

To: Senate Legal and Constitutional Affairs Committee

The Human Rights and Anti-Discrimination Bill 2012 is dangerous, and is rightly attracting opposition from many people, from private citizens to civic leaders and Mr Spigelman.

I view it as the worst threat to all our freedoms that I have yet seen in Australia.

It is unjust, as it reverses the onus of proof and would deny me the right to have a legal adviser; though I suffer chronic ill health, I am not officially "disabled"; I have always supported myself. Though I have been a victim of harassment at school and in workplaces, I see only threat in this proposed legislation, rather than anything that might have helped me, in the past present or future.

It is ill-conceived, as it bans anything that "offends" any (litigious) person. Offense is completely "in the eye of the beholder". Would ANY comment about ANYTHING be safe from such an accusation?

Australia does not need this legislation. ENFORCE the laws we already have, that ban violence or incitement to violence!

Yesterday, I wrote a "Letter to the Editor" of "The Advertiser"; I will append it here too. I do not recall any other occasion on which I wrote a "Letter to the Editor" but this proposed legislation has stirred me to action. [In a second draft, I cited another article, but I cannot recall which one. I am sure that the committee will be aware of the current crop of articles, though.] I wrote:

Are Australians going to become a pack of whining crybabies? The proposed legislation to limit freedom of speech (practically, to abolish our right to freedom of speech) would have bad consequences, as many wise leaders have explained in recent days. I refer to "Human Rights and Anti-Discrimination Bill 2012".

In The Australian Financial Review of 7th December, 2012 "Boiling Frog of Personal Freedom", John Roskam* wrote: "The irony is that while schoolchildren are encouraged by their parents and teachers to be resilient, a generation of grown-ups is told by government to take offence at the drop of a hat."

Do we value our democracy and right to freedom of opinion? If a complaint of "offensiveness" is sufficient to silence any critic, we will no longer be free. A robust democracy needs its critics, who use words (and not physical violence) to oppose things with which they disagree. If people cannot speak, yet feel aggrieved, there will be an outbreak of civil unrest. In some countries, this has led to civil war. Of course, we do not want that future.

Australia is remarkable in that we have never had a civil war. We may be unique among democracies of comparable age, in that characteristic. Instead, Australians have been free to offend each other ... verbally. We have been free to express contrary political/ economic and religious / philosophical viewpoints

peacefully. Sports fans safely "sledge" opponents without violence.

Our legal code already has laws protecting people against violence and discrimination, including that motivated by ethnic or religious differences between people. People of different ethnic backgrounds can live here and flourish, if they agree to obey the laws, and if they are willing to allow others to disagree with their own views. This allows diversity with freedom. This is a wonderful society; let's keep it great.

*<http://ipa.org.au/news/2799/boiling-frog-of-personal-freedom>

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