

**Submission relating to
Consolidation of Commonwealth Anti-Discrimination Laws
to
Australian Attorney General's Department
by
John Kingsmill, [Address removed]
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While the idea of consolidating human-rights/anti-discrimination legislation may have merit, in that it could simplify legislation and make it easier for people to ascertain where they stand under it, I am concerned that the process would be a means for making such legislation worse, discriminating and destroying rights. Government pursuing a range of “measures for protection of human rights” would most likely produce the opposite. Such legislation can give the community no confidence that their genuine human rights would be recognised and respected in everything the Parliament does.

I see four main concerns.

First is the problem of conflict between human rights. One person's right, either real or merely claimed, will often conflict with another person's. This, in turn, raises two more undesirable problems. One is that one person suffers discrimination because his or her right is not protected, contrary to the publicised intent of the legislation. The other is the question of who decides whose right has priority.

Second is that the lawmaking is effectively handed over to unelected judges. In this the parliament is abdicating its responsibility to the citizens of Australia. Typically such legislation includes vague terminology that can be interpreted various ways.

Thirdly, any human rights or anti-discrimination legislation can easily be used by some to effectively remove the rights of others, as recent history has shown. The way is opened for self-interested persons to utilise such legislation to capture power over, and discriminate against, those holding a different opinion.

Fourthly, such legislation is too readily used to discard truth if it offends someone. The law becomes a battle of personal preferences regardless of truth or right and wrong. It destroys freedom of speech, becoming an instrument for regulation of thought. It empowers a small minority to impose its values, standards and lifestyle on the majority.

Possibly the main areas of concern that such legislation could cover are sexuality, gender identity and religion. There is considerable confusion and bias propagated in these areas in the populace generally and in our parliaments. The confusion is conveniently used by some to push their agenda for an unreasonable and unnatural lifestyle at the expense of others.

Such legislation too readily gives immorality legal power over morality. It creates unnatural rights and too often these override natural rights and stifle freedom. I am opposed to government pursuing anti-discrimination or human rights legislation, other than to reduce its coverage. Current exemptions should not be reduced.

Such legislation can give the community no confidence that their genuine human rights would be recognised and respected in everything the Parliament does.