

Re: Alex Greenwich Equality Legislation Amendment (LGBTIQA+) Bill

Most people have no idea what the legislation is about, and how it will impact them.

Good law-making involves public discourse, assisted by informed media. This has not happened. Development of this bill fits the 'Denton's strategy' for installing law and policy 'under the veil' i.e. without public attention.^{1 2} Yet the elimination of sex in law impacts every citizen, most especially women and girls - who are half the population.³

The proposed legislation aims to eliminate sex as a meaningful category in law and social policy.

This push comes from queer theory which aims to disrupt 'heteronormativity' by disrupting social categories.⁴ Complex laws are being pushed through without an understanding of consequences. When the federal Sex Discrimination law was amended in 2013 few parliamentarians would have intended to make it illegal for lesbians to organise public events unless they include males who identify as lesbians. Lesbian venues have disappeared, Gay and lesbian people have been redefined as 'same gender attracted'.⁵ Most people are astonished at this development.

The proposed bill would:

- Allow any male aged 16+ to be legally recognised as female by getting a friend to sign a stat. declaration.
 - Enable teenagers of 16-17 years to change their legal 'sex' with a form, which can lead to irreversible body modification. Yet young people this age are not considered mature enough to buy alcohol, gamble, get intimate body piercing or obtain a full driver's license.
 - Redefine sex, and redefine what it is to be lesbian or gay, with huge ramifications for women and LGB people.
 - Make it a criminal offense to 'misgender' a person, even when it is important to do so.
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Sex based data is essential

- In Australia, males are responsible for 99% of convicted sexual assaults and the vast majority of sexual assault victims are female. Yet globally, after passing 'queer agenda' laws, male sexual crimes against children and women are now being attributed to females in crime data and the media. It is essential that crime statistics are disaggregated by sex, and reported in the media by sex. NSW law should require this. See Appendix: *The reality of male sexual offending*.
- Women are disadvantaged by their reproductive role and by sexism. By eliminating sex as a category (so that the word woman becomes a mixed sex category), it becomes impossible to collect meaningful data on earnings (equal pay), housing, homelessness, domestic violence, crime and female participation in parliaments, corporations and public bodies. Sex is a powerful predictor of almost every dimension of social life including education, employment, crime, physical and mental health. It is difficult to think of an area where sex is not an important dimension for analysis.
- Most medicines in use today were developed using only male cells, male animals or male research subjects. Sex differences are found in every tissue and organ system. As a consequence, adverse drug reactions are much more common in women than men. The ideological drive to eliminate sex as a meaningful category is undermining the collection of accurate, important data. It is essential that government communications gather and publish data that clearly distinguishes sex from gender. Sex is biological and immutable, whereas gender is cultural (and often based on stereotypes).

Girls and women

¹ James Kirkup, [The Document that reveals the remarkable tactics of the trans lobbyists](#), 2019

² IGLYO, Dentons and TRF, Only Adults? [Good practices in legal gender recognition for youth](#), 2019

³ [NSW and the Equality Bill](#). 2023, Women's Rights Network, Aust Feminists for Women's Rights, Coalition of Activist Lesbians

⁴ Heather Brunskell-Evans Transgender Body Politics 2020

⁵ Aust Human Rights Law Commission, [Summary of the decision on the exemption application made by the Lesbian Action Group](#), 2023

- The law will end single-sex spaces and services for women. This includes domestic violence shelters, change rooms, awards, sport, quotas and scholarships. This fundamental society-wide change affects every woman and child in NSW. It is inconceivable that such a law could be rushed through without widespread consultation and debate.
- Disabled women will not be able to request intimate care from female staff. Rates of sexual assault are already unacceptable, but disabled women are much more likely to be sexually assaulted. Imagine the anxiety of a disabled woman alone when an unknown male enters her home to remove her clothes and wash between her legs. Please read the appended: [How Australian law pushes vulnerable women towards hiring male carers](#).⁶ It is essential that NSW law specifies the right of female people to request single sex care.
- Rapists, murderers and paedophiles are being placed in women's jails wherever queer-theory policies are legislated. This is a human rights abuse.
- Female-only services may lose government funding if they do not include males.

Boundaries and safeguarding

- Paraphilias include rape, pedophilia, as well as voyeurism and exhibitionism which make use of women and children as involuntary participants in sexual behavior. In California a naked male sexual offender joined women and children in a spa bath with his semi-erect penis. Staff did not intervene. Self-ID laws have effectively removed the crime of exhibitionism if males say they are female.⁷
- Predatory males will be able to more easily access children in intimate spaces. It will be difficult, if not impossible, for parents or staff to remove them.
- Overseas experience shows that some men 'identify' as women after sentencing in order to be housed in the women's prison.
- Authoritarian laws that criminalise the use of words such as 'male' have serious consequences. When a woman was raped by a male patient in a UK hospital she was told the rape did not occur because 'no male was present'. Hospital staff lied to police because of a policy which forbade 'misgendering' the rapist.⁸

Consequences for public discourse and speech

- The criminalisation of 'misgendering' will make it impossible to discuss - in clear language - the consequences of queer agenda policies. For example, it is impossible to discuss male advantage in sport without referring to male trans athletes as male. The criminalisation of clear descriptive language is authoritarian and anti-democratic.
- If this draconian clause is enacted, those who use sex-based language to *discuss risks* to children and women will become vulnerable to AVOs brought by transactivists. Similarly, the criminalisation of 'outing' of sex work or sexual orientation are other examples of unnecessary, authoritarian over-reach.
- 'Gender Critical' refers to people who understand biological sex as real and important. This is the vast majority of the NSW population. Some, like ourselves, use this phrase to also include having a critique of gender stereotypes. It is noteworthy that the NSW government did not consult left-aligned gender critical groups when doing 'consultation' for the Conversion Practices legislation, instead choosing only to consult religious or LGBTQ+ organisations. This leaves out Gender Critical groups, LGB Alliance and the bulk of the population who understand that humans evolved via sexual reproduction, and that sex differences are important.
- We are left-aligned people. Just as we are atheists when it comes to religion, we are non-believers when it comes to queer theory. Just as atheism is legal and acceptable, the expression of gender critical thinking must be legal and acceptable. Unless this is made clear in law, we will have instances where people lose jobs and opportunities because of their gender critical beliefs.⁹ In the UK a major court case established that Gender Critical belief was 'worthy of respect in a democratic society'.¹⁰

Political risk

⁶ Holly Lawford-Smith, Quillette 2/1/24 [How Australian law pushes vulnerable women towards hiring male carers](#). Appended.

⁷ <https://www.dailymail.co.uk/news/article-11555915/Transgender-pervert-arrested-15-months-exposed-women-Wi-Spa-LA.html>

⁸ <https://www.gbnews.com/news/hospital-staff-told-police-their-patient-was-not-raped-as-alleged-attacker-was-transgender-despite-cctv-showing-assault-in-ward/250941>

⁹ [Gender Critical social worker wins harassment claim](#)

¹⁰ [Gender Critical beliefs are protected beliefs](#)

- Once the public discovers what is being imposed on them, they do not like it. Overseas, as the public understands the consequences of queer theory policies, polls show a decline in support.^{11 12} This follows increased media attention on rapists in women’s jails, men in women’s sport, and automatic medical transitioning of gender-confused children.

*“Taken as a whole, there seems to be a majority of voters coming to a nuanced position on this issue: supportive of people who wish to identify as a different gender, but sharply defensive of women-only spaces and sports... the more they are exposed to the arguments the clearer that view becomes.”*¹³
- The UK Tory party has reversed their previous support for Self-ID legislation, and UK Labour is walking back from uncritical embrace of queer legislation. Keir Starmer has stopped saying that women have penises. In Scotland, the SNP suffered catastrophic decline after pushing through unpopular gender self-identification.¹⁴ In the US, Democrats have gone cold on progressing a (queer theory) Equalities Bill through the Senate.

Risk to LGB and TQ people

A sad consequence of extremist policies is a decline in public support for LGB & TQ people. It is noteworthy that LGB organisations are forming, and many LGB people no longer want to be ‘force-teamed’ with queer advocates through the use of the ‘LGBTQ’ acronym.¹⁵ Poorly considered (queer theory) laws will also inevitably backfire on transgender people who just want to get on with their lives.

We respectfully ask that you advocate:

- 1. That debate on the proposed Equality Act does not proceed because most of the population has no idea of the ramifications of eliminating sex in law and policy.**
- 2. A parliamentary inquiry into consequences of eliminating biological sex from policy and law.**
- 3. In addition:**
 - Protection for gender critical beliefs. Gender critical thinking and speech must not only be legal, but engaged with during consultations.
 - Single-sex services and spaces where these are important for the safety and dignity of girls and women.
 - The rights of lesbians and gay men to self-organise events and to use language meaningful to them.
 - NSW government communications make a clear distinction between sex and gender, and government departments are required to keep disaggregated data on sex. Questions about gender identity are also important and must be separate from questions about sex.
 - Males charged with or convicted of sexual crimes should not be enabled to change identity documents to appear as female, and male crime should never be recorded as female crime.

¹¹ <https://forwomen.scot/04/10/2022/public-opinion-polls/>

¹² <https://natcen.ac.uk/sites/default/files/2023-09/BSA%2040%20Moral%20issues.pdf>

¹³ <https://unherd.com/2023/02/scotland-turns-on-gender-ideology/>

¹⁴ <https://www.smh.com.au/world/europe/the-trans-rights-row-sparking-a-crisis-for-nicola-sturgeon-s-leadership-20230210-p5cjim.html>

¹⁵ [LGB Alliance Australia](#)