

INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

Organisation: City of Sydney

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Social Issues Committee
socialissues@parliament.nsw.gov.au

Re: Same sex marriage law in NSW (Inquiry)

Dear Social Issues Committee,

Thank you for the opportunity to provide the following submission to the Social Issues Committee on the same sex marriage law in NSW inquiry.

I write to strongly support marriage equality as a Councillor on the City of Sydney Council. I make the following recommendations to the inquiry:

- Legislation should be introduced to allow same-sex couples the opportunity to be legally married in NSW;
- Legislation allowing for same-sex couples to be legally married should not include a residency requirement so that couples from throughout Australia can be legally married in NSW; and
- Legislation should also make it explicit that intersex people will have the right to be legally married in NSW.

Same-sex marriage, or marriage equality, is a fundamental human right. I would like to take this opportunity to remind the Inquiry of the words of Senator John Faulkner on this issue:

“Human rights can never be at the mercy of individual opinions or individual prejudices... It is not for governments to grant human rights, but to recognise and protect them”.

The crux of this issue is whether government can continue denying a fundamental human right to a particular group in society, or if it will embrace equality before the law in all aspects of the law and legislate for the right for all adult couples to be legally married in NSW. It is my view, and the view of many people in the communities I represent, that the latter option is more desirable, enshrining equality in the very fabric of our society. It is my firm belief that no government should deny two consenting adults the right to choose who they love and to have that love recognised by society through the ritual of marriage.

Introduction of legislation to allow same-sex marriage in NSW

Marriage means different things to different people. For many, it is an important act of love, devotion, and commitment. Many people in the communities I represent as Councillor are currently denied access to the right to marry the person they love. It is my strongly held

view that this should be rectified by the introduction and passage of legislation through the Parliament of NSW to allow same-sex and intersex adult couples the same rights afforded to others in our community.

Residency requirements

Legislation allowing for same-sex couples to be legally married should not include a residency requirement so that couples from throughout Australia can be legally married in NSW. The laws of NSW should treat all citizens of Australia without discrimination or bias. It is for this reason that same-sex couples from other states should be able to be legally married in NSW under these changes. Legislation to allow same-sex marriage has already been introduced in other states including Tasmania, South Australia, Victoria, and Western Australia, and with NSW introducing similar legislation, marriage equality throughout Australia will be one step closer to reality.

Intersex people and the right to be legally married in NSW

An intersex person is someone whose biological sex cannot be clearly classified as either male or female. Nonetheless, they are still capable of love, devotion, and commitment to another. For this reason, introduction of legislation to allow for same-sex marriage should also include the right for intersex people to be legally married in NSW.

It is my view that the march of history will be on the side of those who champion equality, human rights, compassion, and love. I am strongly in support of the introduction of legislation to establish marriage equality in NSW.

Regards,

Councillor Linda Scott
Labor Councillor, City of Sydney Council