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Committee Secretary
Senate Standing Committee on Legal and Constitutional Affairs
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

Dear Senate Committee,
Thankyou for giving us the opportunity to make a submission into:

“Evidence Amendment Bill 2008” (same-gender spouses)

Myself & my partner have been in a same-gender relationship for the last 12 years & 4 months. We have been raising two children living with us, who have turned out wonderful despite the current climate of increasing government-created new homophobic laws & restrictions. (including the bi-partisan 2004 Marriage Ban, that has now written new extra discrimination into law for the new millennium) Although we feel under attack, our personal experience is that most people are very accepting of us & that the government is out of touch with the people on this issue & are only listening to a small well organised group of U.S. influenced evangelical christians. (remember churches used to quote the bible to justify operating in the slavery trade, til the separation of church & state held them accountable).

Thankfully, most average Australians we come across, including those in mainstream christian non-evangelical-controlled religions are very fair minded & supportive of us.

Part of the problem with your Inquiry will be once you make recommendations for changes for access to benefits, is how do you communicate that out unless the relationship recognition is on par or equal with straight relationships. We want to be treated & classed as “Equal De-facto” spouse.

TERRORISM- both sides of the Federal Govt grudgingly say in current laws that we are in an “interdependent relationship” for a second-class superannuation pay out, but falls short of specifying us by name (i.e. same sex couple), and so the superannuation interdependency law is open to interpretation & easy exclusion of us at a later date without changing the law. And “third class interdependent status” is how the Liberal/Evangelical churches want us classified as, instead of equal de-facto spouses.

BUT....with the 2004 Terrorism Act, we are NAMED as “same sex spouses” !!!, in some of the strongest language (and I didn’t see any of the Extreme-Fringe Christian Groups protest against this!). This is a shocking outrage that there is no pussy-footing around here about interdependent etc, they cut to the chase & call us same sex spouses.

We should be referred to as in the same way across all legislation, not pick & choose when to recognise us. The high level relationship recognition we receive in the terrorism legislation compared to our specific denial of our very existence in other laws is sickening.

EVIDENCE AMMENDMENT BILL - If we are to be treated as same sex spouses in one court of law, for Terrorism purposes, then we should also be treated as same sex spouses for giving evidence against each other, the same as opposite sex de-facto spouses. Otherwise, we are being recognised in one area that demonises us, and not recognised in

any area that benefits us, thereby creating a climate of discrimination, imbalance & further demonization.

GOVERNMENT-CREATED HOMOPHOBIA. One thing that is of major concern is government-created homophobia in Australia. As many other sister-commonwealth countries are granting increased equal rights to same sex couples to participate as productive citizens, Australia is creating homophobia, depression & possible increased suicide, and invisibility to same sex couples, by creating unnecessary extra laws to write Extra Discrimination into law against us- such as the Ban on Recognising legal same sex marriages performed overseas, and the recent A.C.T. civil union ceremony ban. It's not so much what the new laws are actually banning, but the fact that they are even creating new laws to write extra discrimination into law against us in unforgivable. Every other civilised country is moving forward, but Australia is moving backwards.

The overall effect of these extra unnecessary laws with new discrimination is to further alienate & de-motivate same sex couples to know what their real rights & entitlements are...as the govt is still active in removing rights from them there is no certainty. This environment makes it harder for same sex couples to remain together & reaffirm their relationships, and many young gays in the bush feel alienated & invisible & turn to suicide. The couples who do have their relationships survive against the odds, lack of support, invisibility & discrimination are have a much more loving & committed relationship than many straight couples who may take their relationship or partner for granted. This creates a very negative & complex atmosphere of government sponsored discrimination that overshadows the Evidence Amendment Bill.

The evangelical groups want to use our government to alienate gays into staying single & want to have a complete blackout of visibility of any who do form loving relationships. This blackout of being able to be "seen" to have a ceremony, or recognition at work, or on medicare forms, superannuation etc, etc, has put Australia into a rut, heading backwards while all other civilised countries are moving forward.

I think that the answer to break out of this rut, is to look for overseas advice, say our next door neighbour New Zealand, where we could say propose adopting the laws of New Zealand if we can't get out of this rut to come up with our own. We have slipped so far backwards, that it can't be achieved on our own, we need to look to one of these other countries who have been moving forward, leaving us far behind, such as New Zealand, Canada, Spain, or the U.K. (remember it's still a Union Jack on our flag, not the stars & stripes!). But instead we legislated extra discrimination into law to discriminate against people who marry in these various countries who then set foot in Australia. Why would we ignore & discriminate against the relationships of legal marriages & unions in other equally civilised countries including sister-commonwealth nations, and even the U.K. itself?

DON'T CREATE NEW "APARTEID" LAWS FOR US- JUST START TO INCLUDE US IN CURRENT ONES- Don't re-invent the wheel, just amend existing laws to include us as equals, rather than how the current laws that go out of their way to specifically mention us by name as being excluded. This includes De-facto recognition.

Finally, I think it is disgusting that this has been referred to a Senate committee in the first place. The thinly-veiled strategy of the evangelical extremists (www.acl.org.au) is to use the Senate Committee as a voice to slam same gender couples into third-class "interdependent" status.

Thankyou for this opportunity for us to make this submission, but please withhold our names & address as I don't wish to have it displayed to possible hateful fanatical evangelical fringe groups that this debate may unfortunately attract. Hopefully their possible ill-informed input will further highlight the need for separation of church & state... especially in light of the growing number of wonderful loving christian churches who fully accept & welcome same gender couples.

Regards,
"Male couple, Sydney"