

19 October 2015

Research Director
Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Ms Watson

Submission on the *Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015 (Qld)*

Thank you for the invitation to provide a submission on the *Relationships (Civil Partnerships) and Other Acts Amendment Bill 2015 (Qld) (Bill)*.

We fully support the Bill and its objectives, particularly the reintroduction of ceremonies.

Although we emphasise that marriage equality at a Federal level is still the ultimate goal, we recognise that a civil partnership is important as both an interim measure and for those who do not wish to get 'married'. A public declaration of love and commitment is a crucially important aspect of any such union. As Attorney-General and Minister for Justice Yvette D'Ath said when introducing the Bill in September:

"There is more to acknowledging a relationship than assigning it a particular legal status or registration number. It is about making a formal commitment to our significant other in front of our loved ones, and celebrating the love and value we bring to each other's lives."

All Queensland couples, including Simon Tinkler and his partner, should be given the opportunity to declare and celebrate their union in front of family and friends. The implication that a couple's union is not worthy of being entered into in front of friends and family is devastating for them and their loved ones.

In February, *The Australian* [reported](#) that since the 2012 amendment removing ceremonies, the number of same-sex couples registering their relationships had decreased by two-thirds. In 2012 (both before and after the amendments), there were 604 registrations. 2013 saw only 227 registrations, and 184 in 2014.

Clearly the importance of a ceremony is not limited to people entering into marriages and the evidence shows that Queenslanders recognize the importance of allowing couples, regardless of their sexual orientation, the ceremonial rights that they deserve. Premier Anastacia Palaszczuk stated in her address to Parliament:

"We know how important that recognition is to all couples, not only because it gives their relationship official legal status, but because it allows them an official declaration of their love and devotion."





In considering the Bill, we encourage the Committee and Queensland Parliament to consider the following changes:

- (a) amending the definition of 'corresponding laws' in section 33 of the *Relationships Act 2011* (Qld) (**Act**) to incorporate a general recognition provision, similar to that proposed in Chapter 2A of the *Relationships Amendment Bill 2015* (Vic), either in substitution for or addition to the existing reference to the *Relationships Regulation 2012* (Qld) (**Regulations**);
- (b) removing the limited scope of 'reviewable decisions' under Schedule 1 of the Act, or expand it, so as not to restrict access to justice – for example, the models contained in the *Relationships Register Act 2010* (NSW) and *Relationships Act 2008* (Vic) could be used; and
- (c) removing the old savings and transitional provisions in Part 6 of the Act, which are inconsistent with the proposed Part 7.

Given this is a quickly evolving area of law both nationally and internationally, it is important that any statute be drafted in a way to allow the greatest flexibility and responsiveness, without the need to further amend the Act or Regulations.

In the Regulations, the references to the now repealed *Civil Partnerships Act 2008* (ACT) should be replaced with the *Civil Unions Act 2012* (ACT).

We commend the Queensland Parliament for taking this important step to recognising the importance of all unions and correcting the discrimination faced by many unfortunate couples, as well as the resulting alienation and rejection they endured. We are proud to see that Queensland is addressing the injustices faced by the LGBTI community, and we believe that continuing to do so by passing this Bill will only serve to enhance the community spirit and make Queensland a better, more equal and inclusive place to live.

Yours faithfully,

Mr Emile McPhee
Executive Director
LGBTI Legal Service Inc.

