

Marriage Equality and Health

LGBTIQ* persons are a minority population group that suffer poorer health outcomes than the general population. This can be attributed to minority stress, where LGBTIQ persons struggle for validation and societal acceptance.

Stigma and institutional discrimination targeting LGBTIQ persons exacerbate minority stress. Numerous historical examples are well documented with the most recent example of institutional discrimination being the exclusion of same-sex couples from civil marriage.

Excluding LGBTIQ persons from civil marriage reinforces stigma associated with sexual identity and undermines well-being for LGBTIQ persons.

In 2004, the Australian Government excluded same-sex couples from the institution of civil marriage by introducing an amendment to the *Marriage Act 1961* to define marriage as ‘the union of a man and a woman to the exclusion of all others, voluntarily entered into for life’.

In July 2007, the Australian Government removed discrimination against same-sex couples and their children across a range of other legislation and policy settings, which included giving same-sex couples de facto relationship status.

LGBTIQ Australians do not enjoy equal treatment under Australian law. Some jurisdictions offer civil unions, which are not widely understood, respected or given equal weight to marriage.

Marriage equality would confer societal acceptance and would provide significant health benefits to LGBTIQ Australians. The ability to choose to marry a consenting partner is a basic human right.

There is no scientific basis for the assertion that LGBTIQ persons are not fit to marry.

Studies, such as the 2016 evidence review from the Centre for Social Research in Health, show that the introduction of marriage equality results in greater feelings of social inclusion along with better health outcomes for LGBTIQ

AHHA POSITION:

- ✧ Sexual orientation and choice of partner are fundamental human rights
- ✧ Regardless of sexual orientation, any adult and their consenting adult partner should have their relationship recognised under the *Marriage Act 1961*
- ✧ Denying LGBTIQ persons the right to civil marriage reinforces stigma associated with minority sexual identity
- ✧ Marriage equality would reduce discrimination and marginalisation of LGBTIQ persons, improving equity and enhancing the health and wellbeing of LGBTIQ persons, their children, their family, their friends and the broader Australian community
- ✧ The Australian Government should pursue policies and actions that promote the acceptance and the celebration of healthy, safe and respectful relationships, which includes marriage equality
- ✧ The Australian Parliament legislated marriage inequality in 2004. As a matter of priority, the Australian Parliament must reverse the 2004 amendment to the *Marriage Act 1961* and legislate marriage equality
- ✧ A national plebiscite on marriage equality is not required just as it was not required in 2004
- ✧ The negative health impacts of a plebiscite, including negative psychological impacts, must be acknowledged by decisions-makers and avoided

* Lesbian, gay, bisexual, transgender, intersex and queer