

**Submission
No 32**

EQUALITY LEGISLATION AMENDMENT (LGBTIQA+) BILL 2023

Organisation: LGB Alliance Australia

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LGB ALLIANCE AUSTRALIA



**Inquiry into the Equality
Legislation Amendment
(LGBTIQA+) Bill 2023**

About LGB Alliance Australia

Our Vision

Lesbians, gay men and bisexuals living free from discrimination or disadvantage based on their sexual orientation.

Our Mission

To advance lesbian, gay and bisexual rights

We advance the interests of lesbians, gay men and bisexuals, and stand up for our right to live as same-sex attracted people without discrimination or disadvantage.

We will ensure that the voices of lesbians, gay men and bisexuals are heard in all public and political discussions affecting our lives.

To highlight the dual discrimination faced by lesbians

We amplify the voices of lesbians and highlight the dual discrimination experienced by lesbians as women who are same-sex attracted in a male-dominated society.

To protect children who may grow up to be lesbian, gay, or bisexual

We work to protect children from harmful, unscientific ideologies that may lead them to believe either their personality or their body is in need of changing. Any child growing up to be lesbian, gay or bisexual has the right to be happy and confident about their sexuality and who they are.

To promote free speech on lesbian, gay and bisexual issues

We promote freedom of speech and informed dialogue on issues concerning the rights of lesbians, gay men and bisexuals. We assert that different opinions, even those we may disagree with, should be heard as part of the public debate.

You can find out more about us on our website – www.lgballiance.org.au

You can get in contact with us on email – contact@lgballiance.org.au

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Contents

Executive Summary and Recommendations..... 3

Position Statement..... 6

Schedule 1 - Amendment of Anti-Discrimination Act 1977 8

Schedule 2 - Amendment of Births, Deaths and Marriages Registration Act 1995..... 12

Schedule 3 - Amendment of Children and Young Persons (Care and Protection) Act 1998..... 14

Schedule 4 - Amendment of Children’s Guardian Act 2019 16

Executive Summary and Recommendations

LGB Alliance Australia is Australia's largest organisation advocating solely for the rights of lesbian, gay and bisexual individuals. Our vision is that lesbians, gay men and bisexuals live free from discrimination or disadvantage based on their sexual orientation.

We appreciate the opportunity to comment on the Equality Legislation Amendment (LGBTIQA+) Bill 2023. This speaks to three of our four guiding objectives, namely:

- To advance lesbian, gay and bisexual rights
- To highlight the dual discrimination faced by lesbians
- To protect children who may grow up to be lesbian, gay, or bisexual.

While the Bill contains some welcome elements, we do not support it in its current form. Our core concerns are three-fold.

Firstly, the erasure of biological sex in law has a detrimental impact on LGB people. When sex is not recorded accurately, research and policy making are compromised in many areas, including in relation to the health and social support needs of LGB individuals. Moreover, the erasure of sex in law has the effect of eroding the single-sex spaces which are necessary for us to find same-sex partners, socialise freely and build community in a safe environment. As we remain a small and marginalised minority, this loss is felt keenly. The impact on lesbians has been especially damaging, given their vulnerability to male sexual harassment and violence. Particularly shameful was the extraordinary recent decision by the Australian Human Rights Commission to position public lesbian-specific events as a breach of the Sex Discrimination Act 1984. Our community is being effectively re-criminalised for insisting that sex is real and important, and for attempting to set reasonable boundaries based on this.

Secondly, LGB people are poorly served by the erasure of clear, accurate, sex-based language to describe homosexuality and bisexuality and its replacement with identity-based language and 'forced teaming' – e.g. 'LGBTIQA+', 'same-gender attraction'. Umbrella terms like 'LGBTQIA+' are unworkable. There is no single characteristic shared by all these groups, and some groups' interests are in conflict with others. Phrases like 'same gender attraction' are inaccurate because they portray sexual attraction as a matter of self-declared identity, when it is in fact an embodied, physical reality.

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

Finally, we are deeply concerned by the ‘affirmation approach’ towards children and young people experiencing distress about gender, whereby they are encouraged down medical pathways that carry high risk of harm to their physical and mental health. LGB Alliance Australia comments on this matter because we know that so-called gender non-conformity and even cross-sex identification are very common amongst children and young people who are same-sex attracted.¹ For example, the game-changing 2024 report of the Cass Review in the UK found that 89% of girls and 81% of boys referred to the Gender Identity Development Service in 2016 were same-sex attracted.² With better support, they would likely have grown up to be lesbian, gay or bisexual adults.

It is outrageous that vulnerable children and young people have been encouraged to believe they were ‘born in the wrong body’ and must radically change themselves, including through procedures which make them highly vulnerable to infertility, sexual dysfunction and even sterility in adult life. This approach represents an attack on the health and future of our community. It is often referred to as ‘transing away the gay’. It is especially egregious given that affected children often present with other vulnerabilities such as autism and trauma.

Given the very limited consultation period, our recommendations are necessarily high level:

1. Halt all proposed reforms that are likely to lead to higher numbers of children and young people distressed about their gender being subjected to the ‘affirmation approach’. Relevant proposed reforms include the inclusion of the term ‘gender identity’ into the Children and Young Persons (Care and Protection) Act 1998 and changes to the law that would weaken parental protections for children under 16 and enable 16-year-olds to ‘transition’ without parental consent. These proposed reforms should be reviewed as a matter of urgency in light of compelling new evidence – in particular, the final report of the UK Cass Review,³ the shocking revelations of the ‘WPATH files’,⁴ the decision to ban puberty blocker drugs in England’s National Health Service⁵, and clear moves away from the affirmation approach in Finland, Sweden, Norway and Denmark.
2. Halt all proposed reforms that would erase biological sex in law and recognise the crucial differences between sex as a biological category and ‘gender’ as a social self-identity. Birth certificates, for example, are intended as a legal and historical record of measurable, objective fact. The concept of ‘living as another sex’ should not be present in law, as sex cannot be changed and its legal erasure weakens protections for LGB individuals and women.
3. Ensure all language concerning sexuality is clear, factual and grounded in biological reality. Explicitly use ‘sexual orientation’ with a clear definition that encapsulates attraction to individuals of the same sex (homosexual) and both sexes (bisexual).
4. Proceed as proposed with the improvements to language to describe individuals living with HIV. Such changes have potential to positively benefit gay and bisexual men in particular.

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

5. Remove the imprecise framing of 'sex characteristics', which is open to misunderstanding and abuse. Replace it with a detailed and medically accurate framing focused on providing appropriate protections to individuals with Difference of Sexual Development (DSDs).
6. Extend the consultation process to allow for meaningful and diverse community engagement. With adequate time, volunteer-based organisations such as ours could have surveyed our members and contributed rich insights based on their lived experience. But as things stand, the only organisations well-placed to respond are large trans activist organisations who, in recent years, have all but abandoned the interests of lesbian, gay and bisexual Australians in favour of advocating for transgender and 'queer' interests.⁶ As such, legislators will not hear the voices of all impacted parties equitably.

We would be delighted to discuss any of these matters further with you.

Position Statement

This position statement provides the context for the concern LGB Alliance Australia has for the proposed legislation. There are three key points that underpin this submission's misgivings:

1. The politically expedient use of the umbrella term 'LGBTIQA+' that does not represent the needs and demands of the LGB community. 'Queer' is not a term we recognise as it weakens the recognition of LGB concerns and has historically been used against our community as a slur.
2. The conflict of interests that exists between the demand for so-called TIQA+ rights (in reality transgender rights) and the needs and demands of the LGB community. Where transgender demands are prevailing, the lives of LGB individuals are being manifestly harmed.
3. 'Queering' the world through this proposed Bill demonstrates a desire to undermine parental authority and the warmth and security of families. Many gender non-conforming children will grow to become gay, lesbian or bisexual and must be protected from medically unnecessary clinical intervention.

As indicated in the Bill's title it has become a deliberate political strategy to attach the claims of unrelated groups to the needs and rights of the LGB community. LGB Alliance Australia supports the dignity and freedom of LGB people and perceives a clear and empirical conflict of interests with the TIQA+ part of the umbrella. It is also clear that there are other constituencies, not commonly named, that are inappropriately added as revealed through the proposed Bill amendments; namely people in prostitution and women whose reproductive capabilities are being utilised by third parties, euphemistically called surrogacy.

LGB individuals are distinguished by their sexual and intimate attraction to persons of the same biological sex. Lesbians are women attracted to women and gay men are attracted to men. This is not a sexual identity, but rather a deeply felt physical and emotional orientation to persons of the same sex. Historically, in most cultures of the globe lesbians and gay men have been vilified, abused and discriminated against based on dominant heterosexual norms. In the Anglosphere and many parts of Europe, gay and lesbian rights campaigners have worked hard to remove the discrimination and harms they have historically experienced. There have been important gains won over several decades with the legalisation of same-sex marriage that represented equal treatment and further efforts at non-discrimination. LGB people have fought for their rights to live full and equal lives as part of the wider community, to have children and families and these rights have not been secured by denying, eroding or challenging the rights of other citizens.

However, in the late 1990's 'transsexual' was added to LGB political activism, in part because many of the key LGB civil rights demands had been won (in the Anglosphere) leaving a gap in campaigning and purpose for professional advocacy groups (e.g.

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

Stonewall UK & ACON NSW). The need to focus on new policy areas coincided with the increased prominence and social trend (largely driven by social media) of the phenomenon referred to as transgender. While conceptually fuelled by a postmodern cultural theory Queer Theory that was prevailing within university curricula, many professional LGB groups were approached with offers of generous donations from wealthy male benefactors keen to promote public recognition and accommodation of transgender-identified people. This has resulted in a dramatic shift in focus away from the original LGB constituency towards an amorphously defined group based on their 'inner feelings' of identity.

We support transgender individuals' full enjoyment of their universal human rights alongside all other individuals, but we do not support changes to laws and policy that undermine the rights and safety of other citizens. We also object to the erasure of the concept of biological sex and the notion that simply through self-declaration a man can become a woman and a woman can become a man. This has led to the promotion of the notion that same-sex attraction is 'transphobic', as well as having a significant impact on the rights of women and girls, including to safety in single-sex spaces and sports.

Dominant trans activist organisations now refer to lesbian, gay and bisexual people as being "same gender" attracted, which is not just a small semantic shift but a significant imposition of an ideology into the culture.

For example, lesbians are women who are same sex attracted and should have the right to socialise in single sex spaces. This right is now being denied and this Amendment Bill represents further erosion of LGB hard-won gains for dignity and freedom. In 2024 we now face the situation where trans activist organisations largely work to advocate for transgender causes with little consultation or concern for the experience and implications of their original LGB constituency.

Along with the denial of lesbians' access to single sex spaces, LGB Alliance Australia is also concerned that such organisations aggressively promote 'gender identity affirmation' in public institutions, private businesses and healthcare settings.

LGB Alliance Australia are deeply concerned that many young people now believe they are born in the 'wrong body' and are being pushed down a path of life-long medicalisation. This matter is especially distressing to us because of the over-representation of children and young people who would otherwise have grown up to be LGB adults. For example, the Final Report from Dr Hilary Cass, published on the 10th April 2024 has shown that 89% of girls and 81% of boys referred to GIDS [Gender Identity Development Service] in 2026 were either homosexual or bisexual.⁷

The remainder of this submission addresses specific concerns within the proposed amendment Bill within the context outlined above.

Schedule 1 - Amendment of Anti-Discrimination Act 1977

Summary

The NSW Anti-Discrimination Act 1977 serves to safeguard against discrimination and harassment in several public domains, including employment, education, accommodation, and the provision of goods and services, on grounds such as sex and homosexuality. We welcome amendments that extend further protections to LGB individuals. However, the current proposal, Equality Legislation Amendment (LGBTIQA+) Bill 2023, falls short in this regard. Specifically, it lacks clear definitions that are required by the LGB community. We need clear definitions of sex, sexual orientation and gender to ensure the Act fully encompasses the needs of all LGB individuals.

It is understood the Amendments to the Anti-Discrimination Act 1977 will be withdrawn pending the review of the legislation by the Law Reform Commission. We fully support this approach, given the extraordinary complexity of the legislation and the necessity for thorough examination before any changes are made.

You can read LGB Alliance Australia's submission to the Law Reform Commission here:

[LGB Alliance Australia - Submission to the NSW Law Reform Commission](#)

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

Amendments to Definitions

We express significant concerns regarding Amendments 1, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34. These amendments alter critical definitions relating to the recognition of sex and individuals attracted to the same sex. The substitution of 'homosexuality' with 'sexuality' is appreciated for its inclusivity of bisexual individuals. However, the broad term 'sexuality' will potentially encompass pseudo-sexualities, such as demisexual, which will dilute the protections intended for same-sex attracted individuals.

To ensure robust protection, we recommend the Bill explicitly use 'sexual orientation' with a **clear definition** that encapsulates emotional, romantic, or sexual attraction to individuals of the same sex (homosexual) or both sexes (bisexual). Additionally, this acknowledges the binary nature of sex as male or female. We explicitly reject the idea that homosexuality includes 'same gender' attraction. This conflation of sex and gender can be seen in an ACON promotion for men seeking to date other men as follows (it implies that biological females – trans-identified – will be of interest to gay men):

www.aconhealth.or...

ACON
Sponsored

Looking right now? 📱

Find out more.

FINDING MR RIGHT NOW

aconhealth.org.au
Discover New Tips

Learn more

Like Comment Share

Name*

First

Last

Your email address*

Mobile number*

##

Our events are designed for gay, bi+, and queer guys (trans and cis) all ages 18+. Do you identify as a gay, bi+, queer guy (trans or cis) aged 18+?

Yes

No

Which session would you like to attend?

Friday, 24th November 2023 - 6:00pm - 9:00pm

Would you like to stay up to date with ACON Peer Education's upcoming programs and events?

Yes

By addressing these concerns, the Bill can provide a more precise framework for protecting against discrimination.

Amendments to Identity

Amendments 3, 4, 5, 7, 8, 9, 10, 11 introduce the concept of 'living as another sex.' Sex is a biological characteristic determined in utero, with humans classified as male or female. The notion that individuals can live as a sex different from their biological sex at birth substantially weakens LGB protections and particularly affects lesbians due to women's vulnerability to male sexual harassment and violence.

Inquiry into the Equality Legislation Amendment (LGBTIQ+) Bill 2023

These amendments will significantly reduce sex-based rights by allowing access to single-sex facilities ranging from safe-spaces to sports. This impacts privacy, safety and dignity of LGB people and essentially changes sex in law to an identity rather than reality.

To address these concerns, we suggest that the legislation clearly differentiate between 'sex' as a biological category consisting of male and female and 'gender' as social self-identity consisting of masculine and feminine stereotypes.

We recognise the critical importance of clear and decisive definitions within this legislation; it is equally critical to implement appropriate safeguards. These measures are necessary to prevent the potential for individuals to inappropriately claim protected characteristics, thereby weakening the protections intended for those who genuinely possess these characteristics.

Case Study – The Lesbian Action Group

In August 2023, The Lesbian Action Group, a group of lesbian elders with decades of experience in community organising, sought to reserve a space at the Victorian Pride Centre for a lesbians-only event in celebration of International Lesbian Day on October 8th under an exemption from the Sex Discrimination Act 1984 (Cth). The Victorian Pride Centre, established with over \$25 million in public funding from the Victorian Government, declares its mission as follows:

"The Victorian Pride Centre is the first purpose-built centre for Australia's LGBTIQ+ communities. It aims to forge new paths for LGBTIQ+ communities, while honouring and celebrating their courageous and sometimes challenging history."

The application was rejected largely on the grounds it would exclude males with a trans identity. This situation illustrates that 'LGBTQIA+' is not a cohesive, monolithic community and how amendments to the Anti-Discrimination Act might permit self-identification that conflicts with certain groups' immutable biological characteristics. Specifically, a lesbian is a female homosexual, meaning a female exclusively attracted to other females. Lesbianism cannot be identified into by males.

Amendments to Sex Characteristics

Our primary concern with Amendment 13 centres on the need for a clear, medically-based definition that prevents the possibility of non-medical self-identification into the Difference of Sex Development (DSD) category, potentially undermining the intended protections for individuals with DSD.

This ambiguity risks creating a loophole that could be exploited to identify as the opposite sex, without genuinely addressing the nuances in the amendment's language.

This issue was highlighted in the recent Federal Court of Australia case of *Tickle vs. Giggle*, where a male identifying as transgender claimed intersex status which he subsequently withdrew.

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

Tickle vs. Giggle. (2023). Amended Statement of Claim [[PDF document](#)]. Federal Court of Australia.

DSD represents a wide spectrum of congenital conditions, once referred to as intersex conditions, yet the current phrasing falls short in offering the necessary specificity for comprehensive protection of individuals with DSDs.

To address these issues, we call for a revision of Amendment 13 that includes a detailed, medically-grounded definition of DSDs, formulated through a collaborative effort with medical specialists in this field and advocacy groups representing individuals with DSDs. This approach ensures both the accuracy and sensitivity of the definition. Furthermore, it's crucial that the legislation explicitly indicates that protections for people with DSDs are established on medical criteria, thereby safeguarding against the potential for misuse.

Amendments to Living with HIV

We welcome Amendments 21, 35-37 for their significant improvements in the language used to refer to individuals living with HIV. Given the disproportionate impact of HIV on the gay male community, these changes are welcome.

By adopting language that destigmatises HIV, the amendments contribute to dismantling long-standing prejudices and barriers.

Schedule 2 - Amendment of Births, Deaths and Marriages Registration Act 1995

This is an attempt to erase sex as a meaningful attribute and should be avoided. A birth certificate is a legal and historical record of fact and is relied on as an authoritative form of identification. Accurate demographic data is necessary for government planning of sex-specific services. Where it is necessary to positively identify an individual – in the context of criminal investigations, working with vulnerable people checks, medical procedures, or to positively identify a dead body from DNA, gender identity is irrelevant and, where these obscures sex, it may prove misleading. Where a registered birth sex is obscured in the record, or where multiple changes are permitted, this gives rise to problems that negatively impact the safety, dignity and privacy of women and girls and the investigation of sexual crimes.

Acknowledgement of Sex

This proposal furthers the nonsensical concept that ‘sex’ is a characteristic that can be wilfully chosen by an individual. It appears to conflate a notion of a self-proclaimed identity with a biological reality. There are only two words describing biological sex, male and female, and these must remain the only two options if a legal fiction is not to create confusion and thus an inability to properly plan for and meet the needs of male and female citizens.

Women face a range of reproductive and related health concerns and governments must be able to have accurate demographic data on the health of women in order to plan health services. Likewise, accurate data is needed in order to respond adequately to issues affecting men’s health, such as the sexual health needs of gay and bisexual men. Introducing non-sensical descriptors would make such planning very challenging and would result in harms to women’s health.

Gender Identity

Continues with the confusing conflation of ‘sex’ with ‘gender-identity’ which are two separate and different concepts.

“accompanied by a statutory declaration in which the person declares that the person—

(i) identifies as being of the sex specified in the declaration, and

(ii) lives, or seeks to live, as a person of that sex”

In effect, this is saying that if men seek to live as a women they need to present themselves in ways that are stereotypical for women and therefore that the men will be allowed to legally change their sex.

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

Apart from being a biological impossibility this is no different from a 55 year old man deciding to live as a 14 year old boy and therefore have his legal birthdate changed. He would then legally be allowed (or even required by law!) to attend high school and participate as a 14 year old. In this case anyone could legally be allowed to choose the age they wanted to 'live as' and possibly make multiple age changes as their identity dictates. "Lived identity" is a personal preference, often involving a performance of sex-stereotypes, or simply a claim of being the opposite sex. It is grounded in subjective self-perception and in denial of objective biological reality.

There are many circumstances where biological sex matters – including employment, services and entitlements. Deference to the subjective self-perception of an individual must not override the dignity and safety of others. Laws that allow a person to change sex on driver's licenses, passport, Medicare etc. are rightly controversial, since these essentially reflect a legal fiction. The fact that these questionable allowances have been made does not justify demands for further concessions.

For lesbians this ability for males to change their legal sex to female is clearly a danger to their safety and enjoyment of their single sex socialising. Because some men who identify as women demand that all who they interact with affirm their chosen identity, it is not uncommon for them to seek out lesbian only physical or online spaces to 'test' their identity. This amendment would only facilitate these men who seek to use and harass lesbians in this way.

Similarly, many lesbians who play sports are expected to accept men into their sports and risk greater injury and unfair competition. Lesbians already suffer the double discrimination of being homosexual and female and if they are to live with dignity and safety, they must have privacy from men in spaces where they are vulnerable (i.e. toilets and changerooms, and places from which they cannot leave - prisons, hospital wards, rape crisis centres, domestic violence refuges and homeless shelters).

Schedule 3 - Amendment of Children and Young Persons (Care and Protection) Act 1998

Summary

1. We are opposed to the inclusion of the term 'gender identity' into the *Children and Young Persons (Care and Protection Act 1998)*
2. We are opposed to a proposal in the Bill that young people (16 years and over) may make a decision about radical medical interventions with potentially lifelong impacts as if they are an adult.
3. We are opposed to the change that children under 16 will now only require the consent of only one parent and that a doctor may treat a child under 16 without either the knowledge or consent of their parents if the child is capable of understanding the risks of treatment.
4. We believe the Bill is homophobic as it seeks to erase the word homosexual from law.

LGB Alliance Australia are opposed to the inclusion of the term 'gender identity' into the *Children and Young Persons (Care and Protection Act 1998)*

LGB Alliance Australia are concerned that any changes to the Act should be meaningful and should protect the rights of gay, lesbian, bisexual people as well as children and young people who are 'gender non-conforming' and are likely to grow up to be gay, lesbian or bisexual. LGB Alliance Australia believes the Bill will undermine the rights of children to be raised by their parents and to receive a high standard of care from healthcare professionals, teachers and other responsible adults.

The term 'gender identity' is commonly defined as; '*a person's deeply held internal and individual feeling of gender*' and there is a growing list of what these 'identities' might be. According to [Medicinet](#) there are 72 'genders', while [Sexual Diversity](#) offers 107 'gender identities' and [Healthline](#) states there are 68 different identities. While some other trans lobby groups propose 'infinite' gender identities some of which are 'yet to be discovered'.

Therefore, the inclusion in law of the term 'gender identity' and the insistence that those responsible for the care of children must take it into account is deeply problematic and will cause confusion and uncertainty as to what this means in practice.

For example, the World Professional Association for Transgender Healthcare, [WPATH] recently exposed as a pseudoscientific organisation run by activist clinicians [see the WPATH files] actively promote the identity of a 'eunuch' or a castrated male in their most recent Standards of Care SOC8. If the amendments were accepted, a revised Bill could be used in the case where a vulnerable young boy who has a 'deeply held internal belief' that he is a eunuch might be used against his parents who would want to dissuade him from seeking medical castration.

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

In the example of a child who identifies as 'non-binary' [neither a boy or a girl] it would be unclear what decisions need to be considered by adults to accommodate the child's access to single-sex spaces, dormitories, sports or healthcare. The absurdity of the requirement for 'taking self-professed identity into account' is obvious in the case of the children who identify as an animal, or even a spirit person.

Pushing Gender Identity Ideology into Law and Society

This Bill is one of an interlocking suite of legislation that aims to embed gender identity ideology into Australian society through the creation of legal fictions.

There are clear ethical, medical, psychological and cultural implications of a Bill that seeks to rush into law an ideology that promotes life-long medicalisation, dependence on off-label drugs, the sterilisation of young people and the loss of sexual function.

Medical Treatment of Minors

LGB Alliance Australia are opposed to a proposal in the Bill that young people (16 years and over) may make a decision about medical interventions with potentially lifelong impacts as if they are adults. This amendment would allow doctors to prescribe cross-sex hormones to a 16-year-old without the consent or knowledge of their parents.

Prescription of cross sex hormones raises serious concerns about potentially life-long consequences such as loss of bone density, cardiac problems, blood clots, gallstones, dyslipidaemia (abnormal levels of fat in the blood), elevated liver enzymes and polycythaemia (high concentration of red blood cells).

The UK's National Institute for Health and Care Excellence (NICE) undertook a [systematic review](#) of the evidence relating to the use of "gender-affirming" hormones in the treatment of young people with gender dysphoria. It concluded: "Any potential benefits of gender-affirming hormones must be weighed against the largely unknown long-term safety profile of these treatments in children and adolescents with gender dysphoria." It found that studies examining the impact of these drugs on under-18s were poorly designed and "subject to bias", producing findings of "very low certainty".

We are deeply concerned by the mounting and most **recent evidence**, from the NHS ban on the use of puberty blockers to the Mayo Clinic's recent report that puberty blockers cause the atrophy of testes, as well as fertility problems and increased risk of cancer.

An increasing number of international reports are exposing 'gender-affirming care' as harmful. WPATH's own clinicians admit that many young vulnerable people are not able to consent, and many parents do not understand the complex medical consequences of puberty blockers, cross-sex hormones and surgery.

LGB Alliance Australia are opposed to the change that children under 16 will now only require the consent of only one parent and that a doctor may treat a child under 16

Inquiry into the Equality Legislation Amendment (LGBTIQA+) Bill 2023

without either the knowledge or consent of their parents if the child is capable of understanding the risks of treatment. The decision of the Family Court in *Re Kelvin* states that both parents must consent for young people under 18 for the use of puberty blockers and cross-sex hormones.

This Bill would further erode the safeguarding of children and young people who are experiencing distress about gender and many who are likely suffering undiagnosed or unaddressed comorbidities. The vast majority of children who are gender confused but allowed to experience puberty and offered expert psychological support resolve their dysphoria over time and many go on to become lesbian, gay and bisexual adults with full sexual function and the opportunity to have children of their own.

LGB Alliance Australia believe the Bill is homophobic as it seeks to erase the word *homosexual* from law, just as other legislation seeks to erase the word *woman* from law. The Bill creates the legal conditions for the 'conversion' of young gay, lesbian and bisexual people through the medical practice of transition whereby a girl who is gender non-conforming is told she is really a 'boy' and an effeminate boy is told he is really a 'girl.' LGBAA believe the current medical practice is little more than **heterosexualising conversion therapy**. Children and adolescents who would have otherwise grown up to be LGB adults are being encouraged to dissociate from their sexed bodies, reject their same-sex attraction and undergo medicalisation to become a member of the 'opposite sex'. They are being presented with the notion that to 'transition' is to be 'authentic'.

Schedule 4 - Amendment of Children's Guardian Act 2019

Similar to reservations expressed above, LGB Alliance Australia are concerned that amending the text of the Act so that those with parental responsibility must take into account any variations of the sex characteristics of the child. This legal requirement would have a detrimental effect on parents' ability to make decisions in their child's best interest. For example, parents must be able to have supportive discussions with a young daughter who, may be seeking to bind her breasts in order to present as a 'boy'.

Endnotes

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- ¹ For example: Hannah Barnes, *Time To Think: The Inside Story of the Collapse of the Tavistock's Gender Service for Children*, Swift Press, 2023; G. Li, KT Kung, M Hines, 'Childhood gender-typed behavior and adolescent sexual orientation: A longitudinal population-based study,' [Cambridge University Repository](#), 2017 ; Lisa Littman, 'Parent reports of adolescents and young adults perceived to show signs of a rapid onset of gender dysphoria,' [PLOS One](#), 16 August 2018, Lisa Littman, 'Individuals Treated for Gender Dysphoria with Medical and/or Surgical Transition Who Subsequently Detransitioned: A Survey of 100 Detransitioners,' [Archives of Sexual Behavior](#), vol.50, 2021; Pien Rawee, Judith G. M. Rosmalen, Luuk Kalverdijk & Sarah M. Burke, 'Development of Gender Non-Contentedness During Adolescence and Early Adulthood,' [Archives of Sexual Behavior](#), Feb 2024; G. Rieger, JAW Linsenmeier, L. Gyax, JM Bailey, 'Sexual orientation and childhood gender nonconformity: Evidence from home videos,' [Developmental Psychology](#), 44(1), 2008, 46–58 ; Thomas D. Steensma, Jan van der Ende, Frank C. Verhulst, and Peggy T. Cohen-Kettenis, 'Gender Variance in Childhood and Sexual Orientation in Adulthood: A Prospective Study,' [International Society for Sexual Medicine](#), 2012
- ² Dr Hilary Cass, 'The Cass Review: Final Report', 2024, p.118 <https://cass.independent-review.uk/home/publications/final-report/>
- ³ Cass, 'The Cass Review: Final Report', 2024
- ⁴ Mia Hughes and Michael Shellenberger, 'The WPATH Files,' 2024, <https://environmentalprogress.org/big-news/wpath-files>
- ⁵ NHS England, 'Clinical police: puberty suppressing hormones,' 12 March 2024, <https://www.england.nhs.uk/publication/clinical-policy-puberty-suppressing-hormones/>
- ⁶ For our previous comment and data on this matter, see LGB Alliance Australia, '[ACON failing LGB Australians](#),' 7 Feb 2023, '[More mainstream LGBTQ+ organisations failing the LGB](#),' 15 August 2023, '[Forced teaming for me but not for thee? Who benefits from the Victorian Government's LGBTIQA+ grants rounds?](#),' 10 January 2024
- ⁷ Cass, 'The Cass Review: Final Report', 2024, p.118