

Research Director
Legal Affairs and Community Safety Committee
Parliament House
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Sunday 18 October 2015

Dear Committee Members

INQUIRY INTO THE RELATIONSHIPS (CIVIL PARTNERSHIPS) AND OTHER ACTS AMENDMENT BILL 2015

Thank you for the opportunity to provide a submission to this inquiry that is considering the details of the Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015.

I write in support of the Bill, for two main reasons:

1. The term 'civil partnerships' is strongly preferred when compared to the term 'registered relationships'.
2. The Act restores the right of couples to enter into a civil partnership by holding a civil partnership ceremony if they so choose.

The first point may seem comparatively minor, considering it relates only to nomenclature, but terminology is important, particularly when it describes something as personal as the relationship between two members of a couple.

In my view, the term 'civil partnership' is a much more accurate description of the relationship which exists within couples who wish to have their partnership formally recognised under state law, whereas, to me, 'registered relationship' is a more sterile term which merely describes the process of recognition rather than the relationship itself.

It is also my view that the term civil partnership is more likely to be understood, and accepted, by members across the community, whereas the term registered relationship is less likely to attract widespread social acceptance from others.

The second reason why I support the Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015 is more substantive, and that is because it restores the ability of couples to enter into a civil partnership by holding a civil partnership ceremony.

Importantly, it is not compulsory – couples that wish to pursue this option will be able to do so, while other couples will be able to enter into a civil partnership without holding a ceremony.

I wholeheartedly agree with the description of this reform contained in the letter from the Director-General of the Department of Justice and Attorney-General, Mr David Mackie, to the Committee dated 1 October 2015:

“This is being done to support the dignity and equality of each and every Queenslander by giving them the opportunity to formally declare their commitment to their significant.”

In fact, it is difficult to conceive any rational justification to oppose these provisions – after all, who would want to actively deny their fellow citizens the choice to hold a civil partnership ceremony, if that is what the couple desired?

And yet, that is exactly what the majority of Queensland Members of Parliament did in June 2012, voting to strip away the ability of these couples to hold a formal ceremony. Not only that, the removal of these rights was such a high priority for the (then) newly-elected Newman Liberal National Government that it was enacted within three months of its landslide victory.

The decision to abolish civil partnership ceremonies, and the haste with which it was achieved, was an unjustified, divisive and mean-spirited act – and I commend the current Queensland Government for taking steps to undo the damage that was done three years ago.

I also commend the Palaszczuk Labor Government because, in introducing the Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015, it is doing what it can within the powers of a state government to recognise the diversity of relationships that exist in contemporary society.

With the High Court finding in December 2013 that only the Commonwealth Parliament has the power to legislate for marriage equality, but the majority of Members and Senators of that Parliament showing their continued unwillingness to recognise the full equality of lesbian, gay, bisexual, transgender and intersex (LGBTI) Australians, it is pleasing to see a state government providing the opportunity for all couples, including LGBTI couples, to enter into civil partnerships – and offering the choice to hold a civil partnership ceremony, too.

Even after marriage equality is finally enacted by our recalcitrant federal parliamentarians, the ability to enter into a civil partnership under state law will remain an important option for those couples who do not wish to marry for whatever reason (and that includes both cisgender heterosexual couples, and LGBTI couples).

For all of these reasons, I support the Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015, and urge Committee Members, and indeed all Queensland MPs, to ensure it is passed by the Parliament as a matter of priority.

Finally, I note that the renaming of civil partnerships, including restoring the right of couples to enter into a civil partnership by holding a civil partnership ceremony if they so choose, is just one of several important measures which are

required to ensure LGBTI people are finally treated equally under Queensland law.

Other necessary reforms include abolition of the gay panic defence, the introduction of adoption equality, the equalisation of the age of consent for anal intercourse and the expungement of historical convictions for gay sex. I look forward to these issues, and more, being addressed by the Queensland Parliament in the near future.

Thank you in advance for considering this submission. Should the Committee require additional information, or wish to clarify any of the information above, I can be contacted at the details below.

Sincerely

Alastair Lawrie

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