



ATTORNEY-GENERAL
THE HON ROBERT McCLELLAND MP



09/28684, MC09/23189, MC09/23665

17 DEC 2009

Ms Julia Irwin MP
Chair
Standing Committee on Petitions
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear Ms ^{Julia} Irwin

I refer to your letters dated 19 and 26 November 2009 seeking a written response to petitions submitted to your Committee on 16 and 23 November 2009 requesting that the Marriage Equality Amendment Bill 2009 be opposed.

As you may be aware, the Bill was introduced in the Senate as a private senator's bill by Federal Green's Senator Hanson-Young on 24 June 2009. The Bill proposed to remove all discrimination from the *Marriage Act 1961* on the basis of sexuality and gender identity and to permit marriage regardless of sex, sexuality and gender identity. The Senate referred the Bill to the Senate Standing Committee on Legal and Constitutional Affairs for inquiry and report on 25 June 2009. The Committee tabled its report on the Bill on 26 November 2009, recommending that the Bill not be passed.

The petitions suggest that the definition of marriage as 'a union between one man and one woman to the exclusion of all others voluntarily entered into for life' be maintained. The petition explains that to alter the definition of marriage to include same-sex 'marriage' as proposed by the Bill would be to change the very structure of society to the detriment of all, especially children. The Government is of the view that a range of factors contribute to supporting the well-being of children and society. For example, initiatives recognising and raising public awareness about human rights, the rights of children, the welfare of the family and the need for non-discrimination.

The Government's clear view is that marriage is between a man and a woman. Support for the current definition of marriage in the *Marriage Act 1961* was confirmed at the 45th ALP National Conference 2009 and is reflected in the ALP National Platform and Constitution 2009. The Rudd Government is committed to ensuring that all couples whether married or de facto do not suffer discrimination. The Government's position is that the most appropriate way to achieve this is through the development of a nationally consistent

framework for relationship recognition. These reforms are to be implemented consistently with the Government's commitment to maintaining the definition of marriage.

I hope this information is of assistance to your Committee when considering these petitions.

Yours sincerely

Robert McClelland