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Gay and Lesbian Law Reform to implement equality

The Territory Government introduced reforms to Parliament today to ensure equality in treatment for gay and lesbian Territorians in a number of areas of the law.

Attorney-General Dr Peter Toyne said the proposed reforms would ensure equality before the law for all Territorians, no matter what their sexuality, bringing the Territory into line with the rest of Australia.

"Equality before the law is a fundamental right but until now, gay and lesbian Territorians have not enjoyed the same rights as their fellow Territorians or as gay and lesbian men and women in other parts of the country," he said.

"Former Shadow Attorney-General Peter Maley has already publicly stated he supports the reform as equality before the law is a fundamental tenet of the CLP’s platform."

The proposed reforms include:

- equalising the age of consent at 16 years of age for all young Territorians
- extending domestic violence laws to gay couples to provide the same protection from abusive relationships as exists for heterosexual people
- amendments to the Anti-Discrimination Act that currently allow discrimination in employment on the basis of sexuality and to limit the exemption for religious bodies to religious observance only, whilst recognising the right of religious schools to employ teachers who adhere to the tenets of the particular religion
- amendments to the Anti-Discrimination Act to allow employers to obtain a compulsory criminal check before employing a person in areas involving care of vulnerable people, including children.
- providing access to de facto property settlements and ensuring equality in areas involving other general property rights, financial transactions, and access to benefits and superannuation
- ensuring that children raised by homosexual households have equal access to benefits, support and rights as those children in heterosexual households.

Dr Toyne said these reforms will ensure equality between sexes, consistency in law with other states, and reduce the stigmatisation of sexuality, which research shows has contributed significantly to suicide and health problems in young gay men.
"We cannot continue to ignore this situation and marginalise a group of Territorians."

The reforms have been based on a submission to Government from the Darwin Community Legal Service and has involved extensive review of all provisions affecting couples in de-facto relationship to ensure quality of treatment.