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ACON - PRIDE IN DIVERSITY  
ANNUAL AWARDS EVENT  
DELTONE HOUSE SYDNEY  
20 MAY 2016

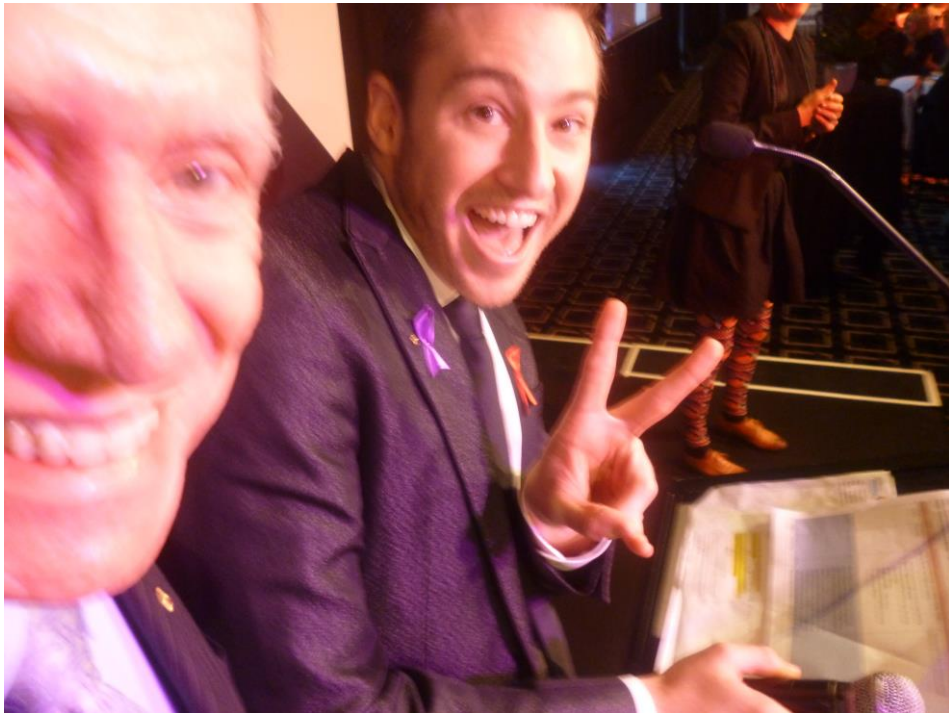
ON NOT GOING GENTLY INTO THE DARK NIGHT OF  
DISCRIMINATION

The Hon. Michael Kirby AC CMG

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Thank you (Matthew) for what you have done for Australia, for sport and for all of us. Don't forget that when Matthew won his Olympic gold, he immediately after, thanked his partner and his

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\* Based on the recorded address at the opening of the event. The Master of Ceremony was Matthew Mitcham OAM, Olympic Gold Medallist in Diving (2008).

\*\* Justice of the High Court of Australia (1996)-2009); Patron of Pride in Diversity; Patron (with Johan van Vloten) of the Bobby Goldsmith Foundation; Patron of the Kaleidoscope Foundation; Patron of the Pinnacle Foundation; Patron of the Kirby Institute (UNSW).

community. That was such a strong, brave, courageous, wonderful message to the whole world. (Applause)

So we really love you. We are grateful to have you with us today. And we are proud of you.

Now on this occasion of 600 people and with very congenial LGBTIQ and Ally people together, it's easy to get into the helium balloon and float away and think everything is wonderful. But everything is not wonderful. The past year has not been wonderful.

In the past year, we have had a very serious and bad development for our polity. It is the development of the interposition of a Plebiscite, into an enactment of a law on a subject that the High Court of Australia unanimously said was within the power of the Federal Parliament of Australia. Doing this is a step that we shouldn't just accept meekly and quietly go into that dark night, making no complaint about it!<sup>1</sup> As a citizen, I make a complaint about it, because this hasn't been done in our nation for a hundred years. For a hundred years they have not had a Plebiscite as anterior to the enactment of the law of the Federal Parliament.

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<sup>1</sup> An allusion to the poem by Dylan Thomas, "Do not go gentle into that Good Night." (1952).

The last time it was done was in 1916, in the divisive vote on conscription. It was repeated the following year in 1917. So for a hundred years the laws on all sorts of existential questions of our survival as a nation in the Second World War; and deep questions about redeeming ourselves from our rather prejudiced past, in respect of Aboriginals, and in respect to Asian Australians and in respect of women. All of these had been done without the benefit of Plebiscite. Yet now, for the first time in a century and unnecessarily, this is interposed. Well I won't go silently into the dark night accepting that. I respect the people of Australia. But the way we do law making in this country is in the Parliament of the nation. And it's a very wrong thing to make a differentiation in the case of us. (Applause)

I acknowledge and welcome the presence of the Parliamentarians who are here. I ask them, on behalf of this meeting of citizens of Australia, to take back to the political leaders of this nation the message: that a Plebiscite is not the Australian way. It is a prejudiced way. It is designed to try and defeat the will of the people, expressed as the Constitution of this nation provides: in a vote in the Federal Parliament on this issue. (Applause)

During the past year it isn't only the issue of the Plebiscite and the marriage equality question. It is also the steps that are being taken in our country to inform young people who are LGBTIQ that they are not weird. They are not alone. That they are simply part of a small variation in nature, which the great scientist Charles

Darwin said was an essential feature of the development of the human species to adapt to its environment. The law of variation.

I had to go to Perth on Monday to speak at a conference at UWA and at Murdoch University on the Safe Schools Program in Western Australia. In the whole of that enormous State of our Commonwealth, only 27 schools have adopted the Safe Schools Program. When you break it down it was 25 Public High Schools, 1 Public Primary School and 1 religious private school. Only one religious school, Presbyterian Ladies College in Western Australia had invited the Safe Schools Program for that school. Now this is a sign of the division of our country. It is something, which has to be changed. We should not be sitting here having a lovely day, and congratulating each other and everyone without engaging in a reflection on the things that our wrong and the things that we must put right in Australia. (Applause)

And also we must be concerned and reach out to our brothers and sisters everywhere in the world. What a shameful thing it was a week ago that 2 brave, young gay men, who were trying to educate their fellow citizens in Bangladesh, were hacked to death by 6 people who invaded their space. Hacked to death. This is the level of hatred that exists. It is unscientific. It is unlawful. It ought to stop. We as Australians should reach out to and be concerned about it. We should involve Pride in Diversity in what Australian corporations are doing for people who are LGBTIQ in

our region. Because they do it tough. I think it's important we should all be concerned about them!

So I was very proud of Burwood Girls High School. (Applause)

They are a symbol of what is changing. You all here are a symbol of what is changing. The prize winners and those who competed in the Pride in Diversity efforts are all to be congratulated and thanked. Things are changing.

Another lunch I went to this week was for philanthropy. They were bringing together the business community just in case we have to front a Plebiscite. It will take enormous efforts. The efforts of the big forces that are organised and moneyed against marriage equality will be mobilised very quickly. But the efforts of a diverse community will take a lot of time and quite a lot of money. I said that this was very important to LGBTIQ people. But a woman at the back of the audience got up and she said, 'This is not just about you. This not just about LGBTIQ. This is about me. This is about my country. This is about the values of Australia. Of our attitudes to minorities and whether we are becoming a braver, bolder and more inclusive country.' I thought that was a very important message. It is a message which is brought here today by Pride in Diversity, ACON's Pride in Diversity. I thank ACON. I thank Dawn Hough, I thank Pride in Diversity, I'm proud to be a Patron.

But the year ahead is going to be a troubled year. We must steel ourselves and resolve that, when we look back on this time, we can say, 'We did what should be done as citizens of Australia. As human beings. As people who have a very strong view about the future of Australia: as a strong, inclusive and just society speaking to all of its people of equality. For all of them!'