

Doctors for the Family

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19 December 2012

Human Rights and Anti-Discrimination Bill 2012

As convenor of Doctors for the Family I write to express my concern regarding the threat to freedom of expression apparent in the draft *Human Rights and Anti-Discrimination Bill 2012*.

As a result of the submission (number 229) from Doctors for the Family to the Senate Inquiry re *Marriage Equality Amendment Bill 2010*, another doctor and myself were both the subjects of complaints made to the Australian Health Practitioner Regulation Agency (AHPRA), formerly the Medical Board of Australia.

The submission was in support of marriage being between male and female and in support of the *Marriage Act 2004*. The complainant – a medical practitioner – took exception to the submission on several grounds including “further marginalising same-sex attracted people”.

I received a letter from AHPRA asking me to respond to the complaints and I did so after advice from my medical defence organisation.

AHPRA dismissed the complaints. A satisfactory conclusion.

Under the proposed legislation the complainant could also have made allegations/charges of discriminatory “conduct that offends, insults or intimidates” and the onus of proof of innocence would then have fallen on me to prove that I was not guilty of such offence or insult.

The fear of legal process hindering expression of any view that might be judged as offensive would seriously inhibit scientific discussion and rational expression. Even the presentation of studies that demonstrate different conclusions to one being promoted can be labelled offensive. The effective silencing of debate and dissent would have particular significance in matters pertaining to public health.

It may well be that such silencing is exactly what is intended by some of the proponents of this legislation, but the consequences to our society are so big that the legislation in its present form should not proceed.