



## **Gay & Lesbian Rights Lobby**

**Tuesday 17<sup>th</sup> June 2014**

**The Secretary,  
Senate Legal and Constitutional Affairs Legislation Committee  
Senate  
Parliament of Australia,  
Canberra,  
ACT 2600**

**Via email to: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)**

Dear Secretary,

### **RE: The Recognition of Foreign Marriages Bill 2014**

The NSW Gay and Lesbian Rights Lobby (GLRL) welcomes the opportunity to make a written submission in support of this Bill, whilst noting our strong preference for legislation that would also provide for domestic marriage equality.

Consistent with our long-held position, the NSW GLRL supports measures that ensure access to marriage equality for Australians. This includes recognising the marriages of those who wed overseas, which is what the Recognition of Foreign Marriages Bill 2014 specifically seeks to achieve. We acknowledge that the recognition of foreign marriages is a critical part of efforts to introduce overall marriage equality in Australia. Moreover, we acknowledge that it provides a practical means to ensure legal recognition of the institution of marriage for those couples who are, or have been, in a position to take advantage of the opportunity to marry in countries where it is legal to do so.

However, the NSW GLRL remains disappointed that same-sex couples cannot enter into marriage in Australia itself, which is a real impediment to the full recognition of their relationships and a breach of their human rights. The NSW GLRL has previously highlighted the injustice of excluding members of the Australian community from entering into a civil institution such as marriage. In an earlier submission we made to the Standing Committee on Social Policy and Legal Affairs, we cited the case of Shanya, who argued:

I am an Australian citizen, I pay my taxes and I vote. I want to be treated with the same respect and consideration as the wider community. I do not want the government to discriminate against me because of my sexuality, and I do not want the government to dictate my level of commitment to my partner. Marriage is a civil right which should be made available to every Australian.<sup>1</sup>

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<sup>1</sup> NSW Gay and Lesbian Rights Lobby (2012). Invited Submission to the Standing Committee on Social Policy and Legal Affairs on the Marriage Amendment Bill 2012 and the Marriage Equality Amendment Bill 2012. Sydney: NSW Gay and Lesbian Rights Lobby, p.2.

The NSW GLRL supports this view, in conformity, as polling indicates, with a majority of Australians.

Accordingly, whilst we support the intentions of this Bill, we regret that the Bill before the Parliament for consideration is not a Bill that will provide all Australians of marriageable age, and those resident in Australia, the chance to marry irrespective of sexual orientation, gender identity or intersex status.

Should you have further questions relation to this submission, please do not hesitate to contact our Policy and Project Officer, Jed Horner, at

Yours sincerely,

Justin Koonin  
Convenor,  
NSW Gay and Lesbian Rights Lobby