

INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

Name: Mr Declan Clausen

Date received: 8/02/2013

Friday 8 February 2013

Re: Submission to NSW Parliament Marriage Equality

To Whom It May Concern:

My partner and I are writing to you to outline the reasons we believe New South Wales (NSW) should become the first state of Australia to allow same sex couples to have their relationships recognised as a marriage. We believe such recognition in NSW will have significant economic, health and social benefits. These benefits will flow to same sex attracted people and the broader community right across NSW and Australia.

Same sex attracted people, both locally and internationally, recognise NSW as a welcoming and friendly environment for work, holidays and socialising. This image has been developed over many years through a range of events including the annual Mardi Gras which is estimated to provide a \$30 million¹ boost to the local economy. NSW has the opportunity to build on this image of a welcoming place for same sex attracted travellers by allowing same sex marriages.

Professor Lee Badgett, Research Director of the Williams Institute of UCLA, has used the international experience of marriage equality to predict that the Australian economy could expect to see at least \$161 million² spent on same sex marriages once legislated. Badgett further predicts that the first state to legislate for marriage equality could expect to see around \$100 million³ spent on same sex marriages within its jurisdictional borders. Given that the move towards marriage equality appears inevitable within Australia and within the Pacific Region, the financial incentives created by acting on this important issue today are substantial.

Perhaps the most exciting benefit of allowing same sex attracted couples to marry is improved physical and mental health outcomes. This health benefit is not found in areas with civil partnerships or civil unions⁴. In a recent report a team of Australian doctors and psychologists summarised the findings of local and international research into the health impacts of marriage equality. They found that marriage produced positive health effects for

¹ http://www.cityofsydney.nsw.gov.au/Council/documents/meetings/2012/Committee/Cultural/230712/120723_CCSC_.pdf
ITEM07

² <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Badgett-Smith-Econ-Impact-Marriage-Feb-2012.pdf>

³ <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Badgett-Smith-Econ-Impact-Marriage-Feb-2012.pdf>

⁴ <http://drs4equality.com/wp/wp-content/uploads/2012/09/The-Facts-on-Same-Sex-Marriage-Doctors-and-Psychologists-for-Marriage-Equality-September-2012.pdf>

same sex attracted couples, that children raised in such marriages had equal health and wellbeing outcomes to children raised by heterosexual married parents, and that granting same sex couples the ability to marry caused multi million dollar savings to the health budgets of states where it was legal.

Marriage equality also creates significant social benefits by reducing the legal and social discrimination directed toward same sex attracted people. In 2010 61% of surveyed same sex attracted young people reported verbal abuse because of homophobia, 18% physical abuse and 26% 'other' forms of homophobia⁵. Whilst marriage equality won't eliminate all abuse and hurt felt by same sex attracted people, the international experience shows that reports of abuse towards same sex attracted people drop significantly in the months and years following the legalisation of marriage equality, giving same sex attracted people increased feeling of social inclusion. These improvements were seen right across the community, even among those people who did not use the opportunity to marry⁶.

Given that both the Premier and the Leader of the Opposition have indicated that there will be a conscience vote when the issue comes to the Parliament, your vote on this issue will be crucial. In voting for this legislation you will be giving NSW the proud opportunity to be the first state in the Commonwealth of Australia to recognise same sex marriage. Taking this opportunity would bring a significant economic boost to NSW, increasing the health and well being of same sex attracted people and reduce the discrimination experienced by this community.

Thank you for taking the time to read our letter and we hope you will consider the research we have provided when making your decision. Should you require any further information please do not hesitate to contact us on the details listed above.

We look forward to hearing from you soon.

Yours Sincerely,

Declan Clausen

⁵ http://www.latrobe.edu.au/ssay/assets/downloads/wti3_web_sml.pdf

⁶ <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Badgett-Social-Inclusion-Jul-2011.pdf>

The Economic Impact of Extending Marriage to Same-Sex Couples in Australia



By M.V. Lee Badgett and Jennifer Smith
February 2012

Introduction

If Australia grants same-sex couples the right to marry, the Australian economy will benefit from a surge in spending related to weddings by same-sex couples. This boost to the economy will result from spending by same-sex couples who reside in Australia, those who travel to Australia to marry, and the wedding guests of both. Businesses most likely to benefit from this spending will be businesses in the wedding and tourism industries such as hotels, restaurants, florists, wedding planners, photographers.

In this report we estimate the impact of wedding spending by same-sex couples if they were allowed to marry throughout Australia and evaluate the impact for the economy of Tasmania if same-sex couples were only allowed to marry in that state.

Overall, our conservative estimate of the economic impact is that the 17,820 Australian same-sex couples projected to marry would result in a likely boost to the Australian economy of \$161 million over the first three years that marriage is allowed. This estimate does not include wedding and tourism spending by same-sex couples from other countries or spending by any wedding guests.

Another recent estimate for this spending is \$742 million. This estimate is plausible and compatible with our estimate under other scenarios: if couples travel to Australia from

other countries, if we could take into account spending by wedding guests, if more resident same-sex couples marry than we project, and if the spending by same-sex couples on their weddings closely mirrors that of different-sex couples.

Given this range of estimates, we can project with a great deal of confidence that the overall impact of these marriages on the Australian economy will be in the hundreds of millions of dollars for the first three years.

Additionally, we evaluate the impact if only one Australian state allowed same-sex couples to marry while all other states did not. In that case, most of the business gains from new weddings would go to that one state. Since Tasmania is currently considering whether to allow same-sex couples to marry, we consider that state and estimate it would see an economic boost of \$96 million or more.

Australia

We use a method from studies that estimate the economic impact of marriages by same-sex couples in the United States. The first step is to estimate the number of couples who would marry. The second step is to estimate how much spending each wedding would generate. The figures in this report are based on the best available data from several sources. Specifically, we use estimates from the most recent Labour Force Survey, IBISWorld business analyst's

calculations, a survey by Australian Marriage Equality, the Australian Bureau of Statistics, and other sources. All dollar values are in Australian dollars.

The Australian Labour Force Survey counted approximately 33,000 same-sex couples that currently live in Australia (Labour Force Survey).¹ A recent survey of same-sex couples reports that 54% of same-sex couples would “prefer Australian law to recognize [their] relationship” as a marriage.² That finding suggests that a good estimate of the number of Australian couples who would marry if they could is 54%, or 17,820 same-sex couples. We note that approximately 50% of same-sex couples in Massachusetts, the first state in the U.S. to allow same-sex couples to marry, got married over the first three years they could do so, suggesting that the Australian estimate is reasonable over a period of a few years.³

Several figures have been offered by different sources for the average wedding spending in Australia. A 2009 figure of \$28,000 has been used in some other calculations of economic spending on same-sex couples’ weddings. IBISWorld is cited in several sources as calculating that the average wedding would cost \$36,200 in 2011.⁴

However, for a variety of reasons, same-sex couples might spend less on their weddings than the national average. Due to societal discrimination, same-sex couples may receive less financial support from their parents and other family members to cover wedding costs, resulting in overall reduced spending. Couples who have been together for many years might not spend as much as newer couples. Also, only spending that comes from couples’ savings would truly be “new spending” for businesses, rather than money diverted from some other kinds of purchases. To take these factors into

account, as in previous studies by the Williams Institute at UCLA School of Law, we estimate here that same-sex couples spend one-quarter of the amount that different-sex couples spend on wedding arrangements.

Using 25% of the IBISWorld figure of \$36,200 results in an estimate of total spending by each couple of \$9,050. The 17,820 same-sex couples projected to marry would generate a boost to the Australian economy of \$161,271,000 over the first three years.

Actual spending could well be higher for a number of reasons:

- If guests from other countries visit Australia for the weddings of their gay and lesbian friends and family members, those guests would be generating tourist spending, adding to the economic effect estimated above.
- Also, same-sex couples might travel to Australia from other countries that do not allow them to marry. For example, the 2006 New Zealand census counted almost 6,000 couples. Some of them might make the relatively short trip to Australia in order to marry, adding to tourist and wedding spending.
- The estimate that 33,000 same-sex couples who live in Australia might be too low. If same-sex couples are reluctant to report themselves as such, as may be the case in a situation of legal inequality, then the number derived from surveys could be too low.
- More same-sex couples might choose to marry than we predict.
- Our estimate of wedding spending is a conservative one. Couples might well spend much more, and more closely approximate the spending of

different-sex Australian couples than we predict.

Another recent estimate of the economic impact suggests that same-sex couples would spend \$742 million on their weddings.⁵ For the reasons stated above, we find this estimate is plausible and compatible with our estimate. If our predictions about the above elements are too conservative, then the actual impact could be somewhere between our \$161 million estimate in this report and the \$742 million estimate in the other report. Combining both estimates, we can project with a great deal of confidence that the impact on the Australian economy of weddings by same-sex couples will be hundreds of millions of dollars for the first three years.

Tasmania

A state that is the first mover to allow same-sex couples to marry might be able to claim a large share of that \$161 million. Here we look at the potential economic impact of opening marriage to same-sex couples in Tasmania, using the same method used for the national estimate.

First, we predict that 54% of Tasmania's own same-sex couples will marry. While the 2011 same-sex couples figures from the Labour Force Survey are not available by state, we can estimate the number of Tasmanian couples. In 2006, Tasmania was home to 1.7% of Australia's 25,000 same-sex couples. Applying that percentage to the 2011 figures shows that about 570 same-sex couples are likely to be living in Tasmania. If 54% marry and spend \$9,050, they will spend \$2.8 million on their weddings.

Tasmania is also likely to benefit beyond spending by its resident same-sex couples' weddings. Australian Marriage Equality

conducted a survey of over 800 people with same-sex partners across Australia. Of those couples, 87% reported that they would marry in Tasmania if it was the first state to allow it. Of the 17,513 same-sex couples predicted to marry from other states, the 87% figure would mean that 15,236 couples would travel to marry in Tasmania. However, this number may be high, since the respondents to this survey are likely to be those who are most likely to marry, so 87% is most likely an upper bound of the couples who will travel to Tasmania to marry.

In the same survey, same-sex couples were asked how much money they would spend on a wedding in Tasmania. Using the survey data to create an average suggests that each would spend on average approximately \$12,220. Since this spending would not otherwise take place in Tasmania, it would be not be discounted as in the national estimates (in other words, more of it will be new spending for the Tasmanian economy), so we take 50% of that figure for the typical out-of-state couple marrying in Tasmania.⁶ For 15,236 couples, the added spending would be \$93 million.

Taking the resident and non-resident couples suggests that Tasmania would see a boost of \$96 million if that state were the first to allow same-sex couples to marry. If more guests came from other states or countries, the gains could be even larger.

Conclusion

Weddings are an important day in the life of couples, and their spending on the ceremony, reception, and other related events, reflects that personal and cultural importance. Allowing more couples to marry—in this case, same-sex couples—would add to the economic activity of the wedding industry. Given data on the

number of same-sex couples, their interest in marrying, and typical spending in Australia, we conservatively estimate that the country's economy would see a boost of \$161 million. That effect could be much larger if the actual number of couples or amount of spending exceeds our conservative figures here. We can project with a great deal of confidence that the overall impact of these marriages on the Australian economy will be in the hundreds

of millions of dollars for the first three years. If Tasmania became the "first mover" in allowing same-sex couples to marry, that state's economy would capture a large share of that boost, as much as \$96 million.

About the Authors

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Endnotes

¹ Labor Force Survey. June 2011.

<http://www.abs.gov.au/ausstats/abs@.nsf/Products/6224.0.55.001~Jun%202011~Chapter~Couple%20Families>

² Ms. Sharon Dane, Dr. Barbara Masser and Dr. Julie Duck, “Not So Private Lives: The Ins and Outs of Same-Sex Relationships,” University of Queensland, 2009.

³ M. V. Lee Badgett and Jody Herman, “Patterns of Relationship Recognition by Same-Sex Couples in the United States,” Williams Institute, November 2011.

⁴ IBISWorld. <http://www.ibisworld.com.au/about/media/pressrelease/release.aspx?id=270>

⁵ Australian Marriage Equality, “Marriage equality and the economy.”

⁶ The spending on weddings in Tasmania would likely either reduce spending on non-wedding goods and services somewhere else in Australia, or it would reduce the estimate of wedding spending in other states were they to allow same-sex couples to marry in the future.

All you need to know about Same-Sex Marriage

The facts on what marriage means to same-sex attracted people, how same-sex parents raise children, and how discrimination affects same-sex attracted people.

DOCTORS AND PSYCHOLOGISTS FOR MARRIAGE EQUALITY

FACTS COLLATED BY:

DR FIONA KATE BARLOW

PIRATHAT TECHAKESARI

DR AMANDA VILLIS

DR ROBERT BATTISTI

DR SHARON DANE

DR DANIELLE HEWITT

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The facts on what marriage means to same-sex attracted people, how same-sex parents raise children, and how discrimination affects same-sex attracted people.

Why is same-sex marriage important to doctors and psychologists?

The introduction of legal recognition of same-sex marriage in many parts of Europe and the United States has prompted doctors and psychologists to investigate how same sex marriage (and issues around same-sex marriage) impact on the health and wellbeing of same-sex attracted people. In addition, it is important for us as health professionals to investigate whether same-sex attracted couples are capable of raising healthy, happy kids. In this document we discuss the FACTS on 1) The impact of a happy marriage on health and wellbeing, 2) How marriage equality (or lack thereof) impacts on same-sex attracted people, 3) Whether same-sex attracted couples can raise healthy, happy kids, 4) What the statistics say about same-sex marriage vs. civil unions vs. domestic partnerships, and 5) The social and financial cost of denying marriage to same-sex attracted people in Australia. In each section we have a 'take home message' that sum up the research findings in a sentence or two, and underneath, more detailed information about what actual research studies have found.

Lots of rhetoric flies around when the topic of same-sex marriage is introduced, with impassioned pleas from both sides of the argument. **What we present in this document are the FACTS about same-sex marriage, and issues that arise around marriage equality, based on rigorous, scientific investigation in the health disciplines.**

On the following page we list the take home messages for each section, and the page on which you can find the summary of the literature on each issue.

- 1) The impact of a happy marriage on health and wellbeing: PAGES 3-4
 - a. **TAKE HOME MESSAGE:** Married couples are happier and have better mental-health outcomes than non-married people on average, are more committed to making their relationships work, attract more social support, and are more satisfied with their relationships. These benefits are unique to a happy marriage – cohabiting couples do NOT show the same positive health outcomes.
- 2) How marriage equality (or lack thereof) impacts on same-sex attracted people: PAGES 4-6
 - a. **TAKE HOME MESSAGE:** Discrimination (whether legal or interpersonal) increases psychological disorders and physical infirmity for same-sex attracted people. Denial of the right to marry is linked to financial uncertainty, psychological distress, and chronic stress. Same-sex couples who were married following the legalisation of same-sex marriage (in the US and Europe) report improvements in their personal and relationship health and wellbeing, and increased social acceptance and support.
- 3) Whether same-sex attracted couples can raise healthy, happy kids: PAGES 6-10
 - a. **TAKE HOME MESSAGE:** Children raised from birth by same-sex couples have the SAME psychological, social, and academic outcomes as children raised from birth by opposite-sex couples. As with the children of heterosexual parents, the majority of children of same-sex attracted parents grow up to be heterosexual. Marriage of same-sex parents has been shown to improve the health and wellbeing of their children, and gives the family legal protection.
- 4) What the statistics say about same-sex marriage vs. civil unions vs. domestic partnerships: PAGES 11-12
 - a. **TAKE HOME MESSAGE:** Civil unions and domestic partnerships are devalued compared to marriage by both same-sex attracted and opposite-sex attracted people. It has been shown that civil unions for same-sex attracted couples do not confer the same health benefits that marriage does.
- 5) The social and financial cost of denying marriage to same-sex attracted people in Australia: PAGES 12-13
 - a. **TAKE HOME MESSAGE:** There is a multi-million dollar cost to Australia from mental health problems in same-sex attracted people due to discrimination.

1. What are the benefits of a happy marriage?

TAKE HOME MESSAGE: Married couples are happier and have better mental-health outcomes than non-married people on average, are more committed to making their relationships work, attract more social support, and are more satisfied with their relationships. These benefits are unique to a happy marriage – cohabiting couples do NOT show the same positive health outcomes.

In addition to the material securities of marriage, marriage also bestows less tangible benefits and protections on couples. Specifically, compared to unmarried couples, married couples generally manifest greater commitment to their relationship, higher levels of relationship satisfaction, greater happiness, and better mental health (e.g., Brown, 2004; Diener, Suh, Lucas, & Smith, 1999; Gove, Style, & Huges, 1990; Nock, 1995; John, Backlund, Sorlie, & Loveless, 2000; Ross, Mirowsky, & Goldstee, 1990; Manning et al., 2004; McLachlan & Sandefur, 1994; Simon, 2002; Stack & Eshleman, 1998). Herek (2011) proposes two reasons why marriage leads to these beneficial outcomes.

- **Social Support:** One major aspect of marital relationships that differs from other types of relationships (e.g., non-marital intimate relationships) is that it requires a lifelong commitment that is publically affirmed. The public affirmation is typically in the presence of family members, friends, and religious (or civil) authorities. The presence of others and the rituals associated with marriage cement the couple's ties to the larger community, which allows individuals to gather greater social support, especially from immediate family members (Cooney & Uhlenberg, 1992; Nock, 1995; Sprecher, 1988; Umberson, 1992). Empirical studies show that social support is a key factor that affects the well-being of married individuals. In fact, it has been found that social support enhances satisfaction, happiness and well-being, as it increases the sense of security that the relationship will endure (see Cherlin, 2000, 2004).
- **Deterrents to Relationship Dissolution:** Marriage creates several barriers to terminating a marriage, including feelings of obligation to one's spouse, children or other family members, legal restrictions, moral and religious values about divorce, financial concerns, and the expected disapproval of friends and the community (Adams & Jones, 1997; Levinger, 1965). Many researchers indicate that these barriers prevent married couples from prematurely ending a potentially salvageable relationship, and motivate them to seek solutions to solve their problems (Adams & Jones, 1997; Cherlin, 2004; Nock, 1995). In line with this argument, it has consistently been found that these barriers and constraints enhance relationship stability and commitment. For instance, Heaton and Albrecht (1991) found that the presence of barriers is negatively correlated with divorce (also see White & Booth, 1991).

The following are the two key points that need to be addressed:

- Firstly, the benefits of marriage are not simply a product of being in an intimate relationship. In fact, empirical evidence shows that cohabiting parents have poorer health and well-being than married individuals (Brown, 2000; Nock, 1995; Ross, 1995; Stack & Eshleman, 1998). Furthermore, research

has consistently found that the benefits of marriage do not appear to be a product of self-selection – i.e., healthy and happy individuals are more likely to marry than those who are not (see Huston & Melz, 2004 for a review).

- Secondly, it is important to note that marital status alone does not automatically lead to greater physical health, psychological well-being and relationship outcomes. Research has shown that although the benefits of marriage are evident among happily married individuals, people who are unhappy with their marriages do not experience the same fortune. In fact, unhappily married couples tend to experience more relationship conflicts, less satisfaction, and poorer health and well-being than their unmarried counterparts (Gove, Hughes, & Style, 1983; Kiecolt-Glaser, & Newton, 2001; Williams, 2003).

2. What impact does marriage equality have on same-sex attracted people?

TAKE HOME MESSAGE: Discrimination (whether legal or interpersonal) increases psychological disorders and physical infirmity for same-sex attracted people. Denial of the right to marry is linked to financial uncertainty, psychological distress, and chronic stress. Same-sex couples who were married following the legalisation of same-sex marriage (in the US and Europe) report improvements in their personal and relationship health and wellbeing, and increased social acceptance and support.

It is important for us to get good, reliable data on how opposition to, or support for same-sex marriage impacts on same-sex attracted and heterosexual Australians.

- Opposition: Same-sex attracted people already have increased rates of major psychiatric illnesses due to feelings of marginalisation, bullying and harassment, physical assault, and conflict within their families and peer groups due to issues around acceptance of their sexuality. This also impacts upon the ability to engage in work, education and meaningful relationships (Meyer, 2003). A long line of research on the effects of opposition to same-sex marriage indicates that differential governmental treatment poses further challenges for same-sex attracted individuals. These challenges have negative effects on physical health and psychological well-being of same-sex couples in several ways.
 - *Stability and Longevity of Relationships*: As previously mentioned, same-sex couples do not have institutional barriers to relationship dissolution that marriage provides heterosexual couples. It is not surprising that same-sex couples are found to experience fewer barriers to ending their relationship than married heterosexual couples (Kurdex, 1998). This promotes the breakups of couples facing problems that could otherwise be resolved. Although it has been shown that same-sex relationships are relatively long-lasting (Herek, 2006), the stability and longevity of same-sex relationships would likely be enhanced if they received the same levels of institutional support and governmental recognition of their relationship.
 - *Anti-Marriage Equality Laws and Campaigns*: Same-sex attracted people are constantly exposed to anti-gay messages from various sources, such as bumper stickers, yard signs, anti-gay ballot campaigns,

mass media, and debates by relatives, work colleagues or even total strangers. These experiences lead them to recognise that their relationships are devalued by society. It is well-documented that exposure to these experiences subjects same-sex attracted people to chronic stress beyond what heterosexual people normally experience (Rostosky, Riggle, Horne, & Miller, 2009; Russell, 2000; Russell, 2003). For instance, a recent longitudinal study conducted by Hatzenbuehler, McLaughlin, Keyes, & Hasin (2010) examined the impact of same-sex marriage ban on psychiatric morbidity among 43653 same-sex attracted adults in the United States. Results indicated that those who live in the states that banned same-sex marriage have significantly greater chance of developing any mood disorder (e.g., depression) by 36.6% greater, generalized anxiety disorder by 248.2%, any alcohol use disorder by 41.9%, and psychiatric comorbidity by 36.3%. Furthermore, there was no significant difference in psychiatric morbidity among heterosexuals living in states with constitutional amendments. These findings highlight that that minority stress associated with anti-marriage equality message has taken psychological toll on same-sex attracted individuals.

- *Heterosexual Loved Ones and Associates*: The negative impact of opposition to same-sex marriage is not restricted to same-sex attracted individuals. In fact, it has been shown that opposing same-sex marriage also affects people who have connections with sexual minorities. For instance, it was found that heterosexual loved ones and associates are at a greater risk for ostracism and discrimination (see Herek, 2009). Horne, Rostosky and Riggle (2011) also found that even though heterosexual family members do not experience the same level of stress related to anti-gay laws and campaigns, they are still exposed to a high degree of psychological stress due to the negative affect associated with the laws and campaign, and subsequent concerns they had about the well-being of their sexual minority connections.

- Support:

- *Married Same-Sex Couples in the Netherlands and USA*: As same-sex couples are not allowed to legally marry in most countries, there is limited research on how support for same-sex marriage affects same-sex attracted individuals. Ramos, Goldberg, and Badgett's (2009) study was the first to examine this issue. In this study, a total of 19 same-sex couples in the Netherlands were interviewed approximately three years after they were allowed to marry. Participants were asked to describe the personal effects of legalisation of same-sex marriage on these couples. Results indicated that same-sex couples felt more socially included and experienced greater acceptance from family members, friends, and others after their marriage. In fact, the most common words that were used to explain their feelings were 'normal' and 'accepted'. According to the respondents, many heterosexual people believe that being the first country to legalise same-sex marriage made them feel "a sense of national pride" and displayed enhanced support for equal rights. Badgett (2011) further examined the impact of legalisation of same-sex marriage in Massachusetts, USA. A total of 556 same-sex attracted people who were married to a same-sex partner were asked to complete a set of questionnaires. When asked to indicate the ways in which being married had changed them or their relationship, 72% participants reported feeling more committed to their partner, 69% more accepted by society as a result of being married and 48% less worried about legal problems (e.g., health benefits from employers). Furthermore, 89% respondents reported that family members supported their marriage and more than 80% reported that being in same-sex marriage caused them to be more likely to come out to co-workers and health-care providers.

- Australian Data: There has been a limited number empirical work conducted in Australia. However, the findings of Australia empirical research appear to mirror those conducted in other countries.
 - A recent study by Barlow, Dane, Techakesari, and Stork-Brett (2012) examined the effects of opposition to same-sex marriage among 514 same-sex attracted Australians and 296 heterosexual Australians. Results showed that when compared with same-sex Australians who were randomly exposed to articles supporting same-sex marriage, those exposed to articles opposing same-sex marriage were more likely to report feeling negative and depressed (e.g., they were more likely to agree that they felt distressed, upset, guilty, scared, afraid, ashamed and nervous), more likely to report that they felt lonely, and more likely to report that they felt weak and powerless.

3. How does having two mums, or two dads, effect kids?

TAKE HOME MESSAGE: Children raised from birth by same-sex couples have the SAME psychological, social, and academic outcomes as children raised from birth by opposite-sex couples. As with the children of heterosexual parents, the majority of children of same-sex attracted parents grow up to be heterosexual. Marriage of same-sex parents has been shown to improve the health and wellbeing of their children, and gives the family legal protection.

This section of the report will seek to answer the following questions: 1) Are children of same-sex couples disadvantaged in comparison with those raised by heterosexual parents?, and 2) How does same-sex marriage ban affect children raised by same-sex couples?

Question 1:

Our society today promotes a greater diversity than the previous century. The numbers of single-parent households and 'blended' families, such as children living with step-parents, have been increasing over the last few decades. Never married individuals are now more likely to become a parent via adoption and artificial insemination methods. Some of these individuals are raising their children with a co-habiting partner, while others are raising their children by themselves alone. On the other hand, several married couples are, now, not willing to have children and choose to remain childless. These changes in familial structure have increased the number of children born or raised by same-sex couples. This pattern is particularly common among cohabiting female couples and male couples. In fact, 1 out of 4 same-sex attracted female couples in Australia and 1 out of 7 same-sex attracted male couples in Australia have children under 18 living in their homes (Millbank, 2002). This amounts to several tens of thousands of Australian children being raised by same-sex attracted parents.

For the last few decades, the well-being of children raised by same-sex couples has been the centre of public policy debates. Scientific data from social science research remains one of the most useful sources of information that has consistently been cited by both opponents and proponents of same-sex marriage.

- Opponents of marriage rights contend that these children fare worse than those raised by heterosexual parents (e.g., Gallagher, 2004; Regnerus, 2012)

- Proponents argue that same-sex attracted parents are as capable of raising children and that the welfare of these children is not dependent on the sexual orientation of the parents (e.g., Australian Marriage Equality, 2012; Herek, 2006).

In order to evaluate this issue, one main consideration needs to be taken into account. It is difficult to make a comparable distinction when examining the psychological consequences of being raised by same-sex couples. This is mainly due to the statistical methods that are employed to investigate this issue. In social science research, it is expected that there would be some heterogeneity of findings across empirical studies due to random variation in sampling method. In other words, even if children raised by same-sex couples and those raised by heterosexual couples in the general population do not truly differ in their psychological well-being, a small number of studies (i.e., 5%) will report significant differences. In order to overcome this problem, it is important to evaluate the entire body of research evidence rather than simply relying on outcomes of one particular empirical study. If repeated findings from various empirical studies reveal statistical difference, it is likely that children raised by same-sex couples are disadvantaged. If this is not the case, then these children are not likely to be disadvantaged.

Herek (2006) investigated the entire body of scientific evidence and found that the conflicting claims were based on two entirely different bodies of research. He indicated that the studies that opponents of marriage equality cite are full of methodological flaws. In these studies, children of intact heterosexual families are compared with children who were raised by a single same-sex attracted parent (as a result of divorce, separation, or the death of a spouse). They often concluded that children fare better when they are raised by heterosexual parents than same-sex attracted parents (see Gallagher, 2004). However, there is a confounding variable in these studies. Specifically, it is probable that being raised by two parents is better than being raised by a single parent, or children from broken homes develop more problems than kids from stable homes. Sexual orientation may have very little to no contributions to the well-being of the children.

In contrast, Herek (2006) found that the empirical studies cited by the supporters of same-sex marriage appear to have made better and more direct comparisons between children with heterosexual and same-sex attracted parents. Although earlier studies in the 1970s and the 1980s were prone to some methodological flaws (e.g., utilising small samples, convenience samples, and/or unstandardised measures), the quality of studies has increased over the last two decades. Recent studies have now employed community-based or probability samples (e.g., Wainright, Russell, & Patterson, 2004), and has used validated measures and more reliable assessment methods. Additionally, the samples of children with same-sex attracted parents in earlier studies consisted of mainly those originally born into heterosexual relationships, which were later ended after one parent disclosed their same-sex attraction. However, the samples of recent studies included a greater number of children who were either adopted since infancy or conceived within same-sex relationships through artificial insemination methods. This means that the number of parents and the consequences of being raised in broken families were not likely to be problematic in these studies. This also means that these recent studies were more likely to accurately compare the well-being of children with heterosexual and same-sex parents than earlier studies or the studies that were cited by opponents of same-sex marriage. The key findings of these recent studies were summarised below:

- It has consistently been shown that there is no association between parents' sexual orientation and well-being of children (see Wainright et al., 2004). For instance, a longitudinal study which utilised a probability/stratified random sample of high schoolers in the US (Wainright et al., 2004). A total of 44 adolescents raised by lesbian couples were compared with 44 adolescents raised by heterosexual couples. The groups were equally matched on a variety of demographic characteristics (e.g., child's age, parent's age, percentage of non-White families, percentage of adopted children, percentage of college-educated parents,

and socio-economic status/annual household income). It was found that the two groups did not differ in terms of their psychosocial adjustment (i.e., depressive symptoms, anxiety symptoms, and self-esteem), school functioning (e.g., GPA, and trouble at school), romantic relationships and sexual behaviours, and family and relationship process variables (e.g., parental warmth, quality relationship with parents, level of autonomy, and integration into their neighbourhood).

- Other studies also found no statistical differences in mental health, social adjustment and developmental outcomes were found among children raised lesbian mothers in comparison with those raised by heterosexual parents (Golombok et al., 2003; Parks, 1998; Perrin, 2002).
- There were also no statistical differences in mental health, social adjustment, and developmental outcomes were found among children raised gay fathers in comparison with those raised by heterosexual parents (see Patterson, 2004 for a review).
- Children of lesbian parents were not found to have any problems with gender identity or gender role conformity (Patterson, 2000).
- There has been an argument raised by same-sex marriage opponents in regards to sexual development of the children. Specifically, children of same-sex attracted parents are believed to have greater chance of experiencing same-sex erotic attractions or identify themselves as 'same-sex attracted' when they grow up. However, empirical data reveal that the majority of children raised by same-sex attracted parents eventually grow up to be heterosexual (e.g., Bailey, Bobrow, Wolfe, & Mikach, 1995; Patterson, 2000; 2004; Tasker & Golombok, 1997).

Regnerus (2012) argued, however, that these studies cited above often utilised small samples, which increase the risk of having "Type II" error. In other words, these studies would have higher chance of detecting "no statistical difference" results even if children of same-sex attracted parents were disadvantaged in the general/larger population. He, therefore, conducted the "New Family Structures Study" conducted in an attempt to overcome the small sample size issue. The study claimed to compare the well-being of children raised by heterosexual parents with those raised by same-sex attracted parents among 15058 adults between the age of 18 and 35 years. Specifically, all participants were asked if either of your parents ever have a romantic relationship with someone of the same sex? Participant had to select one of the following options: 1) Yes, my mother had a romantic relationship with another woman, 2) Yes, my father had a romantic relationship with another man, or 3) No. If the participants responded "Yes" to this question, they would be considered as being raised by same-sex attracted parents. If they responded "No", they were considered as being raised by heterosexual parents. There were a total of 175 participants who were raised by lesbian mothers and 73 participants who were raised by gay fathers. The findings of this study supported the opponents of marriage equality, suggesting that children whose mother had a same-sex relationship fared worse than children with heterosexual parents on 24 out of 40 tested outcomes on social, emotional, and relationship factors. Such outcomes included whether or not a child was more likely to have depression and anxiety, to be abused, and to engage in unhealthy habits (e.g., having multiple sexual partners and using drugs).

Although several social scientists acknowledged that the large random sample is a clear strength in this study, they also argued that this study contained several methodological flaws and that its findings did not indicate that there is a harmful effect of same-sex parenting on children's well-being (e.g., Amato, 2012; Burroway, 2012; Davidson, 2012; Jaslow, 2012).

- Sexual Orientation of the Parents: The study did not directly compare children who were raised by heterosexual parents and those who were raised by same-sex attracted parents. In fact, the children's living

arrangement was not considered – i.e., the study did not compare the children who lived in a home with both same-sex attracted parents throughout their childhood with those who lived in a home with heterosexual parents throughout their childhood. Instead, children of those who reported that their parents had a romantic relationship with someone of the same sex were compared with those who did not. This could lead to several problems. First, the parents of these children may not identify themselves as lesbian. Second, having parents that had a same-sex romantic relationship could mean several things: kissing at a bar, having sex once when they were drunk, or having an infatuation from a distance that lasted for 2 weeks. Based on these problems, these respondents may not have been raised by same-sex attracted parents (at all or very minimally). Actually, in this study, less than 2% of all participants who answered ‘yes’ (i.e., 2 out of 175) reported spending the whole childhood (all 18 years) with their mother and her partner. Regnerus (2012) confirmed this point by admitting that he made mistakes and stating that “there are valid criticisms that are being made, such as the measurement decision on who should be called a lesbian mother in this study”. Therefore, this study did not compare parenting capabilities of same-sex couples with heterosexual couples nor did it indicate that same-sex parenting undermines the health and well-being of children.

- **Confounding Variable:** The children whose parents had a lesbian romantic relationship comprised a very large number of children of divorced parents, adopted parents, and single parents. Regnerus (2012) chose to compare these children with the sample of children who were raised by intact heterosexual parents through their 18 years of childhood who were married at the time ($N = 919$). Amato (2012) argued that this comparison group was not appropriate, as the effects of being raised by a lesbian mother were not isolated from the effects of unstable homes. It is possible that most of the negative outcomes may occur due to the instability of households (that preceded a same-sex relationship) rather than the sexual orientation of the parents. Amato (2012) conducted effect size comparisons to determine if this is the case. In this study, he used Regnerus’s (2012) data and changed the comparison group to the full sample of children (i.e., including all intact biological, divorced, remarried and single [heterosexual and same-sex attracted] parents). The findings indicated that, overall, children whose parents had a lesbian romantic relationship were .28 of 1 standard deviation below the full sample of children across all outcomes. These differences were, in fact, similar to the findings of studies examining children from broken homes. As the majority of children with “lesbian” parents experienced parental divorce and/or remarriage, it is not surprising that the statistical difference was found in Regnerus’s (2012) study. Furthermore, 39% of children of ‘lesbian’ parents scored higher than the average of the full sample, illustrating that children are not *uniformly* disadvantaged because of parents’ sexual orientation. Therefore, a more appropriate conclusion of his study would be “children in broken homes fare worse than children in stable homes”.

Based on the current findings, the studies that found support for arguments raised by opponents of marriage appear to be methodologically flawed. On the other hand, well-designed studies failed to demonstrate that children of same-sex couples are disadvantaged in any way, lending support for proponents of same-sex marriage. Regnerus (2012), however, raised an important point in regards to the small sample size issues. Consequently, a new generation of well-designed empirical studies with large and representative samples will need to be conducted. In the meantime, it is rather absurd to conclude, based on current evidence, that same-sex attracted parents are less capable of raising well-adjusted children.

Question 2:

Recent researchers have argued that the current debate has placed too much emphasis on the parenting capabilities of same-sex attracted individuals (Amato, 2012; Herek, 2006). No empirical evidence indicates that legalising same-sex marriage increases numbers of children raised by same-sex couples, meaning that one can only speculate whether or not this will happen in the future. However, based on the global trends, the number of children conceived and adopted by same-sex couples will continue to increase regardless of whether or not they are allowed to marry. It is not reasonable to argue that same-sex marriage should be banned to prevent same-sex attracted individuals from raising children. Instead, the debate should consider whether same-sex marriage ban helps or harms children of same-sex couples.

Current research has shown that same-sex marriage ban has a negative impact on children of same-sex couples.

- **Health & Well-being:** It is well-established that well-being of the parents affect well-being of the children (see Herek, 2006). As same-sex marriage negatively impacts on well-being of same-sex attracted parents, it also undermines the well-being of their children.
- **Security of a Child in Times of Crisis:** In Australia, children of same-sex couples do not necessarily have a legal bond with both of their parents. The lack of legal clarity can have several negative consequences, especially in times of crisis. For example, a parent who is not legally bonded to the child, by law, would have no rights to adopt or gain custody after the death of their partner.
- **Stigma:** Historically, children of unmarried couples were stigmatised as ‘bastardy’ or ‘illegitimacy’ (Witte, 2003). The presence of these stigmas, although reduced, still exists today. Many people still consider raising children in unwed relationships as undesirable, and the stigmatised identity is also extended to the children of unmarried same-sex couples (Herek, 2006).

It has been shown that governmental recognition yields several psychological benefits. For instance, Ramos et al. (2009) examined this particular issue by asking 164 married same-sex couples with children in the Massachusetts to complete a set of questionnaires. The following are the main findings of this study.

- 93% of the respondents reported that their children were happier and better off as a result of their marriage.
- When asked to indicate “how being married affected their children”, the majority of participants responded that children felt more secure and protected and gained a sense of stability. Another common response was that children were allowed to see their families as being legitimated and validated by society. This feeling increased the sense of connectedness to children’s family members, thereby enhancing their relationship with parents, stepparents, and siblings.
- Participants reported that their marriage provided legal benefits for their children, such as legal protection, health insurance, and other tangible benefits.
- Participants reported that legalisation of same-sex marriage made it easier for others to understand their families. The common knowledge or understanding of their relationship allowed them to deal with institutions and people who are involved in their children’s daily life.

4. How does same-sex marriage compare to civil unions or domestic partnerships?

TAKE HOME MESSAGE: Civil unions and domestic partnerships are devalued compared to marriage by both same-sex attracted and opposite-sex attracted people. It has been shown that civil unions for same-sex attracted couples do not confer the same health benefits that marriage does.

As previously discussed, there are several psychosocial and legal benefits that come with marriage. Because they are denied the rights to marry, same-sex couples are more likely than heterosexual couples to experience adverse health and well-being outcome. Such outcomes include lower self-esteem, higher levels of depression, anxiety, alcohol abuse, homelessness, early school leaving, conflicts with peers and parents, self-harm and suicidal ideation (Australian Center of Sex Health and Society, 2012; Hasin et al., 2010; Herdt & Kertner, 2006). These findings highlight that marriage denial leads to negative consequences on same-sex attracted people and poses challenges to the success of their relationships.

For the past decade, it has been argued that the negative consequences of same-sex marriage ban can be overcome through other forms of legal recognition, such as domestic partnerships and civil unions. These legal arrangements were initially regarded as an important advance, as they would grant all the same rights and protections to same-sex couples and families without actually designating the marital status to them. Although research shows that these legal arrangements carry specific rights with them (see Rothblum, Balsam, & Solomon, 2011; Balsam, 2005; Solomon et al., 2005), they do not offer the same benefits as marriage.

- Marriage is widely recognised across states and national borders. Domestic partnerships and civil unions, on the other hand, are not universally understood or respected in many cultures and institutions. In fact, many reports into operations of civil schemes reveal that civil unions are not recognised by many schools, hospitals, insurers and government officials. The lack of recognition poses problems for same-sex couples who have to travel beyond their home states, as they cannot be certain that they will be treated as a couple or a family. This is particularly problematic in times of crisis involving medical emergencies of a parent or their child. Consequently, same-sex couples in a registered partnership such as civil unions are still subject to heightened levels of stress, anxiety, and uncertainty in comparison with married couples.
- Civil unions do not have the same beneficial effects as marriage on health and well-being of same-sex couples. Although these arrangements have been found to enhance the sense of stability and commitment to their partners (e.g., Rothblum et al., 2011), they do not derive the same benefits as marriage. In fact, empirical studies have confirmed the unique benefits of marriage by showing that cohabitation and other forms of relationships do not lead to the same health advantages as marriage (see Herek, 2011). Consequently, it is not surprising that the majority of same-sex couples in Australia and globally prefer marriage to other forms of legal recognition (Herek, Norton, Allen, & Sims, 2010; Kaiser Family Foundation, 2001). For instance, Dane et al. (2010) found that 54% of Australian same-sex couples would marry if they had that option. Furthermore, 78% of Australians currently in a same-sex civil union reported that they prefer to be married under the law. In addition, many same-sex couples travel long distance across national borders (e.g., to Canada) in order to marry (Marech, 2004).

- Creating a separate marital status for same-sex couples perpetuates the stigma associated with homosexuality. Specifically, the separation serves as a reminder that power distance between those in the privileged position (i.e., heterosexual people) and those in the inferior position (i.e., same-sex attracted people) must always be maintained. This further sends a powerful message to the society that same-sex relationships are less deserving of societal recognition than heterosexual relationships, and that they should be downgraded by designating them a 'second-class' status. Additionally, it creates greater power differentials whereby heterosexual couples enjoy greater legal and psychosocial benefits of marriage. Decades of empirical research have shown that sexual stigma has several negative implications. First, it encourages discrimination against same-sex attracted individuals, leading them to experience higher levels of social ostracism, verbal and physical abuse, and other forms of violence (Badgett, 2001; Meyer, 2003). Second, same-sex attracted people are more likely to internalise a sense of shame, leading them to conceal their sexual identity (Cole, Kemeny, Taylor, & Visscher, 1996). These findings illustrate that civil unions appear to make the matter worse to ALL same-sex attracted individuals, regardless of whether or not they have the desire to marry.

As marriage is understood across nearly all communities and cultures, it is extremely powerful and simple as a tool for communicating to others information about a relationship. Current and proposed relationship labels include terms such as 'de-facto' and 'civil union' and although such terms may carry specific rights with them, they are virtually meaningless as a tool for communicating information about a relationship, as they are not universally understood. Allowing access for same-sex attracted individuals to marriage will immediately increase the degree of 'sameness' between all individuals, irrespective of whether they are same-sex or opposite-sex attracted, consequently reducing the associated burden of illness.

5. What is the social and financial cost to Australia of denying same-sex attracted people marriage?

TAKE HOME MESSAGE: There is a multi-million dollar cost to Australia from mental health problems in same-sex attracted people due to discrimination.

Same sex marriage bans directly impact upon the occurrence of severely debilitating psychiatric illness among same-sex-attracted individuals. As previously illustrated, estimates using data from several studies indicates:

- a 250% increase in major anxiety disorders
- a nearly 40% increase in mood disorders (such as major depression)
- an over 40% increase in substance use disorders

This is equivalent to over 4,000 productivity years lost to these illnesses, or over \$260,000,000 within a single year; without including costs associated with treatment or productivity losses for carers. Refer to: Hatzenbuehler et al., Begg et al., Prestage et al.

Conversely, legalisation of same-sex marriage is expected to significantly enhance the Australian economy. The following displays how same-sex marriage affects the global economy.

- Over \$US 111 million injected into the Massachusetts economy within 5 years and young workers were 2.5 times more likely to move to Massachusetts after their marriage.
- In the past year, approximately \$US 259 million were injected into the New York economy within 1 year.
- An estimated \$US 684 million and 2,200 more jobs will inject into the California economy after legalisation of same-sex marriage.
- An estimated \$US 1.2 million will inject the Rhode Island economy through allowing same-sex couples to marry in Rhode Island.
- Using the formula developed by US economists, same-sex weddings will inject approximately \$742 million into the national economy. The state government is expected to receive over \$AU 7 million from marriage license fees alone.

Concluding comments

Doctors and psychologists, as health professionals, have a responsibility to research, and work towards, community health in Australia. Same-sex attracted Australians, as highlighted in recent debates and media articles, have poorer health outcomes than heterosexual Australians. With the increasing debate about same-sex marriage, there is an impetus to get the FACTS on same-sex marriage – what it will do for the health and wellbeing of same-sex attracted couples, and by extension, how same-sex attracted couples fare as parents to children. In this review we have scoured the literature on these topics, to draw take home conclusions. We hope that this document may be of use to people who want to find out what the facts are on the issue of same-sex marriage, and mental and physical health of same-sex attracted people and families.

References

*Please note that a full list of references is available upon request from the authors. Please e-mail Dr Fiona Kate Barlow at f.barlow@psy.uq.edu.au. An abridged list of key references are below.

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