

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

**Submission No:** 227  
**Submitted by:** Katrina Nurthen  
**Publication:** Making the submission and your name public

**See attached:**

Committee Secretary  
Legal Affairs and Community Safety Committee  
Parliament House  
George Street  
Brisbane QLD 4000  
[lacsc@parliament.qld.gov.au](mailto:lacsc@parliament.qld.gov.au)

Sunday 8 January 2022

Dear Committee

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

As parents of a transgender teen, we are writing in support of proposed changes to the Births, Deaths and Marriages Registration legislation in Queensland, particularly changes outlined in Part 5 - Acknowledgement of Sex.

We believe the existing provisions of the Births, Deaths and Marriages Registration Act which require a transgender person to undergo sexual reassignment surgery before they can request changes to the sex on their birth registration, to be unreasonable. The changes proposed will, without exaggeration, be life changing and, in some cases, life saving for transgender people.

Our son Logan came out as a transgender male in May of 2020, not long after he turned 12. There were plenty of signs throughout his childhood that he wasn't a girl like we thought, however we only truly recognised these for what they were after he came out. When he was very young, Logan was always a happy, vivacious child. At around the age of 10 he started to completely withdraw socially. He suffered from night terrors, his academic performance dropped and he was diagnosed by a psychologist as having severe anxiety. He would continually pull his eyelashes out as a nervous habit. In essence, he wasn't happy and we couldn't work out why. After starting high school and meeting some transgender students, Logan recognised some of their feelings and experiences as his own. He conducted a lot of internet research and came to us to let us know that he thought he was a transgender boy.

Logan is just about to turn 15 and without being dramatic, we truly believe that affirming his male gender identity has saved his life. We were lucky enough to get in to the Queensland Children's Gender Service at the start of 2021 and taking steps such as changing his name, assisting him to socially transition and allowing him to undergo treatment to pause puberty, has been like flicking a switch inside him. He is more settled within himself - the eyelash pulling has ceased and he no longer gets night terrors. He is more social, he's doing well academically and he has even joined a baseball team which he enjoys immensely. He still suffers from anxiety, though it is not as severe. The anxiety now centers mainly around his acceptance at school, what will happen when he goes for a job, when he travels anywhere and when he has to meet and interact with new people.

My husband and I have done everything in our power to advocate on Logan's behalf and shield him from a lot of the barriers and discrimination (whether purposeful or casual) faced daily by transgender people in the community. We can't protect him forever however and at 15, he is at an age where he is being exposed to more of the world and having to deal with more and more things by himself. Some of the things he has had to face include:

- Not being correctly counted in the 2021 Australian Census as the options presented meant that he had to choose the sex he was assigned at birth rather than his true identity.

- Having to explain himself to every new or substitute teacher he encounters as the school roll identifies him as female and has no provisions for notations on gender identity. When approached about this the school could only tell us that including sex on the roll was a “legal requirement”, but couldn’t articulate what the requirement was.
- Being allocated to female groups in classes (based on the roll) as teachers separate students into groups of boys and girls for activities and having to explain in front of the entire class of his peers why he doesn’t belong there.
- Being told by a new teacher that he just had to keep reminding her that he was a boy whenever the teacher misgendered him (despite the fact that Logan had transitioned two years before).
- Having to defend his validity as a person to a group of his peers when a teacher chose to hold an unconstrained debate in class about whether trans people should be allowed to play sport in teams based on their gender identity.
- Having to explain himself to bank staff when opening a bank account and members of the local baseball club when registering to play, as his birth certificate does not accurately reflect his identity.
- Being keen to get a part time job, but being extremely anxious to apply for positions as his birth certificate does not accurately reflect his identity.

We have tried to build Logan’s resilience so that he can handle whatever comes his way. As the Attorney General, the Honourable Shannon Fentiman said in the Bill’s introductory speech however, being faced with situations where they are required to reveal deeply personal information about themselves to virtual strangers can be deeply distressing for trans people. We see this every day as Logan braces himself every time he enters a new environment or has to interact with new people.

Under the current legislation, Logan may never be entitled to change his birth record and is likely to have to deal with severe anxiety and fear for the rest of his life. He began taking puberty blockers before he experienced full breast development and will not need to undergo what is referred to as “top surgery”. “Bottom surgery” may also not be an option for him due to its prohibitive costs, the trauma it causes to the body and its limited availability in Australia. Despite this, we have absolutely no doubt that he will continue to identify as a male. He will start taking testosterone in February and will be required to get testosterone shots every 3 weeks for the rest of his life.

Regardless of how Logan looks or identifies, what he has under his clothes is nobody’s business except his and his chosen partner’s. Every individual is entitled to go about their daily lives with dignity and privacy and without constantly being afraid that someone may react badly or even violently if their trans identity is discovered. The proposed changes to the way births are registered in Queensland, including those which would allow Logan to get identity documents that match his true self without having to undergo surgery, would go a long way to preventing an extreme amount of distress, fear and self-harm.

We ask that in consideration of the proposed changes you remember that trans people are people too. They deserve just as much love, recognition and support as everyone else in the community.

Thank you,

Katrina and Thomas Nurthen (proud parents)