

The new offence of "offending" others at work on the basis of religious belief is of great concern to thinking Australians. A similar law in Victoria caused great stress and expense for two Christian pastors before they were vindicated by the Victorian Supreme Court of Appeal five years later. Some other states then decided not to proceed with such harmful and counter-productive laws – surely a precedent for following their lead.

Former NSW chief justice Jim Spigelman has spoken out against the federal bill, saying it would impose unprecedented restrictions on free speech, far beyond anti-discrimination laws in other countries (*The Australian*, 11/12/12). Reversing the onus of proof (so respondents must prove their innocence), then denying the right to have a legal adviser at conciliation conferences, is contrary to natural justice.

The bill would prohibit discrimination against same-sex couples. There would be no exception for religious bodies providing aged care – they would have to treat homosexual couples as married couples. This would undermine religious freedom and could be extended to schools and other services in future. Ministers of religion could not decline to officiate in weddings of same-sex couples.

We currently have in place more than adequate laws and safeguards against gratuitous and vexatious claims of discrimination. Let us not muddy the waters and clog our legal system with such legislation as is now being proposed.

Yours sincerely,

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