

Births, Deaths and Marriages Registration Bill 2022

Submission No: 202
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Submitter Comments:

Legal recognition of trans and gender diverse people•I support the use of the self-declaration model to alter the record of sex to legally recognize an individual’s gender. This change is important for the autonomy of the individual as it decouples medical transition from legal transition. Medical transition is often unattainable and unwanted, and should not be a prerequisite for legal recognition of one’s gender.•I support the statutory declaration process, with the understanding that any requirement involving medical personnel increases burden on both the individual seeking to alter their birth certificate and medical services. A statutory declaration by someone known to the person making the application is sufficient to ensure applications are made in good faith, without introducing additional burdens and barriers to the individual.•I support the legal recognition of non-binary genders. Enabling people to select a sex descriptor of their choice allows for legal recognition of non-binary genders at an individual level while not restricting the terminology that someone may use to describe their own gender.•I support the ‘opt in’ approach to displaying sex information on a birth certificate. Recognising parenting and family structures•I support the option for parents to select from “mother”, “father”, and “parent”. This allows the birth certificate to better reflect each parent’s familial role and recognize that these roles are not necessarily tied to being the birthing or non-birthing parent of a child. The choice of parental descriptor is deeply personal and of great value to the individual, and this change affords every person to select a term that appropriately describes their relationship to their child.•I support the provision of a corrections process that allows parents to update parenting descriptors on birth certificates of their children that were registered prior to the reforms. Anti-Discrimination Act amendments•I support all amendments to the Anti-Discrimination Act. I support these reforms as people of diverse gender, sex, and sexuality deserve equitable legal recognition of their lives and roles in society. The birth certificate is a fundamental piece of identification, and no one should be kept from using it because they have concerns for their safety, because it is inaccurate, or because it does not affirm who they are. These reforms enable individuals to make decisions about how their identity documentation best reflects themselves, a decision that should not be constrained by medical requirements, financial pressures, or gender and sex roles that do not reflect their lived experience.