

Thursday 24th July 2008

Senate Legal and Constitutional Affairs Committee.
Parliament House, Canberra ACT 2600.

Dear Sir/Madam,

I would like to make a submission to the Senate Committee expressing my concern and opposition to following bill:

The Evidence Amendment Bill 2008.

Marriage has always been and should remain the cornerstone of Australian society. Marriage in Australia is: "the union of a man and a women to the exclusion of all others, voluntarily entered into for life". This voluntary commitment between a man and a women, by law, affords the man and woman certain privileges and responsibilities. Individuals entering into a same-sex relationship have therefore freely made the choice not to enter into marriage, and therefore cannot expect the same rights or responsibilities required in a marriage union.

This Bill, which seeks to give same-sex partners the same rights to object to giving evidence against one another in a criminal trial that husbands and wives now have, is therefore unfair and inappropriate. Moreover, this Bill could allow criminals to exploit the law by claiming that witnesses against them were in fact in a same-sex relationship with them, thus complicating the legal process and possibly avoiding justice. Without the need for a marriage union, the true extent of the relationship in this case would be very difficult to prove or disprove under this Bill.

Freedom of choice prevails in each case, but marriage signifies a clear 'commitment' through the marriage vows and the marriage contract. Those entering a same-sex relationship have, by choice, chosen *not* to enter into such a commitment as normally expressed in the marriage union.

I therefore respectfully ask that the Senate Committee rejects this Bill.

Yours Sincerely
Steven Flanagan