



The NSW Parliament has released a survey asking your views of Alex Greenwich's "Equality" Bill.

The majority of the survey asks you your view on a series of amendments made by the bill, however, the survey does not explain what the amendments do. This guide gives you a simple explanation of the amendments. We either recommend opposing amendments, or do not have a position.

We recommend you **OPPOSE** questions 4, 5, 6, 7, 9, 10, 11, 12, 13, 16, 17, 18, 19, 21, 22 and 23

We have no position on Questions 8, 14, 15, 20 and 24.

You can find an easy link to the survey at:

<https://contactyourmp.org.au/nsw-eq-survey/>

The direct link for the survey is:

https://forms.office.com/Pages/ResponsePage.aspx?id=vp9hllknxEOBgN2_R2mBwKUu-E9sLYtNjeESRyYnllxUNFdJOUJCVFk3QVI2QzhQSVRLTkhsUUw0Qy4u%20

Guide to Questions and Amendments

Q4: What is your view of the Equality Legislation Amendment (LGBTIQA+) Bill 2023?

This is your response to the bill as a whole.

We recommend you OPPOSE the bill.

Q5. What is your view of the proposed amendments to the Anti-Discrimination Act 1977 (NSW)?

These amendments will

- Remove almost all faith-based exemptions from anti-discrimination on sex, gender and sexuality.
- Strip religious institutions and schools of the ability to employ people who hold to their faith and live it out.
- Remove the binary definition of sex from legislation and embed trans-gender ideology
- Removes exemptions for sports to be single-sex and not include trans people
- Makes "Sex worker" a protected attribute, along with race, sex and disability

We recommend you OPPOSE the amendments.

Q6. What is your view of the proposed amendments to the Births, Deaths and Marriages Registration Act 1995 (NSW)?

These amendments will

- Allow 180 days (rather than 60 days) for registration of the birth of a child with a variation of sex characteristics that make it difficult to determine the sex (not controversial)
- Allow anyone over the age of 16 to change the sex on their birth certificate to their own chosen "sex descriptor" simply by filling in a form. By changing the sex on the birth certificate, that person is then legally that sex and cannot be treated in any other way.

We recommend you OPPOSE the amendments.

Q7.What is your view of the proposed amendments to the Children and Young Persons (Care and Protection) Act 1998 (NSW)?

These amendments will

- Allow a child under 16 to have medical treatment against their parent’s will if a doctor says that it is in the best interests of the child and the child is capable of understanding the nature, consequences and risks
- Allow a young person 16-17 to make medical decisions as an adult, regardless of their parents.

We recommend you OPPOSE the amendments.

Q8.What is your view of the proposed amendments to the Children’s Guardian Act 2019 (NSW)?

This amendment inserts variations of sex characteristics of a child or young person and their parent or guardian into account when making decisions under the Act

Q9.What is your view of the proposed amendments to the Court Security Act 2005 (NSW)?

These amendments will

- Allow an intersex or transgender person to select who will do a body search on them.
- A biological male who has had no transgender surgery can identify as a female and require a female officer to perform an intimate search.
- Enforcement of the Anti-Discrimination act appears to remove the ability for an officer to refuse to perform such a search (that would be “discrimination”)

We recommend you OPPOSE the amendments.

Q10.What is your view of the proposed amendments to the Crimes Act 1900 (NSW)?

These amendments are part of the changes to the Anti Discrimination Act (above) that elevates prostitution as a “protected category” akin to race, sex and disability.

We recommend you OPPOSE the amendments.

Q11.What is your view of the proposed amendments to the Crimes (Administration of Sentences) Act 1999 (NSW)?

These amendments will

- Allow an intersex or transgender person to select who will do a body search on them.
- A biological male who has had no transgender surgery can identify as a female and require a female officer to perform an intimate search.
- Enforcement of the Anti-Discrimination act appears to remove the ability for an officer to refuse to perform such a search (that would be “discrimination”)

We recommend you OPPOSE the amendments.

Q12.What is your view of the proposed amendments to the Crimes (Domestic and Personal Violence) Act 2007 (NSW)?

These amendments make “outing a person” or threatening to “out” them a form of coercion, and a reason for an apprehended violence order (AVO). This risks making it illegal to tell a person that their spouse is cheating.

We recommend you OPPOSE the amendments.

Q13. What is your view of the proposed amendments to the Crimes (Forensic Procedures) Act 2000 (NSW)?

These amendments will

- Allow an intersex or transgender person to select who will do a body search on them.
- A biological male who has had no transgender surgery can identify as a female and require a female officer to perform an intimate search.
- Enforcement of the Anti-Discrimination act appears to remove the ability for an officer to refuse to perform such a search (that would be “discrimination”)

We recommend you OPPOSE the amendments.

Q14. What is your view of the proposed amendments to the Crimes (Sentencing Procedure) Act 1999 (NSW)?

These amendments will add hatred or prejudice against a person for their gender identity or intersex status as an aggravating factor to be considered in relation to sentencing.

Q15. What is your view of the proposed amendments to the Drug Misuse and Trafficking Act 1985 (NSW)?

This amendment will remove reference to HIV as an infection

Q16. What is your view of the proposed amendments to the Government Sector Employment Act 2013 (NSW)?

These amendments will require Government institutions to publish gender and sexuality diversity and inclusion standards, including quotas and targets (see Q17).

We recommend you OPPOSE the amendments.

Q17. What is your view of the proposed amendments to the Government Sector Employment (General) Rules 2014 (NSW)?

These amendments include intersex and transgender persons as categories of eligibility for workplace diversity hires in government sector agencies. The purpose of diversity rules is to provide help for classes of persons disadvantaged in employment. There is no evidence that intersex and transgender persons experience systemic disadvantage in Government employment.

We recommend you OPPOSE the amendments.

Q18. What is your view of the proposed amendments to the Interpretation Act 1987 (NSW)?

These amendments will change the use of “gender” and sex” in legislation, and further confuse the distinction.

We recommend you OPPOSE the amendments.

Q19.What is your view of the proposed amendments to the Law Enforcement (Powers and Responsibilities) Act 2002 (NSW)?

These amendments will

- Allow an intersex or transgender person to select who will do a body search on them.
- A biological male who has had no transgender surgery can identify as a female and require a female officer to perform an intimate search.
- Enforcement of the Anti-Discrimination act appears to remove the ability for an officer to refuse to perform such a search (that would be “discrimination”)

We recommend you OPPOSE the amendments.

Q20.What is your view of the proposed amendments to the Mental Health Act 2007 (NSW)?

This amendment states a person expressing or refusing to express a particular gender expression or gender identity is not a sign of mental illness.

Q21.What is your view of the proposed amendments to the Sheriff Act 2005 (NSW)?

These amendments will

- Allow an intersex or transgender person to select who will do a body search on them.
- A biological male who has had no transgender surgery can identify as a female and require a female officer to perform an intimate search.
- Enforcement of the Anti-Discrimination act appears to remove the ability for an officer to refuse to perform such a search (that would be “discrimination”)

We recommend you OPPOSE the amendments.

Q22.What is your view of the proposed amendments to the Summary Offences Act 1988 (NSW)?

These amendments will remove all remaining summary offenses around prostitution, removing protections for vulnerable women and children. Included in the offenses removed are:

- Living on the earnings of prostitution of another person (pimping).
- Coercing a person into prostitution
- Acts of prostitution in or near schools, hospitals and places of worship
- Public acts of prostitution

We recommend you OPPOSE the amendments.

Q23.What is your view of the proposed amendments to the Surrogacy Act 2010 (NSW)?

These amendments will remove laws preventing commercial surrogacy, including using disadvantaged women in developing countries.

We recommend you OPPOSE the amendments.

Q24.What is your view of the proposed amendments to the Workers Compensation Act 1987 (NSW)?

This amendment removes reference to HIV and Hepatitis C as infections.