

From: Moira Deeming
Sent: Saturday, 23 April 2022 7:51 PM
To: [REDACTED]
Subject: info

Council or Moira Deeming Melton City Council

Summary of events in seeking an answer to whether or not sex based rights (in particular women's rights) are able to be given precedence over gender identity rights under any circumstances in Victoria. The question is currently in the hands of the Governor of Victoria (highest office in the State)

- 1 Scenario Victorian Government and the various representatives claim that women's rights still exist in Victoria (because sex is listed along with gender identity in the law)
- 2 I have spent my first year and a half as a Councilor trying to verify whether that is true or not. *That saga is worth an in-depth expose' in & of itself* asked
 - City of Melton officers & legal advisors
 - Every single local Government Council in Victoria
 - [REDACTED] Victoria's Gender Equality Act Commissioner
 - [REDACTED] Victoria's LGBTQ+ communities Commissioner
 - [REDACTED] Victorian Equality Opportunity & Human Rights Commissioner's Senior Engagement Adviser (Change and Suppression Practices)
 - Three private lawyers one who specialised in Human Rights law
 - I also asked via Council for a briefing with [REDACTED] the Victorian Human Rights Commissioner who refused-outright-to *ever attend* or answer
- 3 In short State Government representatives affirmed numerous times that *in principle* gender identity *automatically* took precedence over biological sex. But they also denied that sex-based rights had been erased because sex is 'listed' as a protected attribute in various Victorian and Federal laws. I asked how Council was to determine which human right took precedence in applying positive discrimination in any given situation and was told to ask [REDACTED] (who refused to answer as explained above). However at a separate training briefing about Human Rights I asked the question (in general terms without using the terms sex or gender identity) and was informed that we were to apply a test of 'relevance'. I replied that in that case when making policies for toilets, changerooms and other single sex services like maternal health, sex should be treated as the most relevant human right because 'gender identities' are not biological and those services are targeted at biological sex and sex characteristics (like pregnancy). Rather than answer me [REDACTED] ended the meeting abruptly & promised to come back to answer my questions at a later date. However that meeting has never materialised even upon request. Earlier I had also raised the issue of religion vs gender identity with the Gender and LGBTQ+ Commissioners (those responses- of which hold irrefutable evidence- are totally scandalous and deserve prime time airing)
- 4 Ultimately I have been forced to escalate my demand for *public* answers as the way up to the Governor of Victoria (who has yet to answer) did this via the following Notice of Motion which is significant because the answer will either restate sex based rights across Victoria (as EVERYONE would immediately follow suit) or will have undeniable proof that the Victorian government has COMPLETELY erased women's rights in this State. Obviously I hope that in this way will actually succeed in triggering the total resurrection of sex based rights if not will raise awareness of what the Government has done and & campaign to change it. But- need them to actually answer the question- and they are avoiding doing so which is a HUGE scandal!

City of Melton Council Meeting 7th March 2022 (Time stamp 1:40:54 watch [here](#))

NOTICE OF MOTION 801- Proposed by Cr Moira Deeming seconded by [REDACTED]

That Council officers in consultation with the Victorian Government Solicitor's Office (VGSO), prepare a report clarifying whether it is lawful to apply the "special measures" or "general exceptions" provisions under Victorian anti-discrimination laws to ensure biological females are not the subject of indirect discrimination that occurs from failure to differentiate between biological males and females where sex characteristics are relevant (such as in the provision of toilets, changerooms etc) and where failure to differentiate places biological females at a disadvantage. That this report, being urgently necessary, be provided to Councillors as soon as possible.

Passed 7-2

Councilors who voted in favour of the motion

- [REDACTED]
- [REDACTED]



Councilors who voted against the motion

- [Redacted]

Councilors who abstained

- [Redacted]

Cr Moira Deeming

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