

Dear Sir/Madam

I wish to make a submission to the Senate Inquiry into the Same-Sex Relationship (Equal Treatment in Commonwealth Laws-Superannuation) Bill 2008.

I note that the Government wishes to change the law to allow same-sex partners to benefit from one another's superannuation. Whilst the intention is to allow same-sex partners to share financial benefits the method chosen to achieve this undermines marriage. The new proposed category called "couple relationships" includes married couples, de facto couples and same-sex couples. This proposed change obliterates reference to marriage altogether and the unique place of marriage in our society is undermined - it would be seen as no different to other relationships which do not require the same level of commitment and do not achieve the same benefit to society or children.

I contend that marriage should not be incorporated into a new category of "couple relationships" but should be treated as unique and separate. In formulating this Bill marriage should be treated as a separate category and all references to spouse, husband and wife should remain in the superannuation law.

The new legislation should refer to "marriage and couple relationships", "spouse and partner. "Provision for same sex couples could be made under the new category of couple relationships, meaning that same sex couples can benefit from one another's superannuation without giving up all reference to marriage in the process.

It is wrong to assume that all relationships are the same. Marriage is a uniquely committed relationship and has been shown to offer greater benefit to spouses and to children than other forms of partnership which are, by definition, less committed and therefore less stable.

In 2004 there was overwhelming support to an amendment to the Marriage Act that affirmed that marriage was a lifelong, exclusive and voluntary union between a man and a woman. Mr Kevin Rudd was elected last November with a promise to the electorate that he would not overturn marriage and that marriage would remain as between a man and a woman. Clearly the electorate supports and upholds marriage as being between a man and a woman and this should be reflected in the legislation now being proposed.

Thank you for considering my submission

Yours faithfully

Annette Wotherspoon