Exposure Draft of Human Rights and Anti-Discrimination Bill 2012

I'm concerned about this Bill (I prefer 'responsibilities' to be added) because of its unintended consequences when abused and the unreasonable limitations on free speech.

Laws about rights and discrimination can easily have unintended consequences where there can be a clash of rights or petty revenge (in a similar way litigation can be a form of attack or greed instead of dealing with the real problem). If someone is offended could it be they are offended too readily or unreasonably and need counselling instead? Some have been very hurt and are vulnerable to distorted perceptions of what is reasonable when accusing someone of discrimination or violating their 'rights'.The onus proof or defence and associated expense of defending oneself being blamed for discrimination that was never intended but misinterpreted is a form of discrimination and can also be a form of attack on someone who I should be able to agree to disagree with.

Freedom of speech does include responsibilities and people do have rights not to be attacked but when words like hate speech and vilification are used they are extreme statements that can be applied to comments that are not extreme at all.

It becomes impossible to do objective evidence based research for fear that a finding might offend someone. I would like to see good research for example on gay parenting but if the research found a correlation that the gay or straight community didn't like it would be seen as hate or discrimination by anyone offended by the results. This has happened in scientific research already instead of expanding our knowledge.

In what ways do my 'rights' affect others? We can't have equal rights in obvious matters (like choosing to break the law if it suits my personal rights to do so) so where is the limitation of individual rights and where does responsibility come into it when I simply don't like what someone said or did?

I prefer the government focus on real issues of social justice that improve our society or at least give opportunity for understanding an forgiveness between the party offended and the one that didn't intend offending - of course people who are offended would rather seek further conflict and entitlement to have their revenge and pay-back.

What is the purpose of this Bill? To bring our communities together or divide us even more?

It should be called a Bill of Responsibilities and Rights - so the person who feels discriminated against is expected to exercise responsibility in attacking the problem and and not just the person. A compulsory accountability conferencing with a trained facilitator with opportunity to reconcile (instead of punishment) as a first step that would improve responsibility and understanding between people. That is if they are genuine in wanting understanding instead of playing the victim (and 'paying back' anyone for unreasonable expectations of what is information and intended to be offensive). It won't stop people's private thoughts and conversations - a hidden problem will then smolder away and be as or more destructive.

Imagine what would happen if we all exercised our perceived rights without any responsibility towards society as a whole? I wouldn't want to live in that society. Bills of Rights can not only have unintended consequences but remove rights from individuals and people groups. There are other ways to promote understanding and acceptance between people. I prefer a free and responsible society. There is a limit to what external laws can achieve.

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