

Abolition of Lesbian Spaces

FACT SHEET

What happened?

For the past 20 years, lesbians **HAVE NOT** been able to legally, publicly congregate in single-sex spaces. This is due to changes in the Sex Discrimination Act which no longer defines the term “sex” or man or woman.

From the 1970s to the early 1990s, there were thriving lesbian scenes around Australia. There were regular and numerous lesbian-only events including dances, discos, balls, pool nights, sauna nights, bars, sports teams etc. These have now all disappeared and dominant rainbow organisations in line with changes to Human Rights Law have been actively supporting these exclusions.

What’s the impact?

Under revised laws both federally and state (Vic, QLD, WA, TAS) it is illegal for us to publicise and hold lesbian-only events. The revised laws allow males to attend lesbian events in effect giving precedence to men’s rights over women’s rights. We are forced to meet in mixed-sex spaces or secretly in closed, private networks.

This is also true in the virtual world, where lesbian dating sites are frequently and consistently populated by males seeking to have their gender identity validated by lesbians. Any attempts to maintain female boundaries has been met with punitive and egregious legal challenges by aggrieved males.

Women who are just coming out and younger lesbians, looking for lesbian community cannot find it. There are serious risks for lesbians who can’t find their community. This can lead to a sense of isolation, mental health impacts and confusion.

Attempts to request safe spaces denied

Lesbians now have to apply to the Australian Human Rights Commission for a single-sex exemption in order to hold single-sex events.

To date, these have all been refused by the AHRC. The AHRC has ruled that any attempts to exclude males from women-only spaces, is discriminatory based on males’ who self-identify as women. This is the direct result of sex being removed from the Sex Discrimination Act and replaced with gender.

History of lesbian exemptions in Australia

This timeline demonstrates the impact of the revised Sex Discrimination Act on lesbians. Not one lesbian exemption has been approved and yet there are many trans only events.

2017: A lesbian group asked for a women’s room in the new Victorian Pride Centre. This was deemed to be transphobic and was refused despite trans-only organisations being supported at the centre.

2022: Jessica Hoyle, applied for an exemption to hold a single-sex event in Launceston which was refused by TasCAT initially and later on appeal. and yet in 2020: Hobart City Council granted an exemption to employ a female artist for their Urban Wall 2021 project and in 2019: Cooper Screen Academy in Tasmania granted a single-sex exemption for female-only acting group.

2023: Lesbian Action Group applied to the AHRC for an exemption to hold a lesbian only celebration at the Victorian Pride Centre for International Lesbian Day. Both the Pride Centre and the AHRC refused. Prior to the Sex Discrimination Act being changed there were already challenges to our rights to single-sex assembly.

FS004

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2003: Sally Goldner, co-founder of Transgender Victoria, took the organisers of Lesbian Festival 2004 to the Equal Opportunity Commission of Victoria for advertising that the festival was for Lesbians Born Female only.

An exemption was granted by the Tribunal, but it was later overturned and faced with the possibility of litigation by the transgender community, the Lesbian Festival 2004 was officially cancelled, and held a private party instead.

2006 – 2009: Sappho's Party, a South Australian lesbian group, were taken to the Sex Discrimination Tribunal by a trans-identifying male because he was refused a ticket to their lesbian-only event. (See *O'Keefe v Sappho's Party Inc [2009] SAEOT 50*)

And yet **2009:** Ascot Vale Leisure Centre, Victoria was granted an exemption to offer women-only swimming sessions to enable Muslim women to participate. See *Ascot Vale Leisure Centre (Anti-Discrimination Exemption) [2009] VCAT 765*

Women's gyms are also granted ongoing single-sex exemptions.

Lost rights for lesbians

Women have fought for decades to have safe public spaces. Similar to other rights women have fought for, this is now being wound back. Women demand the right to have their boundaries and bodily dignity respected and revert to laws where sex is a protected characteristic.

Lesbians are suffering due to the zealous policy and legal changes designed to support 'trans-identified' people. The conflict is with those males who want the right to be treated as though they are women. Lesbians demand the right to male free spaces.

Lesbians are often vilified and called 'transphobic' for requesting women-only spaces. See for example this story from the BBC:
<https://www.bbc.com/news/uk-england-57853385>

Want to learn more?

See also our Fact Sheet *Erosion of Sex as a Protected Characteristic*

Current Australian legal case *Tickle vs Giggle*
<https://www.youtube.com/watch?v=SIF7Ds4JZuc>

Lesbians at Ground Zero report:
<https://www.gettheloutuk.com/attachments/lesbiansatgroundzero.pdf>

Visit LGB Alliance Australia
<https://www.lgballiance.org.au/resources>

FS004