


Births, Deaths and Marriages Registration Bill 2022

Submission No: 286
Submitted by: 
Publication: Making the submission public but withholding your name

Submitter Comments:

I provide this submission as a Queensland woman, mother and feminist. I know many other women will provide submissions detailing the ways in which changes to laws in other places to allow people to change sex on their birth certificates has further allowed men to access to women's spaces like DV shelters, medical facilities, and prisons. I know many others will talk to you about impacts to women's sport. I'm sure some lesbians will be able to tell you about being called bigots for explain they are same sex attracted and don't want to sleep with male bodied people. Others will detail the impacts of gender identity ideology on young people who find after they've taken puberty blockers/hormones and had surgery that they just needed someone to help support them to work through their issues/dysphoria. Perhaps some women who have de-transitioned will provide submissions on how they were sold a lie that these interventions would be a silver bullet for all their mental health issues. (I encourage you to read testimonies of de-transitioners include those in Australia who are suing their doctors as Keira Bell did in the UK). Others will explain to you how men will use this change to further erode gains by women and reinforce the harmful idea that there are "girl behaviours" and "boy behaviours" and if you don't fit these stereotypes then you are best to transition to the other set of stereotypes, rather than accepting yourself as you are. I know many women are going to great lengths to provide submissions with references to data that supports these concerns and the many examples where men have taken advantage of this ideology to gain access to vulnerable women. They will explain to you that as lifelong feminists they can't stand by while laws are passed with seemingly no regard to the consequences for women and indeed ignoring of women who do raise the alarm. I'm sure others will detail how toxic the discussion is around these issues with feminists being called horrible names and threaten with violence ironically, for pointing out that men's violence means women need spaces of their own. Instead of repeating what they will have already submitted to you, or indeed telling you about my own experiences of discrimination as a mother or my experience with trans identified male people infiltrating breastfeeding support groups to harass women, I wanted to confirm the simple facts that seem to get purposefully complicated on this topic. Birth certificates are a record of the information known at the time a child is born. Biological sex and gender are two different things. Birth certificates record biological sex as this is a known piece of information at birth along with the biological mother, the time, the hospital etc. What gender stereotypes someone grows up to prefer or how they may adhere to behaviours deemed to be feminine or masculine, is not known at birth nor is it relevant to someone's legal identity. The concept that babies are 'assigned' or 'misassigned' a gender is untrue. A person's biological sex is observed at birth and does not change over the course of their life. Gender has everchanging meanings and is a patriarchal construct where women are the oppressed group— this is not a sound basis for a person's legal identity. Gender is a not a spectrum, it is hierarchy! Allowing people to change the record of their birth also opens avenue for fraud. Bio-data such as name, date of birth and sex are anchoring pieces of identity information and making it easier for individuals to change both their name and their sex will allow for new identities to be set up for fraudulent purposes. These proposed law changes don't seem to have taken this potential issue in to account. I have some questions for the committee to consider:

- What analysis has been conducted regarding any benefits of these changes for people? How would it really help people who identify as trans to change the record of their birth?
- Why do the proposed changes conflate sex with gender and in fact seek to allow people to replace their biological sex record with their stated gender identity? Why doesn't the proposed legislation

account for the difference between sex and gender? If really required, why is there not an option for someone to be provided with a gender recognition should they need it document rather than altering the record of their birth? •Will these changes make it harder for women to use the provisions of the sex discrimination act? •In practice, will there be a record that the person has a biological sex as distinct from their gender expression? Will biological sex and gender be recorded separately on documents or on the register? •Will men who decide to identify as women after having children be able to change their descriptor on their child's birth certificate from father to mother? Will they be able to do this without consent of the biological mother? •How does the Queensland government expect self-identification will be reflected in identity documents? For example, will a person have the history of the sex that has been altered recorded on their drivers' license? What will be recorded on identity documents when someone self-identifies and how does the government expect people will use these altered identity documents? •How will the many people who do not agree with the view that we all have a set gender identity be accounted for? Will they be able to state that no they don't have a gender identity on their documentation? •What analysis has been conducted regarding the impact of the introduction of these policies on biological women and girls? If this hasn't been provided to the committee, why not? I implore you to reconsider these changes and to interrogate the reasons this change is even required. I'm distressed that the AG Shannon Fentiman stated there was no evidence of women being harmed as a result of these types of changes in other jurisdictions, where there an abundance of evidence to the contrary. Please don't dismiss the concerns women are raising. I want to world where people can be who they are without the restrictiveness of gender stereotypes. We need to abolish gender stereo types, not codify them in law! To quote Tim Minchin, "Don't open your mind so much, that your brain falls out." There are clear negative consequences of these proposed changes and to pretend otherwise is disingenuous.