

Re Queensland Health Legislation Bill

To the Committee Secretary, Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee

The Victorian Women's Guild is a feminist collective based in Victoria, Australia, which promotes the rights and concerns of women. We have particular expertise in the area of sex/gender and laws which affect women's sex-based rights. The Guild takes the opportunity to provide brief comment on the Queensland *Health Legislation Bill* ("the Bill").

Defining 'sex'

We note that the Bill refers to 'sex assigned at birth' but does not define sex. Sex is not *assigned* at birth: this idea implies that sex is arbitrarily chosen by whoever - perhaps a parent or a doctor? - made the assignment. This is clearly preposterous. Sex is biological and cannot be chosen or changed. 'Sex' refers to the biological categories: male and female, determined by chromosomes, hormones, genital physiology and other secondary physical sex characteristics.

The idea of sex being assigned at birth is incongruent with other Queensland law, such as the *Public Health Act* and the *Anti-Discrimination Act*. The former currently defines 'woman' as a '*female person*.' The law does not define but a dictionary definition of 'female' is that it is an adjective to describe a woman. Dictionary (and common sense and commonly used) definitions of 'woman' refer to biology rather than subjective and unverifiable feelings or gender stereotypes.¹

The *Anti-Discrimination Act* does not define 'sex', 'man' or 'woman,' but implicitly assumes a biological understanding of sex. Eg. section 98 of the Act allows for discrimination on the basis of sex:

by limiting access to any benefit, arising from membership, that is provided by the club if—
(a)it is not practicable for males and females to enjoy the benefit at the same time;...

It is important that the Bill does not adversely affect other laws, especially where those protect women's sex-based rights. A proper review should be conducted by the Queensland

¹ Dictionary.com defines 'female' as:

noun

- a person bearing two X chromosomes in the cell nuclei and normally having a vagina, a uterus and ovaries, and developing at puberty a relatively rounded body and enlarged breasts, and retaining a beardless face; a girl or woman.
- an organism of the sex or sexual phase that normally produces egg cells.

adjective

- of, relating to, or being a female animal or plant.
- of, relating to, or characteristic of a female person; feminine: *female suffrage*; *female charm*.
- composed of females: *a female readership*.

Government to determine the compatibility of the Bill with other existing laws and how the Bill may infringe women's rights.

We note further that the definition of 'sexual orientation' refers to intimate relations between different, same or more than one **gender**. Most people would understand sexual attraction to be on the basis of someone's sex, rather than their gender or gender identity. The Bill should correctly define sexual orientation as relations on the basis of sex, rather than gender.

Concerns regarding conversion therapy and gender identity

The increasing number of children being treated for gender dysphoria is a social experiment that will likely result in serious long-term health consequences. While there is no evidence on the long-term effects of surgery and drugs on young people, we do know that fertility and general health is compromised by transgendered medicalisation. There are concerns about rapid onset gender dysphoria. Autism is also over-represented in transitioning children.

The claim that young trans people have a higher suicide rate than the general population is often used to argue for a need to undertake measures which will promote a transgender identity. However statistics regarding suicide refer to suicidal ideation - i.e. thoughts of suicide, rather than attempts - and do not account for critical variables such as other mental health issues, autism spectrum, past trauma or the effects of hormone therapy.

Trans advocacy is also linked to homophobia. Many young people, who are uncomfortable with their emerging gay or lesbian identity, find transitioning makes them more socially acceptable.

We are concerned that the proposal to ban conversion therapy in relation to gender identity will result in any kind of 'watch and wait' approach being banned. There are numerous stories of young people having been encouraged to undergo some kind of transition (social and medical) of their 'gender identity without proper precautions being taken. A 'watch and wait' approach is appropriate for children, particularly considering the long-term impacts of medical interventions for 'gender affirmation.' For stories of detransitioned people regarding the pressure to transition see:

- <https://www.transgendertrend.com/current-evidence/>
- <https://www.piqueresproject.com/>
- <https://www.genderhq.org/trans-youth-regret-rates-long-term-mental-health>
- https://twitter.com/charlie_sci
- <https://twitter.com/FlohrFritz>

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