



PO Box A147, Sydney South NSW 1235  
[info@alhr.org.au](mailto:info@alhr.org.au) [alhr.org.au](http://alhr.org.au)

## **Media release**

**For immediate release Monday October 10 2016**

### **AUSTRALIAN LAWYERS FOR HUMAN RIGHTS OPPOSE POPULIST PLEBISCITE**

Australian Lawyers for Human Rights (ALHR) calls loudly and proudly for a parliamentary vote on marriage equality rather than a patronising, painful and persecutory plebiscite. ALHR's LGBTI Subcommittee Co-Chairs, Kathryn Cramp and Nicholas Stewart issued a statement this morning stating that: "Marriage equality must not come hand in hand with attacks on fundamental anti-discrimination laws such as the right to be free from harassment and vilification. The legal recognition of relationships cannot come at the cost of other civil rights. It's time for marriage equality for the lesbian, gay, bisexual, transgender and intersex community."

Mental health experts oppose a plebiscite. Two-thirds of Australians support marriage equality, only one electorate in the country has a majority of voters against same-sex marriage, and national support for a plebiscite has fallen far behind national support for a Parliamentary vote.

Ms Cramp said, "The federal MP for Dawson, George Christensen, and the Australian Christian Lobby have called for the marriage equality bill to contain provisions allowing businesses to refuse service to LGBTI couples. Such an exemption from antidiscrimination law will necessarily be couched in terms that have widespread ramifications beyond wedding plans. We should not create marriage equality in this country at the expense of day-to-day equality for the LGBTI community."

Mr Stewart stated, "If the majority of Australians support marriage equality, the Australian Government should move on with a free vote in Parliament. We live in a country where our parliamentarians are elected to represent our views in parliament and that is precisely what they should do. ALHR calls on the Prime Minister to give effect to Australia's representative democracy rather than engaging in a populist project that is not binding on parliament and will cost hundreds of millions of dollars."

On the issue of inclusiveness, Ms Cramp said, "We should allow not only lesbian and gay couples to marry, but also make intersex and non-binary people equal before the law. Under some state laws, it is necessary for a transgender person to divorce before their legal application to change their registered sex will be accepted. We should not obligate Australians to get divorced for their sex to be recognised before the law."

ALHR rejects the plebiscite and we call on the Australian parliament to pass a marriage equality bill that is inclusive of all intersex and transgender Australians. After many decades of education and campaigning, the Australian population supports the call for marriage equality by parliamentary vote. The plebiscite is expensive, unpopular and constitutionally unnecessary in the Australian democratic system. Let's move on and make marriage equality a reality and give a fair go to all Australians.

**Media Contact: Kathryn Cramp, Co-Chair, LGBTI Subcommittee, ALHR**  
**M: 0434 931 671 E: [lgbti@alhr.org.au](mailto:lgbti@alhr.org.au)**

ALHR was established in 1993 and is a national network of over 2600 Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and a secretariat at La Trobe University Law School in Melbourne. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.