

SUMMARY OF QUESTIONS (highlighted yellow)

Modernisation Reforms

1. Is updating the term sexuality to sexual orientation without labels appropriate? Are there any alternative suggestions?
No comment
2. Should the attribute of "gender identity" be included in the Act?
No. Otherwise we could have a situation where a facility specifically for one gender. e.g. women's shower room, could be used by a person of the opposite gender simply by his claiming to identify as that gender. The binary view of sex/gender is biologically supportable by the presence or absence of the Y chromosome. The intersex view is subjective, not physically determinable. Hence the more objectively supportable identity view should prevail.
3. Should intersex status be included as an attribute under the Act?
Yes
4. Should vilification provisions be included in the Act? Should vilification be prohibited for attributes other than on the basis of race, such as disability, sexual orientation, religious belief, gender identity or intersex status?
Yes, BUT the term vilification should not be so broad as to include 'offend' or 'insult', which terms are too subjective. Everyone should have the right to state publicly factual information about any other person or organisation, including information about their religious beliefs and practices. If such information is true, let it be stated, whether or not it offends.
5. Should the Act create rights for people experiencing domestic violence in relation to public areas of life such as employment, education and accommodation?
Yes
6. Should the Act protect people against discrimination on the basis of their accommodation status?
Yes
7. Should "lawful sex work" be included as an attribute under the Act?
Yes, except for cases where the conscience of service providers does not let them support sex work, e.g. accommodation providers may not want their premises to be associated with the sex trade.
8. Should "socioeconomic status" be included as a protected attribute?
Yes
9. Should the Act be broadened to include specifically trained assistance animals such as therapeutic and psychiatric seizure alert animals?
Yes

New Reforms

10. Should a representative complaint model process be introduced into the Act? Should there be any variations to the process of the complaint model as described above?
Yes
11. Should the requirement for clubs to hold a liquor licence be removed?
Yes
12. Should the restriction of areas of activity on sexual harassment be removed?
Yes
13. Should the definition of "service" be amended to extend coverage to include the workers?
Yes

Removing Content that Enshrines Discrimination

14. Should any exemptions for religious or cultural bodies be removed?

No. Religious bodies exist for people who subscribe to religious doctrines, and it would be a violation of religious freedom to change the Act in any of the "alternative" ways proposed. They must have the right to, e.g. employ staff or enrol students that are willing to accommodate their doctrines. To require religious bodies to apply for exemption is unnecessary and could be financially prohibitive for those bodies.

15. Should the exclusion of assisted reproductive treatment from services be removed?
 Removing a barrier that currently inhibits single gender parenting is going the wrong way. It could result in a serious offence against an as yet unborn child because the ideal for raising children is for them to have a parent of each gender. Statistics show that those who don't are at increased risk of becoming homeless, drug dependent or of engaging in criminal activity. Removing that barrier will also ultimately be detrimental to the whole of society.

Clarifying and Miscellaneous Reforms

16. What are your views on expanding the definition of "work"?

I agree that conduct prohibitions in "work" should be applicable to anyone in a shared workplace including volunteers and subcontractors.

17. Should section 24 be amended to clarify that it imposes a positive obligation?

Yes

18. Is the name "Equal Opportunity Commissioner" preferred to the name "Anti-Discrimination Commissioner"? Would the benefits of a new name outweigh the financial cost that comes with re-naming an office?

Not a big issue. "What's in a name?" There is value in having the name of the officer harmonise with the name of the Act, so better to leave as is.

19. Is increasing the term of appointment of the ACD to five years appropriate? Should the term of appointment be for another period, if so what?

No comment

Modernising Language

20. Should definitions of "man" and "woman" be repealed?

No. Repealing these definitions could result in less clarity. I see no problem arising from leaving them as they are.

21. Should the term "parenthood" be replaced with "carer responsibilities"?

Yes

22. Should the term "marital status" be replaced with "relationship status"?

No. The latter is more vague and could be misconstrued by clever legal eagles to mean something not intended in the Act.