



**Society of Australia Inc**

- Upholding Australian Values -

Committee Secretary,  
Senate Legal and Constitutional Affairs Committee,  
P O Box 6100, Parliament House,  
Canberra ACT 2600  
By email legcon.sen@aph.gov.au

## **Human Rights And Anti-Discrimination Bill 2012**

21 December 2012

Dear Sir or Madam;

Thank you for considering our submission pertaining to the proposed changes to Australian Human Rights and Anti-Discrimination laws.

From Libya to Burma people fight and die for human rights, freedom and liberal democracy. The provisions of this bill would result in the very opposite for Australians and constitute an open violation of Article 19 of the United Nation's Universal Declaration of Human Rights. Never before in times of peace has an Australian government sought to impose such restrictive laws onto our Nation.

### **Q Society of Australia opposes this legislation for the following reasons:**

- a) Basic Freedoms and Human Rights are lost
- b) Onus of proof is reversed and natural justice impeded
- c) Introduction of new protected attributes create "special" Australians

Discrimination is defined in the bill as "any conduct that offends, insults or intimidates" another person. In essence adverse or controversial political, cultural or religious expressions are seen as grounds for discrimination. This is the antithesis of liberal democracy.

In Section 124 the proposed bill requires a complainant to make out a prima facie case with the onus on the defendant to prove there was not "unlawful discrimination." This is a reversal of a fundamental principle in our legal system.

Protected attributes are expanded to include "gender identity" and "sexual orientation". Special rights and protections are not extended to other behaviour based sub-sections of society and have no place in our communities. The same law must apply to all Australians.

The exposure draft legislation for the consolidated anti-discrimination law released by the Attorney-General Nicola Roxon and Senator Penny Wong is an attack on fundamental liberties, namely freedom of speech, freedom of association, freedom of religion and belief. This bill would have a devastating impact on basic human rights; it is designed to suffocate our open and liberal society. But without freedom of speech democracy dies.

We join the many deeply concerned Australians and urge you to reject this proposed 'Human Rights and Anti-Discrimination Bill 2012'. It is unnecessary, perfidious and oppressive.

Yours faithfully,

Geoff Dickson  
President

Debbie Robinson  
Deputy President