




Speech By
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MEMBER FOR MANSFIELD

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BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL

 **Ms McMILLAN** (Mansfield—ALP) (6.04 pm): I rise to make my contribution to the debate on the Births, Deaths and Marriages Registration Amendment Bill, which is currently before the House. I make comment with particular reference to the removal of the restriction in section 22. As a result of the momentous change brought about by the Marriage Amendment (Definition and Religious Freedoms) Act 2017 on 9 December 2017, the right to marry in Australia is no longer determined by sex or gender. It rightfully provides for marriage equality in this country.

The introduction of this bill will move our great state of Queensland one step closer to a land of less discrimination and greater equality for all people. I applaud the Attorney-General for her leadership and her commitment to initiate these changes so quickly and for her integrity in introducing this bill to the House. I also thank the members of the Legal Affairs and Community Safety Committee and the secretariat for their work on this bill.

I acknowledge the tireless work of advocacy groups and the many members of a range of communities across Queensland who recognise the significance of this bill and who support a progressive, equal and inclusive Queensland. Many Queenslanders share the belief of the Australian Labor Party that our difference is our strength. A diverse and accepting Queensland is a better Queensland. This amendment is particularly important for those married couples in Queensland where one member of the partnership has chosen or chooses to undergo gender reassignment surgery and remain married to their partner. This bill represents a small but significant change for the members of the transgender community to allow them to alter their gender identity or sex marker on their birth certificate or the adoption register regardless of their marital status.

The situation as it stands currently according to the law is that the sex marker on a birth certificate or the adoption register can be changed only if the person involved is unmarried. During the committee hearings we heard from Roz Dickson, who shared with us her own story. Roz and her wife have been married for 28 years—a great achievement for any married or partnered couple. Roz was married as a male but, more recently, underwent gender reassignment surgery with the support of her wife throughout this process. Owing to the current law in Queensland, Roz continues to have her gender listed as a male on the register of births. Interestingly, Roz is listed as female on her Australian passport and on her Queensland driver's licence. These recognised legal identity documents list different genders.

The reason Roz's birth certificate could not be changed was that Roz was married and the law at that time declared that marriage was a union between a man and a woman. As was pointed out to the committee, filing for a divorce under any circumstances other than irreconcilable differences would amount to perjury. No-one should have to choose between being recognised for who they are and being married to the person they love. One's identity and partner are the two most significant aspects of an individual's existence.

This bill is being debated for two reasons. The first is simply so that Queensland is not in contravention of its obligations under the new provisions of the Marriage Act. That should be reason enough to support this bill. The more important reason to support this bill is to provide true equality for all Queenslanders. It is right and proper that we should acknowledge the difficulties faced by those among us who struggle with their gender identity.

It is not the role of this government—nor any government—to judge or put in the way artificial stumbling blocks that make the lives of people like Roz that much harder. It is true that these amendments will have little bearing on the majority of Queenslanders, but it is also true that, even if one person is disadvantaged by an anomaly in legislation, or unjust legislation and we have the will to change that, we should do so in the name of true equality. I commend this bill to the House.