

To whom it may concern,

I am writing to you as the Coordinator of Vixen, Victoria's only peer sex worker organisation, 100% by sex workers for sex workers.

In addition to a proud 15+ year history of active engagement in State and Federal law reform and advocacy environments, Vixen facilitates a robust outreach project that encompasses diverse and intersectional sex worker communities, working across all sex industry workspaces.

As the only sex worker organisation recognised by Scarlet Alliance and other national peak bodies as a representative voice for Victorian sex workers, Vixen is extremely well placed to identify the myriad impacts of trans-exclusionary policies on sex workers who identify as Trans and Gender Diverse.

Subsequently, I would like to raise concerns regarding the recent application for a 5 year exemption from the Sex Discrimination Act (the Act) made by the Lesbian Action Group (LAG), with the support of the LGB Alliance Australia (LGBAA). If successful, this exemption would embolden transphobes and allow harmful conduct that undermines the objects of the Act. Vixen strongly recommends that this application be rejected by the Commission.

Vixen posits that LAG and LGBAA are using 'lesbian rights' as a cover for a sexist, queerphobic and transphobic agenda. The LAG/ LGBAA claims of lesbian erasure by the trans community are transphobic dog whistles. The positioning of trans women as uniquely threatening to cis women lesbians is lesbophobic and obscures the reality that 'It is disproportionately cis people (both women and men) who are dangerous to, and perpetrators of violence against, trans women, not the other way around' ([Pearce, Erikainen et al, 2020](#)).

In 2021, LGBAA made an application to the Tasmanian Anti-Discrimination Commissioner for an exemption to hold single-sex events. Commissioner Bolt rejected the application, [stating that](#) an exemption 'would open up the possibility for LGB Alliance to seek to confirm a person's biological sex. I do not see how this can be done without intrusive questioning and completely undermining a person's right to privacy.' Bolt added that doing so would be 'offensive, humiliating, intimidating, insulting and ridiculing' and amount to 'sexual harassment'.



The applicants and their supporters are not representative of the overwhelming majority of lesbians, who gather regularly and openly in Victoria at LGBTQIA+ inclusive venues such as

“lezbo queer bar” [Flippy’s](#) and “Melbourne’s premier lesbian, trans, non-binary, neurodivergent bar”, [Beans Bar](#). The 2023 [Positive Futures](#) report from Just Like Us found that:

‘Lesbians are the most likely of the whole LGBTQ+ community to be supportive of trans people. Lesbians are the most likely to say they know a trans person (92%), and also the most likely to say they are “supportive” or “very supportive” of trans people (96%).’

- [Amy Ashenden, ‘Lesbians being anti-trans is a lesbophobic trope’, *Gay Times*, March 2023](#)

This exemption application has nothing to do with lesbian rights and everything to do with denying the existence and rights of trans and gender diverse people. If successful, the exemption would fan the flames of the [increasingly violent anti-trans panic](#) and create a precedent for further incursions on LGBTQIA+ rights. Vixen urges the Commissioner to reject the exemption application made by LAG and LGBAA as it would undermine the rights of LGBTQIA+ people and the objects of the Sex Discrimination Act.

Thank you for your consideration.

Regards,



Nicoletta Estella

Coordinator, Vixen