

## **Births, Deaths and Marriages Registration Bill 2022**

**Submission No:** 106  
**Submitted by:** Melanie Brown  
**Publication:** Making the submission and your name public

**See attached:**

# INQUIRY INTO THE BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL 2022

## Individual Submission for Consideration by the Committee

### Background:

I write this submission as a resident of Queensland, to firmly oppose and reject the Self-ID amendments being proposed to the Births, Deaths and Marriages Registration Bill. I am a daughter, a sister, and I am a mother to two young children, and fundamentally, I am a woman. I am deeply dismayed and concerned by the uncritical and alarming speed at which the belief system of gender identity ideology which denies the existence of biological sex is eroding the definition of the word “woman”, to include those who are not women. Self-identification in law will render meaningless the very protections of those for whom sex discrimination law and sex-based rights were enacted to protect. Sex is an immutable characteristic based solely on the biological pathway that is determined at conception and observed at birth – gender identity is not equivalent to sex, and sex is most certainly and categorically not “assigned at birth”.

This compelled adoption by seemingly all levels of government, appears to be happening everywhere, all at once, regardless of the consequences and harms that have been repeatedly shown to eventuate, and all the while, politicians have been unwilling to hear or understand the concerns of women as a distinct class of humans whose needs and rights must be upheld. Women who object to these dangerous policies are targeted and branded as bigots and transphobes - where no bigotry or hatred exists - when there is very clearly a conflict of rights, and those who will be most impacted and raising the alarm are being ignored and dismissed. **In short, Self ID in law means that women can no longer rely on the unquestioned understanding that men should never enter spaces reserved for women and girls.**

The Yogyakarta principles, which are referenced in the BDMRB 2022 are noted by Ms Reem Alsalem, UN Special Rapporteur on Violence against Women and Girls in providing evidence to the Equalities, Human Rights and Civil Justice Committee for Scottish Parliament on 19 December 2022, are not established Human Rights law and it is dangerous to look at it as such. These principles are deeply flawed and based on an ideological understanding which is not based in science or biological reality, and undermines the rights and protections of women by suggesting that men who identify as women *become* women, for all purposes, *despite this being completely impossible and utterly impracticable* where biological sex is relevant. This paper argues that in settings where biological sex is relevant, it is important.

**Please note:** Throughout this document, I use the words ‘man’, ‘woman’, ‘male’ and ‘female’ to refer to people as per their biological sex. This is not meant to be offensive or disrespectful – it is to clarify that objections to males in female spaces is based on sex, as opposed to gender identity. By avoiding the use of ideological language (e.g., “transwoman”, “assigned sex at birth”, etc.) using realist language starkly highlights the dangers and unacceptable risk that this legislation imposes on women and girls.

### Summary:

I am opposed to the adoption of “gender identity” in legislation and policy where it would displace or supplant the primacy of biological sex as the protected characteristic and interfere with the provision of single sex spaces, services and sports, and opportunities for women to ensure equal participation/representation in public life. The current exemptions based on sex operate to address inequalities faced by women and girls - securing single-sex spaces and services, ensuring fair competition in sport, and ring-fencing opportunities by way of positive action, which is a proportionate and legitimate aim. Any amendment that seeks to replace biological sex with “gender identity” could potentially lead to the elimination of these exemptions to the detriment of women and girls.

**Before allowing this legislation that will enable people to change their “legal” sex, this Committee must take into consideration and fully consider the direct and indirect consequences of such a bill.** In other countries and jurisdictions where Self ID has been implemented, governments and their advisory committees have considered the broader impacts to be outside the scope of the bill being considered, and have relied on assurance of lobbyists that there are no negative consequences that can arise from this, but I beg the Committee to consider the following questions:

#	Questions	Comments	References / Further Information
1.	<p><b>Will men who “Self ID” as women share the protected characteristic of sex with women through the acquisition of a birth certificate (or other means) showing a female sex marker?</b></p>	<p>If there is no legal difference between a woman, and a man who identifies as a woman, how will any law, or right, or protection, or boundary enacted to keep women safe, or allow their equal participation in society through anti-discrimination legislation, function?</p> <p>If it is unacceptable for a man to enter spaces set aside for women’s safety, privacy and dignity, how is it any less unacceptable if he believes he is a woman? When all women and children around him perceive him to be male, or are compelled by threat of law to pretend to perceive him as female, it requires an Act of Faith on the part of all women and children that the man who is in a female-only space has the legal right to be there.</p> <p>To uphold women’s rights and safety in any legislation, the characteristic of “sex” must be made clear to refer to biological sex only. To allow any person, on self-declaration to “legally change sex” undermines our protections in law where the sex of the victim and offender is relevant. A victim is disempowered to seek help if she believes that challenging her abuser is unlawful, or too physically or politically dangerous to confront.</p>	<p><b>A person’s “legal sex” must correlate to their biological sex. “Woman” is not a gender identity. A woman, in law, must be defined as an adult, human female, and a man as an adult, human male.</b></p> <p><a href="#">Failure to recognise the primacy of biological sex over gender identity means that it is unlawful for same-sex attracted women to exclude men from lesbian events</a>, and for same-sex attracted men to exclude females.</p> <p><a href="#">Women have already been threatened with legal action for excluding males from female-only dating apps prior to Self ID legislation</a> – if Self ID proceeds, there will be no legal ground to maintain same-sex spaces.</p> <p><b>If Self ID proceeds, there will be no legal classification of women that refers to only women, rendering efforts to end violence against women, anti-discrimination and equal opportunity measures meaningless and inoperable. We must retain the word “woman” as a sex class.</b></p> <p><a href="#">Sex Self-ID Laws are incompatible with efforts to end violence against women.</a></p> <p><a href="#">There is no currently available test (brain, DNA, or otherwise) that can reliably differentiate between a trans-identified and a non-trans identified person</a></p>
2.	<p><b>What safeguarding exemptions or amendments will you propose to ensure that sex offenders who have Self ID are not imprisoned in</b></p>	<p>For there to be no exemptions for sex offenders to be able to identify legally as women would allow them to entry into female prisons, where those he is imprisoned with cannot escape, as we are now seeing in the Dame Phyllis Frost Correctional Facility in Victoria, where Self ID allows gender identity to override sex, and women’s human rights not to be incarcerated alongside male prisoners as per Article 25 of the Geneva Convention. Allowing</p>	<p><b>Placing males in female prisons is in breach of international human rights law. Australian women must be granted their human rights. Male prisoners, regardless of how they identify <u>must</u> be housed in the male estate, where they cannot sexually abuse, harm, harass, intimidate, rape and/or impregnate female inmates.</b></p>

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	<p><b>female prison facilities in Queensland?</b></p>	<p>male prisoners, regardless of how they identify, to be locked in confined spaces with women, is in clear breach of women’s humans rights.</p> <p>Scottish National Party MSP Michelle Thompson, in her speech on 20 December 2022 introducing her amendment to Self ID legislation to ensure convicted sex offenders could not identify into female prisons – <i>“my final point concerns the recent case, one by the Scottish Government where they argued that a man with a Gender Recognition Certificate [Self ID] becomes a woman for all purposes. The logical extension of this position is that the Scottish Government also regards a man who has been convicted of rape or sexual assault is a woman, for all purposes. Is that really the government view, and what message does it send to women?”</i></p> <p>This amendment, sickeningly, was voted down. The Scottish government voted to allow male sex offenders to identify into women’s prisons, in what is now clearly a global human rights violation and a weakening of the rights of women, everywhere where Self ID legislation is being introduced.</p>	<p>In addition to Article 25 of the Geneva Convention, Rule 11(a) of the Nelson Mandela Rules (also known as the United Nations Standard Minimum Rules for the Treatment of Prisoners, 2015) expressly calls for sex-separation in jails and detention centres globally.</p> <p><b>Separation of categories</b></p> <p><i>Rule 11</i></p> <p>The different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment; thus:</p> <p>(a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate;</p> <p><i>Figure 1 - Rule 11(a) Mandela Rules</i></p> <p><b>Quarters, Food and Clothing of Prisoners of War</b></p> <p><b>ART. 25.</b> — Prisoners of war shall be quartered under conditions as favourable as those for the forces of the Detaining Power who are billeted in the same area. The said conditions shall make allowance for the habits and customs of the prisoners and shall in no case be prejudicial to their health.</p> <p>The foregoing provisions shall apply in particular to the dormitories of prisoners of war as regards both total surface and minimum cubic space, and the general installations, bedding and blankets.</p> <p>The premises provided for the use of prisoners of war individually or collectively, shall be entirely protected from dampness and adequately heated and lighted, in particular between dusk and lights out. All precautions must be taken against the danger of fire.</p> <p>In any camps in which women prisoners of war, as well as men, are accommodated, separate dormitories shall be provided for them.</p> <p><i>Figure 2 - Article 25 - Geneva Convention</i></p> <p><a href="#">Accounts of women in prison, forced to share space with males - including sex offenders who 'self-identify as women'</a>. Women suffer fear, trauma, sexual assaults, violence and risk of pregnancy as a result of allowing males in female prisons.</p>

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			<p data-bbox="1352 140 2085 236"><a href="#">Female inmates at Victoria's Dame Phyllis Frost Correctional Centre protest transfer of transgender sex offender.</a> August 2022</p> <p data-bbox="1352 284 2085 347"><a href="#">Man who slaughtered family now marked as "female" and is now being housed with female inmates.</a> December 2022</p> <p data-bbox="1352 395 2130 528"><a href="#">A man convicted of the horrific sexual abuse of a young girl has been quietly transferred to a correctional facility for women</a> and is reportedly boasting to female inmates that he identifies as "a man." December 2022</p>
3.	<p data-bbox="165 571 497 890"><b>How does a woman, or a child, accurately and safely determine the difference between someone who does not belong in a female-only space, and someone who is legally permitted to be in a female-only space?</b></p>	<p data-bbox="524 571 1326 815">When people see a man going into a women's toilet or changing room, they're now more likely to second guess their instinct to raise the alarm. Self ID in law puts people into the position where, instead of being able to rely on the deterrent of the law to prevent men from accessing women's spaces, they will have to deal with these situations themselves and potentially put themselves at risk. This is a major safeguarding failure.</p> <p data-bbox="524 858 1326 1139">If I as a grown, intelligent women, cannot determine the difference between a man who genuinely believes himself to be a woman and a man who receives sexual arousal from wearing women's clothes, breaching women's personal boundaries or exposing himself to women, how would anyone else feel able to challenge the presence of a potential predator? Where does a Muslim woman go if she needs access to female only spaces, and the facilities only offer mixed or gender neutral? Surely this is discriminatory.</p> <p data-bbox="524 1182 1326 1394">How can Self ID allow some males into a female-only space, and not others? How can women be assured that men in female-only spaces are "legally female", if they do not feel able to ask out of fear of provoking the man? If a father sees a man follow his daughter into a female-only space, he will feel unable to go in to protect his daughter due to the longstanding social understanding</p>	<p data-bbox="1352 571 2130 671"><b>For the safety of all women, and their children, all male people, regardless of how they identify, must exclude themselves from female-only spaces.</b></p> <p data-bbox="1352 715 2130 890"><a href="#">An account of a woman who challenged the presence of a male in the women's toilets at her university in Brazil.</a> He accused her of transphobia and threatened her with violence. She now faces the threat of expulsion from the university. December 2022</p> <p data-bbox="1352 933 2130 1109"><a href="#">An account of an 80-year-old woman in the USA banned from her local swimming pool</a> and reported to the police after challenging the presence of a male in the female changing rooms as she showered and young girls were undressed nearby. August 2022</p> <p data-bbox="1352 1152 2130 1252"><a href="#">A registered sex offender dressed "as a woman" arrested after allegedly attempting to take photos in women's restroom.</a> December 2022</p> <p data-bbox="1352 1295 2130 1396"><a href="#">Serial child sex offender with a history of horrendous sex attacks on young girls in changing room facilities is sent to women's prison following release violation.</a> November 2022</p>

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		<p>that men are not permitted to enter female-only spaces, and instead allow a predator to walk in unchallenged.</p> <p>For the safety of all who use single-sex spaces (including disabled women, young children, mothers with babies, women of religiously conservative faiths or cultural backgrounds), all males - regardless of how they identify - must exclude themselves. Good men stay out so that bad men stand out.</p> <p>If there is no practical way to distinguish between a man who genuinely believes he is a woman, and a man who doesn't - this makes it risky and dangerous to attempt to eject <i>any</i> man.</p>	<p><b>In short, Self ID in law means that women can no longer rely on the unquestioned understanding that men should never enter spaces reserved for women and girls.</b></p> <p><b>Mixed sex spaces or gender-neutral spaces pose an unacceptable level of risk for women and children. Refusal to provide single-sex facilities for women only directly discriminates against women.</b></p> <p><a href="#">Woman in shop fitting rooms was deliberately intruded upon by two men.</a> This shop has still not designated “female only” changing areas – insisting that people who self-identify as women were welcome to use these facilities.</p> <p><a href="#">Police Officer Avoids Prison After Filming Woman in ‘Gender-Neutral’ Changing Room</a> A London Metropolitan police officer who secretly filmed a woman in a unisex Primark fitting room will not serve a prison sentence — despite also possessing hundreds of “disgusting and extremely distressing” pornographic images and videos of children and animals. <b>July 2022</b></p> <p>According to a <b>2018 Freedom of Information request conducted by the <i>Sunday Times</i></b>, just under 90% of police complaints regarding changing room sexual assaults, voyeurism and harassment in UK swimming pool and sports-centre changing rooms occurred in gender neutral or mixed-sex facilities.</p>
4.	<p><b>If there is an increase of sexual assaults in a space that was previously single-sex, how would we be able to tell if those assaults were by males with Self ID, or by females, given that it will be recorded and reported as female-</b></p>	<p>If men can change their birth certificate to indicate they were born female, how will government measure the impacts that Self-ID will have on women? Failure to collect sex disaggregated data leads to conflation of results e.g., male sex offenders who Self ID as women while in prison, and whose crimes are recorded as those of women.</p> <p>This erosion of data quality, the lack of impact assessments on women in other countries where Self ID has been implemented,</p>	<p><b>Crime statistics must be recorded and reported based on the biological sex of the offender.</b></p> <p><a href="#">Ms Reem Alsalem, UN Special Rapporteur on Violence Against Women and Girls</a> in her address to Scottish Parliament on 19 December 2022, urging MSPs not to proceed with Self ID legislation without adequate safeguarding amendments. <b>December 2022</b></p>

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	<p><b>on-female crime and reflected in female crime statistics?</b></p>	<p>the absence of proper analysis, and inability to measure the numbers of women self-excluding from previously single-sex spaces are some of the concerns noted by Ms Reem Alsalem, United Nations Special Rapporteur on Violence Against Women and Girls, which would allow convicted sex offenders to identify into women’s prison.</p> <p>Obscuring male crime statistics by recording the crimes of men who identify as female as female crime is just another aspect of gender identity ideology's myriad of wrongs. Female crime stats increase by falsely attributing male crime to women, men are put in woman's prisons and the incidence of male violence against women will no longer be accurately recorded, and evidence of harms arising from Self ID will be obscured.</p>	<p><a href="#">An account from a journalist attempting to investigate the impact of sex self-ID on crime rates in Belgium</a> and discovered the police had stopped recording the sex of offenders – therefore no recorded problems arising from Self ID legislation. <b>December 2022</b></p>
5.	<p><b>If a male sex offender changes his "legal" sex and name while imprisoned, or after imprisonment, what systems are in place to ensure that his criminal history appears on a security check, or a working with children check?</b></p>	<p>Male sex offenders should never be placed in women’s prisons. Townsville’s correctional facility has a mother and baby wing. Men should not be able to commit sexual crimes against women and children, and then be able to create a new identity, unlinked to their previous criminal history.</p> <p><b>Convicted male sex offenders must be ineligible to identify into female prisons – to allow this would be an inhumane, international human rights violation as per the Geneva Convention.</b></p>	<p><b>References to a person’s sex must correlate to their biological sex (birth sex). Gender identity, if it is necessary to record, must be recorded separately, and must not replace their sex for legal purposes (i.e., in determining whether they will be placed in a male or female prison). To prevent serial sex offenders from re-offending and evading criminal background checks, there must be safeguarding restrictions and exclusions.</b></p> <p><a href="#">Sydney paedophile who identifies as a woman jailed for attempting to groom a 9 year old girl online for rape.</a> This man will be released into the community in 2024. <b>December 2022</b></p> <p><a href="#">Dangerous Australian sex offender convicted of setting up a child abuse ring in Thailand is free in the community having transitioned to “living as a woman”.</a> <b>November 2022</b></p> <p><a href="#">South Australian Trans TikTokker Facing Multiple Child Sexual Abuse Charges.</a> <b>October 2022.</b></p>



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6.	<p><b>If a woman who is required by her position to conduct intimate searches or provide intimate care for women is requested by a man who identifies as a woman, is she required and compelled by law to participate?</b></p>	<p>How can a woman refuse such a task without risking her employment? Will she be compelled by fear? This is not consent – women should have the right to refuse intimate contact with people of the opposite sex.</p> <p>Women have already been subject to harassment in Canada – action taken against them because they refused to provide female waxing services on male genitalia. In places where Self ID is law, what legal ground does a woman have to refuse intimate physical contact with a male who identifies as a woman?</p>	<p><b>Removal of women’s right to withhold consent with regards to being touched by, or touching, a member of the opposite sex, regardless of how they identify, means that the Government is directly enabling coerced sexual assault of women.</b></p> <p><b>Indirectly, the Government will be fostering an environment where women will either self-exclude from certain types of employment, or be of increased risk of disciplinary action or judicial consequences for refusing to provide female-only services to males.</b></p> <p><a href="#">In 2019, a man filed over a dozen legal complaints against five female beauticians, claiming discrimination after they refused to wax his genitals</a>, when he disclosed that he was a male who identified as female. They refused him on safety grounds as they operated from their homes, their religions prevented contact with males, and they did not provide these services for males – providing a Brazilian wax on male genitalia would have caused injury, and they were not trained in providing the service to males.</p> <p><a href="#">Female Prison Guard Diagnosed with PTSD after being forced to monitor a Trans-Identified Male in a women’s prison.</a> December 2022</p>
7.	<p><b>If a male can identify as legally female for all intents and purposes, what impacts will this have on the quality of research, and integrity of research data and statistics for women?</b></p>	<p>Researchers in Australia are now being compelled to use unscientific, ideological language which denies biological reality (e.g., “assigned” sex at birth). If not handled carefully and with intellectual integrity, researchers risk obfuscating sex in data, and by extension, negatively impact the quality of research in relation to women and our distinct psychosocial, health and economic needs. How many women have been harmed in history due to medicines being only tested on men and presumed safe for women?</p>	<p><b>Clear language on sex is vital in research, medicine, science, and public health education.</b></p> <p><a href="#">A recent study purporting to examine the transmission and clinical features of monkeypox in women conducted its research on a sample where nearly half of the participants were male.</a> – December 2022</p> <p><a href="#">Effective Communication About Pregnancy, Birth, Lactation, Breastfeeding and Newborn Care: The Importance of Sexed Language</a> February 2022</p>



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		<p>In research surveys and on medical forms, I am now frequently asked questions about my “gender identity” alongside or in place of questions about my biological sex and am prompted to select something, even though I don't <i>have</i> a gender identity - I just <i>am</i> a woman. Sometimes there is no option to <i>not</i> select a gender identity.</p> <p>Being a woman is not a gender identity, it is a biological classification, and has real and measurable characteristics and distinct physical, psychosocial experiences – experiences which are not shared by those of the opposite sex.</p>	<p><a href="#"><u>Biological sex is vital in healthcare</u></a> - Gender identity should not act as a replacement for biological sex. If an unknown patient comes in to A&amp;E, unaccompanied and unconscious, their gender identity would not be ascertainable. However, their sex would remain observable, and would make a difference to that patient’s care. <b>May 2021</b></p>
8.	<p><b>How will Self ID affect the reporting and monitoring of sex pay disparities in workplaces, if employees who are male are recorded as female?</b></p>	<p>How will governments and authorities ensure that measures enacted to ensure equal pay are working, and are not obscured by recording the salaries of men who identify as women (and therefore have not been impacted by systemic sexism, career breaks due to pregnancy and childbirth) alongside the salaries of women? How will accuracy and reliability of this information be assured under Self-ID?</p> <p>If “gender identity” is to now be recorded instead of sex, how will ABS group and record high-earning men who identify as women late in their careers? Men or women who identify as neither sex? Women who claim to identify as men? Would they not have experienced the effects of the “gender” pay gap prior to identifying as a man, and if so, does she cease to be impacted once she is “legally male”, does her data not affect that of men? What impact will this have on measuring the disparity in comparing pay of women to their male counterparts, if records based previously on sex become obfuscated by referring to someone’s “gender identity” as if it were their sex?</p>	<p><a href="#"><u>Currently, Australia's national pay gap is 14.1 per cent. The national gender pay gap is calculated by WGEA using the latest data from the Australian Bureau of Statistics (ABS).</u></a></p>
9.	<p><b>Does a woman maintain her right to request a female health practitioner, or care worker?</b></p>	<p>Does she have any legal standing to refuse a male who identifies as female? Is she protected from malicious claims of transphobia should she refuse? <i>(If she is able to; most women are conflict-avoidant and will most likely feel intimidated and unsafe, and ultimately self-exclude from services to avoid the risk of intimate</i></p>	<p><a href="#"><u>Hospital cancels complex surgery of a female survivor of sexual assault who requested female-only care, as they regarded her request as “harmful” to staff</u></a> – October 2022.</p>

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		<p><i>physical contact with a strange man</i>). Women in care due to physical or intellectual disability or age-related diseases such as dementia or Alzheimer’s are particularly vulnerable, and deserve dignity, and not to feel that their privacy has been violated, if they are even able to provide informed, verbal or written consent.</p> <p>Without consent, intimate procedures might begin to look and feel like a serious breach of trust, at best, and serious sexual assault at worst.</p>	<p><a href="#">Severely learning-disabled girls and women are having their right to female-only intimate care erased by 'inclusion and diversity' policies</a>. In other words, same-sex intimate care ha[s] now become cross-gender intimate care, a change of policy that would allow male members of staff to take [our daughter] to the loo, one-to-one, behind a closed door. <b>July 2022</b></p> <p><a href="#">The NHS is betraying women over same-sex care</a> - government’s former advisor on violence against women, Nimco Ali, writes that the North Bristol NHS trust letter ‘reveals the NHS to be seriously compromised by an ideology that is diminishing the rights of women and girls’. <b>January 2023</b></p>
10.	<p><b>How do we ensure that invitations to health screening (e.g., ovarian/prostate cancer screening) reaches the right patients based on their biological sex, if gender identity replaces sex?</b></p>	<p>Who will be held responsible for deaths of men and women whose diagnoses have been missed, due to conflating gender identity with biological sex, by being able to register legally as the opposite sex or “non binary”(a human being neither male nor female – something that is not biologically possible).</p> <p>Heart attacks present very differently in men than in women, and most public health messaging lists the most common heart attack symptoms in men only. We simply cannot treat men and women as if they were interchangeable, especially not in healthcare.</p> <p>Women have suffered health complications and very nearly lost their lives from Self ID, being legally able to change their sex markers. <a href="#">Buck Angel</a> almost died from sepsis caused by vaginal atrophy, requiring an emergency hysterectomy, which was nearly missed due to being unconscious on arrival to A&amp;E, and unable to communicate to emergency health professionals that she wasn’t a man, despite what her health record indicated.</p>	<p>In the NHS, it has become common practice to change the sex markers on medical records to bring them in line with a patient's self-identified gender identity. (PCSE 2020)</p> <p>This has created such confusion, that the NHS now invites men who changed their sex marker to “female” for smears of cervixes they do not have, while not inviting them for sex-appropriate screening such as an ultrasound scan to check for the presence of abdominal aortic aneurysm. On the other hand, women who change their sex markers to “male” stop being automatically invited for sex-appropriate breast and cervical screening. Clinicians are expected to mitigate the risks of this, even though they report finding it increasingly difficult to bring up trans-identifying patients’ biological sex in discussions about their health, lest they be accused of “misgendering” and “transphobia”.</p> <p><i>Figure 3 - Excerpt from 'Born in the Right Body: Gender Identity Ideology from a Medical and Feminist Perspective' Dr Isadora Sanger</i></p>
11.	<p><b>How do we ensure scholarships, shortlists, employment, sports, awards and research grants, earmarked for</b></p>	<p>We know from recent census data that only a small number of men identify as women, however, for every one man who is appointed to a female position or wins an award within a female-only category, it directly discriminates against many women. In the example of sports, if a man places first, he displaces at least four</p>	<p><a href="#">An account of one of the many women and girls excluded from sport they trained hard for but were beaten by males who were allowed to compete in female sports because they 'self-identified as women'</a>. <b>This is another harm from sex self-ID.</b></p>

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	<p><b>women to overcome barriers experienced by women as a result of their sex, remain targeted for females only?</b></p>	<p>women - the woman who would have gotten first, the one who would have placed second, and then third, and then the woman who would have been selected to compete had he not taken her spot. The entire team may also experience indirect discrimination by sharing changing facilities with a naked male, and are intimidated into silence or risk allegations of transphobia if they object to being exposed to non-consensual male nudity – something which remains to be a sex offense – unless now, of course, the man thinks he’s a woman.</p> <p>Recently, University of Melbourne advertised a prestigious professoriate position in Conservation Biology, targeted for women only, to address the under-representation of women in STEM fields of research. Their advertisement asked for candidates who identified as women, including men who identified as women.</p> <p>The Equal Opportunity Act 2010 (Victoria) exists to protect against discrimination. Sex is still a protected characteristic (it’s 15th on the list of 18 protected characteristics - gender identity is 4th)</p> <p>Do men with gender identity disorders get discouraged from STEM fields through years of socialisation from being born female? Do they have career interruptions caused by pregnancy and child rearing? Are they significantly underrepresented in STEM fields? Are they consistently groomed to pursue less technical career types, or assumed to be less competent because of their sex? If a man who identifies as female applies for this female only position, and is rejected in favour of a woman and appeals on the grounds that he is “legally” a woman, how is the employer able to defend itself if it cannot define what a woman is?</p> <p>Similarly, if a man who identifies as a woman is successful, and a woman appeals on the basis that she has been discriminated against, as the role has been given unfairly to a man, how is she able to make a case at all, if men are legally women, and there is no word for “woman” which refers only to adult, human females?</p>	<p><a href="#">A growing list of female athletes who have been displaced by the inclusion of males in women’s sports.</a></p> <p><a href="#">The removal of the Best Female Artist category at the ARIA awards. The award is now just Best Artist (for both men or women). A man won this year.</a> This is an example of removing an award that only women were eligible for.</p> <p><a href="#">A male university student, a Liberal staffer 'pretended to be a woman' to win a coveted position on Sydney university's student council.</a> He identified himself as a non-cis male to run for a coveted \$12,000 position.</p> <p><a href="#">A 19-year-old man wins women’s beauty pageant, walking away with \$7500 in scholarship funds, earmarked to recognise young women for their achievements. November 2022</a></p> <p><a href="#">University of Melbourne - targeted recruitment to address under-representation of women in STEM positions being undermined by inclusion of males in female only shortlists. October 2022</a></p> <p><i>In line with the special measure H103/2014 provided for under section 12 of the Equal Opportunity Act 2010 (VIC), the Faculty of Science invites applications from suitably qualified candidates who identify as women, this includes cis and transgender women.</i></p> <p><i>Figure 4 – Excerpt - University of Melbourne advertisement for female-only Professor in Conservation Biology at \$204k per annum, advertised 3 October 2022.</i></p> <p><b>Women are no longer protected in the Equal Opportunity Act in Victoria, and Queensland may soon follow.</b></p>

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12.	<p><b>How will imposing gender identity in law via Self-ID onto an entire population affect those who do not hold the belief that gender identity is the same as biological sex?</b></p>	<p>Gender Ideology is a belief system, not rooted in science, and demands the impossible of non-believers: to believe that there is no difference between a man and a woman, that sex isn't determined and fixed at conception and follows a distinct and irreversible pathway from conception to death as a male or female human. Disorders of sexual development ("intersex") are incredibly rare (0.02%) physical conditions, not gender identities, and those with DSDs are categorically male or female – not a mix, not a spectrum, but either entirely male or entirely female – there is no overlap. This is basic science, not bigotry.</p> <p>In a secular, democratic society where freedom of belief and freedom <i>from</i> belief are important, the imposition of an authoritarian belief system such as gender ideology is incompatible with these foundational human rights. It is incompatible with many religions, such as Islam, Judaism, Catholicism, which teach that men and women were divinely created and have distinct religious and cultural roles and social expectations. Gender ideology is incompatible with many people who base their understanding of the world on evolutionary biology, science, reason, and who value fairness, equality, freedom of speech, thought, association and conscience.</p> <p>Gender ideology villainises nonbelievers by stating that the only reason to object to its tenets is due to transphobia or hatred, and outlaws speech that contradicts the beliefs of its proponents, when it is only the principled objection to the compulsion to reject the evidence of ones eyes and ears, to use compelled pronouns, and to pass legislation to force women's boundaries to be violated by law and make women unsafe.</p> <p>If gender ideology is to become a state-enforced religion, and seeks to punish those who object or disbelieve, this is no longer a democracy, but an authoritarian, theocratic regime which does not respect women, or have any regard to their safety, privacy or equal participation in society.</p>	<p><b>There are only two sexes, which is why laws and policies need to be based on sex not gender. Women's rights are sex based for our privacy, dignity, safety and fairness. Equating gender identity with sex removes women's rights by erasing sex as a legal concept.</b></p> <p><b>Forcing an entire population to submit to this demand to believe the impossible will lead to further loss of rights – freedom of speech, thought, association, belief and conscience.</b></p> <p><a href="#"><u>Gender Identity Ideology is a religion, per legal definition, in Australia 2021</u></a></p> <p><a href="#"><u>A woman in Norway is facing criminal charges and a possible prison sentence of up to three years for stating that men cannot be women. December 2022</u></a></p> <p><a href="#"><u>Man identifying as female accuses women-only social media platform of trans discrimination</u></a> The Australian creator of a women-only social media app has been sued by a man who identifies as female and accused the platform of discrimination for barring him from using the app because he is a man. <b>January 2023</b></p> <p><a href="#"><u>Woman Fired After Raising Concerns About Transgender Serial Killer Living in a Senior Shelter. December 2022</u></a></p> <p><a href="#"><u>NTEU passes a motion in open condemnation of people who hold gender critical beliefs as not welcome in the union and society October 2022</u></a></p>

#	Questions	Comments	References / Further Information
13.	<p><b>What actions can a woman lawfully take to protect herself if she is followed into a female-only space by a man who claims to identify as a woman?</b></p>	<p>Can she call security, without sparking a confrontation?  Can she call for help, without fear of hurting his feelings or of being accused of discrimination?  Can she call the police to report the incident without being reprimanded?  Should she lock herself into a cubicle and wait for him to leave, and hope he doesn't hurt her, record her, photograph her or harass or intimidate her further?  Should she ensure that she does not use the facilities alone, so that she feels safe?  Should all changerooms be fitted with duress alarms? How should security guards be trained in this matter?  Will a court rule that the predator had a right to be in that space, regardless of how it made her feel?  How does a young child respond in any of these situations, if grown women are telling governments and authorities that they do not feel safe, anxious or afraid of how easy it would be for a predator to claim to be a woman to gain access to previously safe, single sex spaces?  Why has women's need to feel safe in these spaces been utterly overlooked by our elected representatives?</p> <p>Women are being ignored and vilified for raising these concerns, and not one politician has been brave enough to put their hands up and put a stop to this dangerous legislation.</p>	<p><b>Since it's impossible to tell which males are harmless and which are not, basic safeguarding means we exclude all males from women's spaces, even the ones who claim to 'identify as women'.</b></p> <p>This is a list of <a href="#">122 men who have identified as women</a> to access victims, or who have raped, assaulted, abused and/or murdered women and children.</p> <p><b>To tell us, as women, that this "never happens", or that it does, but it's "other women" doing it to us, and if we object, that we're "hateful" is state-sanctioned psychological abuse of the worst kind.</b></p>

In all public discussion of this issue, the term “gender” is used, however in reality, the law being amended here is talking about sex. Someone’s sex does not change as a result of a certificate. Women have the right to single sex spaces, without males in them, and the State does not have the right to force people to behave or believe as if we don’t. Women’s sex-based rights are part of international human rights law. We are a defined group, with a defined, protected characteristic. The Yogyakarta Principles document is not law, and it should not be treated as a legal framework.

There are no valid reasons for a person with male physiognomy to be able to self-certify on his birth certificate as a female person. It facilitates identity fraud, medical malpractice, destruction of data integrity for medical and sociological research and endangers society’s most vulnerable women.

I have followed both sides of this debate; I am extremely empathetic towards people who feel distress about their bodies. I am in favour of good quality health care and facilities for people who identify as transgender, and for protections against being discriminated for identifying as transgender. But there is a conflict of rights that must be debated and dealt with, and it must not come at the expense of the rights and safety of women, children and other vulnerable people.

**Conclusion:**

I strongly urge the Committee to consider these questions – as I have not been able to satisfy myself that those involved in drafting this Bill have truly engaged with or considered the impacts and effects of Self Identification for women and children. I find it mortifying that our own Minister for Women and Minister for Domestic and Family Violence claims to be advised that predators will not abuse a system to access victims, and therefore no safeguarding or gatekeeping is required.

As Self ID becomes more entrenched, the logical conclusion is that gradually more and more women will self-exclude from situations that pose any kind of risk to their safety. This will push women out of public spaces and sports and further marginalise women who most need access to female-only services, such as non-English speaking, religiously conservative women, or those who have been traumatised by male violence. Society needs clear, consistent rules so that people can react appropriately when they see men crossing women’s boundaries. This is not due to transphobia - it is due to a collective will to protect women and girls from opportunistic men.

I urge the Committee to ensure that if Self ID must be imposed in Queensland with no mandate, against the wishes of the public, and consent of the women of this state, that there be firm and uncompromising exemptions for single-sex spaces, sports, facilities, services, prisons, scholarships, awards and shortlists. I urge the Committee to recommend that the onus of inclusion be placed squarely where it belongs, in male spaces, for male people. Separate wings in the male prison estate, increased availability of single occupancy unisex facilities for males or females who do not feel safe to use male public toilets and changing rooms. The definition of woman – *adult, human female* – must be protected, as this definition is fundamental to our rights.

If this dangerous legislation is passed, this, and the other submissions from women who have been ignored and vilified, will be a record that the risks to women and children were raised, disregarded and dismissed, and the Government that proceeded in full knowledge of the harms of Self ID, for something that may benefit only a small fraction of people at the expense of every woman and girl in this Country, will be held directly responsible for the injustices that will inevitably follow.

**Recommendations:**

- 1. If gender identity must be recorded, register a gender identity separately, but do not alter the birth record of a person's sex.**
- 2. Create a statutory provision to declare that sex is the paramount protected characteristic and halt the presumption that 'gender identity' displaces the protected characteristic of sex.**
- 3. Create a statutory provision for services, funding, shortlists, prisons, sports and spaces provided for women be on the basis of sex, not gender identity.**
- 4. Consider the queries, concerns and demonstrated consequences of Self ID raised within this submission, and ensure safeguarding provisions to mitigate the risks identified be adopted into Sex Discrimination and Equality legislation prior to passing any amendments to the BDMRB 2022:**
  - a. Will men who "Self ID" as women share the protected characteristic of sex with women through the acquisition of a birth certificate (or other means) showing a female sex marker?
  - b. What safeguarding exemptions or amendments will you propose to ensure that sex offenders who have Self ID are not imprisoned in female prison facilities in Queensland?
  - c. How does a woman, or a child, accurately and safely determine the difference between someone who does not belong in a female-only space, and someone who is legally permitted to be in a female-only space?
  - d. If there is an increase of sexual assaults in a space that was previously single-sex, how would we be able to tell if those assaults were by males with Self ID, or by females, given that it will be recorded and reported as female-on-female crime and reflected in female crime statistics?
  - e. If a male sex offender changes his "legal" sex and name while imprisoned, or after imprisonment, what systems are in place to ensure that his criminal history appears on a security check, or a working with children check?
  - f. If a woman who is required by her position to conduct intimate searches or provide intimate care for women is requested by a man who identifies as a woman, is she required and compelled by law to participate?
  - g. If a male can identify as legally female for all intents and purposes, what impacts will this have on the quality of research, and integrity of research data and statistics for women?
  - h. How do we ensure that invitations to health screening (e.g., ovarian/prostate cancer screening) reaches the right patients based on their biological sex, if gender identity replaces sex?
  - i. How will Self ID affect the reporting and monitoring of sex pay disparities in workplaces, if employees who are male are recorded as female?
  - j. Does a woman maintain her right to request a female health practitioner, or care worker?
  - k. How do we ensure scholarships, shortlists, sports, awards and research grants, earmarked for women to overcome barriers experienced by women as a result of their sex, remain targeted for females only?
  - l. How will imposing gender identity in law via Self-ID onto an entire population affect those who do not hold the belief that gender identity is the same as biological sex?
  - m. What actions can a woman lawfully take to protect herself if she is followed into a female-only space by a man who claims to identify as a woman?
- 5. If these concerns cannot be addressed and sufficient protections be established prior to approval, then the Committee must recommend that the amendments that would render the classification of women legally meaningless be withdrawn.**

**To claim that any of these concerns are outside the scope of the Committee's consideration of this bill would show a lack of due diligence, regard for the rights and wellbeing of women and children, and consideration for the dire consequences arising from these matters.**