

11 July 2008

Mr Peter Hallahan
Committee Secretary
Legal and Constitutional Affairs Committee

By email: legcon.sen@aph.gov.au

Dear Mr Hallahan,

Re: Inquiry into the Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008

We note that the Senate Standing Committee on Legal and Constitutional Affairs is currently inquiring into the *Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008*.

We note the purpose of the Bill is to amend the *Family Law Act 1975* to provide for opposite sex and same sex de facto couples to access the federal family law courts on property and maintenance matters.

We are lawyers and professionals working in the area of human rights in Tasmania. We write to express our full support for changes to the *Family Law Act* to enable same sex de facto couples to access the family law court in relation to property and maintenance matters, in the same way married couples can.

We note that currently, in Tasmania, there is provision under Part 5 of the *Relationships Act 2003* for couples in significant relationships, including both same sex and opposite sex couples, to access either the Supreme Court of Tasmania or Magistrates Court of Tasmania in relation to property and maintenance matters.

It is pleasing that the Bill seeks to ensure de facto couples, including same sex couples, across all States and Territories have access to the family law courts.

Although we are not in same sex relationships, we strongly believe that all couples should be treated equally in Australia, regardless of the gender of the person they love.

Without these changes, our friends and other members of the community in same sex relationships will not have access to the family law courts in relation to the division of property and assets in the event of a relationship break-up, unlike ourselves.

We look forward to the day when the rights of same sex couples are fully recognised by amendment to the *Marriage Act 1961* to allow same sex couples to marry.

Yours sincerely,
Michelle Parker
Gemma Misrachi
Pia Struwe
Roz Smart