

21 August 2009

Legal and Constitutional Affairs Committee  
Inquiry into Marriage Equality

Dear Senator Crossin, I would like to make a submission to the Inquiry into the Marriage Equality Amendment Bill 2009 in support of marriage equality for same-sex couples.

It is unsatisfactory to me that Australians continue to be treated differently on the basis of sexuality. The Government has accepted this on 84 counts, with the removal of much discrimination as a result of the 2008 Same Sex Law Reforms.

The Marriage Act 1961 (Cth) is a civil law which applies to all Australians. I believe the Marriage Act should be amended to ensure same-sex couples have equal rights to marry in Australia. I believe section 88EA of the Marriage Act should be repealed so that overseas same-sex marriages are recognised in Australia in the same way as opposite-sex marriages between consenting adults. It is time to ensure that discrimination against same-sex couples in the Marriage Act is removed.

By denying same-sex couples access to marriage and recognition of overseas marriages in Australia, it is my view that the Government continues to perpetuate homophobia in the community, media and social conscience. There is nothing positive about homophobia and much is documented about the effects it has on a community (including hate crimes, hostility against groups or individuals and negative mental health impacts).

The argument against same-sex marriage sits fundamentally in religious doctrine and the many variations presented in modern society. Marriage however is a civil institution and couples can elect to be married without religious involvement. Permitting same-sex marriage in law would not compel any religious institution or celebrant to perform one, but would allow same-sex couples formal recognition under laws which apply to all citizens.

The Australian Government publically states via the Attorney General's website that it "believes that people are entitled to respect, dignity and the opportunity to participate in society and receive the protection of the law regardless of their sexuality."

Equality in marriage forms part of the basis of providing this protection.

Privacy, dignity, independence and equality are values that should be shared by all Australians.

It is for this reason that existing relationship registers are not a satisfactory option for the recognition of same-sex couples in Australia. Currently these registers forbid any kind of formal ceremony and take the applicants through a very administrative, sterile and bureaucratic process akin to registering the ownership of a dog.

This is appalling to me and I am gravely disappointed that it is acceptable under the law to treat fellow Australian's in this way.

I strongly urge the Senate to consider the urgent equalisation of treatment of all Australians before the law and support the Marriage Equality Amendment Bill 2009.

Chantelle Stratford