



Gay & Lesbian Rights Lobby

Director
Civil Law and Cabinet
NSW Department of Justice
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Sydney NSW 2001
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Wednesday 6 January 2016

Re: Relationships Register Act 2010 (NSW) Statutory Review

To whom it may concern,

The NSW Gay and Lesbian Rights Lobby (GLRL) welcome the opportunity to respond to the five-year statutory review of the *Relationships Register Act 2010 (NSW)*.

The establishment of the New South Wales Relationships Register in July 2010 was welcomed by the GLRL, recognising the greater relationship recognition the register provided to same-sex couples in NSW in the absence of federally legislated marriage equality.

Recognition of relationships of same-sex couples in New South Wales

Although the GLRL recognises the diversity of relationships that exist and the different ways in which people may seek to mark their commitment to one another, the GLRL considers that other forms of relationship recognition, including civil unions, are not a substitute for marriage equality.

Forms of relationship recognition, such as the State relationships register, whilst having a place for those who do not wish to enter into marriage, create a tiered system of relationship recognition in the absence of access to the institution of marriage for same-sex couples, which currently serves to prevent access to the significant symbolic benefits that the institution of marriage confers on those who enter into it.

The GLRL's submission to the New South Wales Legislative's Council inquiry into same-sex marriage law in New South Wales¹ in March 2013 details the substantive relationship rights that are not extended to same-sex couples as a result of marriage equality not being legislated in Australia.

¹ Gay and Lesbian Rights Lobby (2013). *'All love is equal': Towards substantive relationship recognition for same-sex couples in NSW*

Statewide consultation conducted by the GLRL in the *All Love is Equal... Isn't It?* Report illustrated that 86.3 percent of respondents favoured same-sex marriage.² Consultations also found that same-sex couples want diverse forms of relationship recognition, including through marriage.

Recommendation: It is recommended that the review notes the significant support for same-sex marriage equality legislation in New South Wales and from the broader Australian community.

Provision of ceremonies

The State relationships register does not include a provision for ceremonies. As a result, same-sex couples are not able to celebrate their relationship through a legally binding ceremony in New South Wales.

Legally binding ceremonies to formally recognise a deed of partnership for same-sex couples are available in Tasmania³, and at the time of this submission, are currently being explored in Victoria.⁴

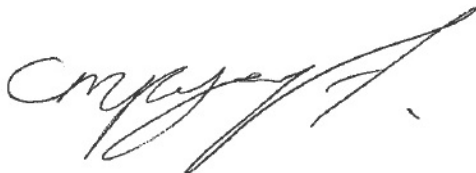
The inclusion of a provision for legally binding ceremonies would provide symbolic recognition for relationships, and would bring legislation in New South Wales in line with other states and territories reflecting provisions introduced following the implementation of the State relationships register in 2010.

Recommendation: It is recommended that opportunities be explored to introduce legally binding ceremonies for couples who register a relationship in New South Wales.

The GLRL welcomes the opportunity to make a submission to this statutory review. We are happy to provide further information if required, should you wish. If so, please contact Co-convenor Chris Pycroft on 0424631135 or by e-mail at convenors@glrl.org.au.

Thank you for your consideration of this submission.

Kind Regards,



Chris Pycroft
Co-convenor
NSW Gay and Lesbian Rights Lobby

² Gay and Lesbian Rights Lobby (2007). *All Love is Equal...Isn't It?*

³Tasmanian Births, Deaths and Marriages - Ceremonies (2014)
<http://www.justice.tas.gov.au/bdm/relationships/ceremonies>

⁴ Relationships Amendments Bill 2015

<http://www.parliament.vic.gov.au/static/www.legislation.vic.gov.au-bills.html>

