

Human Rights and Anti-Discrimination Bill 2012

I write in support of this Bill which brings to fruition the long awaited consolidation of Australia's federal anti-discrimination laws, and which includes processes to make complaint resolution more accessible and efficient for complainants.

I welcome the inclusion of protections for gay, lesbian, bisexual, transgender and intersex (GLBTI) people. This proposed protection will particularly assist GLBTI people in specific instances of discrimination such as employment - we now know from research that 1 in 10 GLBTI Australians have experienced homophobic abuse and violence in their workplace - but it will also support the social and cultural movement towards Australia becoming a more just and equitable society. In particular, the inclusion of 'gender identity' is long overdue and most welcome. Just in the last two weeks I have heard three different stories from teacher friends of mine of children aged 6, 8 and 12 years whose families have sought help from their local primary schools to support their transgendered children to be themselves. How wonderful it would be if these children could grow up into a world that fully accepted and respected them.

I strongly believe that the Government should abolish the right of religious organisations in receipt of government funding to discriminate against GLBTI people. There should be a universal requirement for all such services to treat all their clients/services users with respect regardless of their age, gender, sexuality, disability or race/ethnicity. It is simply unacceptable that we, as taxpayers, should be supporting organisations that discriminate in the provision of public services to us. Indeed, if they do so now or in the future, they should be required to advertise the fact that they are a discriminatory service to all their prospective clients so that we are duly warned about the inherent injustice and prejudice of such services.

I am particularly heartened by the Draft Bill's specific inclusion of a clause to prohibit discrimination against GLBTI people using religious **aged care services**, whether at home or in residential care. This provision is extremely important given that the majority of aged care services in Australia are owned and/or run by religious organisations while being funded by the Commonwealth. Over recent years I have heard many stories about the exclusion and discrimination experienced by older GLBTI Australians. These experiences have ranged from "milder" forms of abuse – verbal comments and insults expressed by staff and other residents – to physical and sexual assaults by staff and others, and the exclusion of partners from access to their loved ones by prejudiced family members and staff. It is simply unacceptable that older people who have experienced a whole lifetime of abuse and discrimination (and sometimes imprisonment) should be subjected to such experiences in their final years when they are most vulnerable.

There is no doubt that there is a genuine culture of change in aged care services, at least in Victoria, which are openly requesting help to make their services more inclusive of GLBTI people. I was reminded of this when the manager of the aged care facility in which my partner's mother resides made a specific point of telling us that there were a number of gay couples on their waiting list and that they were most welcome in that facility. This momentum of open inclusion can only be assisted by the passing of this Bill.

I strongly urge the parliament of Australia to complete the task of ending the exclusion of GLBTI people from the full protection of national anti-discrimination legislation. In doing so you will affirm the equal value of all Australians.

Dr Philomena Horsley