

**INQUIRY INTO ANTI-DISCRIMINATION AMENDMENT
(COMPLAINT HANDLING) BILL 2020**

Organisation: Name suppressed

Date Received: 29 April 2020

Partially
Confidential

[REDACTED]

Hon. Robert Borsak MLC
Committee Chair
Portfolio Committee No.5 – Legal Affairs
Legislative Council
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

[REDACTED]

29th April 2020

Dear Hon Robert Borsak MLC,

RE: Inquiry into the Anti-Discrimination Amendment (Complaint Handling) Bill 2020.

On behalf of [REDACTED], I thank you for your letter dated 17 March 2020 inviting us to comment on the proposed Anti-Discrimination Amendment (Complaint Handling) Bill 2020 ("the Bill") and congratulate you for this much needed reform.

Our Submission

[REDACTED] supports the Bill and agrees with its intended purpose.

We are of the view that these amendments are much needed, sensible and will go a long way in protecting freedom of expression, conscience and religion, without unintended consequences such as vexatious claims and will ensure claims will not be duplicated in other forums and jurisdictions.

In order to ensure a more robust complaint handling process for the Anti-Discrimination Board (ADB) we recommend three additional measures for your consideration:

- 1) Claimants should appropriately support their claim evidencing that they have been directly affected by the alleged conduct rather than merely show offence;
- 2) All parties to be afforded equal access and assistance throughout the process; and
- 3) Appropriate protections are implemented to ensure respondents are not burdened with the costs if a claim is proved to lack in substance or is vexatious and malicious.

Conclusion

[redacted] supports this Bill and recommends the above additional measures for your consideration to ensure there is an appropriate balance between valid claims and those which seek to restrict fundamental human rights, being freedom of thought, conscience and religion.

Please do not hesitate to contact us if further clarification is required on this important matter.

Sincerely,

[redacted]