




Speech By
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MEMBER FOR TOOWOOMBA SOUTH

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BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL

 **Mr JANETZKI** (Toowoomba South—LNP) (5.51 pm): I rise to address the Births, Deaths and Marriages Registration Amendment Bill 2018 introduced into the House by the Attorney-General and Minister for Justice on 23 April 2018. The LNP will not oppose this legislation. The LNP firmly believe that all members of our community deserve to be treated equally and with dignity and respect. We constantly find that the highest priority for Queenslanders, irrespective of gender, sexuality or race, is a properly managed economy; access to a bed in a world-class hospital when needed; the best of education delivered in a safe, inclusive environment; safe communities free from crime; and better and more affordable infrastructure including roads, electricity and water. That is our top priority.

The key objective of the bill is to amend section 22 of the current act to remove the restriction in that provision on noting the reassignment of a married person's sex on the register of births or the adopted children register. In reviewing this legislation, I want to thank the Legal Affairs and Community Safety Committee, which received 10 submissions from interested stakeholders.

This legislation, and specifically this provision, was based on the previous definition under the Commonwealth Marriage Act 1961 that marriage was between a man and a woman. Of course, we know that changed late last year due to the will of the Australian people and changes brought forward by the federal coalition government. Given the changes to the definition of 'marriage', it is a flow-on requirement that section 22 of this Queensland act is amended. This also needs to change by 9 December 2018, when the current exemption in the Sex Discrimination Act from anti-discrimination law in relation to a refusal to alter a person's sex on an official record because the person is married where the refusal is in accordance with state and territory laws will be repealed.

All submitters were supportive of the bill. The Human Rights Law Centre, the Gay and Lesbian Rights Lobby and Rainbow Rights Watch said that the bill does not go far enough. They argued that the bill should provide that a person does not have to undergo reassignment surgery to have a change of sex noted on their birth certificate. They also raised concerns that birth certificates continue to require gender be noted as either male or female. The Human Rights Law Centre raised concerns, saying—

The BDM Act also contains a number of other outdated, unnecessary and invasive requirements that significantly disadvantage transgender, gender diverse and intersex people in Queensland. For example:

- In order to apply for their sex marker to be changed, individuals are still required to have undergone sexual reassignment surgery ... and medical evidence is required instead of self-affirmation ...
- Contrary to best practice and the jurisprudence of the High Court, the BDM Act does not yet expressly allow a person to specify their sex marker as categories other than male or female.

One thing that does concern us—and it came at the same time that this bill was tabled—was a discussion paper released by the government titled 'Registering of life events recognising sex and gender diversity and same-sex families'. There is no question that everyone deserves to be treated with dignity and respect. Increasingly, however, it seems that this government's only agenda is political correctness. We will continue to watch this trend closely in the months and years ahead.

As I mentioned at the outset of my contribution to this debate, the highest priority for Queenslanders, irrespective of gender, sexuality or race, is a properly managed economy; access to a bed in a world-class hospital when needed; the best of education delivered in a safe, inclusive environment; safe communities free from crime; and better and more affordable infrastructure including less congestion on our roads and cheaper electricity, fuel, rego and water. That is our focus. We want a future for Queensland that gives everyone a chance to succeed, regardless of their gender, religion or race, an outlook in which Queensland's best days are ahead of it for everyone.

The changes in this specific legislation are important and consequential to the changes we saw in the federal parliament late last year. As I have said, the change is obligated to be effected by 9 December 2018 when the current exemption in the Sex Discrimination Act is to be repealed. The LNP will not be opposing that.