



Submission to the Inquiry into Evidence Amendment Bill 2008 from the Let's Get Equal Campaign, South Australia

Australia's laws at both Commonwealth and State levels discriminate against same-sex couples and their children in ways which cause great hardship. The extent of discrimination faced by Australian same-sex couples has already been documented by the Human Rights and Equal Opportunity Commission (HREOC). The HREOC enquiry revealed that Australian laws actively discriminate against same-sex couples in many ways.

Same-sex couples suffer discrimination under Australian law because our very real and mutually supportive relationships are discounted and our commitment to our partners is ignored. The current form of the Evidence Act is a case in point. It treats our relationships as less close, less intimate and less committed than the relationships of opposite-sex couples and in so doing not only treats them as inferior and second class but fails to recognise that gay and lesbian people are able to form relationships similar to those of heterosexuals. Same-sex defacto couples should not be compelled to provide evidence against one another. This is an important recognition of the special status of a loving relationship between two committed individuals to a shared life enshrined in Australian law. We accordingly strongly support these proposed amendments in the Evidence Bill 2008.

The Let's Get Equal Campaign strongly supports the HREOC recommendation to expand the definition of defacto partner to include same-sex partners as this would be an accurate reflection on these relationships as they are lived and experienced by same sex couples. We oppose any attempt to mischaracterise same-sex partners as interdependent as this would be a misrepresentation of the loving and committed relationship of same-sex couples and only serve to continue the entrenched discrimination that gay and lesbian people experience in Australian society.

We strongly believe that the Australian government should act quickly to remove the discrimination that same sex couples face in all areas of their lives. We are not asking for special treatment – we are asking only that we be treated equally as members of the Australian community. We simply ask that legislation in Australia not include discriminatory practices which undermine our relationships and families, devalue us as human beings and as members of society and subject our lives to the prejudices of others. The continuation of discriminatory legislation is to no-one's advantage.

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