

19 December 2012.

The Senate Legal and Constitutional Affairs Committee

Re: Human rights and Anti-discrimination Bill 2012

I am extremely concerned at the implications of the proposed bill and request that the committee do not endorse this Bill at all, in totality and with or without amendments.

A number of sections are far too broad and ordinary law abiding citizens will find it impossible not to breach the proposed legislation by inadvertently offending or insulting some person or persons. Either the law will be difficult to police or else it will fall into disrepute as the justice system may hesitate to prosecute.

Specific sections should be removed, e.g. Section 23, page 40; Section 19 (2) (b) and Section 33 (3) (a).

Section 124 is abhorrent to me, since it places the onus of proof on the respondent rather than the complainant. This is against our heritage in our Australian justice system and appears similar to some European jurisdictions. Please remove Section 124 also.

The restrictions placed by this proposal on freedom of speech are unnecessary in a mature society such as we have in Australia. Comments and opinions are, rightly, judged in private and in public and those which cross the boundaries or exceed the norms of society are quite rightly given little credence and discarded. The proposed legislation is draconian and in my opinion, if enacted will result in making criminals of ordinary honest Australians.

Please reject this Bill in its entirety.

Yours sincerely

Peter W Gelding.

