

Lesbian Persistence

lesbianpersistence@gmail.com

13 March 2025

Catherine Murphy,
Engender

by email to catherine.murphy@engender.org.uk

Dear Catherine

Lesbian associations

Lesbian Persistence is a Scotland-based organisation working to raise the profile of lesbians socially, culturally and politically, and to build lesbian community.

I attended the Equalities, Human Rights and Civil Justice Committee at Holyrood on Tuesday, when your policy manager Jill Woods was giving evidence. I was very surprised that Jill was unable to tell Pam Gosal whether or not Engender supports the right of associations such as Lesbian Persistence to meet, organise and socialise without the presence of any men regardless of their GRC status. Gill also failed to answer Tess White's later questions about other protected characteristics, by reiterating that she was there to speak about the PSED, rather than address the very important issues being raised.

For Women Scotland's outstanding court case will answer Pam Gosal's question from a legal perspective. Having been at the Supreme Court hearing, I am hopeful that we will win but, even so, that will not be the end of the matter. If we win, we will have to fight the *de facto* implementation of self-ID that is so widespread in Scotland and that negatively impacts on women's and lesbians' right to our own spaces. Alternatively, if we lose, we will have to fight for a change in the law to clarify that "sex" in the Equality Act means *sex*, rather than *sex as modified by a GRC*. In both cases we would welcome Engender's support in protecting lesbians.

Meanwhile, it is incumbent on Engender, a publicly-funded organisation, to be willing to state its views on the rights of lesbians. Supporting the inclusion of men (regardless of how they describe themselves) in women's and lesbian spaces would actively contradict your claim that you "work to dismantle structural sexism to increase women's social, political and economic equality, and enable women's rights". Your website goes on to talk about "intersectional" feminism. Lesbians, of course, sit at the intersection of two PCs, sex and sexual orientation, so we would expect our needs to have some priority in your work.

In our view, it would be a fundamental mistake to say that the PCs are irrelevant to the question of the effectiveness of the PSED or any proposed reforms to that duty. On the contrary, the PCs are at the very heart of the PSED. We submitted a response to the Committee which partly focused on the requirement for listed authorities to promote good

relations between people with different PCs. One of our concerns is that it is literally impossible for authorities to promote good relations with women with the protected characteristic of sexual orientation (ie lesbians, who, by definition, are same-sex attracted females) if those authorities will not acknowledge who is or is not a lesbian.

I'd like to ask you to clarify your understanding of the term *lesbian* and to let us know whether or not you support our right to meet independently of men, regardless of their GRC status.

I should also like to take this opportunity invite you to meet with us to discuss ways in which Engender might be able to support lesbians in your wider work. We would welcome the opportunity to work with you.

Best wishes

A handwritten signature in black ink, appearing to read 'Sally Wainwright', with a small flourish at the end.

Sally Wainwright

cc. Pam Gosal MSP, Tess White MSP