

14 February 2012

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

Dear Committee Secretary

### **Marriage Equality Amendment Bill 2010**

Although the Committee is seeking submissions regarding Senator Hanson-Young's Bill, I will also take this opportunity to comment on the two Private Members' Bills introduced by Stephen Jones, and Adam Bandt and Andrew Wilkie, as they cover the same subject.

I strongly welcome the intent behind the Bills, and the Committee will no doubt appreciate that this submission is being made on a day dedicated to the celebration of love.

Marriage is widely regarded as one of the foundations of a strong and stable society. We encourage it because it creates bonds of fidelity and matrimony. It has social and economic benefits not only for the spouses in the marriage but also their families and communities. Indeed, the fact that marriage is widely regarded as beneficial is a compelling reason to make it available to more couples.

David Cameron, the Prime Minister of the United Kingdom, recognises this simple fact. In a speech to his party in 2011 he said: "I don't support gay marriage despite being a Conservative. I support gay marriage *because I'm a Conservative.*"

I understand that the thought of a same-sex couple marrying may seem peculiar, perhaps even confronting to some Australians. However, I categorically reject the notion that a lifelong commitment between two people can detriment the marriages of others, or in some nebulous way "diminish the institution of marriage".

Australia has traditionally been a world leader in its respect for peoples' dignity and human rights. The late H.V. Evatt, an eminent Australian, was instrumental in drafting the Universal Declaration of Human Rights, which sets out the right to marriage between consenting spouses in article 16. It is in this vein that I implore members of the Committee to support extending the rights of marriage to all couples, and cement Australia's ongoing commitment to upholding universal human rights.

Many countries around the world have marched towards marriage equality, including those we consider peers, without any apparent damage to their social fabric. Same-sex marriage is legal in Canada, and much of Western Europe. Even in the United States, where it is such a hot-button issue, same-sex marriage is legal in Connecticut, Iowa, Massachusetts, New

Hampshire, New York, Vermont and the District of Columbia. It is about to be legalised in Washington state, and pending further court challenges, in the largest state of California.

Opinion polls consistently demonstrate a clear majority of Australians are in favour of marriage equality, and that an even greater majority believe that it is inevitable. This support transcends party and state lines, and age-groups. It is grossly offensive to disregard this as not a “top-order issue” —it is important to those of us it affects, and our families. It falls upon parliamentarians to govern for all Australians, not simply those who fully enjoy their rights.

I understand that the Bills introduced by Senator Hanson-Young and by Adam Bandt and Andrew Wilkie are identical. The difference between those Bills and that introduced by Stephen Jones is that the latter does not propose language on gender identity and sexuality in the content of the *Marriage Act 1961*.

I believe that the latter approach is preferable. This recognises that discrimination on the basis of one’s gender identity and sexuality is already being considered in the Government’s consolidation of anti-discrimination laws. Furthermore, discrimination on the basis of gender identity and sexuality, and same-sex marriage are important issues that should not be conflated. They merit their own debates and separate consideration by this Committee.

Thank you for considering my submission on this matter. I make this submission in my personal capacity.

Yours sincerely

Daniel Nguyen