



22 December 2016

Committee Secretary  
Select Committee on the Exposure Draft of the Marriage Amendment  
(Same-Sex Marriage) Bill  
Department of the Senate  
PO Box 6100  
Canberra ACT 2600

Dear Sir or Madam:

I am writing on behalf of The Religious Society of Friends (Quakers) in Australia to provide some comments on the Exposure Draft Same-Sex Marriage Bill.

Quakers have acted on the Equality Testimony in many ways throughout their 350-year history. Australian Quakers have supported the celebration of same-sex commitment ceremonies since 1994 and recognise them on an equal basis with other committed and loving relationships. We believe that all people have the right to be treated equally under the law and that includes the marriage law. We know that parliament previously changed the Marriage Act and wrote to the Prime Minister in July this year to ask parliament to do so again, to make legal marriage available to all couples.

We recognise that this draft Bill is about civil marriage law and not about religious marriage and that it will have no direct impact on our ability to practise our religion or rites in relation to religious marriage. However we do note that the current law does discriminate against us, in that our Quaker commitment ceremonies for same-sex couples are not recognised in civil law as marriages, whereas those we conduct for opposite-sex couples are so recognised. **This unequal treatment of our conscientious faith practice is why we believe the law should be changed.**

Religious freedom is important for society and should be protected, and we are satisfied with the protections that already exist in civil law for religious freedoms. **To add any more legislation within a Bill that does not affect religious marriage in any way is unnecessary.**

Religious celebrants are already allowed to discriminate on the basis of their religious doctrine or principles. However, the Draft Bill allows for both ministers of religion and civil celebrants to discriminate on the basis of 'conscientious belief', that is, even when their objection to same-sex marriage is NOT linked to their religious doctrine or principles. **We strongly oppose this as this provides a new basis for discrimination not currently included in Australian anti-discrimination law and sets a dangerous precedent.**

**The 'conscientious belief' exemption is unnecessary and should be removed from the Bill.**

**Australia Yearly Meeting**

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The Draft Bill also proposes that religious bodies and organisations be permitted to refuse to provide facilities, goods or services to LGBTI people for their weddings. We are satisfied that these existing religious freedoms are already enshrined in civil law. This new exemption is unnecessary, given the existing broad religious exemptions in federal discrimination law. **This exemption should be removed from the Draft Bill.**

We believe that all relationships, regardless of sexuality, gender identity or intersex status should be recognised and treated equally in the eyes of civil law as a matter of human dignity and social justice.

**We support the Draft Bill's change in the civil, legal definition of marriage from "man and woman" to "2 people", which is inclusive of all LGBTI people and relationships.**

**We support the Draft Bill's proposed recognition of previous foreign same-sex marriages.**

Yours faithfully

A handwritten signature in black ink that reads "J.R. Jordan" with a long horizontal flourish extending to the right.

Jo Jordan, Presiding Clerk  
The Religious Society of Friends  
(Quakers) in Australia