



PFLAG -Brisbane Inc.

Parents and friends of Lesbians and gays - support group

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Same Sex Inquiry - Human Rights Unit,
Human Rights & Equal Opportunity Commission,
GPO Box 5218,
Sydney. NSW 2001

PFLAG Submission regarding Discrimination against People in Same Sex Relationships: Financial and Work Related Entitlements and Benefits.

As a peer support group for parents with lesbian and gay sons and daughters it's our belief that the Federal Government of Australia ensures same sex couples are deliberately kept marginalised. We believe this is done by their continual denial of providing lesbians and gays their equality and human rights.

The government is losing sight that the best governments are run by the State not the Church. They also need to be reminded that it's their duty to protect minorities which presently isn't happening, particularly in relation to same sex families and couples.

Same sex couples and families have limited State rights but these aren't uniform across the country. Presently, Federal Government continues to deny them the rights only they can provide but refuse, making life difficult and uncertain for many. This inaction continues their marginalisation and encourages homophobic beliefs and actions giving many in society an excuse to see lesbians and gays as second class citizens; people to be snared at and trivialised.

The areas affected by financial and work place discrimination we believe are:

Taxation - couples are deliberately taxed as single units which is exploitive.

Pensions - the lack of rights to apply for a pension causes hardship for same sex families or couples who, except for current legislation, would be eligible for a pension.

Superannuation - the partner is not seen as next of kin, so is automatically disregarded in favour of other family members. In particular, discrimination still exists against same sex interdependent couples in superannuation schemes for federal government employees including military personnel.

Leave and entitlements whether this be for compassionate or bereavement, carers leave, travel and transfer benefits the lack of benefits cause hardship at a time that is already stressful. Often because one party involved has had to give up their career or job to remain with the partner.

Health benefits - partner is often refused access visitation rights, or the rights to give medical consent because they again are not considered next of kin leaving the sick person vulnerable. Recognition of relationship would overcome this dilemma

Plus, there is no federal anti-discrimination legislation existing to protect same sex families from discrimination in regards to private health insurance. Discounted cover is not available for same sex families.

Workers Compensation - same sex partners do not qualify for as a spouse in most workers compensation schemes. This again causes hardship at a time that is stressful and possibly economically difficult.

The above discriminations we believe occur:

- (a) because the present Federal Government defines the term "spouse" which automatically excludes same sex couples
- (b) due to personal homophobic beliefs and pressure from some religious bodies

PFLAG members strongly believe that the federal government's continual contempt and denial of the rights and recognition of same sex couples and their families denies them the inherent dignity and inalienable rights of all members of the human family.

Federal Government we believe is neither promoting social progress nor striving to improve standards for the children in same sex families.

PFLAG believes the following human rights as declared by the United Nations Charter for Human Rights are presently being abused by federal government.

United Nations Declaration of Human Rights

Article 1. States all human beings are born free and equal in dignity and rights.

Article 6. Everyone has the right to recognition everywhere as a person before the law

Article 7. All are entitled to equal protection against any discrimination

Article 16. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 21. Everyone has the right of equal access to public service in his country.

Article 23. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary by other means of social protection.

Article 25. (a) Everyone has the right to standard of living adequate for health and well being of himself and family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widow hood, old age or other lack of livelihood in circumstances beyond his control

(b) Motherhood and childhood are entitled to special care and assistance. All children, whether born out of wedlock, shall enjoy the same social protection.

Same sex families (especially female relationships) are often invisible families living below the poverty line due to lack of access to services or hesitancy to apply due to concerns of being judged negatively or fears that children may be removed from the family unit.

The federal government could quickly remedy these abuses and discriminations relating to financial and work related entitlements at minimal cost by

(a) recognising the term "spouse" to mean partner not specifically husband or wife

(b) recognising same sex couples as legitimate relationships

(c) and when children are involved as family units

As a parent body we believe the constant disdain that this present government heaps on our lesbian and gay children contributes to the depression and suicidal ideation that many lesbians and gays suffer. It's time it ceased.

We know there is more discrimination, to be overcome but we believe this to be a positive start for true equality.

Shelley Argent OAM

President

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