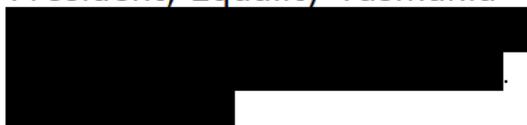




Rodney Croome AM
President, Equality Tasmania



Rose Boccalatte
Board Member, Equality Tasmania



Committee Secretary
Legal Affairs and Safety Committee
Parliament House
Brisbane, Qld., 4000
lasc@parliament.qld.gov.au

Dear Committee Secretary,

Please accept the following submission from Equality Tasmania to your inquiry regarding the Births, Deaths and Marriages Registration Bill 2022.

Equality Tasmania (formerly the Tasmanian Gay and Lesbian Rights Group) is Tasmania's leading advocacy group for LGBTIQ+ people and has been since it was formed in 1988. In that time we have advocated successfully for a range of reforms, including the decriminalisation of homosexuality, Tasmania's strong Anti-Discrimination Act, Tasmania's ground-breaking relationship laws, improved policies in schools, health and policing, and marriage equality. We regularly consult with the Tasmanian LGBTIQ+ community to determine our campaign priorities and to inform submissions like this one.

Gender affirming documents

Equality Tasmania recommends Queensland follow the model of gender recognition adopted by Tasmania in 2019. The Tasmanian model

- allows for complete self-identification without medical intervention or any supporting statement
- allows for identification other than male and female
- allows gender to be removed from birth certificates altogether

We welcome the Bill's provision allowing trans and gender diverse people to have gender affirming documentation without the need for genital or other surgery.

We welcome the Bill's provision allowing for gender identities other than male and female, for example non-binary.

We welcome the Bill's provision allowing a choice for the inclusion of gender on birth certificates.

We are concerned by the Bill's provision insisting on a supporting statement from a third party before affirming documents can be issued. This undermines the principle of self-identification, will make gender affirmation more difficult for some trans and gender diverse people, including young people, and falls below the standard set in Tasmania. We ask that this provision is removed.

We are also concerned the Bill only allows two parents to be listed as parents on birth certificates. This ignores the social reality that more than two parents can care and have responsibility for a child. It is not in the best interests of a child for the family not to be fully recognised on their birth certificate.

Anti-discrimination protections

Equality Tasmania recommends Queensland adopt the high standards set by the Tasmanian Anti-Discrimination Act. These include

- full discrimination protection for trans and gender diverse people, and people with variations of sex characteristics
- full protection from harmful speech and bullying for LGBTIQ+ people

We welcome the Bill's provision updating the definition of gender identity and including a new attribute of sex characteristics.

We welcome the removal of the existing law permitting discrimination against transgender people working with children.

But we are concerned about the absence of provisions that fully protect LGBTIQ+ people from discrimination in and by faith-based organisations.

We are also concerned about the absence of provisions, similar to section 17(a) of the Tasmanian Anti-Discrimination Act, which prohibits behaviour which offends, humiliates, intimidates, insults or ridicules on a range of

grounds including sexual orientation, gender identity and sex characteristics.

We recommend the Bill is amended to rectify these omissions.

[End]