

BIRTH CERTIFICATE REFORM 2019

WHY IT MATTERS

For trans/gender diverse people having the wrong gender on our birth certificate makes life a lot harder. Being forced to have a document that misgenders us is a reminder that our rights and identities still aren't respected. When a trans person enrolls at a school, applies for Centrelink, or interacts with any other service that requires ID we often face confused or even hostile questions when the gender marker on our ID doesn't match our presentation or identity, and we have to risk outing ourselves in unsafe environments.

WHAT'S IN THE BILL

The Births, Deaths and Marriages Registration Amendment Bill 2019 (VIC) will

- Remove the current requirement that forces trans people to undergo sex reassignment surgery before updating a birth certificate
- Give trans people the option to have labels other than 'male' and 'female' on our birth certificates. We'll be able to self-identify with any term we choose, but terms may be rejected for being obscene or offensive, or if they're not 'reasonably established' terms.
- Individuals already have the option to request a copy of their birth certificate where the sex field is blank or left off entirely, and this will still be an option if the new bill passes

Trans/gender diverse adults will be able to change the gender marker on our birth certificates by

- Filling out a form
- Providing a letter of support from another adult who we've known for at least 12 months

Trans/gender diverse young people (under 18) will be able to change the gender marker on our birth certificates by

- Filling out a form
- Providing a statutory declaration from parents/guardians confirming their consent
- Providing a letter of support from a doctor, psychologist, or 'other prescribed person' stating that the change is 'in the child's best interest'
- If under 16, the letter must also confirm our capacity to consent

SUPPORT THE BILL

The last time this bill was proposed we lost by **one vote**. It sent a painful message to trans/gender diverse people that transphobia was still a formal part of our laws. Passing this bill will make life easier for trans/gender diverse people and show that we value inclusion and respect trans rights.

To contact your MP

1. Look up your electorate and find out who represents you by searching for your address at www.parliament.vic.gov.au/about/electorates
2. Click on 'View Member' to see your representative's phone number, email, and office address
3. Call, email, or visit your representative to urge them to vote in **favor** of the Births, Deaths and Marriages Registration Amendment Bill. Let them know that you live in their electorate, and if you can tell them why this issue is important to you.

FAIR ACCESS FOR TRANS YOUNG PEOPLE

Passing the bill is the first step towards fair and accurate birth certificates for trans/gender diverse people. The second step is making sure that it applies to **all** trans /gender diverse people.

The proposed bill requires that trans people aged 17 or younger provide a letter of support from a doctor, psychologist, or other prescribed person stating that correcting their birth certificate is in their best interest. If the list of prescribed people stays that short it will create difficult barriers for trans young people who want our birth certificates to reflect our gender. **The regulations that define who is a prescribed person are separate from the bill, and can be changed after the bill is passed.**

Updating a birth certificate is not a dangerous or irreversible change, and it's certainly not a medical issue. Trans people already struggle to find trans-inclusive doctors and psychologists, and for those of us in rural areas it can be all but impossible. To help **all** trans people we need to recognise that trans youth are the experts in ourselves, and limiting the prescribed list of people to doctors and psychologists is pathologising and will block trans youth from an important legal avenue of self-determination.

YGENDER.ORG.AU