



HAWKESBURY NEPEAN COMMUNITY LEGAL CENTRE INC.

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

Dear Legal and Constitutional Affairs Committee,

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

Hawkesbury Nepean Community Legal Centre, located in Richmond NSW, provides free legal information and advice to people living in the Hawkesbury, Nepean and Hills areas of NSW and is one of 39 community legal centres in NSW.

Community legal centres work for the public interest, particularly for disadvantaged and marginalised people and communities. We promote human rights, social justice and a better environment through the provision of legal services including strategic casework, community legal education and law reform campaigns which advocate for access to justice, equitable laws and equitable legal systems.

Community legal centres work with a range of people who face considerable disadvantage and often face substantial barriers in accessing legal systems. One of such disadvantaged groups includes gay and lesbian people who, in addition to the common barriers faced by many disadvantaged people, also face significant discrimination across many areas of law, as outlined in the then Human Rights and Equal Opportunity Commission's *Same Sex: Same Entitlements* report.

The current 108 Commonwealth laws identified as providing differential treatment between same-sex and opposite-sex couples, not only contribute to perpetuating the legal and social inequities currently experienced by gay and lesbian people in Australia by placing same-sex couples at a significant financial and social disadvantage, but also amount to a breach of human rights under the *International Covenant on Civil and Political Rights (ICCPR)* and the *International Covenant on Economic Social and Cultural Rights (ICESCR)*, each of to which Australia is a signatory.

Hawkesbury Nepean Community Legal Centre strongly supports the removal of all discrimination against gay and lesbian people and advocates for equality of laws for all people, regardless of their sexual orientation and equality of laws for all relationships, whether they be opposite-sex or same-sex relationships.

We would like to thank the Committee for the opportunity to make a submission to the *Same-Sex Relationships (Equal Treatment in Commonwealth Laws – General Reform) Bill 2008*. Unfortunately though, the short timeframe for submissions and the limited resources of our service have meant that we are unable to provide a substantial submission to the Committee. Notwithstanding this, we would like to take the opportunity to endorse the comprehensive submission and recommendations made by the NSW Gay and Lesbian Rights Lobby. Further, we would like to endorse the submissions and recommendations made by Inner City Legal Centre and Northern River Legal Centre and like them, push for a “grandfathering” of the changes to social security laws as well as an extensive public education campaign. Such a campaign will ensure the community is aware of, and prepared for the changes to laws which will affect the everyday lives and gay, lesbian and transgender people and ensure that Commonwealth service providers, professionals and employees are fully aware of the reforms and will not discriminate in any way against same sex couples and their children.

In closing, Hawkesbury Nepean Community Legal Centre strongly supports the *Same-Sex Relationships (Equal Treatment in Commonwealth Laws – General Reform) Bill 2008*. The Bill demonstrates a commitment to providing equal and non-differential treatment to all persons regardless of sexual orientation. Accordingly, we urge the Committee to ensure that the discrimination currently faced by same-sex couples is removed from all Commonwealth legislation as a matter of priority so that Australia can take a step forward in ensuring that all people in Australia are treated equally regardless of their sexual orientation.

Yours sincerely,

Hawkesbury Nepean Community Legal Centre



Philippa Davis

Principal Solicitor