



Australian Council of Social Service

28 September 2016

The Hon Bill Shorten MP
Leader of the Opposition
PO Box 6022
Parliament House
Canberra ACT 2600

Dear Leader of the Opposition

I write to provide you with the views of the Australian Council of Social Service regarding the current debate about marriage equality in Australia and a potential national plebiscite on the question of whether or not to permit same-sex marriage.

ACOSS is the peak body of the community sector in Australia and national voice on poverty and disadvantage in Australia. We recognise the right of every person to opportunity, justice and equity and we share a vision of a fair and inclusive Australia. One of our core goals is to improve the lives of people affected by poverty, disadvantage and inequality through policy and advocacy, informed by the wisdom and expertise of our member base and the direct experiences of people affected by poverty and disadvantage.

ACOSS has a long standing position of supporting marriage equality regardless of gender or sexual orientation.

ACOSS supports marriage equality as a core principle of non-discrimination and equality before the law. ACOSS is particularly concerned about the impact of the lack of marriage equality for LGBTIQ people and the associated negative impacts that this ongoing discrimination has on their health, wellbeing and inclusion, as well as their family and their children. The negative health impacts of discrimination against people from LGBTIQ people is well documented. We draw your attention to the recent release by the Aids Council of New South Wales (ACON) of *"The Impacts of Marriage Equality and Marriage Denial on the Health of Lesbian, Gay and Bisexual People"*, September 2016, which sets out the clear body of evidence of the negative health impacts of the denial of marriage equality on LGBTIQ people. ACON is a member of the Australian Federation of Aids Councils, one of our national members. We also refer you to the excellent resource from Relationships Australia on the importance of marriage equality to health relationships, *"Relationships Australia Marriage Equality Statement"*, 2015.

ACOSS also does not support a national plebiscite on the question of whether or not to permit same-sex marriage.

We share the deep concerns of LGBTIQ people and representative organisations that a plebiscite will be divisive across society and harmful for a group of people who already suffer the effects of homophobia, discrimination and abuse. Young people are particularly at risk.¹ Extreme and hurtful

¹ [PwC has estimated costs](#) of \$20 million "associated with the impact on the mental health and wellbeing of Australian citizens" and the total cost at \$525 million.



slurs have already been made. When political and community leaders use homophobic rhetoric, it becomes permission-giving to others who would want to express their hatred of people who are gay. We are also concerned that the proposed public funding of the campaigns would legitimise prejudice against LGBTIQ communities. Should the plebiscite vote be against marriage equality, we share the concerns that it will exacerbate, amplify and legitimise homophobia, marginalisation and exclusion. In other words, it *“could justifiably instate the moral objections of people against LGBT people—that it is actually legitimate within law to hold those things”*.²

A plebiscite will not resolve the issue either way, only prolonging the public debate and serve to further entrench people’s positions. We do not consider that a plebiscite is an appropriate tool to address issues of fundamental rights and the worth of individuals and their relationships to society. The Australian Human Rights Commission, in its submission to the Senate Inquiry wrote:

*“Public votes are not an appropriate way to resolve issues of fundamental rights. It is not an appropriate instrument to resolve issues of equality before the law. Nor is it an appropriate instrument to resolve issues of religious freedom.”*³

As you know, a plebiscite is not necessary to deliver marriage equality. There is no constitutional impediment to legislative action. Delivering marriage equality is within the capacity of the Australian parliament to resolve. Australian governments have previously dealt with controversial issues without resorting to public votes. We live in a representative democracy, and it is a feature of our system of government that laws and major policy proposals are determined by our elected representatives through debate and deliberation in the parliament.

The costs of the plebiscite are significant and unnecessary. The funds allocated should be saved, and redirected to essential services. ACOSS has long expressed significant concern about the underfunding of essential community services, exacerbated by the approximately \$1.5b in service cuts that have been announced and mostly implemented since the Federal Budget 2014.

We urge you to support marriage equality being delivered through the Australian Parliament.

Yours sincerely,

Cassandra Goldie
ACOSS CEO

² William Leonard, Director of Gay and Lesbian Health Victoria, Senate Legal and Constitutional Affairs References Committee, Report on the inquiry into the ‘Matter of a popular vote, in the form of a plebiscite or referendum, on the matter of marriage in Australia, p. 12, <http://bit.ly/1Ko7INr>

³ Ibid., p. 13