

From:
To: [ADAreview](#)
Subject: Anti-Discrimination Act NSW Submission
Date: Tuesday, 12 August 2025 3:40:35 PM

Dear Sir/Madam,

I'm writing in response to the consultation on the Anti-Discrimination Act reform. I'm happy for this submission to be published in full, without anonymisation.

There are a few key concerns I'd like to raise:

- **Intersectionality:** I believe this concept can sometimes lead to what's been called "protected attribute shopping" or "stacking," where someone might claim multiple attributes to gain an advantage or support a complaint. Since current laws already allow for action based on various forms of discrimination, adding more complexity could make the legal process harder to navigate and potentially weaken the clarity of individual claims.
- **Subjective vilification tests:** Using a subjective standard to judge vilification—like whether someone might feel offended, humiliated, or ridiculed—can be problematic. It's a very personal and variable test, and it risks putting unnecessary limits on free speech. A lower threshold here seems out of balance and could create more issues than it solves.
- **Gender vs. sex in legal language:** Replacing sex with gender in legal settings could cause confusion and potentially erode sex-based rights. Also, including gender identity might increase the risk of vexatious claims and may ultimately weaken public confidence in the law's aim to tackle genuine inequality.

Thanks for taking the time to consider my submission.

**Kind regards,
Richard Harwood**