

28 August 2009

Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia

To Whom It May Concern,

The Victorian Women's Trust (VWT) wishes to endorse the Marriage Equality Amendment Bill 2009. We support Senator Hanson-Young's Private Member's Bill, removing all discrimination from the Marriage Act 1961 on the basis of sexuality and gender identity, and creating the opportunity for marriage equality for people regardless of their sex, sexuality and gender identity.

The Victorian Women's Trust, established in 1985, is an independent body with a mandate to improve conditions for women in practical and lasting ways. As well as having a funding program, the Trust initiates major special projects, and is an advocate for women on key issues that affect their lives.

We recognise that marriage is a well-regarded institution whereby two individuals can declare their love and commitment to one another. In 2004 the Howard Government (with the support of Labor) disappointingly amended the Marriage Act to limit marriage as being between a man and a woman, therefore writing discrimination into law by excluding same-sex attracted couples.

In the late 1990s, the Trust initiated the Purple Sage Project, a community dialogue process which extended across Victoria involving approximately 6000 women and men in small groups around the state. The Project developed a set of Guiding Values and Principles (Purple Sage Project: 22).

Principle One identified that *the dignity and worth of every person is respected*. Principle Three declared that *people are social beings, who desire to connect and be part of families, groups and communities that offer human contact and mutual support. This is the essence of humanity, the human condition.*

Principle Five recognised *we have in common a responsibility to pay tax.*

Taxes, fairly determined, are the means by which we meet every person's basic needs and contribute to the development of society. Principle Seven states that our place in a democratic society means much more than casting a vote once every three to four years. It is about belonging. It is not about being pushed to the margins. It means having real opportunities for participation.

Principle Nine makes the important point that *all citizens in a democracy have certain rights and responsibilities. When one individual or group attacks or fails to recognise the rights of others, the rights of all are diminished.* The final Principle identified in this major project, identifies that *Government has a critical role in promoting fairness, social cohesion and a democratic culture necessary to lasting economic performance, and in guiding a society to be prosperous and just.*

In viewing these Principles, and indeed, human rights in general, we believe that all Australians should have the right to marry, regardless of their sex, sexual orientation or gender identity. As the Rudd Government seeks to remove discrimination against same-sex attracted Australians on a number of pieces of legislation (for example in recognising same sex partners by Centrelink and the Family Assistance Office as of July 2009), we believe it is hypocritical to then deny people the right to marry, on the grounds of sexuality and gender identity.

In Senator Hanson Young's reading of the proposed Marriage Equality Amendment Bill 2009 (July 24, 2009), the Senator provided the example of Jen and Julia's situation, who married in Canada:

In Canada, we will be legal spouses, but once we return to Australia our marriage ceases to be acknowledged for all legalities as defined in the Australian Marriage Act. Canada and Australia are as rich as they are culturally diverse. It is our hope that Australia follows Canada's Civil Marriage Act and redefines civil marriage rights to same-sex couples living in this country, so our marriage can be celebrated and recognised in Australian law, as it is in our second home 'Canada'.

Like many other Australians, this couple pay their taxes and contribute to society. They cannot however, have their partnership legally recognised as they wish to, as a marriage. As cited in the Guiding Principles of the Purple Sage Project, in failing to recognise their right to marry, the rights of all are actually diminished.

In Victoria we have just finished celebrating a centenary of women's right to vote in state elections. In this period of celebration we came to understand how much women and men were pilloried for advocating for female enfranchisement. The fear mongering that occurred included extraordinary notions that female suffrage would destroy homes, family life and the care of children. One hundred years on we are able to appreciate the hollowness of such claims.

A similar reactionary hollowness can be seen in a push by opponents of gay

marriage (eg. 'the end of civilisation as we know it!'). Surely the essence of a strong and successful marriage is care, love, mutual effort, peacefulness and respect for one another. There is nothing to suggest that gay marriage would fall short of these qualities.

In conclusion, the Victorian Women's Trust supports the Marriage Equality Amendment Bill 2009 extending marriage equality for people regardless of their sex, sexuality and gender identity. We believe this issue comes down to equal rights, rights which have been denied to a significant group of law-abiding tax-paying Australians. By supporting legislation like that proposed by Senator Hanson-Young, we believe the institution of marriage will be strengthened by making it more inclusive, by valuing people's relationships regardless of sexuality and gender identity.

The Victorian Women's Trust, August 2009
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