

Submission supporting an application by the Lesbian Action Group for an exemption Under the Sex Discrimination Act 1984.

To: legal@humanrights.gov.au

We write in support of the application by the Lesbian Action Group (LAG) for a 5 year exemption to hold lesbian, female only, events in Victoria.

We understand that the AHRC has provided a preliminary view in which you have indicated that you will not grant the temporary exemption.

We find it difficult to comprehend that in 2023 lesbians must seek permission to hold lesbian only events. In 2017 Australia voted on same sex marriage and overwhelmingly this was supported by the majority of Australians but in 2023 lesbians must seek permission from the government to hold lesbian, female only, events. How has society come to this when lesbian women are being compelled to allow men into their spaces? A lesbian according to the Oxford dictionary is a woman who is sexually or romantically attracted exclusively to other women. Lesbians are only attracted to other biological women; they are not attracted to men who identify as women. Identity does not equal biology.

But unfortunately we are being compelled to believe that a man who claims to be a woman, but is attracted only to women, is a lesbian. And then if a lesbian is not attracted to a fully intact male who calls himself a lesbian they are called a genital racist or accused of having a genital fetish.

A man who claims to be a woman but is only attracted to women is a heterosexual man, if this man expects to have a sexual relationship with a lesbian and he is fully intact then he is expecting to have heterosexual sex. Does this make any sense to any rationally thinking person that this man could be a lesbian? If a man is attracted to women he is not a lesbian and therefore is not entitled to go to lesbian only events. Lesbians are not attracted to male bodies, the concept is not difficult to understand.

On your own website you note that "Human rights recognise the inherent value of each person, regardless of background, where we live, what we look like, what we think or what we believe." Your preliminary view of this exemption says the exact opposite. You are not respecting the rights of any lesbian, their right of association, their rights to choose partners, the right to who they have in their dating pool.

The rights of lesbians are non-existent when you are forcing lesbians to have men at their events when they simply want to gather with their own community, female-bodied lesbians. You are not allowing lesbian events if you lawfully insist that men must be there. The insistence of having men in attendance is about oppression of women; these men know that lesbians are not same-gender attracted and they are not happy about lesbians not accepting them as romantic partners. In fact, they are angry that lesbians don't accept same-gender attraction.

Knowing that then why do men want to attend? It is malicious and vexatious for any man to insist they be accepted as a lesbian into lesbian spaces and events. What sort of gathering could it be when you are being legally compelled to have men there when they are by definition, not welcome. It is a disastrous combination with potentially dangerous consequences for lesbians, it will make it an unsafe environment and the safety of lesbians must be paramount in the AHRC decision. The trans community often call for violence against 'terfs', trans-exclusionary radical feminists, and they classify lesbians who do not accept same-gender attraction as 'terfs'. By having men from the trans community at lesbian events, you are welcoming violence, violence against women.

Lesbians have always experienced sexual harassment by men and to avoid this harassment, they choose to gather with other women, their community. What about relevant unlawful conduct, it applies to the workplace but not in social settings? Why is this the case? Shouldn't 'relevant unlawful conduct' be one of the major concerns in this case, what about the positive duty that you talk about on your website?

Lesbians want to gather in safety. It is no secret that the TIQA+ community do not believe in same-sex attraction, they believe that one can only be born in the wrong body. It is also no secret about the hostility shown towards lesbians and gay men from the trans community for not relinquishing to their ideology because they know that they are same-sex attracted. You cannot force anyone to be romantically attracted to a body they are not attracted to....this is government-sanctioned 'coercive rape' when you are telling lesbians that men can be lesbians and that lesbians must accept this new category of lesbians, men, into their community and into their dating pool.

Your website also claims that "human rights are based on principles of dignity, equality and mutual respect which are shared across cultures, religions and philosophies. They are about being treated fairly, treating others and having the ability to make genuine choices in our daily lives." Sorry but you are not living up to your own Charter; what it shows is discrimination, a refusal of this exemption is one based on discrimination against women.

If you are going to deny this exemption, then the government needs to compromise and put some safeguards in place. At the expense of the government's security needs

to be provided so that when a 'male lesbian' is not behaving in accordance with relevant lawful conduct they can be removed by security. Fundamentally men, regardless of how they identify, should not be imposing themselves on to lesbian women when they want to gather as a community. You are asking lesbians to risk their safety to satisfy the wants of men who no longer identify with their biology. You expect these women to expose themselves to potential danger. The government should provide some guarantees, a guarantee that they can gather safely because of being compelled to have men at their event. We however, do not agree under any circumstances that men should attend lesbian events, it is a recipe for disaster and it won't be violence and aggression coming from the women, it will be men frustrated and angry that lesbians will not consider them as partners.

We would like to add that lesbian events aren't open to heterosexual women either and you won't find one heterosexual woman complaining about that, that is because we believe lesbians have the right to gather exclusively with other lesbians. We believe in freedom of association.

Who would have thought that in 2023 that the Australian government would have become an authoritarian regime, insisting that lesbians allow men claiming to be lesbians into their lesbian only events. Not only that but to make it actually unlawful not to include men; it is insanity.

To deny the exemption sought by the Lesbian Action Group would be a travesty and would show that there are no human rights in Australia, only men's rights.

We are asking that you reconsider your preliminary view and acknowledge that by insisting that men be part of lesbian only events that it is not just unfair but discriminatory and taking away the human of lesbians, their freedom of association.

Your support for granting the Lesbian Action Groups exemption would show fairness, acknowledgement that they need to gather safely and a respect for lesbians to gather in accordance with freedom of association.

Sincerely,

Sue Clarke and Leah Whiston
On Behalf of
Woman Up Queensland
3 October 2023