

**From:** [Ken Moala](#)  
**To:** [Legal Affairs and Community Safety Committee](#)  
**Subject:** Relationship (Civil Partnerships)and Other Acts Amendment Bill 2015.  
**Date:** Saturday, 26 September 2015 11:25:05 AM

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## Edward Ken Moala



Attn: Research Director,  
Legal Affairs and Community Safety Committee  
Parliament  
George St.  
Brisbane Qld 4000

Dear :

I am in total support of the Relationships ( Civil Partnerships) and Other Acts Amendments Bill 2015 that was introduced by the Attorney General and Minister for Training and Skills on the 17 November 2015.

My reasons are because of the following facts:

### **Discrimination protections:**

On 29 November 2002 Queensland Parliament passed the Discrimination Law Amendment Act 2002 which reformed a wide range of areas in the Queensland Ant-Discrimination Act 1991 such as couples (whether same sex or de facto), including transgender persons ("gender identity") and "sexuality" in protection under existing Anti-Discrimination and Anti-Vilification legislation. The areas covered are work and work related; education; goods and services; superannuation and insurance; disposal of land; accommodation; club membership; administration of state laws and programs; local government; existing partnership and in pre-partnership.

In practice, those facing discrimination on the basis of gender identity have faced difficulties in pursuing anti-discrimination claims - in its 2013 annual report, the Anti-Discrimination Commission of Queensland noted that a single gender identity claim - 0.2% of its work - had been upheld. Trans men and women potentially face years waiting for their claims to be resolved, with little support available for people outside south-east Queensland and Cairns.

Australian federal Commonwealth Government under law does outlaw discrimination based on "marital or relationship status, sexual orientation, gender identity and/or

intersex status" at the federal level at various levels that cover aged care, employment, health services, goods and services, accommodation, etc. since August 2013. Federal employment protection does include "sexual orientation" in the federal *Fair Work Act 2009*. However, in response to Australia's obligation to implement the principle of non-discrimination in employment and occupation pursuant to the International Labour Organisation Convention No.111 (ILO 111), the [Human Rights and Equal Opportunity Commission \(HREOC\) Act](#) established the HREOC in 1986, and empowers it to investigate complaints of discrimination in employment and occupation on various grounds, including sexual orientation, and to resolve such complaints by conciliation. If it cannot be conciliated, the Commission prepares a report to the federal Attorney-General who then tables the report in Parliament. It is important to note that such discrimination is not rendered unlawful under the Act.

The *Human Rights (Sexual Conduct) Act 1994* provided that sexual conduct involving only consenting adults (18 years or over) acting in private would not be subject to arbitrary interference by law enforcement. This applies to any law of the Commonwealth, State or Territory. As of August 2013, the Australian federal Commonwealth Government under law does provide protections for "marital or relationship status, sexual orientation, gender identity and/or intersex status" at the federal level at various levels that cover aged care, employment, health services, goods and services, accommodation, etc. in the *Human Rights Commission Act 1981* (Commonwealth legislation).

Federal law also protects LGBT and Intersex people in Queensland in the form of the *Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013*.

As stated :From Wikipedia, the free encyclopedia: LGBT rights in Queensland.

Kind Regards

Edward Ken Moala