

Stanhope pressures PM on gay unions

Patricia Karvelas, Michael Pelly

573 words

23 April 2008

[The Australian](#)

1 - All-round Country

5

English

Copyright 2008 News Ltd. All Rights Reserved

KEVIN Rudd has been presented with his first major challenge on gay law reform from within his own party, with ACT Chief Minister Jon Stanhope challenging him to allow gay and lesbian civil unions in the territory.

Mr Stanhope said the Prime Minister -- a self-described social conservative -- should allow the move, arguing that if Mr Rudd could demand China respect the human rights of Tibetans he should defend the rights of his own citizens at home.

It is the first time Mr Stanhope has spoken publicly about the federal Government's intervention to see the ACT laws blocked.

The Rudd Government is in discussions with the ACT Government to remove clauses in its civil partnerships bill that would allow gay couples to hold a public ceremony marking their union.

In a speech to lawyers, Mr Stanhope said a national bill of rights could protect Australian citizens against such interventions. The Rudd Government has committed itself to an inquiry on a charter of rights, but has ruled out any model that would undermine the authority of parliament.

"I have hopes that a Prime Minister and a Government capable of advocating for the basic rights of the Tibetans will -- must -- comprehend the justice of formally extending each of those same basic rights to folk back home," Mr Stanhope said.

"I have hopes that this Prime Minister ... will respect the right of the component parts of our federation to legislate as they are constitutionally empowered to do and as they have received a mandate to do."

He said legislating for civil partnerships was within the powers of the states and territories. "We know that what the ACT is attempting to do is no more than to extend to same-sex couples equality with other Canberrans, under ACT laws," he said. "Not commonwealth laws: that would require a national bill of rights. Just ACT laws ... in the community to which they contribute, and to which they belong."

But Mr Stanhope said that unfortunately for the men and women in the ACT who desire recognition of and respect for their long-term "enduring primary relationships, efforts by the ACT Government to deliver these things have been thwarted".

"The evidence suggests the rights of a significant number of Canberra's men and women cannot be guaranteed by my Government, because of church disapproval," he said. "This in a nation that has committed ... to a separation of church and state."

NSW has taken a wait-and-see attitude on a relationships register, with Attorney-General John Hatzistergos saying he wanted to see "how it pans out at national level". The issue is on the agenda of the Standing Committee of Attorneys-General and the states are being urged to adopt a uniform approach by federal Attorney-General Robert McClelland.

But Mr Hatzistergos announced yesterday children born through IVF to lesbian mothers would soon have the same rights as those of heterosexual couples.

He estimated 20per cent of the state's female same-sex couples had children. Legislative changes later this year will grant parenting rights and obligations to the non-biological mother and another 50 state acts will be amended to remove discrimination against same-sex couples in NSW. For example, school authorities would be compelled to recognise both parents and hospitals could accept consent forms from both women.