

## Births, Deaths and Marriages Registration Bill 2022

**Submission No:** 167

**Submitted by:**



**Publication:** Making the submission public but withholding your name

**Submitter Comments:**

I do not believe the changes proposed in the Births, Deaths and Marriages Registration Bill 2022 should proceed.

### **Sex not gender**

I'm concerned about gender - feelings and how we choose to present to the world - taking precedence over sex - a physical and biological reality.

Beyond my adolescence, I never felt any confusion over my gendered presentation. However, I recognise that, in the last five or so years, more people are giving weight to their feelings on gendered expression. However - sex and gender are two different things. Sex is set; gender is not.

The fact is, sex cannot be changed. We can tweak hormone levels and have surgery, but ultimately we stay the same sex that we were observed to be in utero, or on the day of our birth.

Human sex is something we know a lot about in both the scientific realm and instinctually. I have been able to accurately sex most humans for as long as I can remember. So has everyone else I know. The process has not required any obtrusive checking (e.g. no genital checking needed) but instead seems to be based on human instinct and recognising 'collections of traits' in people.

It's something that humans do naturally, and it's useful.

### **Women's rights and needs**

Hon. SM Feniman wrote, "...these reforms will not be a panacea to the issue that trans and gender diverse people face, but they are an important step to ensuring every Queenslanders can live authentically."

Well, I have to say that these changes will NOT be an important step towards **most** Queensland *women* living authentically.

One example of why is that women are still held back in their careers due to biological differences (time lost in working towards a career through pregnancy, childbirth, and for many, staying home with children). Allowing men to identify into womanhood will allow men to speak for women. It will let men take up opportunities that were for women.

How is that allowing Queensland women to live authentically?

### **Sexual and other violence + Queensland prisons**

Another critical example is that women remain overrepresented as victims of sexual and other violence. Meanwhile, men are overrepresented as the perpetrators of violent and sexual crimes. Not all men, but men in comparison to women.

According to Queensland Correctives Services, there were sixty-three trans-identifying men and zero trans-identifying women in Queensland prisons on the 30th of June, 2022.

Those trans-identifying men are held in the male prison estate. However, with the changes you intend to make, each one of them will have the option to apply to move to the female prison estate (without any requirement for having had hormone therapy or surgery, no less!).

It's unbelievable that you would be bringing in a law allowing men (intact or otherwise) to serve their sentence in a women's prison. What guarantee can you give that no women will be harmed?

I have further questions for you regarding the difference in the numbers of trans-identifying individuals currently in Queensland prisons:

Why do you think there are zero trans-identifying women but sixty-three trans-identifying men?

Women commit less violent crimes than men and generally exhibit lower criminality. So, if those sixty-three trans-identifying men are women in men's bodies, why are they showing such a high pattern of criminality compared to other women?

Let's dig a little deeper. Of those sixty-three trans-identifying men, thirteen are serving that sentence for aggravated sexual assault even though transgender people currently are a minority population. Meanwhile, in the women's prison estate, there are sixteen women altogether (out of approximately 50% of the Queensland total population of 5.3 million people) serving time for the same crime.

Now let's return to a former question: Why do those trans-identifying men exhibit male pattern violence if they are women? Shouldn't they show the same patterns of criminality as other women do?

## **Disability and Healthcare**

Women who require support, whether because of disability, illness or age, should be able to have a female carer, in particular when the care required is intimate in nature. That should be the minimum that Queensland women can expect for their safety and dignity.

My concern is that the changes you propose will mean that even if a woman can request a female carer, when a trans-identifying man (who says he is a woman) turns up, the client will have difficulty saying no.

What seems to have happened in your consideration of these legal changes is that you've looked at all these different situations only from the side of those who identify as trans. What about the feelings and needs of women and girls?

Suppose an older woman goes into a nursing home. In that case, I want her to be able to request a female carer for intimate personal care. If a young woman is hospitalised or injured and requires at-home care, I would want her to be able to request a woman for her safety and dignity. If I were ever incapacitated, I would like the same choices, and I want this for all women and girls in Queensland.

## **Identity**

In the Births, Deaths and Marriages Registration Bill 2022, under Statement of Compatibility, it says that an application to alter a record of sex must "include a statement, verified by a statutory declaration, by the person that the person identifies as the sex specified in the application and lives, or seeks to live, as a person of that sex".

A key to this debate is found in the phrase "identifies as the sex". It's telling. It uses the word 'identifies' because the person they refer to is **not** the sex they want to be. That is unfortunate, but still, sex cannot change. Rare examples of confusion regarding biological sex in those with intersex disorders do not change the fact that sex is binary and that we can almost always see it at birth or before.

## **Coercion**

If you put these changes through, you will be taking away hard-earned rights from Queensland women, myself included. You will also be forcing us to believe - or pretend to believe - the ideologically based fiction that humans can change their biological sex. I do not accept that.

## **Other issues**

I have highlighted a few specific issues with trans ideology concerning the proposed bill, but there are many others. The pressure on the same-sex attracted (lesbians and gay men) to sleep with people who 'identify' into a sex class is one that is quite distasteful.

Another is the medical scandal of people, particularly young people, who've been given wrong information (such as puberty blockers being completely reversible), who think that they really are changing their biological sex, or who have healthy body parts cut off. How will those who later find they were going through a stage, or those for whom the surgeries were unsuccessful, recover from it all?

For the reasons I've elaborated on above and many more, I ask you to please reconsider the changes you propose in the Births, Deaths and Marriages Registration Bill 2022.