Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Bill 2013

(Second reading amendment to be moved by Senator Wright on behalf of the Australian Greens)

At the end of the motion, add:

but while the Senate does not decline to pass the bill, it notes:

(a) that it is intended to replace the Human Rights and Anti-Discrimination Bill 2012, and that despite three successive Attorneys-General committing to streamline and modernise anti-discrimination and human rights law via that instrument, this Bill shows that this government has no intention to do so;

(b) this Bill’s preservation of sections 37 and 38 of the Sex Discrimination Act 1984, and indeed its extension of these exemptions for religious bodies to discriminate on the grounds of newly protected attributes, represents another missed opportunity;

(c) that not only has this Government declined to modernise federal anti-discrimination laws generally, it has also declined to address some of the most pronounced cases where an organisation can deny a person’s human right to freedom from discrimination; and

(d) the Government’s statement that the Commonwealth legislation is not intended to cover the field with respect to jurisdictions with more advanced anti-discrimination law, and that it intends for state protections from discrimination to operate concurrently with the federal law.