing inherently sexed processes like pregnancy, birth and breastfeeding, there are risks to desexing language including over-looking the uniqueness of the mother-baby relationship.
- Avoiding "women" and "mothers" can decrease inclusivity by requiring use of technical, more difficult to understand language for those with low literacy or learning difficulties, or who are non-English speakers.
- A push towards desexed language, or "a great generic" removed choice around how people define themselves. It also denies women the cultural importance of sexed language.
- Women of CALD backgrounds find the terminology of gender-neutral language racist and colonialist. Many women birthing in Australia are of CALD backgrounds and from overseas. People of other nations do not ascribe to the western concepts of gender dysphoria.

Signed:

Alecia Staines, Spokesperson, MCN