

## Births, Deaths and Marriages Registration Bill 2022

**Submission No:** 48  
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### Submitter Comments:

Two years ago, I was promoting the idea that gender dysphoria is a legitimate and tragic human condition that affects a microscopic percentage of humans. I come from a position of widely accepting and leftist tolerance. Since that time, I have seen the gradual development of what we refer to as the 'new gender ideologies' to extremes I can only describe as absurd, and which have resulted in real harm to women and girls as evidenced by the statistics of violence carried out by biological males who 'identify as female' perpetrated upon biological women in women's prisons, for example. When I say, 'women and girls' in this context, I am referring to biological women and girls - a distinction which only highlights the absurdity of the current gender ideologies. It is my view that we are now 'tolerating' the gradual erosion of women's sex-based rights in favour of a small minority of males who wish to make ideological and physical incursions into women's ideological and physical territories. Proposed changes to the Births, Deaths and Marriages Registration Act 2003 to allow anyone to legally change their sex at will and have the change registered on their birth certificate have the potential to be deeply damaging to women and girls for the following reasons: 1. Allowing any person to 'identify' as the opposite sex without any 'gatekeeping' measures, i.e, without any diagnosis of Gender Identity Disorder (a mental illness under the DSM-V), has already resulted in harm being done to women in women's prisons. This has been extensively documented. When we place men in women's prisons, notably men who have been convicted of harm against women, we are violating women's human rights under the UNHRC. It has already been shown that some men have harmed women in women's prisons (Demi Minor, <https://www.washingtontimes.com/news/2022/apr/14/two-inmates-impregnated-transgender-inmate-all-wom/>)2. Allowing individuals to 'identify' as a sex they are not, will result in men's crimes being recorded as having been committed by women. There are clear and enormous differences in the types and amounts of crimes committed by men and women, a fact far beyond debate, and allowing individuals to 'identify' as the opposite sex will unalterably skew data and statistics about crime, artificially inflating the statistics of crime committed by women and girls.3. The rights to safety and privacy of women and girls in public areas such as changing rooms and restrooms must not be sacrificed for the 'emotional rights' of men. It would be disingenuous to claim that this bill is not largely about the comfort and safety of men rather than women - all women, even those who 'identify as men', know that men are the instigators of crime in well over 90% of all crime situations. The desires of men who 'identify as female' to be present in women's spaces is clearly a motivator for the proposed amendments to this bill, as we are seeing increasing numbers of 'trans-identifying' men insisting on intruding in women's spaces in other countries. Single-sex spaces exist for good reasons - women are uniquely vulnerable to men in ways and spaces that men are not vulnerable to women, because we are overwhelmingly inferior in terms of physical strength, and we are subject to unwanted pregnancy through rape in a way that men are not. Women who object to this proposed violation of their single-sex spaces are being silenced. In my state, it is illegal under the Anti-Discrimination Guidelines for me to even object to the presence of men in public places where women and girls are routinely unclothed and vulnerable. It is my strong view that the introduction of Shannon Fentiman's proposed changes to the Births, Deaths, and Marriages Act represents a major incursion into the sex-based rights of women and girls and is likely to lead to genuine, physical harms being perpetuated against women in places where they have a reasonable right to expect safety and privacy. The law is supposed to be unambiguous, but all legislation pertaining to "gender", "gender identity", and "gender history" is confusing and conflates gender (social concept and based on sex-based and sexist, repressive stereotypes) with

biological sex (irrefutable, immutable, binary) which undermines legal and necessary rights, protections and provisions for biological females, girls and women, and young people. Sex is defined by the United Nations as “the physical and biological characteristics that distinguish males from females.” (Gender Equality Glossary, UN Women). Gender refers to “the roles, behaviors, activities, and attributes that a given society at a given time considers appropriate for men and women... These attributes, opportunities and relationships are socially constructed and are learned through socialization processes.” (Gender Equality Glossary, UN Women). CEDAW, the “central and most comprehensive document” (<https://www.unwomen.org/en/csw>), regarding the efforts of the UN Commission on the Status of Women (<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>), places obligations on States Parties to “take all appropriate measures, including legislation, to modify or abolish existing laws, regulations customs and practices which constitute discrimination against women.” (Article 2 (f)); and to take, in all fields, “appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.” (Article 3). I argue that the changes proposed by Shannon Fentiman to the Births, Deaths, and Marriages Act represent an unacceptable conflation of sex and 'gender identity' which is likely to result in psychological and physical harm to women and girls. Even if no physical harm is done, the risk will always be present. We are constantly moving goalposts for what level of risk is 'acceptable' to women and girls under the new gender ideologies. The proposed changes to the Act further represents, in my view, a wholly unscientific turn on the part of the Queensland Government in a field of human research which is nascent, untested, and as yet has very little clean data to support its quite radical assertions. A 'gender identity' cannot be proven or disproven - it is an unfalsifiable hypothesis, like the existence of a deity, and such unscientific notions have no right to be enshrined in Australian legislation. Women have the right to privacy and safety. Please do not remove this right in order to humour a small percentage of men - women's safety must not be sacrificed in favour of men's feelings.