




Speech By
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MEMBER FOR WHITSUNDAY

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BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL

 **Ms CAMM** (Whitsunday—LNP) (12.24 pm): I rise to contribute to the debate on the Births, Deaths and Marriages Registration Bill. I acknowledge the work of the Legal Affairs and Safety Committee given the sensitivity not only of this legislation but also the in-depth one-on-one discussions that I am sure they had in closed sessions as well as their discussions with the stakeholders they engaged with and listened to as part of their inquiry into the bill. I acknowledge the policy decision by the government and the societal change that is reflected within the key objectives of the bill. Across our state a greater recognition of trans and gender-diverse people is important. This bill recognises and fulfils that policy intent. I also highlight the difference in the self-declaration versus the medicalisation approach to altering the record of sex. Our shadow Attorney-General has highlighted many key points when outlining the LNP's position so I will not go over those. However, there are a few points that I want to touch on, including the committee's findings.

I want to refer in the House to the short consultation period. The former attorney-general outlined how this approach commenced many years ago, that there has been significant public discussion in the media and that petitions have been raised. However, in my role as the shadow minister for women's economic security, domestic violence prevention and also child protection, some groups have made representations to me that the former attorney-general and current Minister for Women did not meet with them. Those groups are predominantly women's groups. Therefore, to say that thorough consultation was undertaken would be misleading. In the short consultation period, of all the submissions made on the bill 159 were supportive, 181 were not supportive and 140 were confidential. I think that demonstrates the real community and public interest in this bill. Given that widespread community interest, the women's groups that I met with felt that their concerns were ignored as the former attorney-general refused to meet with them.

I raise that point and think it is very important because there is a lot of discussion about the need for inclusion and on our side of the House we definitely support that. We support the diversity of our community. We also support and agree with the government that women have the right to feel safe in the community, members of the LGBTQIA+ community have the right to feel safe in the community and, in fact, all Queenslanders have the right to feel safe in our community. We also note that all Queenslanders have the right to know that the Anti-Discrimination Act and their human rights under that act are respected. Certainly, in the LNP we believe in the right to individual freedom.

However, the point is that there is not universal support for this bill and that while some stakeholders have raised concerns they have never had the opportunity to voice their concerns or have them addressed in a way that may have been educative. That could have been done in such a way so that we could all come to better understand what is a very complex issue. I think they were denied that chance by the Minister for Women. I hope in any future reform process that those groups are engaged with, just as I was willing to meet and speak with them. I also highlight that the media plays a very important role in the debate and discussion around these issues. Sometimes there is not enough responsible journalism that actually gets to the heart of the facts or explains the emotion that is attached to what is a very complex area of public policy.

Some of the issues that were raised, certainly with me, include that sex is an immutable biological fact. A transwoman is a transwoman; she is not a woman. A female, by definition, is an adult female human being. I do not apologise for saying that. That is my personal view. It is a definition found not just in the dictionary; it is defined in science and in biology.

That does not mean that I do not have friends from the transgender community, that I do not have family members from the LGBTI community and that I have not had at length discussions with those members either, but I do have the right to express my view as an individual woman and to represent the views of many of the silent majority of women who have contacted me personally over the course of this legislation being introduced. They did raise concerns about safety and about women's safe places. We were able to address those concerns. I think our shadow Attorney-General also addressed that. There is no evidence to suggest that through this legislation or any change that that impedes upon women's rights or safety.

I do acknowledge as part of my portfolio that the LGBTIQ+ community is actually at times at greater risk, particularly when it comes to domestic and family violence, coercive control or sexual assault. As a society it is important that we acknowledge that and acknowledge that that is unacceptable.

We also need to acknowledge the rights of women as well as the rights of trans and gender-diverse people across our community, but earlier this year a distinct threat was articulated through the media that women's agency was being challenged through this debate. I think that is something we need to be cognisant of and respectful of, because too many women in multiple generations—and I have spoken to some transwomen who also support this position—have fought hard for those rights, that recognition and that agency.

I would also like to acknowledge that there was discussion—and the Attorney outlined—of the predatory and abusive men who exist. Unfortunately, there are also predatory and abusive women across our community. Certainly, we hear of that all too sadly in the child safety area.

I refer to the rights of gender and diverse children—part 5 of the bill—particularly around gender dysphoria. This is a medical condition which we recognise has a clear diagnosis and a clear clinical response. We acknowledge that the bill does not deal with this matter, but it is convoluted in the fact that now children under the age of 16 have the rights to things that on this side of the House we would oppose in that they need to be of a more mature age. They need to be supported through changes they may make in terms of gender questioning or gender identification. We also acknowledge that gender identity can come in many forms, be it through legal, social or medical transition, and that everyone's individual path is unique. That is something that we certainly do recognise as well.

What of those who say that this bill is one-size-fits-all or that it is going to be the panacea that rules out stigma, discrimination, bullying or harm or that in fact it is going to prevent suicide? After spending six months on the Mental Health Select Committee, we know that the issues around this are far more complex when it comes to mental health or suicide prevention. While this bill outlines that that is its policy intent, I suggest with an evidence-based evaluation that it will not make too much difference when it comes to the facts at hand that contribute to the complexity with which many individuals are dealing.

What causes harm in our community is the lack of engagement, the lack of consultation and the lack of education. It is in fact one thing to announce a policy, but it is about the implementation of that policy. The reality in Queensland is that we all do live and come together with different values, perspectives, lived experiences, relationships and principles. I refer to the legal affirmation that the bill provides—and the shadow Attorney-General spoke to the downstream implications of the bill—in terms of legal recognition and medical recognition. What does that mean in navigating everyday life? What does that mean when someone's birth certificate is changed and how they identify has changed? What does that mean for the practical implications of everyday life as someone grows through the different phases of life? I think those are the issues that have not been fully explored.

The shadow Attorney-General has articulated very respectfully the difference between gender and sex and that this legislation conflates rather than defines that gender is a social construct versus sex as a biological definition. One could look at this bill as a policy position in simplifying what is clearly a complex societal issue. I certainly urge, even in expressing my opinion, that we take individual responsibility and accountability. There is a much higher standard than at times we see in this House when it comes to respectful and sensitive debate.