The NSW "Equality" Bill

We call on the Parliament to **reject** Alex Greenwich's "Equality" Bill in **full**.

Our Concerns

The "Equality" bill makes wide-ranging and concerning changes to 20 pieces of NSW legislation. Significant problems with the bill include:

Undermining Religious Freedom

The bill hollows out, or entirely removes, existing provisions in the Anti-Discrimination Act that are designed to allow faith-based institutions to maintain their faith-based character. The bill also removes protections for faith-based schools and other religious institutions.

This will prevent faith-based institutions from keeping their faith identity by employing staff who uphold the faith, or by operating according to their beliefs. It will force religious institutions to act like secular institutions.

This bill will also open up faith-based institutions to constant and costly allegations of discrimination that will need to be defended, and will allow judges to decide whether religious beliefs are 'reasonable.' A school that teaches a traditional view of marriage and gender will need to satisfy a judge that this is 'reasonable'.

Replacing Biological Sex with Self-ID

The bill allows people to change their sex on their birth certificate whenever they want, regardless of biology or surgery. The bill permits children to conceal changes to their registered sex from their parents.

This places women's only spaces such as refuges, schools, prisons and places of worship at risk because they will be forced to treat people according to their newly declared sex.

Commercial Surrogacy

The bill allows and assists the commercialisation of surrogacy, including paying disadvantaged women in third world countries to bear a child who is then taken from them and brought to Australia.

Subverting the Parent-Child Relationship

The bill permits a child under 16 to consent to medical treatment, against the will of their parents, so long as a doctor says that "the child is capable of understanding the nature, consequences and risks of the treatment and the treatment is in the best interests of the child's health and well-being". The bill clarifies the expanded scope in which treatment 'reasonably likely to have the effect of rendering [a 'child] permanently infertile' can be accessed.

This drives a wedge between parents and their children and empowers a minority of activist medical practitioners to push their ideology and override parents.

It would also allow one parent to consent to medical treatment, even if the other parent strongly objects. This has the potential for the medical treatment of children being used as leverage in family disputes.

The bill also deems all young people 16 or over to be competent to make medical decisions for themselves (including life-altering procedures) as if they were an adult.

Promoting Prostitution

The bill protects sex-work under anti-discrimination law, making it equivalent to protected attributes such as race and disability. No other form of employment is privileged in this way.

The bill also removes existing limits on prostitution, including laws that prevent coercing a woman into prostitution, public acts of prostitution, and soliciting prostitution outside a school or place of worship.

The bill needs to be rejected in full

The legislation is **50 pages long** and makes **over 80 changes to 20 different pieces of legislation,** including to standardise the notion of gender fluidity within statutory and governmental documents referring to gender and sex.

This includes over 50 amendments to the Anti-Discrimination Act – even though the Act has been referred to the NSW Law Reform Commission for a comprehensive review.

The bill's provisions are complicated and interlinked.

There is no safe way of splitting this bill, or passing parts of it, without risking significant unintended consequences.

Mr Greenwich's bill is extreme, and prioritises the desires of one small group over all other parts of society.

Most of the issues in this bill were not canvassed in campaigning leading up to the election. There is no mandate to make any of these controversial changes.

Why has this bill been prioritised?

At 1:30am on 30 November, the Government voted to extend the time given to this bill, preventing it from expiring, giving it priority for debate in the very first week of parliament, and guaranteeing a vote on 14 March.

This forces a vote and avoids community scrutiny.

Why has this highly controversial bill been given priority over other Private Members' Bills?

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List of bills amended

the *Anti-Discrimination Act 1977;*
the *Births, Deaths and Marriages Registration Act 1995;*
the *Children and Young Persons (Care and Protection) Act 1998;*
the *Children's Guardian Act 2019;*
the *Court Security Act 2005;*
the *Crimes Act 1900;*
the *Crimes (Administration of Sentences) Act 1999;*
the *Crimes (Domestic and Personal Violence) Act 2007;*
the *Crimes (Forensic Procedures) Act 2000;*
the *Crimes (Sentencing Procedure) Act 1999;*

the *Drug Misuse and Trafficking Act 2013;*
the *Government Sector Employment Act 2013;*
the *Government Sector Employment (General) Rules 2014;*
the *Interpretation Act 1987;*
the *Law Enforcement (Powers and Responsibilities) Act 2002;*
the *Mental Health Act 2007;*
the *Sheriff Act 2005;*
the *Summary Offences Act 1988;*
the *Surrogacy Act 2010;* and
the *Workers Compensation Act 1987.*

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Most Rev'd Anthony Fisher
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