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Dear Honourable Members of the Senate Legal and Constitutional Affairs Committee

I write to express my opposition to the proposed legislation. Marriage is a union between a man and a woman where each undertake at law to be committed exclusively to the other for life. Such a relationship justifies the privilege of non-compellability afforded by the Evidence Act to married couples. The extension of the privilege to de-facto couples was probably not justified, but the definition of a de-facto spouse still requires a commitment of one to the other to attract the privilege (see dictionary to the Act). The further extension of the privilege to same-sex relationships which are likely to be even more transient than de-facto relationships, is unjustified.

Yours faintfully

*F.C. Brohier*

Christopher Brohier

Barrister-at-law