

2018 Sir Ronald Wilson Lecture

The Changing Experience of LGBTQI People with Respect to their Political and Legal Rights in Australia

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Year	Law Reform
1533	Britain passes The Buggery Act outlawing anal sex and bestiality.
1788	The British colonise Australia and import their legal system, including anti-homosexual laws. It's uncertain how various Indigenous nations dealt with LGBT+ individuals prior to colonisation.
1901	Australia federates. State and territory governments adopt variations of the UK's anti-homosexual laws.
1949	Victoria downgrades anal-sex from a crime punishable by death to a crime punishable by 20 years imprisonment.
1968	Homosexual Law Reform Society forms in Canberra.
1970	Campaign Against Moral Persecution (CAMP) forms in Sydney, later forms branches in other states.
1971	Society Five, gay rights group, forms in Melbourne.
1972	SA Police kill a gay academic by throwing him into the Torrens River. This focuses attention in the state on gay rights and police violence. The Advertiser newspaper calls for reform.
1972	SA legislates that it will be a defence to the crime of anal sex if it is committed in private between persons above 21 years of age.
1975	SA decriminalises male acts of homosexuality. The age of consent is equalised.
1975	Police raid the home of a Victorian gay couple and interrogate them. They are charged with committing homosexual acts and deported to South Australia.
1976	ACT decriminalises male acts of homosexuality
1976/77	Police in Victoria arrest more than 100 men for homosexuality over in a summer law enforcement campaign, which includes sending police to pose as homosexuals to entrap offenders.
1978	Police in Sydney arrest 53 people at the first Gay and Lesbian Mardi Gras Parade.
1980/81	Victoria decriminalises male acts of homosexuality. A common age of consent is set at 18 years of age.

1982	NSW becomes the first state in Australia to pass laws prohibiting discrimination against homosexuals. However, male acts of homosexuality remain illegal for another two years.
1982	Australia sees its first reported case of HIV/AIDS; decriminalisation takes on a public health focus.
1983	NT decriminalises male acts of homosexuality. The homosexual age of consent is set at 18 while the heterosexual age remains 16.
1984	NSW decriminalises male acts of homosexuality. The homosexual age of consent is set at 18 while the heterosexual age remains 16.
1985	Queensland passes legislation banning bars from serving alcohol to "perverts, deviants, child molesters and drug users," a group likely intended to include homosexuals.
1985	ACT equalises ages of homosexual and heterosexual ages of consent.
1990	WA decriminalises male acts of homosexuality. The age of consent is 21 for homosexuals and 16 for heterosexuals. It becomes an offence to "promote or encourage" homosexual behaviour or any primary or secondary school.
1990	Sodomy decriminalised in Queensland, age of consent remains at 18 (16 for oral and vaginal intercourse).
1992	The gay panic defence succeeds in downgrading a murder charge to manslaughter, believed to be the first case of its kind in Australia. It's followed by more than 10 similar cases in NSW alone over the next few years.
1992	The Keating Labor government removes the ban on same-sex attracted men and women serving in the military, despite opposition from defence groups, the Liberal Party and Keating's own Defence Minister.
1994	Nicholas Toonen complains to the United Nations Human Rights Committee that Australia's remaining anti-sodomy laws and, by extension, differing ages of consent, are a breach of the International Covenant on Civil and Political Rights. He loses his job after the Tasmanian government says that unless he is fired from the Tasmanian AIDS Council, they will withdraw funding. The Committee finds that Australia is in breach of its treaty obligations.
1994	The Keating Labor government passes the Human Rights (Sexual Conduct) Act to over-ride all state and territory legislation pertaining to sexual conduct for consenting adults above the age of 18.
1997	Tasmania formally decriminalises homosexuality. Ages of consent are equal at 17 years of age. Some defences remain available for intercourse at a

	younger age, but do not apply in cases of anal sex.
1997	The gay panic defence is upheld by the High Court of Australia.
2003	NSW formally equalises the age of consent at 16 years of age.
2003	The United Nations Human Rights Committee finds Australia in breach of the International Covenant on Civil and Political Rights for denying a veteran's pension to same-sex spouse.
2003	Tasmania abolishes the gay panic defence.
2004	The Northern Territory equalises ages of consent to 16.
2004	ACT legislates to allow same-sex couples to adopt.
2004	ACT abolishes the gay panic defence.
2004	The Howard Liberal government amends the Marriage Act to explicitly exclude same-sex couples from marriage. Marriage is defined as the "union of a man and a woman to the exclusion of all others, voluntarily entered into for life."
2005	Victoria abolishes the gay panic defence.
2005	The Australian Defence Force extends equal benefits to same-sex families.
2006	The Northern Territory abolishes the gay panic defence
2007	The Howard Liberal government announces plans to ban same-sex adoption nationwide. This never eventuates due to Labor's election victory.
2008	Western Australia abolishes the gay panic defence.
2009	The Rudd Labor government passes legislation to remove discrimination against same-sex couples from 85 federal laws relating to areas such as tax, veterans affairs, social security and health.
2010	NSW legislates to allow same sex couples to adopt.
2011	The Gillard Labor government passes passport legislation allowing for an 'x' gender option, and the ability for transgender people to select their gender without medical intervention.
2012	The Gillard Labor government announces it will begin providing 'Certificates of No Impediment to Marriage' to same-sex couples. The certificates are sometimes required by other governments to confirm that individuals seeking to marry in their country are not already married in another country. The government previously refused to issue these certificates to same-sex couples, effectively preventing dual citizens or citizens with foreign partners

	from getting married overseas.
2013	Tasmania legislates to allow same-sex couples to adopt.
2013	The Gillard Labor government publishes guidelines which enable intersex people to list their gender as 'x' in their passports. The guidelines also allow transgender people to choose their preferred gender regardless of medical interventions.
2013	The Gillard Labor government legislates an amendment to the Sex Discrimination Act making it unlawful to discriminate against lesbian, gay, bisexual, transgender and intersex people. Religious schools and hospitals are exempted from gender identity and orientation protections, but aged-care providers are not.
2013	ACT passes same-sex marriage legislation.
2013	The High Court quashes ACT's same sex-marriage legislation. Federal legislation prevents states from passing their own laws, the court says.
2013	Transgender Children no longer require Family Court approval to access puberty blockers.
2014	ACT allows transgender individuals to change the sex on their birth certificate without medical intervention.
2015	The Abbott Liberal government commits to national plebiscite on same-sex marriage after a marathon, divisive joint party meeting. It is seen by many as a compromise to bridge division in the party and delay legislative action.
2015	Malcolm Turnbull rolls Tony Abbott for the Prime Ministership. For the first time both the Prime Minister and Opposition Leader, Bill Shorten, personally and publicly support same-sex marriage.
2016	Premier Daniel Andrews of Victoria issues a formal apology for the state's history of anti-gay laws.
2016	NSW Police and the state government apologise for the arrests and beatings at the 1978 Mardi Gras Parade.
2016	Victoria legislates to provide for same-sex adoption, to come into effect in September.
2016	Queensland legalises same-sex adoption.
2016	Queensland equalises age of consent laws for anal sex to 16.
2016	South Australia allows for birth certificates to be altered without gender re-assignment surgery.

2016	South Australia passes legislation to allow same-sex couples to adopt.
2016	Coalition legislation for a national plebiscite on same-sex marriage is blocked in the senate following opposition from Labor and minor parties. Civil rights should not be subjected to a popular vote, supporters say.
2017	Queensland abolishes the gay panic defence as part of a raft of changes to the criminal code.
2017	Same-sex marriage postal survey
2017	Coalition government goes ahead with non-compulsory postal survey through the Australian Bureau of Statistics. On November 15th 2017, results were announced: 61.6 per cent of respondents said 'Yes' to legalising same-sex marriage, while 38.4 per cent said 'No'. 79.5 per cent of Australian voters participated in the survey.
2017	<p>Same-sex marriage officially legal in Australia on 9 December 2017. The minimum notice period is one month, meaning the first legally recognised same-sex wedding could take place on 9 January 2018.</p> <p>Couples who married overseas able to have their marriages recognised as legal.</p>