

Exposure Draft of Human Rights and Anti-Discrimination Bill 2012

Senate Submission

Dear Sir

I wish to express my deep concerns about some aspects of this proposed Bill

- This Bill defines discrimination to include behaviour that “offends or insults” another. The perception of feeling insulted or offended is a very personal and subjective one, and such a definition is inherently open to vexatious claims, to manipulation by lobby groups and, especially, could be used to effectively silence legitimate criticism of a person’s or group’s behaviours
- These lobby groups, if well financed could use the complaint of “offence” or “being insulted” to intimidate smaller or poorly financed people or groups.
- One example of potential abuse of this proposed Bill would be claims against religious groups. As such, this Bill fails to balance the right to religious freedom and freedom of association.
- It moves the onus of proving there was no unlawful discrimination to the respondent if a complainant established a prima facie case. As such, there may well be an increase of nuisance claims

Free speech is a foundational component of a free society. This Bill further decreases this freedom and has no useful purpose. Furthermore, it will be open to abuse of all the above . I ask that it be either substantially amended or discontinued

I am

Yours sincerely

Heather Juniper