



Organisation Intersex International Australia Limited
For intersex human rights, information, and peer support

PO Box 46, Newtown, NSW 2042, Australia
+61 405 615 942 info@oii.org.au
oii.org.au

Committee Secretary
Senate Legal and Constitutional Affairs Legislation Committee
PO Box 6100
Parliament House
Canberra
ACT 2600

29 July 2014

Dear Committee members

Recognition of Foreign Marriage Bill, 2014

Thank you for the opportunity to place a submission before you on the Recognition of Foreign Marriages Bill, 2014. We warmly welcome this inquiry, as we have welcomed other inquiries into the health and human rights of intersex people in Australia. We would like to commend the Senate for its previous work, including the 2013 Community Affairs References Committee report, *Involuntary or coerced sterilisation of intersex people in Australia* and related speeches to the Senate on 25 March this year.

Organisation Intersex International Australia Limited (OII Australia) is a national body by and for intersex people. We promote the health and human rights of intersex people in Australia, and provide information, education and peer support. OII Australia is a not-for-profit company, recognised by the Australian Taxation Office as a Public Benevolent Institution. OII Australia employs no staff and receives no public funding; this means that we have limited capacity to respond to inquiries except those of high significance to our community. This inquiry meets that criterion.

We wish to formally support the personal submission by Tony Briffa JP, vice president of OII Australia, noting that Tony's marriage is not recognised in Australia under either current legislation or the proposed Recognition of Foreign Marriages Bill.

In this regard, we note that intersex is a term that relates to a range of physical traits or variations that lie between ideals of male and female. Intersex people are born with physical, hormonal or genetic features that are neither wholly female nor wholly male; or a combination of female and male; or neither female nor male. Many forms of intersex exist; it is a spectrum or umbrella term, rather than a single category. It can include differences in the number of sex chromosomes, different tissue responses to sex hormones, or a different hormone balance. Examples of intersex variations include Androgen Insensitivity Syndrome (AIS), Congenital Adrenal Hyperplasia (CAH), 5 alpha Reductase Deficiency, and sex chromosome differences such as 47,XXY (often diagnosed as Klinefelter Syndrome) and 45,X0 (often diagnosed as Turner Syndrome).

In some cases, our natural bodies and our legal sex may defy conventional classifications. We should not be obliged to deny our biology in order to marry.

We hope that the Committee might modify the Bill to ensure recognition of the marriages of any two persons, irrespective of their sex.

We would be happy to discuss this matter further if the Committee might find that helpful or desirable.

Yours sincerely,

Morgan Carpenter
President, OII Australia