



the

Presbyterian Church
of Tasmania

**Submission to the Inquiry into the *Recognition of Foreign Marriages Bill 2014* by
the *Senate Legal and Constitutional Affairs Legislation Committee***

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Authorised by the Social Justice Commission
The Presbyterian Church of Tasmania
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It is our strong recommendation that *The Marriage Act 1961* NOT be amended as proposed, for the following reasons:

1) Internal contradiction within *The Marriage Act*

The Marriage Act specifically prohibits recognition of same-sex 'marriages' (SSM) – whether performed in Australia or overseas. Therefore if this Bill is passed, there will be an internal contradiction within it. Ex-Senator Sue Boyce described an almost identical Bill in 2013 as a "backdoor" way to "increase pressure for same-sex marriage in Australia". Should this Bill pass, the next step will be for proponents of SSM to place pressure on our elected representatives to remove this inconsistency.

2) The government should not be (further) interfering with marriage

Because marriage is a natural, timeless, and sustainable foundation for future generations, no government should even contemplate its redefinition. The federal Government enacted "no fault" divorce in 1975, with disastrous results, yet here we are debating its further dismemberment.

3) The Effect on the stability of Australian society, in particular the welfare of children

Any redefinition of marriage will necessitate a shift in the reason our Government regulates marriage from concern for the welfare of children (there are 83 references to children in *the Marriage Act*) to the (unnecessary) validation of adult relationships.

In 2011, Professor Patrick Parkinson of the University of Sydney, published a study (*For Kids' Sake*) [1]

which detailed alarming statistics regarding the welfare of our current generation. He found that the last decade or so has seen a rapid deterioration in the wellbeing of some of the most vulnerable children in Australia. This is evident in the child protection statistics, and a range of measures concerning adolescent wellbeing including levels of binge drinking, unwanted sex, self-harming behaviour and mental illness. **For Kids' Sake recommended measures to keep biological parents together wherever possible and to strengthen marriage because it is the gold standard for child wellbeing.** It naturally follows that our Parliament should not be continuing to debate the dismantling of such a bedrock institution.

Further, any redefinition of marriage will put additional pressure on those jurisdictions which have not legalised the use of IVF and/or surrogate mothers to enable same-sex couples to procure children. It is disgraceful that even one child should be intentionally conceived in such a way as to deprive it of its biological father or mother (or both). It is even more disgraceful that it occurs with the endorsement of government(s). Neither will there be a cogent argument against the ill-conceived concept of the adoption of children (unknown to them) by same-sex couples (should there be any State Parliaments which have not passed such a law).

British social researcher Patricia Morgan has recently found [2] that in **overseas countries** such as Spain and Sweden, the redefinition of marriage has either initiated or reinforced the trend toward the separation of marriage and parenthood. That is, marriage is devalued in the minds of its people as an important social institution, and a smaller proportion of the population see marriage as the optimal environment in which parents raise their biological children.

4) The effect on Education

The redefinition of marriage will necessarily fully normalise the homosexual lifestyle in law and therefore in the public mind. It will follow therefore that children (as early as in primary school) will be taught that there is no difference between heterosexual and homosexual marriages as has happened **overseas**. Children will also necessarily be taught that homosexual acts are normal. While this is already happening in Australia, [3], the recent announcement by the Coalition of the nationwide roll-out of the (so-called) "Safe Schools Coalition" [4] is of further concern. Should marriage be redefined however, it is almost certain that pressure will come upon schools, **as has happened overseas** to not be required to seek parental permission or to allow for the removal of children from such classes by their parents. The best documented case of this happening is in the US state of Massachusetts). [5]

Conclusion

The Parliament should reject the attempt to recognise overseas SSMs, not only because it is an attempt to enact SSM via the "back door" but, more importantly, the redefinition of marriage (should it ever occur) will have a great number of negative outcomes for very many Australians.

REFERENCES

- 1 <http://www.acl.org.au/publications/for-kids-sake/>
- 2 Dr Morgan's report can be found about half-way down the page at www.spuc.org.uk/campaigns/campaigns_archive
- 3 www.aeuvic.asn.au/gay_lesbian_bisexual_transgender_and_intersex_people_2006.pdf
- 4 <http://safeschoolscoalitionvictoria.org.au/>
- 5 http://www.massresistance.org/docs/marriage/effects_of_ssm_2012/index.html