

EXPOSURE DRAFT OF HUMAN RIGHTS AND ANTI-DISCRIMINATION BILL 2012

SUBMISSION

Intention of the Human Rights and Anti-Discrimination Bill 2012 (HRADB)

Ostensibly the motivation behind the framers of the HRADB is to “consolidate existing Commonwealth anti-discrimination legislation.” They use these sentiments: The Bill “does not propose significant changes to existing laws or protections...” The Bill “is intended to simplify and clarify the existing anti-discrimination framework.”

Significant changes to existing legislation are evident

The proposed changes do however make significant inroads into:

- *current human rights of freedom of speech and freedom of religion.
- *right to the presumption of innocence.
- * the broadening of protected groups

Effect of significant changes

Hallmarks of the totalitarian state are the removal of freedom of speech and removal of freedom of religion. The current Australian government has plans to limit (censor) the power of the media. Muzzling of the media is another indicator of a government tendency to bring about the totalitarian state. These plans will link with the consolidation legislation.

It is impossible to consolidate the current anti-discrimination acts in a just way

Apparently the current acts are: the Age Discrimination Act 2004, the Disability Discrimination Act 1992, the Racial Discrimination Act 1975, the Sex Discrimination Act 1984 and the Australian Human Rights Commission Act 1986. The responsibilities of the various contenders within the scope of each act vary markedly. The notion of discrimination is peculiar to each Act. Therefore it is impossible to create “a single, simplified test for discrimination.” that is just.

The draft is masking radical notions

The HRADB introduces “gender identity” and “sexual orientation” into the range of “protected attributes”. If such a radical and controversial notion were to be introduced as a stand alone act there would be outrage. The framers of the draft hope that submerging this so called area of discrimination within a consolidated act will enable this flawed concept to pass unnoticed. This is a dishonest method of introducing a group into the “offended” class.

Exceptions and exemptions

Freedom of religious practice and beliefs is theoretically covered by exceptions and exemptions. No one is unwise enough to count this as a guarantee. Plenty of legal cases here and overseas have found against the person who should have been allowed to act according to his or her conscience. Exemptions imply the inhibiting of the basic human right to act according to religious beliefs.

Maintain the status quo

We submit that too many rights will be denied to citizens if the proposed consolidation of Human Rights acts goes ahead. Maintenance of the current acts is imperative.

Brian and Judy Magree