

Anti- Discrimination submission to NT Government

'Modernising reforms':

WHEN RESPECT IS GONE, REBELLION PREVAILS.

I suggest that this whole paper, not only is it confusing, it is an attempt to take all individual thought or action from us all. Stop all of this political correctness.

It seems that our governments want to turn us into homogenous beings with no will of our own. It seems to me that this has become more prevalent since the legalization of same sex marriage where the law has been changed for a very small minority of our people. This change and the associated publicity seems to have given the government the idea that we should kow tow to all of their demands although I am sure, not the demands of many of those individuals.

I am disgusted with what you want to do. There is nothing wrong with the anti discrimination laws we have.

What about waiting 'til the federal government settles our anti discrimination law. After all the, in the same sex marriage debate, Malcolm Turnbull promised there would be no threat to our religious freedom.

I suggest to you that this is a waste of taxpayer money in the NT to have to go through the expense of duplicating federal law. Haven't you lot got better ways of spending money?? Do something else for your pay and with your time.

Who is going to force the majority to change their terminology? Are you going to prosecute us all.

Doesn't the Commonwealth anti discrimination act cover us?

Why waste your time and our money on all of this that MAY only concern a minority? Possibly 1.7%

I suggest you read and think about 'Kiralie Smith's video on this matter. Commonsense should prevail.

You are taking any responsibility for decent behavior away from those who already practice it and no amount of legislation can change the others.

Perhaps education of parents is the best method of changing behavior. It seems to me that the behaviour of our population is diminishing as the generations' progress. I believe that this is because the more publicity an action gets whether from parental example, media or others it then becomes acceptable practice and the young will follow.

One area that could change is, I believe the criminalization of bullying whether actual or verbal on line or in any way. Up to an age of say 12, the parents could be held vicariously responsible and some counselling necessary.

After the age of 12 the person themselves to be held responsible and appropriate penalty be applied.

As for domestic violence; one can never police this as it usually happens in private behind closed doors and until men and women fail to report it, then it is still undetected. Any penalties already in place for those that are reported such as orders to stay away only to come within certain distance ????? most often only exacerbate the problem and like restriction of driving licence does not change the behavior.

Some dictionary definitions for you

Sex

either of the two main categories (male and female) into which humans and most other living things are divided on the basis of their reproductive functions.

"adults of both sexes"

synonyms: gender

Sexuality

Human sexuality is the quality of being sexual, or the way people experience and express themselves as sexual beings. This involves biological, erotic, physical, emotional, social, or spiritual feelings and behaviors. Wikipedia

Attribute

a quality or feature regarded as a characteristic or inherent part of someone or something.

"flexibility and mobility are the key attributes of Britain's army"

synonyms: quality, feature, characteristic, trait, element, aspect, property, hallmark, mark, distinction, sign, telltale sign, sure sign;

Parent is a caregiver of the offspring in their own species. In humans, a parent is the caretaker of a child (where "child" refers to offspring, not necessarily age). A biological parent is a person whose gamete resulted in a child, a male through the sperm, and a female through the ovum. Parents are first-degree relatives and have 50% genetic meet. A female can also become a parent through surrogacy. Some parents may be adoptive parents, who nurture and raise an offspring, but are not actually biologically related to the child. Orphans without adoptive parents can be raised by their grandparents or other family members.

A parent can also be elaborated as an ancestor removed one generation. With recent medical advances, it is possible to have more than two biological parents.[1][2][3] Examples of third biological parents include instances involving surrogacy or a third person who has provided DNA samples during an assisted reproductive procedure that has altered the recipients genetic material.[4]

The most common types of parents are mothers, fathers, step-parents, and grandparents. A mother is, "a woman in relation to a child or children to whom she has given birth." [5] The extent to which it is socially acceptable for a parent to be involved in their offspring's life varies from culture to culture, however one that exhibits too little involvement is sometimes said to exhibit child neglect, [6] while one that is too involved is sometimes said to be overprotective, cossetting, nousey, or intrusive. [7]

carer plural noun:

carers a family member or paid helper who regularly looks after a child or a sick, elderly, or disabled person.

"elderly people and their carers need long-term support"

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1: 2: and 3: Sex or Sexuality, Gender Identity and Intersex Status.

What is intersex?!!! Do you mean someone that may choose to be a female one day and a male the next. I suggest to you that someone who chooses to be anything other than their sex as designated at birth would be aware that they would get reactions to their state. This is their choice. They are in a minority.

I am of the female sex and happy to be so.

I have only ever seen the term "sex" on forms to identify oneself, never the term "sexuality" although it would probably be a better term, literally.

Stop trying to complicate things by inventing another sex.

After all, regardless of what an individual may CHOOSE to be by dressing differently or surgery; Our chromosomes designate our sex. XX for female and XY for male except for an unfortunate few, (of whom I see estimates of only .05%) who have an extra chromosome. Our sex cannot be changed by dressing differently or choosing to be another sex. Certainly, allow people to identify outwardly as a different sex but do not let them take the freedom of the remainder of us.

Just what are you trying to do?! Those who choose to appear to be of a different sex, surely that it is their choice and why would they need any further protection as they choose to appear to be either male or female.

It seems from the strict meaning of the words 'sex' and 'sexuality' that the more correct term to be used on forms would be 'sexuality'.

Perhaps, some forms where applicable could ask for "sexuality at birth" and further "chosen sexuality" or maybe just "chosen sexuality"

I have just read, today an article by KC Clements who, the article says is a queer, non-binary (whatever that means) writer based in Brooklyn. The title is bewildering, how would this person like to be addressed. I am sure that he/she dresses either as a male or female and would thus expect to be identified likewise.

In the discussion the article states that there are as many as five to seven common (strange that in my 80 years I have only ever heard of male and female) biological sexes. Estimates suggest that as much as 1.7 percent of the population has some variation of sexual differentiation, based on their chromosomes. My search on the frequency of hermaphroditism says about .05%

It states that 'the important thing is that an individual's gender identity and expression are totally up to them to determine'.....that 'you might be tempted to make assumptions about a person's gender based on their body or their mannerisms but the best thing you can do is you're uncertain about someone's gender is to ask'

3: Vilification

You say. "there also no Federal or Territory laws that protect against vilification on the basis of religious belief, disability, sexual orientation, YET! Government is trying to make those who refuse a service because of their religious belief, to be prosecuted. Isn't this vilification?"

How is one to know if vilification has occurred.

Example: If I should accuse someone of being gay and they take offence, I expect that the anti vilification laws would apply only if that person is NOT gay. After all it is their choice. The libel laws apply only if the person libeled can prove that the accusations are incorrect.

language that this anti-discrimination act proposals suggest?

What protection do I have if I consider I am being harassed?

1;2;3 NO

4: Vilification

Haven't you heard the old saying "sticks and stones will break my bones, but names will never hurt me"

I recall Adam Goodes reaction to the young girl that called him an ape. Didn't he look a bit like one, not because of his dark skin but because of all of the hair. He pointed the finger at her and obviously abused her for calling him names.

Nothing was said about his vilification of that young girl. After that performance he was then named "Australian of the Year" sometimes I get disgusted with our government, particularly the major parties.

5: and 6:

Unfortunately, no matter what you try to do under the law or in any way will stop domestic violence. Mostly caused by drinking and drug use. Maybe something could be done about this.

Same as barring someone from driving. This does not stop them from driving and nothing will. Look at the latest crimes and deaths, many of these guilty drivers had had their driving licenses suspended.

I have not heard, ever, of a child being removed from a school because of domestic violence in their home unless it had been directed to that child and child then removed from that home for their own safety.

Are you thinking about making laws to cover every conceivable situation in the future??

You are taking away the responsibility of everyone to make and act with good behavior.

NO What else is there other than the 'attributes' you have already mentioned.

Please tell me examples where someone has been excluded from accommodation on the grounds of their previous homelessness or domestic violence

I suggest to you that they have been refused because of other reasons, such as inability to pay rent, no references or joblessness. This is where the housing authority of the N.T. should provide accommodation. Then again, those who trash their housing accommodation should be turfed out and I suggest that then they may have to live on the street or live with friends.

YES there are currently those who live on the street, and when they are given other suitable accommodation, do not want to leave.

Surely, obviously this is their choice, and no amount of law will change this.

7: Lawful sex work.

Since this work was legitimized I cannot see how those workers could be discriminated against.

Their job is their choice.

9: Rights of carer assistance animals.

I am sure you mean, the persons who use these animals, not the animals.

Surely they already have this protection, certainly under the Commonwealth legislation.

10: Representative complaint model

Does not the recent complaint about the date of Australia day represent a 'representative complaint'?

I suggest that if more indigenous people had been canvassed it would have been found that most do not care or are just not interested. Also the example of canvassing the right for homosexuals to marry was getting individuals to vote on the matter.

Most do not bother to give matters much thought and just go with what their first instincts are.

And by the way Australia was not invaded on 26th January but settled. Many are led by the opinions of those who have access to media and power to publicize the matter to stir people up. Many of those who marched are just habitual protesters who would appear for any cause that would seem popular at the moment. Most on that March were white and would not have bothered to research what they were protesting about.

Many aboriginal people themselves voiced no objection to the 26th January but did not get much attention.

Anyway what would changing the date do? And what difference would it make to those who firmly believe that Australia was invaded.

Yes representation should be able to be made by groups and not by politicians as long as all sides are given due publicity.

11: the Scope of Clubs.

I really do not understand what you are getting at.

Surely we have clubs for both, separately men and women. This does not seem to concern anyone except those who want their 5 minutes of fame and to challenge the organization.

I do not understand that you are saying that clubs are currently required to hold a liquor license.

Look at all of the children's sporting clubs and neighborhood tennis clubs etc that do not and do not want a liquor license.

12: Sexual Harrassment

While there are men and women , or I should say, females and males; you will never stop sexual harassment of any kind anywhere.

Certainly harassment needs to be reported and investigated by anyone of authority in that position.

Surely you are saying that we already have this restriction. You quote that Queensland and Tasmania do not have this restriction. So, you are saying that we do. Or are you saying that we have it under the Commonwealth legislation?

How is a taxi driver going to get satisfaction from an individual passenger and what sort of satisfaction could he possibly get other than publicity and a conviction against that person. How will he identify his offender? The mind boggles. The passenger would just walk away.

Laws will never stop road rage , certainly only succeed in bringing the offender to justice occasionally.

If I were to call someone a name in the street, it would only come to the attention of the police or anyone if that person whom I have offended were to attack me. Otherwise how would anyone know if I have offended that person. If they were to report it to the police then it becomes a matter of -----'he said' 'she said'

13: Services

How can changing the act avoid litigation over an issue? In fact it would probably increase.

I also object to your reference at the end of paragraph 2 in this section to "police officers"

Has the author had a problem or a recent complaint to actions of a police officers? What has led to the mention of police officers? why have they been singled out for mention?

My belief, weeing that you have brought it up is that police officers should have more powers. I have personally witnessed the abuse and spitting from young offenders to officers and I was amazed at the restraint that those officers showed to those youths.

14: Religious exemptions

Forget any Christian beliefs or parenting of children. I am disgusted that the law was changed on marriage for a SMALL majority of those whom it may affect. Many of that majority choose to live in defacto relationships as many heterosexuals do. It would have been better for the country to have the same laws of inheritance etc on defacto relationships in all states. This would have been of much more benefit to Australians as a whole.

NOW to bring in further anti discrimination laws to protect this majority from those who choose not to provide a service to same sex couple whether they be Christians or Followers of Islam not.

Those who claim to be discriminated against should just go to another provider of the service, it is their choice, not to frivolously lodge a complaint for which other Australians are forced to pay through legal aid for their court costs. Whereas the defendant, whether innocent or not is forced to expend high legal fees in defending their rights under free speech.

What about discrimination of those who are female or male and are happy to be so.

It is also discrimination to discriminate those who have religious beliefs.

I know of no religious school in the NT who refuse entry to those not of their faith. I am told though, that this discrimination is sometimes used in other states.

This discrimination could be because of high number of students wanting to enroll in those schools and so restriction on religious grounds is needed to weed out the numbers.

I believe that it is the right for ANYONE to not employ someone for any reason.

After all a Christian school or other religious school is not only teaching the accepted education of our children but also their beliefs. Therefore it can be accepted that only those of that faith could be able to teach their doctrines.

15: Assisted reproductive Treatment.

- (i) It is of course impossible that a person in a male homosexual relationship would fall pregnant or (ii) that there would be a serious genetic defect. Etc etc.

I understand that the practice of getting ART is already available to any one who can afford it. I do not believe that there are currently any restrictions.

NO: Keep the current act as it is. Anyone can easily access this service in SA.

16: Work**Ask somewhere where they work and quite often one will get the reply, " I work as a volunteer for"**

I am sure that we already feel that volunteers 'work'

As for many subcontractors. Many consider that they are sub contractors and I am aware that many are told to get ABNs by prospective employers to avoid the incorrect assumption that obligation to deduct and remit PAYG is avoided and that the obligation to pay the superannuation guarantee is also avoided.

It is not always the choice of the employee whether to be treated as a subcontractor or as an employee, just someone wanting employment.

In many case that I have seen the so called subcontractors are actually employees.

Before making any changes, I suggest that you look at the Income Tax Assessment Act to make sure that you are conversant with that law. Some information can be obtained on line on the ATO site regarding employees and subcontractors.

I do not know of any discrimination against volunteers. Perhaps you can provide me with some.

I do believe that if they volunteer for an organization that has employees that they would also be covered by workers compensation. In any case, this matter should be addresses by the organization concerned. I do believe that cover is available to volunteers who are registered on a day to day basis by attendance recording.

Just how do you think expanding the definition will make any difference?

17: Special needs.

I am wondering if the following situation is what you are talking about.

In a city I lived in before, I had a friend who was employed as a regular casual person as a carer for a Down's Syndrome girl. My friend used to attend this girl's unit and assist her with meals, cleaning, laundry etc. Also my friend used to drive her to and from a job that said girl had. My friend was paid well by the hour and also paid a car allowance for use of her car. So, as well as the expense of the girl's pension, the assistance with a housing allowance, there was the added expense of my friend's wages; all paid by the relevant state government.

I fail to see that there was any failure to accommodate a special need in this instance.