

## INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

**Name:** Name suppressed

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Partially Confidential

Dear Committee Chair,

Firstly, I would like to thank the Standing Committee on Social Issues, for allowing me to submit my thoughts and opinions on this highly controversial issue. Gay marriage has been a widely debated issue all over the world with different countries and different people having different opinions on gay marriage. The first country to legalise gay marriage was the Netherlands in 2001 and has seen a flood of support since then. The recent development of gay marriage the United Kingdom has furthermore stirred publically in Australian public. I believe in Australia, many people have an opinion on this issue, with it being skewed towards legalising, however some people strongly disagreeing with it. Many people that I know are in support of it, however with some opposing views with invalid reasons in the contemporary social context.

To begin with, many people of my age (17, and possibly older) believe that gay marriage should be legalised as it fits in with the contemporary lifestyle. It was estimated in the 2011 census that there are over 128,000 gay couples in Australia, of which over 47,500 of them being in New South Wales. From this data gathered, it can be seen that people that are engaged in a homosexual association are happily acknowledging their relationship to the wider community and it would be a good time that relationships of all natures should be recognised. Nevertheless, this isn't so far to say that relations which involve intimate relationships between humans and animals should be recognized, which some people believe it will result as a consequence of legalizing gay marriage. According to the legal requirements of a valid marriage, there must be consent from both parties, which the animal cannot provide; hence, human-animal relationships cannot be recognized and thus invalid. Furthermore people also fear that polygamy will also arise of legalizing gay marriage. This again is not the case. If gay marriage were legalized, a section in the statute could include "it must be between 2 persons only," etc which literally takes half a line.

A lot of people believe that "gay people can technically get married; there are civil unions and de facto relationships." This statement is very accurate to a high standard; however the sense of equality is displaced. Homosexual people and heterosexual people are people and should not be discriminated against of a choice that they have made. By legalising gay marriage it allows the opportunity of discrimination to be minimised (or completely removed) as they would have equal rights.

Another huge aspect of gay marriage revolves around the concept of children. Many people argue that, a nuclear family consisting of a mother, father, and a child(s) has been a long standing convention. However this can be counter-argued that over 37% of marriages fail in the course of their life, according to the ABS report: Lifetime marriage and divorce trends, some children of which not having access to a mother or father due to the complex circumstances surrounding divorce. Thus gay marriage can be seen as 'no different,' and having parents of the same sex will have its advantages and disadvantages, however would be irrelevant if the parents adopt, IVF, surrogacy, etc a child that they love, in which case has minimum to no impact on the child. A quick 'Google' search also revealed that procreation is a reason why some people also get married, and by legalizing gay marriage this cannot take place. This can be rebutted with the same logic, for the fact that couples that can't conceive should not be allowed to marry, and elderly people that are unable to sufficiently take care of children to also not be allowed to marry.

An argument almost certainly put forward is that we should preserve tradition marriage. Marriage has always changed to suit the culture in terms of the contemporary setting of a particular time. In certain cultures, such as India, arranged marriage is a part of their culture. In Australia, the general societies' opinion is that gay marriage should be legalized, even of which adherents of Christianity as well as other major religions and groups believing that gay marriage should be a part of the contemporary culture. The concept of tradition marriage between one man and one woman was derived from the bible. With most people in Australia being non-believers, Atheist, agnostic, or from from a religion that supports gay marriage, it would be reasonable to make a majority of the population happy rather than a few. Random Fact: The Officiant is the person who pronounces the couple to be married.

I remain impartial to the issue of gay marriage as it does not affect me, however if it were to be legalized, I will have a lot more to write in my contemporary legal studies issues essays' in the 'family' topic. So for that reason my opinion is that gay marriage should be legalized. (Hopefully before 2013 HSC exams commence). However I also believe that legalizing gay marriage might make some people happier because there is minimal to no harm in legalizing gay marriage as stated in the arguments above.