

**Submission  
No 16**

## **EQUALITY LEGISLATION AMENDMENT (LGBTIQA+) BILL 2023**

**Organisation:** Pitt Street Uniting Church

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**Pitt Street**  
Uniting Church

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12 April 2024

Mr Clayton Barr MP  
Chair  
Committee on Community Services  
NSW Parliament  
Macquarie Street  
SYDNEY NSW 2000

[communityservices@parliament.nsw.gov.au](mailto:communityservices@parliament.nsw.gov.au)

Dear Mr Barr

### **Equality Legislation Amendment (LGBTIQA+) Bill 2023**

We are pleased to attach a submission from the Pitt Street Uniting Church in which we indicate our support for the passage of the above Bill and address some of the specific provisions in the Bill.

Pitt Street Uniting Church is an inner-city congregation in the heart of Sydney. For more than 40 years the congregation has supported LGBTIQA+ people who are members of Pitt Street, in addition to advocating in the wider church and society for an inclusive approach which celebrates and affirms the lives of LGBTIQA+ people

Christian teaching on the dignity of the human person is founded on the understanding that all human beings are created in the image of a loving God (Genesis 1: 26-27).

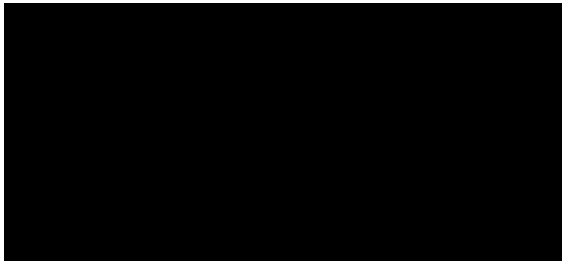
The Uniting Church’s 2021 statement *Our Vision for a Just Australia* describes some of our most important aspirations for the time we are in. It speaks of a world where:

*We live together in a society where all are equal and free to exercise our rights equally, regardless of faith, cultural background, race, ability, age, sexual orientation and gender identity. We defend those rights for all... [And that] a person’s sexual orientation and gender identity does not impact on their ability to live, work and contribute to society. (pages 7, 27)*

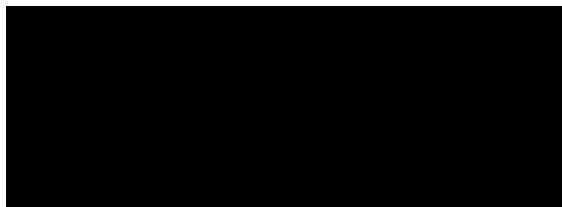
Accordingly, we believe the proposals in the Bill are consistent with this vision, such that LGBTIQ+ people might live “equal and free” lives and participate fully in the life of the community.

We wish the members of the Committee well as you undertake parliamentary scrutiny of the Bill. If we can of further assistance feel free to contact us.

Yours sincerely



Revd Dr Josephine Inkpin  
Minister-in-Placement



Kevin Dallas  
Chairperson of Church Council

## **Submission from the Pitt Street Uniting Church**

to the Legislative Assembly Committee on Community Services  
NSW Parliament

concerning the *Equality Legislation Amendment (LGBTIQA+) Bill 2023*

The Bill is comprehensive, seeking to amend 20 Acts of Parliament, and is now subject to Parliamentary scrutiny. We are not legal advisers and would emphasise our support for the provisions of the Bill arising from Christian convictions concerning the fundamental dignity of all human beings created by God. There are six specific provisions in the Bill which we will comment on.

First, we support the removal of blanket exemptions in private schools and faith-based service providers. LGBTIQA+ people are present in all faiths and people of no faith. (Schedule 1(10) and (11)). A blanket exemption constitutes an unjustified restriction on the freedom of LGBTIQA+ people. At the same time, we note that the Bill seeks to strike a balance between removing exemptions and continuing a range of circumstances where faith-based organisations may lawfully discriminate.

Second, in addition, in Schedule 1, we support 1(13) which introduces new legislative measures to provide protections from discrimination on the grounds of variation of sex characteristics. People with intersex variations have been amongst the most invisible and, in many cases, mistreated in the community. This is a welcome reform to uphold the dignity and equality of people with intersex variations.

Third, we commend various the measures contained in Schedule 2 which will address a long overdue reform, namely the removal of unnecessary legal barriers which restrict the options for trans and gender diverse people to update their legal gender. The current barriers are an affront to the dignity of trans and gender diverse people who face needless challenges in matching identity and legal gender which are not faced by other citizens in NSW.

Fourth, and consistent with the above, the Bill proposes a number of changes which will clarify and increase the equal protection before the law for all citizens (Schedule 3 and following). The measures cover hate crimes, violence, stigma and protections for intersex children. In the absence of these changes LGBTIQA+ people face serious hurdles in living, working and contributing to society.

Fifth, we welcome the insertion of definitions of intersex person and transgender in various Acts being amended, such as Schedules 15 (1), (2), and (3) which amend the Law Enforcement (Powers and Responsibilities) Act 2002.

Finally, we support the measures which seek equal access to health care for LGBTIQ+ people in NSW. Each of the specific measures, mainly around consent and recognition are of particular significance to uphold the life and good health of trans and gender diverse young people. We have been concerned to observe some public and media discussion which has simplified the issues and has not been respectful of trans and gender diverse people and their families. The proposed amendment to the Mental Health Act 2007 (Schedule 16) is extremely important in ensuring that a person who has a particular gender identity or expression is not to be considered mentally ill or disordered on those grounds.

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