

How many residents changed gender under new laws

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Hundreds of people in NSW have changed their sex on their birth certificate since new laws came into effect on July 1.

Several hundred people in NSW have changed their gender on their birth certificate since controversial laws were implemented by the state government three months ago, prompting concerns about the safety and welfare of women.

The Daily Telegraph can reveal that 766 people in NSW have changed their sex on their birth certificate without gender affirmation surgery.

A medical procedure has no longer been required to apply for a change of sex in NSW since July 1.

Since the laws came into effect, 496 men have changed their sex to female and 211 females have changed their gender to male.

Twenty-nine females have changed to non-binary, while 30 men have changed to non-binary.

No other state or territory requires a person to have gender-affirming surgery before changing their birth certificate.

People can easily apply to change their sex online with three identity documents, a statutory declaration and a statement of support from another adult who has known the applicant for at least 12 months.

In Victoria, a person can change their recorded sex only once a year.

However, in NSW there are no restrictions on how frequently someone can change their recorded sex.

Supplied copy of the Change of Sex form for NSW residents to be able to change their sex on their birth certificate. Picture: Supplied.

Part C – Record of sex details

Select the sex assigned at birth

☐ Male ☐ Female ☐ Other
(If 'Other' please specify)

Select your current sex registered in Australia

☐ Male ☐ Female ☐ Non-specific ☐ Non-binary
☐ Other
(If 'Other' please specify)

Select your new record of sex

I now apply to the Registrar to alter my record of sex registered in accordance with Section 32(B) or 32(DA), showing my sex registered on my new NSW birth certificate or recognised details certificate as:

☐ Male ☐ Female ☐ Non-specified ☐ Non-binary

Part D – Restricted persons

A restricted person requires written approval from the relevant supervising authority to apply to register a change of sex. This includes inmates, people on parole or remand, forensic and correctional patients, periodic detainees, and people on a reintegration home detention order. The full definition of 'restricted person' can be found in section 31B of the *Births Deaths & Marriages Registration Act 1995*.

In addition to meeting the standard application eligibility requirements, a restricted person must also obtain approval from their relevant supervising authority. LawAccess NSW can provide legal advice and assistance in navigating this process. Making an application without approval is an offence under the *Births, Deaths and Marriages Registration Act 1995*.

Are you a restricted person

☐ Yes ☐ No (Skip to Part E)

If yes, have you obtained written approval from your relevant supervising authority

☐ Yes ☐ No

Part E – Change of name details

Note: If you intend to change your name, please submit both applications at the same time.

Tick the box that applies to you:

☐ I do not want to change my name
☐ I plan to submit or have recently submitted a change of name application that is pending approval.

Part F – Optional certificate order quantity

What number of certificates do you require? Each certificate is subject to an additional fee, separate from the registration fee. Please note that certificates will be mailed to you, and postage and handling charges will apply.

Tick the box that applies to you:

NSW birth certificate ☐ (enter number)
(NSW born or adopted applicants only)

Recognised details certificate ☐ (enter number)
(overseas born applicants only)

Note: Not adding a certificate to your order will restrict your ability to update personal details with other organisations. You can order a certificate later by a separate application for a NSW birth certificate or recognised details certificate, if your application is approved.

Part G – Secure payment process for postal applications

Please provide your email address below (please print clearly). After your application has been reviewed, you will receive an email from the Registry with a **secure payment link**. You can pay using a credit or debit card.

Alternatively, you can submit this application form and payment person at a Service NSW Centre. Please visit www.service.nsw.gov.au/service-centre to find your nearest Service Centre. If you are experiencing hardship, you can apply for a fee waiver for the certificate only (not the registration) with a letter from a community support organisation.

More information on fees and processing times can be found at www.nsw.gov.au/bdm/processing-times

Email address

Please note it is an offence under Section 57 of *Births, Deaths and Marriages Registration Act 1995* to knowingly make a false or misleading representation and that penalties may apply.

Signature of applicant

Date signed

In New South Wales, there is no limit to how many times a person can change their recorded sex.

Picture: Supplied.

Women's Forum Australia chief executive Rachael Wong said it was "alarming" that so many men had sought to change their legal sex to female in such a short time frame.

“We warned the NSW government that sex self-ID laws would put women and girls at risk, and now nearly 500 men have the legal right to access female-only spaces, services and sports,” she said.

The Telegraph revealed in July that convicted killer Terry Mark Donai, who now identifies as female and has adopted the name McKenzie, made an application to Corrective Services NSW in 2023 to be transferred into a women’s prison.

However, the state government said at the time that the proposed transfer “won’t be happening”.

Institute of Public Affairs foundations of western civilisation program director Bella d’Abrera said: “These changes threaten the welfare and safety of women right across NSW by those who will seek to exploit the weaknesses in the new law for their own benefit.”

“By removing safeguards, the state government has created a policy that can be exploited by violent offenders. It is not just speculation; it has happened already,” Dr d’Abrera said.



Women's Forum chief executive Rachael Wong fears the new laws will impact women's safety.

Katherine Deves, a lawyer and co-founder of the Save Women's Sports Australasia lobby group, said: "Biological differences between the sexes cannot be legislated away, and women (and men) will continue to have needs specific to their sex."

However, Equality Australia legal director Heather Corkhill said: "Out of a population of more than eight million, just 766 people have updated their birth certificate – an incredibly small number that represents years of pent-up demand and the deep personal importance of this reform."

"The fact that hundreds of people acted when the law changed shows how long they've waited simply to be recognised as who they are," she said.

"People don't change their gender on a whim; it involves up-ending their whole lives."

A NSW Government spokesman said: "You shouldn't need to undertake irreversible surgery just to change a government document."

"This legislation has brought NSW in line with the rest of the country," he said.

"No prisoner has applied to change their recorded gender on official documentation.

"The legislation makes clear that nothing changes with the management of transgender people in custody."