

## Law changes can't wait until 2020, gay advocates say

By Jennifer Macey

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Two of the participants at this weekend's 2020 summit will represent gays and lesbians at the Communities and Families forum.

The Labor Government has pledged to remove 58 laws that discriminate against same-sex couples in tax, superannuation and family rights among other things.

But gay and lesbian groups say they're alarmed by reports that the Government will not include these reforms in the May Budget.



Law changes ... 'Every day is a delay' (File photo) (AAP: Sam Mooy)

- [Audio: Gay, lesbian representatives to push for reform at 2020 \(AM\)](#)
- [Map: Parliament House 2600](#)

Among the 1,000 participants heading to Canberra this weekend is Shelly Argent, the national spokeswoman for Parents and Friends of Lesbians and Gays.

She says a future Australia must include legal recognition of same sex couples.

"My issue is that I have two sons, one's straight and one's gay, they both contribute equally to society and yet the government and society is very quick to say that one is better than the other," she said.

"Now I just totally disagree with that. I want my son to be seen equal in the eyes of the law and society."

The Human Rights and Equal Opportunity Commission has identified 58 laws that discriminate against gays and lesbians covering tax, superannuation, health, workplace benefits and family law.

"I mean having same-sex parents being recognised with their children," Ms Argent says.

"At the moment only the biological mother is recognised and the non-biological mother or other parent has absolutely no rights whatsoever.

"That non-biological parent cannot legally take that child to the doctor and be given information, or cannot take the child to school or necessarily pick the child up from school, and especially if the child is sick, because that person has no legal right over the child."

Labor has promised to scrap these laws and has uncovered 40 extra pieces of legislation that also discriminate.

Human Rights Commissioner Graeme Innes says the Government simply needs to alter the definition of de-facto to include same-sex couples.

And he doesn't think the issue of law reform needs to be on the 2020 agenda.

"Because it's a commitment the Government has made, it just needs to be on the Budget agenda, so that all Australian couples no matter what their sexual orientation, are treated in the same way," he said.

"Same-sex couples aren't looking for any extra benefit, they're just looking for equality, and there will be positives and negatives if all of these laws are amended.

"There'll be some laws where there's actually savings in the budget as well as some laws where there's extra costs."

But there have been reports the Government may wait until next year to introduce the changes.

Greens leader Bob Brown says the Government still hasn't committed set a date for the reforms.

"Every day is a delay. What we haven't heard from the Rudd Government is any scheduling at all, any agenda, any timetable for ending the discrimination which the Howard Government left on the books," he said.

"It is time that the Labor Government at least followed up on its policy, which is to get rid of discrimination in areas of importance like matters of superannuation," he said.

A spokesman for Attorney-General Robert McClelland says the Government won't comment on what is in the Budget.

But he says the Government is committed to removing this discrimination and is consulting about the best time to implement the changes.

Rodney Croome from Australian Coalition for Equality says for many people, time is running out.

"At the moment there is no recognition of same-sex partners in federal superannuation schemes," he said.

"There are partners who are facing retirement or who are elderly for whom this issue is really urgent. They can't wait any longer for this reform.

"They need to be sure that their partners will be financially secure during retirement or if they themselves die before their partner."

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