

‘Opinion: Proposed civil partnership is a great achievement’

Eoin Collins, The Irish Times

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The dry language of the Civil Partnership Bill belies the enormous breakthrough it represents for gay people, writes Eoin Collins.

GLEN, the Gay and Lesbian Equality Network, strongly welcomes the proposals in the heads of a Civil Partnership Bill published yesterday by the Government. For the first time, lesbian and gay relationships will be recognised, supported and protected by the State.

While set out in the dry language of statutes, this Bill is about relationships of love, mutual care and commitment and extending out legal recognition and supports to those who are in these relationships.

This is a reform whose time has come. All political parties have played a role in getting us to this point and there is huge public support for change. The latest opinion poll conducted by Lansdowne Market Research in April showed that an overwhelming 84 per cent of people believed that same-sex couples should be allowed to marry or to form civil partnerships. The proposed civil partnership is a great achievement for Irish society and another sign of a confident and open Ireland. In somewhat gloomy times, this is good news, a confident initiative that should boost our spirits. Thousands of lesbian and gay couples throughout Ireland will be delighted that they soon will have legal solutions to their urgent and real-life problems. Equally, their families, their friends and their colleagues will also be delighted at this new legal status.

The proposed civil partnership will extend many of the rights and responsibilities available through marriage to same-sex couples. It will lead to recognition and protection in a whole range of areas including succession, domestic protections and pensions. Minister for Justice, Equality and Law Reform Dermot Ahern has stated that civil partnership will provide for equal rights in taxation and related issues.

The Equal Status and Employment Equality Acts will be amended to provide for protection for civil partners, representing a very significant extension of the equality legislation. Civil partnership will also provide for equal treatment with married couples in immigration legislation and regulations. This is a critical issue for many same-sex couples where one partner is from outside the EU. A significant area of concern for Glen is the limited progress made in providing legal recognition for the growing number of same-sex couples, especially women, who are co-parenting children. Currently these couples lack any means of establishing a joint legal connection and responsibility

for the child or children they are raising. We hope that our legislators will examine this issue over the coming months and develop practical proposals to address this key legal gap.

The proposals for comprehensive civil partnership follow a long period of national dialogue and debate on the issues involved. The issues have also been scrutinised by a range of bodies including the Joint Oireachtas Committee on the Constitution, the Law Reform Commission and, in particular, the Colley Working Group.

Glen was represented on the Colley Working Group and fully endorses its conclusions that access to civil marriage would achieve equality of status with opposite-sex couples and would underpin a wider equality for gay and lesbian people. Glen's goal is access to full equality through civil marriage and this Bill is a fundamental step towards that goal.

Glen also supported the emphasis of the Colley Group on the need for urgent progress for same-sex couples, which it believed could be delivered through full civil partnership, providing same-sex couples with rights and responsibilities equivalent to married couples. With the notable exception of recognition of same-sex couples and their children, the Government's civil partnership proposals deliver on this option and provide an essential platform for future progress. We look forward to the early passage of the Bill.

Glen also strongly welcomes the proposals in the heads of the Bill for a redress scheme to offer certain protections to co-habiting couples who do not marry or avail of civil partnership, which will be provided to both opposite-sex and same-sex couples on an equal basis on the ending of a relationship or on the death of a partner.

Bertie Ahern as Taoiseach spoke eloquently of the critical psychological milestones in the development of a more confident, open and dynamic Ireland. This Bill is another critical psychological milestone.

Anyone who was in the Dáil and Seanad for the debates in 1993 on decriminalisation will agree that the sense from our legislators was that they were celebrating a national achievement with delight. This Bill is a similarly powerful and historic law reform measure. In the 1993 debates, the minister for equality and law reform Mervyn Taylor stated: "What could be more important for us as legislators than to create a climate and space where two people who have chosen each other can express their love."

Eoin Collins is director of policy change at Glen, the Gay and Lesbian Equality Network, and is a member of the Colley Working Group