

High Court closes the door for women

Women's rights and freedom of conscience left without final appeal

The High Court of Australia has refused to hear the final appeal in the landmark *Giggle v Tickle* case, leaving in place a Federal Court ruling that found the exclusion of a transgender woman from a women-only social media platform constituted unlawful discrimination.

The case arose after Giggle for Girls founder **Sall Grover** excluded Roxanne Tickle from the app in 2021. The Federal Court initially awarded Ms Tickle \$10,000, with the Full Court later increasing the damages to \$20,000 and finding the discrimination was direct.

Ms Grover sought special leave to appeal to the High Court, arguing that the case raised fundamental questions about sex, women-only spaces and the operation of the Sex Discrimination Act 1984.

On 10 September, however, the High Court refused special leave and ordered costs against Ms Grover. The Court stated that there was "no reason to doubt" the Full Court's construction of the relevant provisions and that an appeal had insufficient prospects of success to warrant special leave.

For FamilyVoice National Director **Peter Downie**, the decision is deeply

concerning because the High Court has now declined the opportunity to examine the wider implications of the Federal Court's interpretation.

"This is profoundly disappointing. The High Court was presented with

an opportunity to examine a decision with enormous implications for women, freedom of conscience and the meaning of sex in Australian law. Instead, the Court has closed the door

without giving these questions the full consideration they deserve."

The case is significant because the Federal Court's decision has implications extending well beyond one social-media application. The central question is whether women can lawfully establish spaces based on biological sex where there are legitimate reasons for doing so.

"The danger is that this decision leaves Australians with a legal framework in which the rights of women to establish sex-based spaces can be overridden, while those who question that approach may face legal consequences," Mr Downie said.



Free speech concerns

The Federal Government's proposed Digital Duty of Care has raised serious concerns about the potential impact of expanded online safety regulation on freedom of expression.

The exposure draft of the Online Safety Amendment (Digital Duty of Care) Bill 2026 would place sweeping new obligations on social media platforms, search engines, messaging services, AI tools and other online providers to proactively mitigate exposure to "seriously harmful material". Companies could face penalties of up to \$109.2 million for failing to meet their obligations.

While protecting children from genuine online harms is an important objective, concerns have been raised about who ultimately decides what constitutes "seriously harmful" material.

The draft includes material or conduct that "encourages or promotes hostile attitudes towards women or gender equality". It also gives the Communications Minister power to determine additional material or conduct that may cause serious harm.

This broad ministerial power has raised questions about the potential for future governments to expand the categories of prohibited material.

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The cult of death protected in the New South Wales Parliament

A new sex-selection prohibition bill in NSW Parliament was narrowly defeated 16 to 21.

On 16th September, a bill from John Ruddick MLC of the Libertarian Party on 'Sex Selection Prohibition', in response to a Australian-based research in the journal PLOS Global Public Health, was voted down 16 votes to 21 in the NSW upper house.

When such abortions are performed, it is baby girls that are almost always the victims because of a strong preference for baby boys in some migrant communities.

Graeme Mitchell, FamilyVoice Director for NSW & ACT, expressed deep disappointment at the defeat of the Bill, for hopes were high that it would pass. 'There had been some large rallies outside the NSW Parliament in support of the Bill', Mr Mitchell said, 'the most recent and by far the largest being held on Tuesday 15th September, the evening before the Bill was to be voted on in the Legislative Council.'

Mr Mitchell claimed that the defeat of the Bill clearly demonstrates that the majority of the members of the Legislative Council are out-of-touch

with community expectations. He said, "Five female Labor Party members of the Legislative Council voted against the Bill, as did all four of the female Greens members."

Among the Coalition party, he said, "Liberal Deputy Leader Natalie Ward and Nationals MLC and upper house deputy leader Sarah Mitchell, both voted against the Bill, alongside the Animal Justice Party member the Hon. Emma Hurst and female Liberal MLCs Aileen MacDonald and Jacqui Munro."

Mr Mitchell commended the members of the Legislative Council who voted for the Bill. 'Labor Party members deserve special mention', he said, 'because they opposed the abortion of baby girls for no reason other than that they are girls, while the majority of their Labor Party colleagues voted against protecting the lives of such girls in law. The Labor Party members who voted for the



The large crowd in support of the sex selection abortion ban, outside the NSW Parliament on September 15

Bill are the Hon. Greg Donnelly, the Hon. Courtney Houssos and the Hon. Stephen Lawrence.' Mr Mitchell also thanked the Independents who voted for the Bill: the Hon. Mark Latham, the Hon. Rod Roberts and the Hon. Taylor Martin. 'But worthy of the highest commendation,' Mr Mitchell said, 'is the Hon. John Ruddick who introduced the private member's Bill in 2025 and has campaigned tirelessly to have the Bill become law in NSW ever since.'

"The defeat of the Bill is not the end of the war against the culture of death in our nation, but only the first battle," Mr Mitchell concluded. "Instead of death, choose life, as per Deuteronomy 30!"

FamilyVoice equips Victorian voters

Principled representatives gained a chance to be heard at recent forums.

With recent polling placing the Liberals, One Nation and Labor all in the mid-twenties, parties are keen for new supporters alongside their existing base.

In this context, FamilyVoice Victoria team says it focused on equipping Christian voters with clear, comparative information. Working alongside the Australian Christian Lobby and Young Conservatives for Christ, FamilyVoice Victoria Director John Martin (pictured at left) co-hosted three upper house candidate forums, drawing more than 200 attendees across the three events.

Mr Martin described the forums as "a very engaging and productive run," noting that audience



questions covered abortion, Christian freedom, indoctrination in schools, and other issues of concern to families and faith communities. He added that participants "got a good snapshot of the options to vote for in the Upper House come the November 28 election."

He said the upper house is especially important because it can block problematic legislation passed by a majority government in the Lower House. Recent reforms that removed Group Voting Tickets mean minor parties will find it harder to secure the support needed to re-elect conservative

MPs such as Moira Deeming and David Limbrick—making informed voter engagement all the more critical.



The Victorian team prioritised the candidate forums, he added, in order to give principled conservative representatives a fighting chance this election. Beyond the forums, FamilyVoice Victoria has been developing additional resources to help Christians decide how to vote in the Lower House, including candidate interviews, voting records, and policy comparisons.

"In light of the terrorist attack at Bondi, the rising debt, out-of-control crime, even increasing potholes, this will be a make-or-break election for our state," John said. "We must inform voters on who is stripping freedoms away and opposing righteous solutions."

FamilyVoice "Vote Wisely" materials for Victoria are at familyvoice.org.au/elections, providing evidence-based guidance for polling day.

Civics enrichment in schools and churches

FamilyVoice continues its decades-long grassroots reform of civics and citizenship awareness through the delivery of specialised input within faith-based schools, including recently at Seaview Christian College (Port Augusta), Sunrise Christian School (Whyalla) and at Mount Torrens Christian School in the Adelaide Hills.

“Children within various age groups continue to benefit from our civics and citizenship lessons,” said FamilyVoice SA Director and registered teacher David d’Lima. “But our influence recently extended to restoring a custom of flying the flag, and reciting Australia’s Citizenship Pledge,” he said.



David d’Lima in a classroom

“Nothing annoys me more at schools than to see flagpoles without a flag, but we’ve recently persuaded two Christian schools to resume the deployment of flag monitors who will ensure Australia’s Star-Crossed Federal Blue Banner is proudly unfurled each day.”

FamilyVoice is also committed to restoring the tradition of reciting the Australian Citizenship Pledge during assemblies.

“Most Australians are completely ignorant of our national pledge, and fewer still have memorised and can recite its wording,” David d’Lima said.

“No law prevents schools from reviving this custom which slipped unfortunately from our national psyche during the 1970s and 1980s, and a restoration of this practice is long overdue.”

FamilyVoice believes that in addition to petitioning parliament and challenging the mistaken policies of civic

authorities, it is necessary to reform the next generation of leaders who are in school today.

“For several years the nation has forgotten to train young people in our national Christian narrative, and we’ve failed to harness the flag and the pledge to reinforce the basis of social cohesion,” David d’Lima said.

Additionally, in church services held around Citizenship Day (each 17th

September) FamilyVoice has encouraged a restoration of the custom of presenting Scripture during citizenship ceremonies.

“My parents both received New Testaments from Whyalla City Council when our family became citizens in 1975 and there is no reason why churches could not take up that abandoned tradition and offer copies of Scripture to new citizens,” he said.

“The Apostle Paul who said ‘our citizenship is in heaven’ also spoke proudly as ‘a citizen of no ordinary city’ (Tarsus) and he utilised his Roman citizenship rights and privileges on four occasions recorded in the Book of Acts.

“It’s time for our churches and Christian schools to restore a theology of good citizenship as a very important means of sharing the gospel and reviving and reforming the culture.”

WA Christian schools threat

Christian schools in Western Australia are warning that proposed changes to the Equal Opportunity Act could undermine the freedom to be distinctly Christian.

Attorney General Tony Buti has signalled that major amendments to discrimination provisions could be introduced before the end of 2026. FamilyVoice understands the bill may mirror the “inherent requirement” staffing test that exists in Victoria.

FamilyVoice WA Director Darryl Budge warned this could force schools to defend their religious character role by role, with external tribunals ultimately deciding whether a mathematics teacher, coach or administrator was sufficiently “religious”.

He said that the position of peak body Christian Schools Australia is that “schools rely on a distinctive foundation of faith to provide a holistic community for students” and families deliberately choose schools

where their home’s faith is reflected in the conduct and example of teachers, counsellors, administrators and gardeners.

Mr Budge said he is meeting with advocates at Christian Schools Australia, Maryka Groenewald MLC and her staff, Liberal party upper house leader Nick Goiran MLC and the Attorney General to establish common understanding on the needs of Christian schools.

Mr Budge said parents should retain the first say in their children’s religious and moral education. He urged Western Australian families to contact their Members of the Legislative Council and share why they support keeping distinctly Christ-following staff at Christian schools.



*Darryl Budge and Dr Rachel Carling,
Policy Director for Christian Schools
Australia*

Free speech concerns on new bill

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FamilyVoice Queensland State Director Andrew McColl warned that the enormous penalties could encourage online platforms to err on the side of censorship.

"It is truly concerning that this sort of incursion into free speech can even be suggested. It creates powerful incentives for over-compliance."

Mr McColl said platforms facing potentially enormous penalties could choose to suppress lawful but controversial material rather than risk regulatory action.

"Faced with potential civil penalties running into tens of millions of dollars, companies are simply going to err on the side of caution by removing or suppressing borderline but lawful speech."

The proposed framework comes amid growing public debate over issues including gender, family, faith and public policy. Content expressing traditional Christian convictions could potentially face greater scrutiny if platforms believe it falls within broadly defined categories of harmful material.

The Government says the reforms are intended to create a safer online environment and give Australians greater protection from serious online harms. The proposal would



"Today we're concentrating on the impact on children, the truth is this is having an impact on our entire society and how it functions with **misinformation, disinformation.**"

- Anthony Albanese at the UN (22/09/2026)

also require platforms to take greater responsibility for risks associated with algorithmically recommended content.

FamilyVoice believes genuine protection of children should not come at the expense of fundamental freedoms.

The consultation process provides an important opportunity for Australians to consider whether the proposed safeguards adequately protect lawful political, religious and cultural expression.

As Australia considers the next stage of digital regulation, FamilyVoice will continue to advocate for the protection of faith, family and freedom, while recognising the legitimate need to protect children from genuine harm online.

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FamilyVoice believes the Parliament must now confront questions that the courts have left unresolved.

"If the law produces an outcome that undermines the dignity, privacy and safety of women, Parliament must have the courage to fix it. Christians

and all Australians who value freedom of conscience should not assume this matter is finished simply because the High Court has declined to hear the appeal."

The case highlights the urgent need for lawmakers to ensure that biological reality, women's rights and freedom

of belief are properly protected in Australian law.

FamilyVoice has an active campaign on this at: familyvoice.org.au/campaigns/tell-mps-reform-the-broken-sex-discrimination-act

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We seek to proclaim the goodness and truth of the Triune God as revealed in His Holy Word the Bible, in the person of Jesus Christ, God the Son, and in creation. We promote God's wise ways for a healthy society where marriage is honoured, human life is respected, families can flourish and fundamental freedoms are enjoyed.

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