

Births, Deaths and Marriages Registration Bill 2022

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Self ID Legislation

Name to be suppressed.

It is important that same sex partners are able to register and more accurately reflect their identity on record and this is a commendable aspect of this reform.

However, there are significant and potential consequences that self-ID legislation needs to be carefully considered and openly and widely acknowledged and debated, with the full implications thought through, not just for its impact on trans community but for women and girls.

In the Attorney General's speech to Parliament, the Honourable Shannon Fentiman claimed:

... it is an unfortunate fact that, through this debate, there will be members of the community who will seek to denigrate trans people's lives and identities by making ludicrous claims about how people will be able to identify.

It is an unfortunate fact that the Attorney General would choose to put all concerns in the same bracket. Women on the left (in particular) are being told to remain quiet lest they be seen as bigots and this is a very concerning framing that has consequences for the broader community's engagement with public debate and discussion.

To raise issues about how people self-ID is not scare mongering, nor is it ludicrous, or denigration. The actual job and process of legislation and policy making is consider and thoughtfully debate these concerns, and not establish the terms of the debate into which some issues are simply stonewalled and not up for discussion. Crafting this legislation and true consultation means considering possible scenarios, and risks, and balancing a range of perspectives, voices, and interests. I don't know of a single woman who is raising these concerns (often quietly) does so from a place of bigotry or ill-informed or considered analysis. They do it from deep thinking on the topic and from their lived experience as women and girls where men and patriarchal systems have real-life impacts on their opportunities, safety and wellbeing.

The risks, including the diminution of girls and women's right, is not a ludicrous claim and deserves to be fully grasped, not shut down and dismissed. Nor should these discussions be thought of as a 'denigration' of a "trans people's lives and identities." In reality, we have a situation in which women raising legitimate issues regarding their safety, rights, and identity are *a priori* denigrated as *ludicrous*, and much aligned through being ad hominem labelling such as "TERF" (not unlike 'Feminazi' and 'witch': each era generates its terms for silencing women - and forceteaming with a Christian right wing conservative agenda.

This conflation, labelling, silencing, and shaming of women asking questions in this debate is nowhere more starkly demonstrated in the Greens political party (the party pushing for these reforms). The most 'left' of political parties on the political spectrum is now purging senior left women (and men) – who have given their lives to social justice and inclusion - in their movements (in the UK and Australia) for questioning the basic premise that women are being asked now to 'just trust' men, and for wanting to have an open, robust and safe discussion about it.

[Victorian Greens in turmoil over transgender policy ahead of 2022 state election \(theage.com.au\)](https://theage.com.au)

[Green Party sued by ex-official who claims leaders 'purged' members who questioned its trans policy | Daily Mail Online](#)

Unsurprisingly, while the Greens are most vocal and strident in this area, they are most restrictive in shutting down civilised constructive debate where nuance is required not name-calling (TERFF!!), considered policy frameworks and reform mechanisms, not non-sequiturs and slogans (“Trans Women are Women -TWAW”) . Meanwhile, left and centre Labor community members who have looked at this with any depth are quietly appalled watching this debate unfold because they believe that we can do two things at once: respectfully and seriously consider the issues from a feminist perspective and ensure that Trans people do not encounter bigotry and discrimination. It is most curious to note a recent post by Councillor Jonathan Sriganathan putting out a call to the community for a same sex space for an male refugee seeking housing – understandably and nobly– and yet the quarantining of women spaces (shelters/ crises services or in any other of life) are now rendered a a hateful form of bigotry, and completely unacceptable even when there is a need for sex-based services, with real-life impacts for funding. (A pertinent example is the Vancouver rape crisis service that lost its funding for asserting its need for language that is not confusing and a women’s sex service only) [Rape shelter loses funding after trans rights activists complain | The Post Millennial | thepostmillennial.com](#)

The claim that the service was denying transwomen was unfounded. In the end, a much-needed and under resourced sector is now not available for women.



We can't in the public health and social services system meaningfully address trans, men's or women's health or social needs without use of clear and targeted language and peer-led and exclusive approaches, informed by specific data. The fact that we are now talking about people with

vulvas and chest feeders is *ludicrous* and, on a strategic level, signalling an urbane exclusivity that does not address the system concerns of working people across Queensland regions.

We have reached an absolutely *ludicrous* state where lesbians can be considered transphobic for not wanting to have sex with transwomen who have not undergone bottom surgery. This is a complete disavowal of lesbian sexuality. The fact that transwomen are demanding access to lesbian dating apps, events and so on is deeply concerning and cannot be ignored within this movement.

The implications for feminist policy voices and leadership (including affirmative action and quotas is just one area that is critical to examine, and the following questions at the level of the debate around this issue need to be considered.

**Can the committee investigate the impacts of the politicisation of this debate and the impact of transactivism on women, girls and lesbian services, and participation in political and public life?
Can the Committee facilitate a balanced, open discussion, free from labelling and silencing, between activists groups?**

The following are other areas that mean we need to be courageous, honest and open about some of the concerns.

Prison system

Trans women transitioning post-imprisonment, the high rates of male criminal behaviours (violent and sexual assault) and the very fact and opportunity for men to self-identify to access women's prison. This is not as some would characterise it as an example of 'carceral feminism' *yes we should abolish the prison system but common sense and regard for some of the most vulnerable women in the community. There are countless cases of transwomen going on to rape, impregnate and abuse women in female prisons. But even the possibility of one opportunistic male should be enough for this legislation to be seriously questioned. We have heard that transwomen would be vulnerable and victimised within the men's prison system, but many men are – be they elderly, gay, or with a disability. Clearly much more needs to be done to create a safe environment and address male violence. It shouldn't mean that the women's prison should be made unsafe, bearing in mind too the number of women in prison who have traumatic experiences of violence against them. Considering too the number of men who transition after being imprisoned, transition socially but not surgically, and the number of them who are in prison for violent and sexual offences against women. Male pattern criminality does not dissipate once a male identifies as a female nor do the biological differences in which physical strength, penetrative rape and impregnation carry far greater risks and harms.

The Attorney General claimed:

We also know that some groups will try to cloak their transphobia in the guise of women's safety – making claims about trans women accessing women's spaces, including change rooms or even domestic violence shelters. I want to be clear: there is no evidence, domestically or internationally, to support these outrageous claims. I note the Australian Psychological Society has warned against casting undue suspicion on an individual's motives for stating a particular sex.

For the record, I am not 'some group'. I am an ex-member of the Labor party speaking from my own thinking on this topic. My concern is only about men taking advantage of this legislative reform to

access girls and women's spaces. This has happened and it continues to happen. There is evidence and it needs to be acknowledged.

How will this risk be addressed – what safeguards put in place?

Can the Committee please do a thorough review of the evidence – nationally and internationally of male offenders transitioning post imprisonment, transitioning back once out of prison, of offences against women, can they investigate and talk to women in the prison system.?

The APA should also should not cast due suspicion of a women for being suspicious of men's intents. This is how I operate as a rule, unfortunately, my life experiences have taught me to be this way and I have no way of knowing a true trans person (other than having a personal trusting relationship with them) from one who is exploiting femaleness for their own interests. I don't think women and girls safety concerns should be so lightly held.

Transwomen in sport. To date, women have lost funding, awards and professional sporting pathways across a number of sports in which male physical dominance (height, lung/heart capacity/ musculoskeletal) is maintained, despite hormone treatments. These are areas that girls and women have fought to have equality in over decades, and still don't. I know my sons have greater infrastructure, space, time, funding, and cultural support for their sporting endeavours by a long way compared to my daughter who cannot be guaranteed a girl's changing room at soccer clubs across South East Queensland. And this is an area in which great strides have been made for girls and women and now needs to be protected. The argument that only a small number of transwomen may impede on women's opportunities, or that they don't retain physical or social advantages, is also at the very least debateable with many sporting codes now looking at the evidence closely.

This is perhaps the most obvious example and unites people on the left and right (I speak to a lot of them about this).

[ripx4nutmeg on Twitter: "Here's a thread on just some of the males who have gone on to win women's sports events - including how they performed in the men's category before they started identifying as women" / Twitter](#)

The logic and the reinstatement of gender stereotypes

At the base of these three examples are a logic in which being female, or male is reduced to a set of stereotypes – essentialist thinking – which again, feminists have long been active to deconstruct and shift without denying the biological/ material reality of women. The trans debate only reinstalls what is classed 'feminine' and 'masculine' and these are rigidly (ironically) binarised and uphold. Where once we would see and uphold the rights of boys to wear dresses or girls to play with trucks, because of this lens, we are jumping to labelling their kids trans or non-binary. Instead of seeing that the gender roles and scripts are needlessly and harmfully restrictive and damaging for both boys and girls, we are now meant to assess the expression of 'boyiness' and girliness (or the opposite sex) as potentially gender dysphoric (a mental health concern). A boy being effeminate (not gay) or not restrict himself by narrow stereotypes of boyhood is now suffering a mental condition.

So gender is at once an outward expression and performance of culturally-bound behaviours, traditional norms and preferences and an 'internalised' feeling that is externalised. It is at once natural and innate and requiring cosmetic, invasive, exploratory, non-evidence based medical and surgical procedures as well as mental health support and interventions.

The amount of men transitioning to women completely aligns with the most objectified and fetishized aspects of the female body – breast implants etc – is a clear indication of gender in this context is more a choice, often consumer-driven, and less to do with a shared, universal ‘feeling’.

The logic does not hold, and thus we are left with TRANS WOMEN ARE WOMEN, and we are meant to not argue. The Nigerian-born writer and feminist, Chimamanda Ngozi Adichie writes eloquently on this topic. She says that we have lost our understanding of *difference*: this used to be an important term in the broad fields of philosophy, cultural and gender studies but now a linguistic orthodoxy around gender has frozen debate. Intersectionality demands we pay attention to ‘difference’ : we cannot be culture blind, ignorant to racism or transphobia, but we also must know that my experience (as a middle aged woman with three children) is different from my young trans comrade. We respect and acknowledge that difference. We don’t erase and collapse us both under a monolithic category of ‘woman’. Saying ‘Transwomen are women’ does just that and erodes the distinctions and the specifics of ontological categories that are needed to operate with intersections of lived experience and other social, biological, and cultural aspects kept intact. This is actually essential to all justice movements.

[Chimamanda Ngozi Adichie on transgender row: 'I have nothing to apologise for' | Chimamanda Ngozi Adichie | The Guardian](#)

[The controversy over Chimamanda Ngozi Adichie and trans women, explained - Vox](#)

Children/ teens with gender dysphoria

Self-ID instantiates a medical pathway. The steep rise of kids and youth seeking treatment for gender dysphoria points to concerning rise in youth mental health during covid. In Brisbane hospitals, presentations of young females for body dysphoria and disordered eating was the fastest growing issue in our Emergency Departments. Alongside this, gender dysphoria has grown. Some childhood development experts are seeing this linked, causally, to the increase in screen time of young people during lockdowns. Both gender and body dysphoria are about a person’s relationship and perception to their body. Body dysphoria, and the issues of anorexia nervosa and bulimia, require comprehensive assessment and treatment. Gender dysphoria is treated with a quick fix: affirming gender and medical pathway.

Suicide prevention is often used as a reason for placing children on a gender affirming path. Suicide is a complex issue, we can’t predict who will move from ideation to action although the greatest predictor is maleness (and middle aged). Having suffered the loss of a child to suicide in my family, the use and potential abuse of suicidality needs to be seriously challenged where it is asserted by advocates and clinicians. This is not acceptable and goes against Queensland Health’s evidence-based suicide prevention clinical practice guidelines. The need to be attuned to the impact of trans and homophobic attitudes is important to understand for its impact on young people’s wellbeing. But suicide is complex, and multifactorial and the interplay of identity with broader socioeconomic and cultural contexts alongside co-occurring mental health concerns (such as autism) needs to be better understood. Lack of access to transmedicine cannot be considered a singular ‘cause’ of youth suicide or presented to concerned parents as the only viable path to prevent self-harm and suicide. Lack of integrated mental health supports, community stigma about mental health are important and more understanding and evidence is needed.

Self-Id in Queensland means that young people do not need surgery. This is a good thing and commendable but we need to be mindful of the medical pathways being opened up.

Can the committee please look at evidence internationally on detransitioners, the harm, shame and abuse they have been subject to, as well as the surgical harm and injuries that have occurred? Can they look at the effect of hormone and puberty blockers as they have done in Sweden and the United Kingdom?

Can the committee look at the rising numbers of children presenting to Emergency Departments for body dysphoria and gender dysphoria over COVID and potential impacts of screen time and online forums that harmfully promote and lead to the contagion of body and gender dysphoria?

Can the committee look at the impact of homophobia in the context of transgenderism.

[No Biological Evidence For 'Gender Identity' Exists, Group Of Scientists, Researchers Says | The Daily Wire](#)

The issue of Self ID tends to be reduced to the 'toilet wars' which is silly. Shared toilets have long been in place. I went to a gig recently at the Tivoli. There is one bathroom now for 'gents' and one for everyone else. I can tell you that all my friends, all long supporters of Labor and 'the left' were discussing this and noting the disparity. If you are a woman who's ever had queue for a toilet, you'll know that toilet inequity is a real thing! But that really isn't the main issue, although it often reduced in a dismissive reductionist tactic, similar to the ad hominem TERF tactic. It has the effect of silencing and shutting down dissent.

Throughout this, women are being asked to accommodate trans interests and never the other way around. The allyship runs one way only and is meant to be because Trans are the most marginalised community. This is despite in Australia today we know that the number of women who are killed in domestic violence is a constant; the fastest growing poverty and homelessness is older women. I find this remarkable in a community that claims sisterhood, but here is little to no real interest in listening. Instead, the amount of violence within transactivism is alarming and disgraceful. Kill the Terfs, [REDACTED]. Countless tweets of transwomen bearing weapons and arms, claiming they are going to punch some terfs. This is acceptable? I don't know what else would fuel that except for misogyny.

Men are not touched by this: they have not had services defunded or have had to make room within existing space, physical, policy or conceptually. Why is this? How do we maintain equal opportunity targets for women in this context? Are more men going to give up their space – on boards, in government, pre-selection and other area of life for trans? We are in an absurd state where we endlessly ask "what is a woman?"

I sincerely hope that there is a way to reconcile these issues and to ensure that these voices are heard.