To: Senate Legal and Constitutional Affairs Committee

HUMAN RIGHTS AND ANTI-DISCRIMINATION BILL 2012
SUBMISSION by ENDEAVOUR FORUM INC.

Endeavour Forum is an association dedicated to supporting family values in the context of situations facing families. In contrast to feminism, we maintain that men and women are equal but different. Such a position is consistent with reality and natural science.

We also strongly support inalienable rights to freedom of speech, freedom of conscience and the right of parents, as primary educators, to choose the type of education to be given to their children (*UN Universal Declaration of Human Rights, 1948 (UDHR), Article 26*.
We oppose usurpation of parental rights by the state.

Website: http://www.endeavourforum.org.au/

On this basis we strongly oppose the Bill in toto. It is factually an antithesis of claims made to protect "rights" and "equality". A threat to freedom of speech and other cherished democratic rights is blatant.

Another blatant injustice is a proposed reversal of the 800 year old common law presumption of innocence until proven guilty. Justice requires that the onus of proof remain on the complainant (*UDHR, Article 11*)

Yet another gross flaw is a new definition of "discrimination" as "any unfavourable treatment", which "may offend another person", a definition which is wide open to any interpretation, including "offence" taken by a political (or other) opinion with which another person may disagree.

A right not to be offended does not exist. A right to freedom of speech, however, is recognised in the UN Universal Declaration of Human Rights (UDHR), Article 19, in the International Covenant of Civil and Political Rights (ICCPR), as well as in Australian law. A law of defamation and laws prohibiting incitement to violence provide an adequate safeguard.

It is clear that offensive behaviour consists of outright insult, death threats, obscenity, and other unacceptable behaviour. Political correctness has befuddled the issue, defining *offensive* as "anything that may offend another person". Any expression of an opinion is likely to be offensive to someone who disagrees.

Equality before the law requires equal rights for every citizen, irrespective of whether he or she is a member of the majority or of any minority group. Segregation of "protected" groups, who are to receive special "rights", which violate authentic rights of the general community, is iniquitous.

It is also insultingly condescending to a "protected" group. For example indigenous Australians have a right to full integration with all other citizens, without a fallacious assumption that they require "protection", i.e. control, by the government. Despite huge taxpayer funding of projects, purportedly to assist Aboriginal people, their plight continues to deteriorate.

It is incomprehensible that such legislation as the proposed Bill could be seriously contemplated. In fact it is a prescription for a totalitarian police state. It would also be a minefield for litigation. So much for a "streamlined complaints process"! The proposed Bill would "simplify" everything for the plaintiff, while placing insurmountable obstacles in the way of justice for the defendant. So much for "equality"!

New proposed category of anti-discrimination against sexual orientation and gender identity

(a) Sexual orientation.

"Special protection" for this category is closely related to an attempt to impose same-sex "marriage", which has been decisively defeated by the Australian Parliament.

A key factor of its defeat was that SSM would place freedom of speech, freedom of conscience, and parental rights in jeopardy. This is based on irrefutable evidence that these rights and freedoms have been forfeit wherever such legislation, by any term, has been introduced. Any citizen may be coerced, under pain of legal penalty, to participate in same-sex "weddings", whether as a celebrant (religious or secular), or in any other role, such as caterer. Any persons who attempt to exercise freedom of speech to disagree are liable to prosecution on grounds of a so-called "hate speech crime". Children are subjected to compulsory indoctrination in homosexuality in violation of parental rights.

Now that SSM legislation has failed, our rights and freedom are again threatened under "anti-discrimination" legislation.

Every citizen has an indisputable right to live without interference and/or harassment. Same-sex couples are free to do so. They also receive the same welfare benefits as heterosexuals. Moreover they are free to celebrate a commitment ceremony at a social level, with the assistance of "gay friendly" caterers. No one is coerced into participation or acknowledgement. Australia is a free country, in which we agree to disagree.

If draconian legislation, such as the *Human Rights and Anti-Discrimination Bill 2012*, is imposed, however, we will no longer be free. Families will be unable to live without intimidation and harassment. Parents will lose an inalienable right to raise their children in accordance with deeply held principles, religious or otherwise.

Proposed exemptions for religious entities would be meaningless and worthless. Such "exemption" would be temporary, to be reviewed after three years, and probably would then

be withdrawn. More significantly, every person, religious or otherwise, has a right to freedom of conscience, and therefore any such granting of "exemptions" would be manifestly inadequate.

Studies have demonstrated that those who claim to be homosexual constitute between 2% and 3% of the population. Of this small minority, only a very small percentage support same-sex "marriage", or "anti-discrimination" laws. Richard Waghorne, a homosexual who opposes SSM, has written that "I have watched with growing irritation as principled opponents of gay marriage have put up with a stream of abuse for explaining their position. Public figures who try to do so routinely have to contend with a charge that they are bigoted or homophobic".

richardtwaghorne.wordpress.com/2011/04/05/gay-marriage/

Melanie Phillips, a UK columnist, who attempted to protect school children from compulsory homosexual material in the curriculum, has reported that she has been subjected to vicious outpouring of hate and incitement to violence, including death threats. She added "the total inability of those who subjected me to such abuse to realise that they are, in fact, spewing out the very hatred, intolerance and incitement to violence of which they are accusing others would be hilarious were it not so terrifying"
http://www.lifesitenews.com/news/death-threats-against-uk-columnist-for-opposing-homosexualist-agenda/

There are many further instances which may well cause us to reflect who is in need of protection from intimidation and harassment?

Police state activities are evident in Toronto where a government-funded "registry of homophobic acts" was launched earlier this year. A definition of "homophobic" was "any negative word or act toward a homosexual or homosexuality in general". Any who suppose that *homophobia* refers to harassment or intimidation of homosexuals should think again.
http://www.lifesitenews.com/news/government-funded-registry-of-homophobic-acts-launched-today-in-quebec

The term "homophobia" in fact refers to conscientious objection to a practice of homosexuality. The aim of those who seek to eradicate *homophobia* is to compel the whole of humanity to "normalise" and "naturalise" homosexual practice. There is factually no way to "normalise" or "naturalise" something which, in the light of biology and human reason, is not in accordance with natural science. This is self-evident without reference to religion. However freedom of religion is an inalienable right and no one should be compelled to act contrary to his or her conscience.

As already stated, there is a clear distinction between such aggressive activists and homosexual persons, most of whom merely want to live their lives without interference, and are willing to let others do the same.

There is in fact no scientific evidence to prove that *sexual orientation* is a valid term. Consensus is not science. The *Human Genome Project* failed to identify a "gay gene".

(b) Gender diversity

Terms such as "gender/sexual diversity" relate to vacuous concepts, at variance with the biological fact that there are two genders, male and female. An authentic definition of *gender* in international law is based on "men and women in the context of society".

An acronym LGBTI (lesbian, gay, bisexual, transsexual/transgendered, and intersex) has been used to identify forms of diversity.

The intersex condition is known to medical science and derives from chromosomal abnormalities. This is unrelated to homosexuality. Persons who experience any disorder, physical or psychological, are entitled to whatever care is needed, medical or psychiatric, and, of course, entitled to full recognition of their dignity as human persons.

Transsexual refers to a psychological condition known as *gender identity disorder*. In Canada and elsewhere legislation has been enacted to admit men to women's bathrooms, if they claim to be *transgendered*. No sex-change surgery is required. Again such persons are in need of professional care to help them live normal lives, not to be prevailed upon to claim *gender diversity* at the cost of violating authentic rights of others.

"Types of gender" have been pushed by "human rights" organisations internationally, including the *Australian Human Rights Commission*, claiming to derive from the *Yogyakarta Principles*. These Principles are not binding, but are supposedly based on an interpretation of binding documents. Such interpretation is merely opinion, irrelevant to any legal concept.

Various other letters have been added to the acronym. If such "logic" of sexual diversity is taken to its inevitable conclusion, P for *paedophile* must be included. In fact that is already happening.

Moves to decriminalise paedophilia are not new. In the Netherlands a *Paedophile Party* has been approved. In Greece, paedophilia has been added to a list of "disabilities'. Paedophiles in Greece may now qualify for government-funded disability pay.

In Ontario during a Parliamentary session on a bill relating to sexual offenses against children, psychologists claimed that paedophilia is a "sexual orientation" comparable with homosexuality and heterosexuality.

http://www.lifesitenews.com/news/pedophilia-a-sexual-orientation-experts-tell-parliament/

In the US prominent universities participated in a Baltimore conference reportedly aiming to normalise paedophilia, to examine ways in which "minor-attracted persons" can be involved in a revision of the *American Psychological Association* classification of paedophilia.

http://b4uact.org/science/symp/2011/index.htm

In 2009 an issue was raised in the US Congress in relation to introduction of "hate-crime" legislation, in consequence of which it was dubbed the "paedophile protection bill". The term "sexual orientation" was included in the legislation. An amendment was proposed to clarify that "sexual orientation as used in this act does not include paedophilia". The amendment was rejected. Rep. Alcee Hastings, *D-Fla,* stated on the House floor:
"This bill addresses our resolve to end violence based on prejudice and to guarantee that all Americans regardless of race, color, religion, national origin, gender, sexual orientation, gender identity, or disability or all of these 'philias' and fetishes and 'isms' that were put forward [by the American Psychological Association] need not live in fear because of who they are.
I urge my colleagues to vote in favour of this rule".

http://chalcedon.edu/research/articles/lesbian-legislator-promotes-pedophile-protection-act-in-california-schwarzenegger-presented-bill-for/

http://politicalpistachio.blogspot.com/2009/05/senate-bill-s-909-pedophile-protection.html

Behaviour which has been described as *perversity* is now being redefined as *diversity*. If "sexual diversity" is accepted as a *protected attribute* , there can be no legal guarantee of any limit being placed on such types of "diversity". Any form of depravity may be included.

Role of the Australian Human Rights Commission

It is a cause for grave concern that this non-elected bureaucracy is to be given yet more power. The Commission would be sole arbiter of whether or not a complaint may be dismissed, and the sole arbiter of whether or not an exemption would be granted.

In fact the Commission would virtually be made adjudicator to determine who must not be offended under pain of legal penalty, and who may be offended with impunity. It is ludicrous to suggest that it would be in the interests of small businesses to subject themselves to a code of the Australian Human Rights Commission.

It is strongly recommended that an "exposure draft" of the Bill be rejected, and that no further Anti-Discrimination legislation be introduced.

Thank you for an opportunity to participate.