

## Births, Deaths and Marriages Registration Bill 2022

**Submission No:** 174  
**Submitted by:** [REDACTED]  
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### Submitter Comments:

Submission In opposition to Births, Death and Marriages Bill 2022 Introduction I write my submission as a woman, a mother, a feminist and a person with recognised academic qualifications in both Cultural and Gender Studies. I am well educated in feminist theory and rhetoric, as well as queer theory and gender studies. I have analysed the arguments for and against universal acceptance of the theory of gender identity ideology and the history of the movement, including the core tenants of the Yogyakarta Principles that form the foundation for the International, blind acceptance of gender identity ideology, and the formalisation of this ideology as fact through policy and law. The arguments in this submission are not made from a position of ignorance or lack of education. I am a life long leftist, small 'l' liberal, politically progressive, non-religious member of the labour party. I oppose the characterisation of anyone who criticises gender identity ideology, and the policies and legislative amendments influenced by it, as an uneducated, transphobic, right wing bigot or religious zealot. I probably know more about gender identity ideology than the majority of people involved in the development of this Bill, and I know many others who know even more than I do on this topic and would welcome an opportunity to speak on it. Through this submission I could argue on every axis of the claims made by gender identity ideology, and point out where that ideology is flawed and based on flawed 'science', or how it negatively impacts the health, wellbeing and social outcomes of individuals, including those that declare a gender identity different from their sex. I could outline how the original foundations of the ideology are the imaginings of a few invested individuals who captured the financial support of invested institutions and groups to propel its message across the globe. Or how (and why) this time in history, characterised by legitimate aims of social justice, and corporate and political investment in individual wellbeing and inclusion and diversity, has provided the perfect vehicle for embedding an unproven, arguably damaging theory in legislation and across institutional policies. I could discuss how social media and institutional capture has normalised an unsupported ideology in education systems, corporations, industries and across government. I could describe how this ideology has been monetised to further embed it's reach, and how this normalisation has created a social movement that honestly believes it is on the 'right side of history' despite a growing evidence base to the contrary. In the interests of time, I will instead focus on the claim at the heart of this legislation, ie. The claim that a person's individual, unqualified belief that they can change sex, declare to have the identity of a person of the opposite sex, or determine that they are no sex at all, should be accepted and formalised in policy and law. I will also outline how accepting this belief negatively impacts individuals, especially women and children. What is gender identity? This Bill conflates the definition of 'sex' with 'gender', and 'sexual orientation/sexuality' with 'gender identity', and introduces 'gender identity' as an accepted term absent of a clear, evidence based and universally agreed definition. The Bill proposes the Anti-Discrimination Act 1991 be updated as follows to include a revised definition of 'gender identity', and it is this definition that sets the basis for changes to the Births Deaths and Marriages Act: (a) a person's internal and individual experience of gender, whether or not it corresponds with the sex assigned to the person at birth; and (b) without limiting paragraph (a), includes— (i) the person's personal sense of the body; and (ii) if freely chosen—modification of the person's bodily appearance or functions by medical, surgical or other means; and (iii) other expressions of the person's gender, including name, dress, speech and behaviour. While I recognise that this definition, and variations on it, have been widely (and blindly) rolled out across the globe, including in Federal Sex Discrimination and other State Government legislation, I dispute that any person has an 'internal experience' of something vaguely described as 'gender'. I note

there is no definition of gender or sex provided in the Bill. The only agreed, immutable, scientifically proven, evidence based, clearly defined fact about a person's lived reality is that they are human and one of the two dimorphic phenotypes of that category of mammal - male (man) or female (woman). (NB. While people with Differences of Sexual Development (DSD, previously known as Intersex) are often used as a straw man or 'gotcha' to oppose the dimorphic nature of biological sex, it is scientifically proven that people with DSDs are still either male or female. In addition, the vast majority of people who declare a gender identity do not have a DSD: DSD (Intersex) - Stats For Gender) There is no evidence to support that sex is arbitrarily 'assigned at birth'. Sex is observed and recorded, either at or before birth. The sex of a child can be determined prior to birth both radiographically and by other simple, genetic tests. Sex is objective and present in every cell of the human body. Of course, a person's sex does not determine their personality, their interests, their intellect or their capabilities. There is no combination of thought patterns, psychological diagnoses, mannerisms, hobbies, preferences, or aesthetics that disqualify a man from the category of male or qualify him for the category of female, no matter how non-conforming he may appear to be. Similarly women are not men by virtue of their individual interests, personalities or internal belief that they more closely align with stereotypical masculine behaviours or characteristics. What sex does indicate is the reproductive capacity of an individual, which in turn impacts social and cultural expectations and experiences, for better or worse. These cultural expectations were what we previously described as 'gender' in feminist theory, prior to its adoption as an amorphous, undefinable term that has come to mean a subjective, internal sense of one's sexual characteristics in the modern lexicon. The only qualification for being a woman is to be born female and to have not died before maturation. While a man is an adult male. It is not discriminatory to state this fact, and I make this point not to upset the people who have bought into this ideology, but to highlight how successful the activism has been for this movement - people actually believe that they may be "born in the wrong body", despite the impossibility of that reality, the lack of evidence to support such a claim, and the obvious emotional and psychological damage believing something that is impossible to be true causes an individual. A legal fiction has been created by adoption of this ideology and countless people are suffering because of it: Detrans Voices: Detransition Stories, Resources, and Community - Detrans Voices I do not dispute that people struggle with discomfort with their biologically sexed bodies, or that this discomfort causes some people distress. I do however think it is important to analyse the myriad of reasons, the vast majority being psychosocial and not biological, that an individual may develop this degree of dissociation, and to provide balanced, thorough psychological and emotional support to a person who is distressed by their physical reality. I also accept that in some cases pharmaceutical or medical intervention may provide a person with relief from their distress, but this treatment comes at a significant personal and public cost, has considerable negative health risks, requires life long medicalisation, and does not make the person the opposite sex. It would seem reasonable, rationale and the path of least harm to assist