



19 September 2008

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

By email: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Committee Secretary

**Inquiry into the Same-Sex Relationships (Equal Treatment in Commonwealth Laws – General Law Reform) Bill 2008**

Thank you for the opportunity to comment on the *Same-Sex Relationships (Equal Treatment in Commonwealth Laws – General Law reform) Bill 2008* (the Bill).

The Law Institute of Victoria (LIV) strongly supports the purpose of this Bill outlined in the Explanatory Memorandum “to eliminate discrimination against same-sex couples and the children of same - sex relationships”. The LIV has consistently opposed discrimination and inequality on the basis of gender and sexual orientation and this Bill is consistent with the LIV’s policy on the “removal of discrimination against people on the basis of gender identity or sexual orientation” (attached for your reference).

Due to the time constraints for submissions to your inquiry, the LIV is unable to comment on the details of the Bill at this stage. We will discuss with our members and our national body, the Law Council of Australia, issues arising from the definitions used in the Bill to describe same-sex relationships with a view to providing future comment. We are particularly mindful of any impact the Bill might have on the operation of Victoria’s *Relationships Act 2008*.

In the meantime, we commend the government on addressing the matter of same-sex discrimination in this Bill and in related initiatives (e.g. *the Same-Sex Relationship (Equal Treatment in Commonwealth Laws-Superannuation) Bill 2008*) and urge the Inquiry to make recommendations that will ensure that discrimination against same-sex couples and their children is eliminated as a matter of urgency.

Please contact Laura Muccitelli, Lawyer for the LIV's Family Law Section, at [lmuccitelli@liv.asn.au](mailto:lmuccitelli@liv.asn.au), in connection with this matter.

Yours sincerely

Anthony Burke  
**President**  
Law Institute of Victoria