

Response from **Anthony Albanese** MP, Current member and ALP candidate for Grayndler

1. EQUALITY

Are you committed to equality for lesbians and gay men? How will you work within your party (if applicable) to secure equality for lesbians and gay men?

Labor has a long and proud history of delivering equal rights for lesbians and gay men. It is Labor governments that have delivered immigration rights for same sex couples, relationship recognition under state and territory laws and Australia's world leading response to HIV/AIDS.

A Rudd Labor Government will continue this record by eliminating existing discrimination against same sex de facto couples in all areas of Commonwealth legislation. This will include amending the 58 laws relating to financial and work place entitlements identified in the HREOC report, to ensure same sex de facto couples are treated equally with heterosexual couples. This will be a priority.

Since being elected to Federal Parliament in 1996 I have shown my personal commitment to equality for same-sex couples through my ongoing campaign for reform of superannuation laws. If elected, I will continue to take up issues on behalf of the many lesbian and gay members of the community I am proud to represent.

2. DE FACTO RECOGNITION

Do you support the equal treatment of same-sex couples with heterosexual de facto couples across federal law? If so, how have you or will you demonstrate this commitment?

My strong personal support for equality for same sex couples is on the public record, in many of the speeches I have made in Parliament since I was first elected in 1996. I have repeatedly introduced the Superannuation (Entitlements of same sex couples) Bill, which would give same sex couples equal access to superannuation benefits, but the Howard Liberal Government has blocked these reforms at every single opportunity.

A Rudd Labor Government will eliminate existing discrimination against same sex de facto couples in all areas of Commonwealth legislation, including the 58 laws relating to financial and work place entitlements identified in the HREOC report, to ensure same sex de facto couples receive the same entitlements as heterosexual couples. This will be a priority.

3. FORMAL RECOGNITION

Do you support marriage equality and/or a civil union scheme for same-sex couples in Australia? If so, how have you or will you demonstrate this commitment?

Labor will negotiate with the state and territory governments across Australia, a nationally consistent system of relationship recognition based on the current registry operating in Tasmania.

4. PARENTING

a) Do you support the recognition of same-sex families, through the recognition of lesbian co-mothers and gay co-fathers in federal laws?

Yes.

b) What is your position on same-sex adoption?

The Constitution gives primary responsibility for laws concerning adoption to State and Territory Governments. Labor does not propose to change this.

c) Do you support non-discriminatory access to fertility services for lesbian couples and single women?

Yes, I strongly and publicly opposed the Howard Government's attack on IVF treatment for lesbians.

e) Do you support Medicare-funded fertility services that do not discriminate on the basis of medical and 'social' infertility?

There are no plans to change the current Medicare subsidy arrangements.

5. PROTECTION FROM DISCRIMINATION

a) Do you support the enactment of federal legislation similar to the Sex Discrimination Act which would provide lesbians and gaymen with comprehensive and effective protection from discrimination on the grounds of their sexuality? If so, how have you or will you demonstrate this commitment?

Labor's National Platform states:

Labor supports the enactment of legislation prohibiting discrimination on the grounds of a person's sexuality or gender identity and will audit Commonwealth legislation to amend provisions that unfairly discriminate against any person on the grounds of sexuality or gender identity.

Labor's priority is the elimination of all forms of discrimination on the basis of sexual orientation from Federal legislation.

Our priority will be the removal from federal laws of discrimination against same sex defacto couples. This reform will be the most significant change to the rights of same sex couples in Australian history and will provide equal access to Government benefits and services to thousands of same sex couples across Australia.

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b) Do you support a Bill of Rights for Australia that enshrines the right of all Australians to be protected from discrimination and treated equally before the law on the basis of their sexuality? If so, how have you or will you demonstrate this commitment?

A traditional model of a Bill of Rights which is incorporated into our Constitution, is probably not realistically achievable due to difficulty of getting changes to the Constitution through referendums. Even some human rights groups do not support a constitutional Bill of rights because of the problems with that approach.

Labor has also ruled out a US-Style Bill of Rights because we are concerned about an unchangeable document that can frustrate worthwhile reform, such as US government attempts at gun control impeded by the right to bear arms.

However, Labor in government will begin an extensive process of community consultation to determine what Australians think about which rights should be protected and what is the best means of protecting them.

c) Do you support funding for equity and diversity training for all Commonwealth Employees to ensure that gay and lesbian clients and customers are treated appropriately when accessing Commonwealth agencies and services? If so, how have you or will you demonstrate this commitment?

I am committed to equality for gay men, lesbians and same sex couples, including equality in accessing Commonwealth services. Labor will ensure that the legislation we have committed to passing, to provide equality for same sex defacto couples under federal laws, is effectively implemented on the ground. We will consult with lesbian and gay community groups about what measures may be necessary to achieve this.

6. EDUCATION – NATIONAL CURRICULA

Do you support teaching materials that include anti-homophobia and inclusive sexuality education in the development of any national curricula? If so, how have you or will you demonstrate this commitment?

I think schools should be places free of violence and bullying where all students feel safe and secure. I support anti-bullying programs and policies that seek to eliminate bullying, including bullying based on sexual preference in schools.

7. HIV & IMMIGRATION

Recently people living with HIV/AIDS applying for permanent residency have automatically had their applications fail at the primary stage because of the Department of Immigration and Citizenship (DICA) refusal to exercise the health waiver. This has led to consuming and costly appeals to the Migration Review Tribunal. Given that many people living with HIV/AIDS have their applications for permanent

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residency succeed upon appeal, do you support giving DICA discretion at the primary stage of the application process?

Labor does not have any plans at present to change the current health assessment process.

8. SELF-DETERMINATION AND PARTICIPATION IN DECISION-MAKING

a) Will your consult and meet with lesbian and gay rights groups and community organisations on issues affecting lesbians and gay en in Australia in the next Parliament and beyond?

My record as a supporter of, and advocate for, the GLBT community speaks for itself. Since becoming the Federal Member for Grayndler in 1996 I have always made myself available to meet with peak GLBT community organisations, such as the Gay and Lesbian Rights Lobby and ACON. I have been a regular face at community events and have always been willing to meet with community groups in my electorate office in Marrickville, and at Parliament House in Canberra. None of that will change if a Rud d Labor Government is elected on 24 November.