



Wednesday, 29 January 2025

The Honourable Guy Barnett LLM  
Deputy Premier  
Treasurer  
Attorney General  
Minister for Justice  
House of Assembly, Parliament House, Hobart. 7000  
Email: [guy.barnett@parliament.tas.gov.au](mailto:guy.barnett@parliament.tas.gov.au)

Dear Minister Guy Barnett,

Re: Questions concerning the collection of data for statistical purposes with regard to rape cases

We are writing to you to raise a serious issue concerning the recent rape case reported in The Advocate on 28 January 2025 in relation to legal protections for those claiming a gender identity and how this is skewing rape statistics.

<https://www.theadvocate.com.au/story/8877500/north-west-offender-jailed-for-rape-despite-dissociation/>

The case involves the conviction for rape of a person (name withheld) who claims the gender identity of non-binary and the victim who also claims the gender identity of non binary.

Our concerns relate to questions concerning the collection of data for statistical purposes with regard to rape cases.

This issue has been a major concern in other jurisdictions as can be seen from this submission to a UK parliamentary Committee.

<https://committees.parliament.uk/writtenevidence/18973/pdf/>



This report found that " 'male-to-females . . . retained a male pattern regarding criminality. The same was true regarding violent crime.'

and

'Here is the number compared with figures for sex offending rates in men and women over the same period.

Comparisons of official MOJ statistics from March / April 2019 (most recent official count of transgender prisoners):

76 sex offenders out of 129 transwomen = 58.9%

125 sex offenders out of 3812 women in prison = 3.3%

13234 sex offenders out of 78781 men in prison = 16.8

In December 2024 a report in The Telegraph quoted Ministry of Justice data: Out of the 245 trans women inmates, who are legally recognised as male, a total of 151, or 62 per cent, had committed at least one sexual offence.

<https://www.telegraph.co.uk/news/2024/12/31/almost-two-thirds-of-trans-women-prisoners-sex-offenders/>

Our questions to you regard persons claiming to have one of up to 72 genders, allegedly, and being convicted or rape of a woman, man or any person who may claim to be one of 72 gender identities and victims who may claim to have one of 72 gender identities:

[https://www.medicinenet.com/what\\_are\\_the\\_72\\_other\\_genders/article.htm](https://www.medicinenet.com/what_are_the_72_other_genders/article.htm)

1. How are gender identity laws affecting the collection of rape data compiled by the Department of Justice and Tasmania Police?
2. Will rape and victim data now include not only male and female categories but potentially up to 72 gender identities?
3. If 72 gender identities are potentially added to rape statistics will this not hide data on what is now recognised as male pattern violence against women?
4. If 72 gender identities are potentially added to statistics on victims of rape will this also hide the number of females being raped?



We look forward to your response to our questions.

Kind Regards,

A handwritten signature in black ink, appearing to read 'Elizabeth Caballero Pastor'.

Dr. Elizabeth Caballero Pastor (Retired GP)

Women Speak Tasmania