

**Submission
No 95**

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

Name: Dr David van Gend

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I support the modest proposals contained in the Anti-Discrimination Amendment (Complaint Handling) Bill 2020.

I have, like Mr Folau and (more significantly) Mr Bernard Gaynor of Queensland, been subject to vexatious complaints by LGBT activists (all thrown out as worthless, but only after enduring the cost of the 'anti-discrimination' process), so I speak from experience.

I consider the 'anti-discrimination' apparatus in its current form to be an enabling mechanism for 'progressive' lawfare against conservative opinion, and therefore an abuse of power and a menace to a free society.

It is to the lasting disgrace of the NSW Anti-Discrimination Board (ADB) that it has allowed the 37 complaints by Burns to proceed against Gaynor, who is not even a resident of NSW and should not be under the ADB's jurisdiction. All 37 complaints were thrown out at higher appeal - surely the very definition of vexatious and lacking in substance - but the legal process cost Gaynor his home and cost his family immense stress.

Why did the ADB not exercise its prerogative to throw out those six years of Burns' complaints against Gaynor as vexatious, as it has in the case of the recent complaint against Folau? Was Gaynor too enticing and easy a conservative target, having (unlike Folau) no great and powerful friends? And have things now changed with the introduction of the Hon Mark Latham's Bill, given Mr Latham's specific citing in Parliament of the ADB's obsessive and merciless pursuit of Gaynor?

Many of us understand the activist nature of agencies like the NSW Anti-Discrimination Board and their evident animus against conservative individuals like Gaynor. Such individuals are to be silenced by ADB censors for voicing opinions considered 'unacceptable' to the elite.

Can the Board credibly deny that this is the effect of their operation, even if they deny that it is their intent?

Since it appears that the ADB has now rediscovered its principled objection to vexatious complaints, will the ADB cease and desist from facilitating any further activist lawfare against Bernie Gaynor and his family?

I would prefer that all anti-discrimination 'hate speech' legislation, inasmuch as it merely provides a means for offense-takers to harass those who hold different views, be abolished as unworthy of a free self-governing society.

Where free public argument strays into defamation, we already have laws against that. Where it strays into incitement to violence, the law can already deal swiftly with that. But laws that make it illegal to offend somebody are contemptible and crippling to a liberal democracy, where public argument is the means by which we govern ourselves.

Free speech, meaning free public argument, must remain free and fulsome - even if some are offended by the rough and tumble of debate - in both the Parliament and the public square. That is the only way we can continue to govern ourselves and not be silenced by despotic elites in the 'anti-discrimination' apparatus.

Failing a principled abolition of such contemptible laws, at least let Mr Latham's modest amendments be supported.

Thank you.