

The Homosexual Law Reform Bill

To bring about change in the law, the gay movement needed a parliamentary champion. It found one in Member of Parliament Fran Wilde. She consulted with gay groups to develop a private members bill, the Homosexual Law Reform Bill, which she introduced to the House of Representatives on 8 March 1985.

The bill had two parts. The first dealt with the decriminalisation of sexual offences between men as well as the decriminalisation of consensual heterosexual anal intercourse, while providing protection for minors of both sexes. The second would make it illegal to discriminate on the grounds of sexual orientation in the areas of employment, accommodation and the supply of goods and services.

Support and opposition

Gay and lesbian groups had been assured that the campaign would be short, political and carried out in Parliament. This completely underestimated the depth of public and political opposition to the proposed legislation. The bill's opponents mounted a strong and organised public campaign, virtually from the moment the bill was introduced. Supporters of the bill reacted to rather than led the debate, which became acrimonious and nasty.

'Looking into Hades'

'Go back into the sewers where you come from ... as far as I'm concerned you can stay in the gutter.'

'Turn around and look at them ... gaze upon them ... you're looking into Hades ... don't look too long - you might catch AIDS.'

Member of Parliament
Norman Jones addressing a
public meeting in 1985

Opponents got support from organisations such as the Salvation Army and from well-known campaigners against homosexuality overseas – the Reverend Lou Sheldon and John Swan in particular. Their arguments often rested on moral and religious grounds: that homosexuality was 'unnatural' and that the Bible condemned it.

Some people argued that the law would lead to more homosexuality and that this would eventually mean the collapse of the family unit. Fear and a lack of understanding led some to claim that young boys would be put at

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Timeline 1

1986

1987

risk. Homosexuality and
paedophilia – sex with children –
were sometimes regarded as the
same thing.

Some people opposed to the legislation also raised the spectre of AIDS (Acquired Immune Deficiency Syndrome). This illness could be passed through the transfer of body fluids such as blood or through sexual contact of any sort, homosexual or heterosexual. In the USA, AIDS mainly affected gay men, so some people saw it as a gay illness or even a divine punishment of homosexuals.

Few cases of AIDS had occurred in New Zealand. Law reformers said that decriminalisation would allow people at risk to come forward for testing. In their view it would also enable a public health response based on prevention strategies such as condom promotion. Health officials soon realised that the gay experts knew what they were talking about, and the government decided to fund campaigns through the New Zealand AIDS Foundation.

**'Be visible ... Be
blatant'**

'Come out now. Be
visible, tell everyone you
can. Be blatant. Be as
gay and as lesbian as you
can all of the time.'

Bigot Busters rally at
Wellington Town Hall
LAGANZ 0503-B

Groups such as the New Zealand
Homosexual Law Reform Society,
the Gay Task Force, Heterosexuals
Unafraid of Gays (HUG), the
Lesbian Coalition and the
Campaign for Homosexual Equality
tried to counter their opponents in
many ways. There were nationwide
street marches and rallies where
information was handed out. They
disrupted anti-law-reform meetings.
Arguments rested on issues of
human rights, freedom of choice
and an end to discrimination based
on sexuality. Pro-reformers

demanded greater openness in sexual matters.

The petition

A central part of the debate was a huge nationwide petition opposing the legislation. On 24 September 1985 the anti-reform petition was presented at Parliament in a ceremony that some critics likened to the Nuremberg Rally. Ninety-one boxes – one for each electorate – were delivered to the steps of Parliament. It was claimed that there were over 800,000 signatures. In fact, some of the boxes were nearly empty, and some petition sheets contained several signatures in the same hand. These irregularities led Parliament's Petitions Committee to reject the petition, but it still showed a strong and vocal opposition to the Bill.

Victory – of sorts

The Homosexual Law Reform Bill took 14 months to move through

the parliamentary process. Members of Parliament had rejected a proposed amendment that would raise the age of consent to 18, so it remained at 16 in the final legislation – the same age as for heterosexuals.

The final vote was held on 9 July 1986, and the bill was passed by 49 votes to 44. The governor-general gave assent to the legislation two days later, and it came into effect on 8 August that year. Gays, lesbians and their supporters partied; opponents predicted doom and gloom. For the first time in New Zealand legal history, homosexual men could enter into sexual relationships without fear of prosecution.

For the law reformers, it was still only a partial victory. The second part of the bill, which would have removed discrimination on the basis of sexuality, was rejected. Opponents argued that homosexuality was not a human rights issue and that discrimination was fair and acceptable. It wasn't until the Human Rights Act was passed in 1993 that it became illegal in New Zealand to discriminate on the grounds of sexual orientation.

Other legislative barriers for homosexuals have been removed. In 2005 the Civil Unions Act allowed gay and lesbian couples to formalise their relationship. The debates over this legislation were not as bitter as those in 1985 and 1986, but they still revealed the depth of opposition to homosexuality among some New Zealanders. In 2013 the Marriage (Definition of Marriage) Amendment Bill saw New Zealand become the 13th country in the world – and the first in the Asia-Pacific region – to allow same-sex couples to marry. Prejudices die hard, and legislative changes do not mean that attitudes shift; gays and lesbians can still find it difficult to be out and about.

20 years out! Homosexual law reform in New Zealand

To mark the 20th anniversary of homosexual law reform in New Zealand Radio New Zealand added rare audio recordings to its website. The rich assortment of audio was drawn from 20 years out!, a Radio New Zealand documentary broadcast on National Radio on 9 July 2006, the 20th anniversary of the final vote.

Much of the protest and rally sound was originally recorded for Access Radio programmes made by the Gay Broadcasting Collective (Gay BC) and had never before been heard nationally. There are also reflections from gay men who faced personal discrimination during the heated debate.

Listen to the recording now at
www.radionz.co.nz/national/documentaries/20yearsout

Main sources are from the Lesbian and Gay Archives of New Zealand.

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