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**From:** Kathy Chambers <[REDACTED]>  
**Sent:** Monday, 22 July 2019 9:04 AM  
**To:** SARC  
**Subject:** Births Deaths and Marriages Registration Amendment Bill 2019

Dear Committee Members

I am contacting you to express my concerns about the proposed Births Deaths and Marriages Registration Amendment Bill 2019 which was presented in parliament just prior to the current winter recess. My concerns centre on the following points:

**Lack of public consultation.** In her second reading speech (20/6/19), Attorney-General Jill Hennessy states that the Bill 'was developed in consultation with LGBTI communities'. I do not believe that this is in fact accurate as no lesbian groups that I know of were consulted specifically, and any consultation with groups that embrace the entire 'rainbow spectrum' will have voices of the transgender community, rather than lesbians, in the forefront. Given the potential for this change in legislation to have an impact on every woman and girl in Victoria, the lack of a general public consultation is not only very concerning but reprehensible as well. If there was public consultation prior to the Bill's introduction in 2016, this would have been long forgotten.

**Confusion of Sex and Gender:** A birth certificate records the biological sex of a person – male, female and in very rare cases, intersex. This is a scientific reality that cannot be changed. It is inaccurate to speak of changing sex as sex is coded into one's genetic material. The confusion, especially in the minds of children, that results from the idea that it is possible to change sex is a problem. For example, will children believe that women can have penises and men can give birth? This challenges the accepted definition of woman as 'adult human female'. If the definition of 'woman' changes to include people with XY chromosomes, this will have a significant impact on all data gathering that needs to be de-aggregated, such as health data, crime statistics and those relating to educational outcomes.

I put it to you that people are not changing sex, they are changing the way in which they present to the world, which is commonly understood to be gender. If changes are to be made. perhaps the birth certificate should record both biological sex and the gender identity of those who feel their gender is different from their sex.

**Erosion of women's sex-based rights:** Women have fought for decades for their sex-based rights. The proposed Bill will have a major impact on these rights, especially the right to safe protected women-only spaces. There is ample evidence, especially from the UK, of harm to women in prisons where a 'transwoman' is also housed. Indeed this has recently been recognised by the Ministry for Justice and a [separate wing established for 'transwomen' at Downsville Prison](#). Another area attracting attention is that of women's sport where the presence of trans athletes undermines the integrity of the competition and has the potential to discourage women and girls from playing certain sports. Some leisure centres in Melbourne (eg [City of Yarra](#), [Clayton](#)) have women-only sessions. This is important for women from cultures where mixed swimming is forbidden, and also for women who have suffered trauma from men. The presence of a 'transwoman' in this situation, especially one with male genitalia and the physical appearance of a man would have an impact on the rights of women to access these single-sex activities.

When transgender persons rights are in conflict with women's hard-won human rights, the rights of women must never be overridden.

**The transitioning of children:** There has recently been a huge increase in the number of children wanting to transition, and [a disproportionate number are now girls](#). This is fuelled partly by social media, grooming by transactivists and girls' discomfort with both their bodies, the expectations put on them by society and the highly sexualised culture in which we live. It is well known that many girls are ill at ease with their bodies at some stage of their childhood, but transitioning is not the solution. I am particularly concerned that girls are immediately assumed to be 'in the wrong body' rather than perhaps exploring with them the possibility of being lesbian. This is a form of lesbophobia and leads to the erasure of lesbians.

Section 17(a)(i) of the Parliamentary Committees Act 2003 is very clear that a Bill cannot 'trespass unduly on rights or freedoms'. I am concerned that the Births, Deaths and Marriages Registration Amendment Bill 2019 will, in fact, trespass on the sex-based rights of women and girls as my concerns outlined above illustrate. At the least, there needs to be a full, public consultation where the enormous ramifications of the proposed changes are comprehensively explained to the people of the State.

Kind regards

Kathy Chambers

