

Submission to the Bill Committee on Domestic Violence Amendment (2007) Bill

May 27, 2008

I welcome the Administration's proposal to extend its Coverage of Cohabitation Relationship in Domestic Violence to same-sex partners.

The Administration has repeatedly and consistently stressed denied recognition of same-sex relationships. Same-sex couples, regardless of how they are perceived by the Government or whether their entitlement to any legal status, do exist in Hong Kong and thus the Government has a role in ensuring that they do not become subject of domestic violence, irrelevant to one's age, gender or sexual orientation.

The Administration's proposal to include same-sex couples in the Coverage is a step towards the right direction and also brings itself in-line the region and the world.

It is simply groundless to assume that the inclusion same-sex partners in the Coverage equals paving way for same-sex marriage as demonstrated by numbers of countries in the region and the world where persons of a same-sex relationship are covered in their legislation while not conferring them any rights to any legal union status.

There is nothing moral or just to exclude anyone or any particular class of people from seeking remedy or protection from the law based purely on their sexual orientation. Such active discrimination would have opened a floodgate to invite possible and costly lawsuits where equal treatment to its subjects are guaranteed. Not to mention the violation on the Bill of Rights, the Basic Law and other international conventions to which Hong Kong is a signatory.

Domestic violence can happen in every domestic setting, it can happen to anyone, old or young, male or female, homosexual or heterosexual; for domestic violence knows no boundaries, the government has an obligation to ensure that people who are in an intimate relationship are protected by the means of law, regardless their sexual orientation.

Hongkongers are by and large tolerant and reasonable and would not accept a society be built upon so-called "morality," as claimed by some small fraction of the population, over equality or justice. The Administration's move will certainly set the example to the international arena that Hong Kong is, and shall remain, a diverse and plural city.

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