

25th April, 2013

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600
Australia
Via Email: legcon.sen@aph.gov.au

I submit my objection to this proposed bill on the following grounds

Comments on the term ‘gender identity’

It is very difficult to define the term ‘gender identity’. It is described as a process, not a milestone. Gender role is the outward manifestation that reflects the gender identity. Gender identity is also defined as a ‘personal’ conception of oneself. Therefore, how do I correctly identify one’s gender identity to avoid the possibility of discrimination? What if I am incorrect? Do I have to ask? This is an invasion of privacy and more offensive.

How can I avoid discriminating against someone if during their ‘gender identity process’ they are still unsure themselves of their gender identity?
Discrimination should not occur to either a male or female – fullstop.
People constantly search for an identity, regardless of sexual orientation. The proposed changes are attempting to rewrite the language used which will result in no definite meanings, no definite identity.
Intersex is a separate issue that deserves respect, but at the end of the day the person is trying to identify themselves as either a male or female.

Comments on ‘Marital or relationship status’

This Bill removes all definitions as we currently know and value.

‘Marital Status’, never asks or implies a need to advise my sexual orientation. It simply asks the question am I married or in a de facto relationship? Yes or No.
To gain greater understanding of the term “relationship status” it will require further information /explanation which will be an invasion of privacy and opens the door to discrimination.
‘Relationship status’, is a summary term, but how does it apply in reality? When joining a club, or applying for a job will I be required to provide a greater response when asked of my ‘relationship status’? Do I say:-‘a male, but identify as a female living with a male?’ or ‘a partner with the same sex’?
I believe this amendment opens the door to greater discrimination. The definition of ‘relationship status’ requires a greater response than Yes or No.

General Comments

I see this proposed amendment as destroying freedom rather than granting it.

If I do not support the idea of same sex relationships and choose not to provide services such as camp facilities, bed and breakfast accommodation etc to same sex couples, or homosexual groups, I should be entitled to express my freedom without fear of discrimination. Employers should be free to employ those who add to their work ethos rather than required to employ someone with different views even if not exempted for religious reasons.

Likewise, accommodation facilities, employers etc should be free to only provide services, facilities and employment to those who do support same sex relationships. I see this as quite valid and freedom for all.

It seems apparent there is an underlying agenda within this proposed bill to move towards same sex marriage as noted in the Attorney General's concluding remarks "*...it advances.....particularly the right to equality...*"

In summary

I see this proposed amendment which will allow discrimination on the grounds of sexual orientation, gender identity, or relationship status as a contradiction to our rights to freedom of association, freedom of belief and conscience, and freedom of expression for all and therefore ask that the Bill be withdrawn.

Yours sincerely,
Karen Dobby.