

Welcome to 2004! Hopefully your holiday period was safe and enjoyable, and provided a re-energising boost for the enormous year ahead. With an election looming and pressure for Federal GLBTI reforms continuing to grow, there seems little doubt that 2004 will be a big year.

In this issue of the Carter Bulletin you'll find a wrap up of events from late 2003, as well as information about upcoming events. It's festival time! Happy Midsumma, happy Mardi Gras, and happy new year...

### High Court Upholds Refugee Appeal

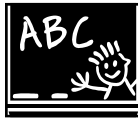


In Early December a gay couple from Bangladesh claiming a fear of persecution on the basis of their sexuality, had their appeal to the High Court Upheld.

The successful appeal followed a rejection of their case by the Refugee Review Tribunal and the Federal Court, which found that the men's capacity to live discreetly and therefore free of persecution, disqualified their refugee status.

The High Court ruling is likely to have international ramifications, as it is the first time homosexuality has been recognised as a potential ground for refugee status. It is also significant that the Government's attempt to distinguish between discreet and non-discreet homosexuals has been ruled invalid.

### Talking Out of School



Apparently determined to drive a wedge wherever he can, the Prime Minister launched an attack on public schools in late January calling them politically correct and values free.

Not to be outdone (or perhaps left to push the Prime Minister's agenda from a safer distance), Deputy Prime Minister John Anderson went further by claiming public schools were pushing lines on women's issues, homosexuality, reconciliation and sustainable development.

Given the strong relationship between homophobia and school yard bullying, high rates of suicide and depression amongst young GLBTI people, and the predominance of school aged boys as perpetrators of sexuality and gender motivated hate crimes, it is difficult to argue that schools should receive less, rather than more information about sexuality and gender issues - unless of course you believe increasing values of tolerance and understanding are not worthy educational aspirations.

In early February, Senator Stott Despoja released the findings of the Democrats' annual Youth Poll, which targets young people aged 15 to 20 years. Ninety-seven percent believed sex education should be taught in schools and eighty-seven percent agreed that GLBT people should have the same legal protection as heterosexuals. It would appear the Coalition is out of step on this issue with almost all future voters.

A copy of the 2003 Youth Poll is available from Senator Stott Despoja's website at [www.natashastottdespoja.democrats.org.au](http://www.natashastottdespoja.democrats.org.au)

### Reproductive Technology Bill to Return



Sticking with wedges for a moment, the Prime Minister's *Sex Discrimination Amendment Bill* is scheduled to make a return performance in the 2004 Autumn sittings.

The Bill, which created such an outrage when it was first introduced in 2002, allows the States and Territories to limit access to assisted reproductive technology services to married and de-facto couples. In other words, it excludes lesbians and single women.

Many commentators have argued, that like Howard's ruminations on same-sex marriage, successful carriage of this bill is a secondary concern to a Prime Minister more interested in stirring up community homophobia to solidify his conservative support base. Stay tuned and lobby your local member.

### United Nations Happenings



It's been a busy time at the UN over the last couple of months, with a number of developments of significance. Unfortunately one of them has not been a response from the Australian Government on the Edward Young case (see Carter Bulletins from September and November 2003). A response from the Attorney-General is now several months overdue.

The Government's inaction in this regard is nothing short of embarrassing given the recent appointment of Australian Mike Smith as Chair of the UN Commission on Human Rights (UNCHR).

All fifty-three member nations of the UNCHR will meet in Geneva in March to discuss the *Human Rights and Sexual Orientation* resolution, proposed last year by Brazil. This was an historic moment, as the UN has never before considered such a specific resolution. Each country will be forced to state their position on this issue.

After intense lobbying in February/March last year, the Australian Government voiced its support for the resolution. Given this support, and Australia's position as Chair on the Commission, the Government will be under increasing pressure to explain why it refuses to provide full equality to its GLBTI citizens.

In other UN news, Secretary-General, Kofi Annan issued a statement in January that all UN employees in same-sex relationships recognised by their country of origin would qualify for equal employment benefits.

### Chris Carter Memorial Award



The late Chris Carter was Australia's first openly gay political candidate, and instrumental in ensuring the Democrats were the first party to support GLBTI rights.

In recognition of Chris' service to the GLBTI community, the Chris Carter Memorial Award was initiated to recognise other's similar contributions.

Previous winners have included Rodney Croome, Carole Ruthchild, Nick Ward, Shayne Wilde and (pre) Senator Brian Greig, who was the last recipient in 1998.

Given it's been several years since the last memorial award ceremony, another is being planned for this winter.

Start thinking about whether there is someone *you* believe deserves recognition for their contribution to GLBTI rights and the community, and then look out for nomination forms with the next Carter Bulletin.

## WANT TO BE PART OF MARDI GRAS?

THEN CARTER NSW  
WANTS YOU!

Fairday Stall (Volunteers needed)  
Sunday February 22nd 2004

Contact Brenda Padgett  
Ph: 0416 164 679  
Email: [brenda.padgett@telstra.com](mailto:brenda.padgett@telstra.com)

Parade (Marchers needed)  
Saturday March 6th 2004

Contact Allison Orr  
Ph: 0415 545 809  
Email: [allison.orr@nsw.democrats.org.au](mailto:allison.orr@nsw.democrats.org.au)

## National Carter Contact



Jason Rostant  
Office of Senator Brian Greig  
1/151 Brisbane Street  
Perth WA 6000  
Ph: 08 9228 3133  
Fax: 08 9228 3033  
Email: [jason.rostant@aph.gov.au](mailto:jason.rostant@aph.gov.au)

## Same-Sex Relationships: Labor's Fear of Commitment

For the second time in almost as many months, the Senate again passed Democrats' same-sex amendments in late November, this time on a bill ensuring all couples who applied for a veterans home loan would be treated the same, regardless of gender.

Labor's refusal to insist upon the amendments however, ensured that discrimination against same-sex couples continues.

Opposition Veterans spokesperson, Graham Edwards, explained that the Bill's measures to increase penalties for veteran impersonation and medal fraud were too important to be lost. Apparently, continuing to penalise legitimate veterans solely on the basis of their relationships, did not strike the ALP as sufficiently problematic.

After the Super Co-contribution debacle earlier in the year, the ALP's failure in this instance further highlighted its double standard on GLBTI equality - utterly non-negotiable on bills the ALP doesn't support, but completely expendable on those it does.

Despite its on-again, off-again affair with same-sex relationships in 2003, Labor kicked off the new year with the launch of its new anti-discrimination policy.

Seeking to eliminate discrimination and vilification, and ensure equality for same-sex couples in a range of areas, the policy catches up with territory held solely by the Democrats for almost a decade.

Senator Greig used the occasion of the policy launch to again call upon the ALP to allow debate of his recently reintroduced *Sexuality and Gender Identity Discrimination Bill*.

Given the eight year old Bill delivers precisely what Labor now seeks to achieve, there is no excuse for its continued dismissal.

Incredibly for a party struggling to deliver the basics, Labor was also reported to be considering the establishment of a relationship registration scheme similar to that adopted in Tasmania - again, a proposal the Democrats had been urging the Government to consider as far back as September last year.

In fact, responding to the Government's child custody and family law inquiry Senator Greig had proposed the Tasmanian scheme be used as the starting point for a national inquiry into relationships.

Sadly, Labor's commitment to GLBTI's was again called into question in January

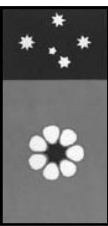
when the Opposition Leader failed to mention reform at the ALP's national conference, once again showing the Party's reluctance to place the issue squarely on the mainstream agenda, and to defend it.

By the time the dust had settled on the conference it emerged that agreement had been reached to eliminate areas of "formal" discrimination, such as superannuation.

In order to appease the Labor Right however, and to avoid debate about gay marriage(!?), the proposal to consider a partnership registration scheme was dropped.

Senator Greig will again seek support for his bill to be debated in March.

### Northern Territory



As expected, the *Law Reform (Gender, Sexuality and Defacto Relationships) Bill* was debated and passed, in late November 2003.

The legislation has equalised the age of consent for Territorians at 16 years of age, extended a range of rights to people in same-sex relationships and prevented discrimination in employment.

Congratulations to the Darwin Community Legal Service who were the major architects of the Bill.

The attitude shift in the NT was best evidenced by former Chief Minister Denis Burke's spectacular downfall, when after circulating a homophobic questionnaire (see last Carter Bulletin), his failure to allow a conscience vote on the Bill eventually cost him his leadership. The NT News ran the headline "*Gay Sex Stance Costs Burke Job*".

### South Australia



At the same time, the South Australian Government announced it would introduce its bill for same-sex relationship recognition in February 2004.

While the announcement was welcomed by

Democrats' Equal Opportunity spokesperson Kate Reynolds, the Government was also criticised for taking two years to begin the reform process, and for not going far enough.

Like the NT, South Australia's reforms are not expected to be as far reaching as those recently enacted in Tasmania, and are not likely to include adoption or access to fertility treatment.

According to the Attorney-General's office there has been no further development on this issue since its statement in November. Further information can be obtained from Kate Reynold's office on 08 8237 9276.

### Tasmania



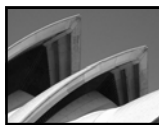
The new year ushered in a new era in Tasmania when the State's new partner registration system came into effect on January 1st. Hailed as amongst the most progressive in the world, the *Tasmanian Relationships Act* recognises and extends benefits to a broad range of relationships including those of same-sex by replacing all references to "husband", "wife" and "de-facto" in Tasmanian law with the term "partner".

### Australian Capital Territory



As reported in the last issue of the Carter Bulletin, two bills were expected to be passed in the ACT by the end of the year, the *Sexuality Discrimination Legislation Amendment Bill 2003* and the *Parentage Bill 2003*. Both were introduced in late November, but failed to be debated and passed. Debate is expected to resume on the 10th of February.

### New South Wales



A major report investigating homophobic hostilities and violence against gay men and lesbians was released in NSW in December.

*You Shouldn't Have to Hide to be Safe*, is the first major research on the issue since the 1994 release *Out of the Blue*, and the Victorian GLAD report of the same year.

Although relations between the GLBTI community and police have dramatically improved over the last decade, there has been little or no reduction in gay and lesbian experiences of violence over the same period.

Fifty-six percent had experienced abuse in the preceding year, most typically verbal abuse, with multiple experiences also being common. Schools and religious institutions were identified as particular sites of homophobic abuse.

Copies of the report are available online at: <http://www.agd.nsw.gov.au/cpd.nsf/pages/hide2bsafe>

## VICTORIAN CARTER NETWORK FORMING

The Democrats' Victorian Division, Political Action Committee are interested in establishing an active Carter Network for the State and are calling on interested people to contact the Group's Convenor, Andrew Potter.

If you've previously been involved in Carter in Victoria, or would like to be, then contact Andrew via email at:

[andrew\\_potter\\_40@hotmail.com](mailto:andrew_potter_40@hotmail.com)

Want more info? Something to say?

[www.carter.democrats.org.au](http://www.carter.democrats.org.au)