

To members of the Senate committee

I am writing to express my direct opposition to the current proposed draft Bill and I am asking that this committee does not endorse this proposed draft Bill in any form.

Similar legislation in the UK & USA has already proven to severely restrict freedom of speech, conscience and religion. Too often petty or spiteful people have used the law to coerce others into doing actions or accepting behaviour that is unacceptable for them or to silence discussion on important matters

My 4 main areas of concern are:

1. Additional attributes – ‘sexual orientation’ and ‘gender identity’

My recommendation is that the new grounds of ‘sexual orientation and gender identity’ to be removed from the proposed Bill. I also want to see marital or relationship status, religion & political opinion removed from the proposed Bill.

2. The wide spread negative impact on public life whether intended or not.

My recommendation is that the Bill should only apply to very limited areas (such as employment) – and not to all 'public life'.

3. The broad definition of discrimination as written would prohibit ‘any conduct that offends or insults!’

As seen in other countries it often means that any conduct /treatment of another person that is deemed to **insult or offend them** could be claimed as 'discrimination.' For example, a person who was insulted by a comment on their religion or political opinion or their sexual orientation or relationship status could make a discrimination claim of 'unfavourable treatment'.

My recommendation is that **Section 19 (2) (b)** the words - 'other conduct that offends, insults or intimidates the other person.' **be completely removed**

I also recommended that if the law is to exist it should cover narrow grounds with clear and defined exceptions

4. Exceptions for RELIGION while allowed for have often proven to be useless in practice.

Examples of this sort of unclear & undefined wording have already forced Christian organisations to spend time, and a great deal of money, in tribunals and courts arguing on matters of doctrine and 'religious sensitivities'.

My recommendation is that religious bodies have a broad ranging exception similar to that of Section 32, where all conduct attracts an exception:

After all it is a huge burden for organisations to have to justify matters of doctrine in a regular court – a court is not the place to adjudicate on what constitutes doctrines and beliefs.

Sincerely

Lyle Hutchinson
20/12/12