

This is a long-overdue measure: however, it does contain one glaring anomaly.

While the revised act would for the first time make it a crime to discriminate against LGBTI people, as promised, the extraordinary special privileges allowing religious age-care providers to refuse to assist or house LGBTI people remain. The major religious age care providers, Anglicare Victoria, Uniting Care and Catholic Health, have told me they do not discriminate either in employment or in service delivery, and think the exemptions should go.

The Australian Human Rights Commission has issued a statement supporting the removal of religious exemptions in respect of aged care:

"The deferred exposure draft of the Human Rights and Anti-Discrimination Bill proposed removal of the exemption that allows church based aged care providers to exclude LGBTI people.

President Triggs said that "as this change was not contentious, it should be included in the Sex discrimination amendment bill now before the parliament."

"It is clearly widely supported, is a simple change and actually reflects current policies of most church based aged care providers," she said."

The opposition does not object: they supported the removal of this privilege during the consultation process.

There was little opposition to the removal of these privileges during the consultation process on the overhaul of all anti-discrimination law.

In some parts of the country, the ONLY age-care providers, whether residential or in-home, are religious owned/run: LGBT people in those areas risk having no care available to them, except on condition they 'go back in the closet', and are potentially cut off or restricted from interacting with their lifelong partner and their community, which could hasten their deaths.

There is little sense in adding LGBTI to the Sex Discrimination Act, and then exempting the people most keen to discriminate against us, from having to obey the same law as everyone else. This is doubly unjust, in that many of them will be providing services paid for by taxpayers - including LGBTI taxpayers. Services they will be able to refuse to LGBTI people at one of the most vulnerable times of their lives.

Alternatively you may choose to introduce an amendment that exempts LGBTI care professionals from having to provide care to those of whom offend their own beliefs. If people can choose not to care for LGBTI people based on their beliefs then it is only right that LGBTI people are free to choose who they provide care to in their professional duties as aged care providers.

I hope that we see a positive end to this unfortunate oversight.

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