



Your Ref:
Our Ref:
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Senator Lyn Allison
Senator for Victoria
62 Wellington Parade
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By email to: senator.allison@aph.gov.au

Dear Senator Allison

SAME-SEX: SAME ENTITLEMENTS BILL 2007

Thank you for inviting Legal Aid Queensland to provide a submission to the Inquiry into the Provisions of the *Same-Sex: Same Entitlements Bill 2007* ("the Bill").

Legal Aid Queensland

Legal Aid Queensland's mission is to enhance access to justice in Queensland and one of our central values is to strive to ensure people receive fair treatment.

Legal Aid Queensland provides information, advice and representation in family, civil and criminal law matters. The Civil Justice Practice within Legal Aid Queensland specialises in victims' compensation, consumer law disputes and anti-discrimination law. Legal Aid Queensland provides specialist advice and representation in relation to a broad range of anti-discrimination matters.

Same Sex Same Entitlements Bill 2007

Legal Aid Queensland supports the introduction of the Bill. Legal Aid Queensland fully endorses the recommendations of the Human Rights and Equal Opportunity Commission report "*Same-Sex: Same Entitlements National Inquiry into Discrimination against People in Same-Sex Relationships: Financial and Work-Related Entitlements and Benefits*".

The Australian Government's ratification of various international Conventions requires us to ensure equality before the law for all Australians. We believe that this Bill will achieve the necessary legislative reform to ensure that people are not disadvantaged or treated differently in their day to day lives simply on the basis of their sexuality, or their parents' sexuality.

In 2002, the Queensland government amended the definition of a 'de facto' relationship in the *Acts Interpretation Act(1954)* to include people in same sex relationships. As well, every other state and territory have enacted omnibus legislation to amend or replace definitions relating to de facto couples which fail to include same sex couples. It is vital for citizens navigating the legal system that there is parity between state and federal legislation as to what constitutes a de facto relationship.

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We note that the Inquiry will also look at the cost of implementing the Bill if it were to be enacted. While this is a practical consideration, we make the observation that cost considerations should be secondary to addressing widespread discrimination of people in same sex relationships. Consideration should also be made of the costs to the community flowing from discrimination against same sex couples and whether this outweighs the costs of reform.

We look forward to seeing the outcomes from your Inquiry and would be happy to comment further if required.

Yours sincerely

Jenny Hardy
Chief Executive Officer
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