To whom it may concern,
I'm writing in support of the Human Rights and Anti-Discrimination Bill 2012 Bill and ask the Committee to recommend it be passed in this parliamentary term.
Discrimination against LGBT people not only affects that community but has a major negative impact across society. To allow one section of the community to be treated differently or not be protected by the same laws that govern Australia sends a message that causes much damage to many people including higher rates of depression, suicide and drug and alcohol abuse for which we all pay for in one way or another. It also says to the rest of the World that Australia is a country that supports discrimination and believes that despite the positive contribution of the LGBT community to this country that they can still be treated poorly for no other reason then a small minorities fear and ignorance.
Lesbian, Gay and Bisexual people still face discrimination and harassment in crucial areas of public
life. It's important to ensure that a national law sets a national standard by including protections on the grounds of sexual orientation and relationship status (formerly marital status). Changing the ground of 'marital status' to 'relationship status' ensures that same sex and other LGBTI
relationships are protected from discrimination. The proposed definition of sexual orientation protects Lesbian, Gay and Bisexual people without using these labels, thus being more inclusive.
Including gender identity as a protected attribute is very welcome, but the proposed definition could be improved. Any definition protecting transgender people should include gender expression (such as mannerisms, appearance etc). In addition, the definition has the test of living on a "genuine basis" for transgender people – this is problematic and confusing as the term is not defined and contradicts other aspects of the draft Bill. A preferred definition is currently being passed by the Tasmanian Parliament and should be adopted in this Bill.
Intersex people are partially protected in the draft Bill under Part B of Gender Identity. This is not
correct. Intersex is not a matter of identity, rather it is a matter of biological fact, where an individual may have hormones, chromosomes or sex organs that are either - not wholly male or female; both male or female or neither. Federal Government policy, such as the National LGBTI Ageing and Aged Care Strategy and other mental health initiatives are inclusive of Intersex people. Intersex Australians should be protected from discrimination through a standalone protected attribute, which will make it clearer to understand for business and Australians that Intersex people are protected.
You must also outlaw discrimination against LGBTI people when they are receiving
federally funded aged care services. We as a society must ensure this vulnerable group of people would not be discriminated against in "their home".
This draft Bill allows religious organisations to discriminate against LGBTI people (except for aged
care providers). These 'permanent exceptions' set religious groups apart

from other groups, who
need to justify that any differential treatment is fair and reasonable. I do not support my taxpayer dollars contributing towards discriminatory practices and believe all organisations in receipt of government funding should be prevented from discriminating when they deliver services to the community; particularly vulnerable groups such children and those receiving disability,
homelessness or mental health services.
Many LGBTI and other people (such as single mothers and those in defacto relationships) working in schools, hospitals, community services and other areas live with the threat or reality of discrimination in employment. The draft Bill allows religious organisations to discriminate against LGBTI job applicants and employees, regardless of whether the person can meet the inherent requirements of the job. The Bill already provides sufficient safeguards to allow employers, including religious organsiations, to discriminate when it is necessary and reasonable. The Bill must be amended to remove the broad exceptions that allow religious organisations to discriminate in the area of employment. If religious organisations are to be granted these “permanent exceptions” from discrimination laws, members of the community are entitled to be informed of risk of discrimination before they make a decision to purchase goods and services or apply for a job. The draft Bills should include a requirement that religious organisations publish statements on their website, position descriptions for job advertisements and brochures or other promotional material advertising services. This would not only forewarn potential victims of discrimination but ensure accountability to the wider community.
It is also incredibly important that responsibility for Sexual Orientation and Gender Identity be legislatively written into the role of a commissioner. The AHRC has a time honoured history of sharing portfolios. It it is only fair and appropriate that a LGBTI Commissioner be created. Alternatively, the legislation should clarify that the President of the Commission carries port-folio responsibility for LGBTI issues.
In summary, I value equality and support the measures in the Bill that protect LGBTI people from discrimination.

Kind regards,
Conrad Browne – General Manager
JOY Melbourne Incorporated