



## **Feminist Legal Clinic Inc.**

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Tuesday 28 July 2020

Dear Kirsten

### **Re: Feminist Legal Clinic Accommodation Grants Program tenancy**

I refer to your letter received Friday 24 July 2020 in which you advise that Feminist Legal Clinic Inc. has received a “B” rating in the 2020 Accommodation Grants Program Annual Review.

As I noted at our meeting on Thursday 23 July 2020, I am very disappointed that we were given no notice of this downgrading of our rating until after members of Council were advised of it. We therefore had no opportunity to dispute the alleged breach of Condition 5 of the General Performance Criteria. We feel our reputation has already been seriously harmed by being singled out in your report to Council and ask that you restore our A rating and discuss with us what further steps can be taken to repair our reputation with Council.

We maintain that our service is inclusive and free of discrimination to the extent to which that is practicable for a service that caters specifically to women. In confining our membership to women we rely on [section 36](#) and [section 39](#) of the *Sex Discrimination Act* (Cwlth) and [section 55](#) and [section 57](#) of *Anti-Discrimination Act* (NSW) which provide exemptions for charities and voluntary bodies. We also regard our service as a special measure as envisaged by [section 7D](#) of the *Sex Discrimination Act* and [Article 4 of CEDAW](#).

The material on our website is posted for purposes in the public interest, which includes facilitating discussion and debate about the impact of trans activism on the human rights of women and children. Our website consists of a news digest blog on which we post extracts from articles already published elsewhere on a broad range of topics of feminist interest. We also provide links to our submissions, articles and projects and a specific page relating to the international Declaration on Women's Sex-Based Rights, for which we have been appointed the Australian country contact. This page includes links to other gender critical web sites and resources, including a list of links to "trans perspectives". I suggest that if you explore these links you will discover that our concern with protecting women's sex-based rights is shared by many transgender people.

We firmly refute the suggestion that our paper entitled '*Impacts of Transactivism on the Human Rights of Women and Girls*' uses inflammatory language or conflates transgenderism with child abuse, rape and paedophilia as you allege. This paper was co-authored several years ago with a senior legal academic and great care was taken with the language. We also note that the other two examples you cite are drawn from our News Digest blog and consist of extracts from articles authored by others and originally published elsewhere and do not necessarily represent the views of Feminist Legal Clinic Inc.

In any case, material that is critical of aggressive trans activism, should not be considered as casting aspersions on transgender people generally. As we have pointed out above, there are increasing numbers of transgender people who share our concerns about the negative impact of trans activism on women's sex-based rights and the welfare of children. At no point does Feminist Legal Clinic Inc. make negative generalisations about all transgender people. Our service is supportive of gender non-conforming behaviour and strongly opposes disrespectful and cruel treatment of others. However, are we to be prevented from commenting on the criminality of a few men because it might generate negative attitudes towards men more generally?

I have shared your letter with our management, members and supporters. They have responded by expressing overwhelming support for our work protecting women's sex-based rights. Therefore, the ultimatum you have given places us in the difficult position of having to choose between retaining our accommodation or retaining our support within the community. We would therefore ask that you reconsider your approach which is likely to silence and marginalise radical feminist voices, including many within the lesbian community. This would contribute to the inhibition of human rights far more than anything our service has ever posted on our website.

We look forward to receiving notice that you have restored our A rating and what steps you propose to take to repair our reputation with Council.

Yours faithfully



Anna Kerr  
Principal Solicitor