

## **Tasmania's Anti Homosexual Laws**

### **1994.08. Tasmania's Anti-Homosexual Laws**

*Submitted 17 August 1994 to the Attorney-General, Australia.*

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The Decriminalisation of Homosexual Activity in Tasmania

To the Federal Attorney-General

#### **Main Points made**

We stated that both the Humanist Society of Victoria (HSV) and the Council of Australian Humanist Societies (CAHS) have previously lobbied for the decriminalisation of homosexual activity between consenting adults in private. The main grounds were that it is private, voluntary and victimless behaviour, and that the law and the government should not regulate intimate acts, and that it has a duty to protect victims of prejudice, discrimination and persecution.

Tasmania is the only State in Australia that retains and occasionally invokes its criminal code against homosexuals. This is the subject of condemnation by several international bodies such as Amnesty International [and] the United Nations Human Rights Committee, and it puts us in breach of the International Covenant of Civil and Political Rights to which Australia is a signatory. We see this as a grievous harm to Australia's reputation among civilised nations.

We pointed to the general tolerance and acceptance of diversity as a mark of a mature society; to the many respected and admirable people who are gay or lesbian in their orientation; [and] that some scientific evidence suggests that such orientation may be genetically determined.

We urged that these Tasmanian criminal codes be annulled and that Equal Opportunity and Anti-Discrimination Acts include sexual orientation as a ground for complaint. (This is not available as redress in Western Australia, Victoria and Tasmania.)

Archaic, brutal and oppressive laws must be repealed. Our statutes reflect our humaneness and degree of civilisation.

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