



This submission does not need to be kept confidential

4<sup>th</sup> January, 2017

**THE SENATE - SELECT COMMITTEE ON THE EXPOSURE DRAFT OF THE MARRIAGE AMENDMENT (SAME-SEX MARRIAGE) BILL**

**Introduction:**

The meaning of marriage, and its rules and rites, have evolved greatly over the centuries to the point that civil marriage is the preferred option for more couples than ever before.

Additionally, roles and expectations have changed in marriage. Women are no longer told to 'honour and obey' in the marriage vows; and they contribute equally, both financially and emotionally. Similarly, men have occupied an increased role in raising children.

Divorce is now fault-free and can be obtained within in a year of separation. Blended families have evolved dramatically. Couples no longer wait for marriage to have children, and many couples no longer believe that marriage is 'all about having children', as many religious groups suggest.

As national spokesperson for parents with LGBTI sons and daughters I present this submission to the senate committee.

As an organisation, PFLAG is supportive of clergy continuing to have the right to refuse to marry any couple, regardless of their reasoning.

However, we strongly object to legislation permitting civil celebrants, military chaplains or any government employee having the right to refuse their services to same sex-attracted couples.

Additionally, we do not support businesspeople who charge for wedding services being legally permitted to refuse service to our same sex-attracted sons and daughters because of the couples' sexual orientation.

**We object because:**

- There may be only one celebrant/wedding service provider in any given local area
- No other minority would be discriminated in this manner
- It would be insulting to any couple denied service by a government employee because of that employee's personal beliefs, religious or otherwise
- Civil celebrants and military chaplains are not religious organisations, they are government employees and personal beliefs should be irrelevant when carrying out their duties

**Regarding the nature and effect of the proposed amendment to the Sex Discrimination Act 1984: the effect of proposed amendments would:-**

- Continue the level anti-LGBTI discrimination that presently exists in this country
- Lead to religious privilege, which should never be embedded in legislation. Religious beliefs are personal and should remain so without impacting on others. If religious privilege is given free rein it can become overly restrictive and where will legislators draw the line?
- Uphold homophobic and transphobic beliefs, which should never be condoned or considered the norm by lawmakers under any circumstances
- Be insulting, humiliating and degrading to couples and their families when denied services
- Never be permitted towards other minorities because discriminatory behaviour is illegal

**Further amendments to this Bill should not be considered because:**

1. Refusal of services from a venue or business for a same-sex couples' wedding should be considered discrimination and therefore illegal.
2. Religious freedoms and privileges should not impact on those who do not share the beliefs of religious groups or individuals who offer wedding-related services such as venue hire, floristry or car hire, etc.

3. It is illegal to discriminate against minorities and the same legislation should apply to our same sex-attracted sons and daughters.
4. Religious privilege should never be used as a weapon against minorities in a democratic country.
5. Some religious groups fear marriage equality will destroy the traditional concept of family and create another 'stolen generation' of children. They forget adoption and surrogacy are already state law, not federal. And, as mentioned earlier, couples will continue to have children. If religious groups are concerned about the children they should be encouraging marriage, which will provide the kind of emotional security that marriage and family are all about.
6. Furthermore, we need to keep in mind children's rights are not being debated by this committee; same-sex couples' right to marry is the issue.

### **Conclusion:**

The debate about marriage equality has gone on for too long in this country. It is time to recognise that we are the last English-speaking country that still discriminates against same sex-attracted couples.

Same sex-attracted couples have technically been considered couples/families by federal government departments regarding pensions, children, superannuation etc. since 2008. It's time to have these couples and families recognised by the Marriage Act.

Religious groups claim concern for the children. However, we need to recognise that children are being born regardless of religious beliefs. I believe if this is a genuine concern, but religious groups should be encouraging couples to marry in order to provide the children with emotional security.

Same sex couples don't want privilege or special rights, they just want equality. The majority of marriages in Australia are civil marriages, with the ceremonies done by civil celebrants. Same-sex couples ask for no more and no less.

And, we the parents of LGBTI sons and daughters want all of our children treated equally under the law and to have the right to marry the person they love without fear of discrimination and interference from any anti-gay or religious groups or homophobic individuals.

As parents, we want our LGBTI sons and daughters to have the same privileges, rights and responsibilities that come with marriage and to be able to build a life together with the person they choose.

### **Please note:**

**PFLAG has commissioned a national survey of LGBTI community attitudes to exemptions allowing refusal of service. The survey has begun but won't be finished by the deadline of submissions. This is because we want a substantial national sample which requires time. We ask the committee's permission to submit the results of our survey after the closing date of submissions.**

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