

**From:** [Scottish Lesbians](#)  
**To:** [Legal Mailbox](#)  
**Subject:** Re: Temporary Exemption - Preliminary View [SEC=OFFICIAL:Sensitive]  
**Date:** Monday, 2 October 2023 11:16:56 PM

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You don't often get email from [scottishlesbians@gmail.com](mailto:scottishlesbians@gmail.com). [Learn why this is important](#)

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Good morning,

We note your preliminary view regarding the Lesbian Action Group's request for a temporary exemption to the Sex Discrimination Act 1984.

We believe that your decision to decline the exemption rests on inaccurate and harmful definitions and beliefs. Lesbianism is a sexual orientation; it is based on sex, not gender identity. Lesbians are females who are exclusively same-sex attracted. Your decision appears to be based on the fundamental misunderstanding that males can be counted as lesbians. This is incorrect and leads directly to discrimination against lesbians.

As lesbians, a sexual minority group, we typically face a variety of pressures, challenges and intolerance. This can come from friends and family, from institutions including workplaces and healthcare providers, and from a cultural context in which lesbianism is all too often portrayed in pornographic terms for a male audience. Discrimination against lesbians is increasingly compounded by legal barriers making it difficult for us even to meet as lesbians.

It is our belief that we are in a very dark period for the lives, rights and wellbeing of lesbians. Due to decisions such as your preliminary view, we are now faced with a choice between having lesbian spaces in name only (which are not lesbian spaces at all, due to the inclusion of males), or meeting in secret.

We have no doubt that in future, this period will be remembered as a time of huge intolerance and risk for lesbians. We would urge you to reconsider your preliminary decision. Australia is an open-minded and progressive country in which there must be provision for same-sex attracted women to meet.

Best wishes,  
Lorraine Douglas and Jenny Willmott  
on behalf of Scottish Lesbians

On Mon, 25 Sept 2023 at 07:44, Legal Mailbox <[legal@humanrights.gov.au](mailto:legal@humanrights.gov.au)> wrote:

Good afternoon,

Thank you for your submission to the Australian Human Rights Commission regarding the application made on behalf of the members of the Lesbian Action Group for a temporary exemption under s 44(1) of the *Sex Discrimination Act 1984* (Cth).

I am writing to inform you that the Commission has issued its preliminary view in relation to the application. The preliminary view can be accessed on the [Commission's website](#).

If you would like to respond to the Commission's preliminary view, the closing date for submissions in response to the preliminary view is **Tuesday, 3 October 2023**.

Please send any submission by the closing date to [legal@humanrights.gov.au](mailto:legal@humanrights.gov.au).

Kind regards,

**Peter**

Paralegal & Legal Research Officer

**Australian Human Rights Commission**

GPO Box 5218, Sydney NSW 2001

T +61 2 9284 9617

W [www.humanrights.gov.au](http://www.humanrights.gov.au)

**Human rights: everyone, everywhere, everyday**

We acknowledge the traditional custodians of this land, the Gadigal peoples of the Eora Nation, and pay our respects to their Elders, past, present and future.

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