

Lord Mayor Clover Moore
City of Sydney

30 August 2020


Dear Lord Mayor and Councillors,

It has come to our attention that the City of Sydney has warned the Feminist Legal Clinic that unless the clinic sever links to the Declaration on Women's Sex-Based Rights, their grant of accommodation at one of the City's premises will be terminated.

We are completely perplexed by this action of the City of Sydney. The Declaration on Women's Sex-Based Rights is simply a confirmation that the 52% of people in the world who are women – many of whom live in Sydney – are a sex-based class that has a right to exist and live our lives free from violence and attacks on our existence. The Declaration asks nothing more than to re-affirm women's autonomy, including protecting single-sex spaces for female victims of male violence in shelters and prisons. The Declaration has been signed by over 12,000 people in 19 countries so far, including 240 organisations. It restates the goal of CEDAW, which Australia has ratified along with all but six UN member states: the Elimination of All Forms of Discrimination Against Women.

We have read the yearly reports of the Feminist Legal Clinic and personally know Anna Kerr, the Principal Solicitor at the clinic, as well as the women on the FLC executive committee. On this basis, we strongly believe that this organisation is helping many disenfranchised women with a myriad of legal problems including the plague of domestic and sexual violence. Surely, in this time of Covid-19, when it is crystal clear that women suffer most in terms of job losses and increased stress due to multitasking and increased violence at home, such efforts should be congratulated and supported, not penalised?


We have also heard that another criticism of the Feminist Legal Clinic is that it is discriminatory to transpersons. We would argue that the FLC targets its services to women, just as other organisations and groups target their services and benefits. Accordingly, an organisation or service for women is not discriminatory because it addresses sex-based disadvantage, just as an organisation or service for gay men is not discriminatory. The achievement of substantive equality in our society *requires* measures and services addressing the distinctive biological, social and historical realities of the collective sex-class of natal women. The legal and cultural rule of non-discrimination is one of ameliorating disadvantage which is the basis of service provision.



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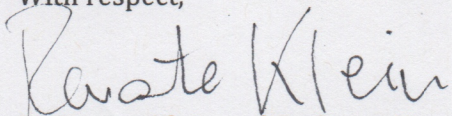
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In this context, we would point out that any transperson living in Sydney (or elsewhere) of course has human rights, including the right to live free of harassment and violence. The Gender Centre Inc. is targeted specifically at the needs of transpersons in this respect, and enjoys support from the NSW Council of Social Services, Sydney Transgender + Diversity Counselling and from the World Professional Association for Transgender Health (WPATH: (<https://www.google.com/search?client=safari&rls=en&q=The+Gender+Centre+Inc&ie=UTF-8&oe=UTF-8>). Given that such a precisely targeted organisation for trans and binary persons already exists and is much better supported financially than any women's organisation will ever be, we do not understand why the City of Sydney wants to make it so much harder for the Feminist Legal Clinic that is run on a shoestring budget to provide critical services for women, by forcing them to vacate City of Sydney premises. We believe that this amounts to sex discrimination and bullying. Indeed, it will deprive women who need women-only services - including Indigenous women, women from Muslim backgrounds, women with disabilities and lesbians - of services that cater specifically to their needs,

We have tried to keep our letter brief as we know how busy and under stress all of us are at this difficult time. In sum, we urge you to reconsider this punitive treatment of the Feminist Legal Clinic announced by the Manager of Social Programs and Services, City Life. We further urge you to read the Declaration on Women's Sex-Based Rights and join the many thousands of people around the world who are proud signers of this positive document (<http://womensdeclaration.com>), which is guided by considerations of upholding the equal dignity of women.

Sydney has an amazing global reputation as a city of diversity, tolerance and free speech. As long-time supporters of Sydney's Mardi Gras, and lesbians ourselves, we urge you to uphold the City's great reputation and to retract this action against the FLC, based as it is on groundless claims about the Centre.

With respect,



Dr Renate Klein and Dr Susan Hawthorne
Publishers, Spinifex Press

