

Wednesday, 15 November 2017

It's a 'yes' for marriage equality! Now for legislation that does not discriminate

With the 'yes' vote now confirmed, Parliament must move swiftly to introduce legislation that legalises marriage equality while preserving important anti-discrimination protections for LGBTI Australians.

Law Council of Australia President, Fiona McLeod SC, said the peak legal body has supported marriage equality for over a decade and was delighted with today's result. But she said it is important to understand what today's result does and does not mean.

"The people of Australia were asked if they wanted same-sex couples to marry and they have delivered a resounding 'yes'," Ms McLeod said.

"They have not been asked if Australia's anti-discrimination protections should be wound back. This important distinction should be front of mind for all Parliamentarians.

"Australians have voted for marriage equality, they have not voted to erode anti-discrimination protections.

"Freedom from discrimination is a fundamental human right.

"Discrimination on arbitrary grounds, including sexual orientation is contrary to Australia's international human rights obligations."

Ms McLeod said while freedom of religion is crucial right, there is no need for drastic change.

"The changes suggested in Senator Dean Smith's Bill offers a reasonable compromise and a fair balance of rights," Ms McLeod said.

However, she restated the Law Council's opposition to legislation that sought to wind-back protections against discrimination.

"We strongly warn against the passage of the Bill released by Senator James Paterson," Ms McLeod said.

"Senator Paterson's Bill, or any variant of it, would encroach on Australia's long-established anti-discrimination protections in dangerous and unprecedented ways."

Patrick Pantano
P 02 6246 3715 (includes mobile)
E Patrick.Pantano@lawcouncil.asn.au

Sonia Byrnes
P 0437 078 850
E Sonia.Byrnes@lawcouncil.asn.au