



ATTORNEY-GENERAL
THE HON PHILIP RUDDOCK MP

27 APR 2007

07/525, M06/17451

Ms Kathy Anne Noble
President
Changeling Aspects
PO Box 897
CLEVELAND QLD 4163

Dear Ms Noble

Thank you for your letter dated 28 September 2006 regarding some of the issues confronting members of Australia's transsexual community. I apologise for the delay in replying.

Thank you for providing me with a copy of Changeling Aspects' submission to the New Zealand Human Rights Commission Transgender Inquiry outlining the experiences of Australian transsexuals seeking gender recognition certificates under the UK *Gender Recognition Act 2004*. I encourage you and your organisation to raise these concerns about the operation of that legislation with the UK Government.

In Australia, the legal recognition of the sex of transgender persons is primarily a matter for the States and Territories, as they are responsible for maintaining their respective Registers of Births, Deaths and Marriages. I understand that all States and Territories have legislation which enables post-operative transsexuals to obtain either a recognition certificate or an amended birth certificate recording their preferred sex in certain circumstances, unless the person is a married person. There may be variations across jurisdictions in the processes required to obtain a recognition certificate or amended birth certificate, and differing limitations on the use to which such a certificate may be put and its effect in both the issuing jurisdiction and other jurisdictions.

The issue of national consistency has been considered by the Standing Committee of Attorneys-General and model legislative provisions have been developed for further consideration by States and Territories. While the Commonwealth supports and encourages consistent laws across Australia, the implementation of the model provisions is a matter for individual States and Territories.

The Australian Government condemns discrimination in all its forms. The Government believes each of us should have the opportunity to participate in the life of our community and to experience the benefits and accept the responsibilities that flow from such participation without fear of discrimination.

Thank you for bringing these concerns to my attention. I trust that this information is of assistance to you.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Philip Ruddock', written over a horizontal line.

Philip Ruddock