Religious Discrimination Bill – Exposure Draft

Your Submission

Thank you for the work that has been put together. I want to acknowledge it is indeed a tough job in our current Climate.

Firstly can I just point out that the place this Bill has started is Discrimination. I do not want the “Right” To discriminate but I would like to be able to support and live what I believe. For example I am a Broncos fan, my best mate is a Manly fan. We get on fine we disagree re football but we are fine. I would not like to live in a world where Manly is Discriminated against but I also don’t want to live in a world where I have to Support and cheer for Manly. I want the Right to choose. As do I want others to have that same right. On that note here are some points that I have been able to “gleam” and bring forward as what may be helpful.

Can we please make sure the Bill makes clear that the term “religious activity” includes any 'manifestation of religion or belief in worship, observance, practice and teaching' (to pick up the language of ICCPR 18). Furthermore, “religious activity” includes any activity which the person genuinely believes is required by or is in accordance with their religious belief.

In a similar vain can it be made clear in the Bill that ‘person’ includes a corporation and an unincorporated association. Most Baptist churches, for example, are unincorporated associations and this is true of other denominations as well.

Section 10 is drafted quite widely, and includes “engaging, in good faith, in conduct that may reasonably be regarded as being in accordance with the doctrines, tenets, beliefs or teachings of the religion”. To avoid getting into controversies about what a religion teaches (some denominations hold together a disparate range of beliefs on secondary issues) it would be better to focus on genuineness. Thus the test could be written as: “engaging in conduct that the person genuinely believes is in accordance with the doctrines, tenets, beliefs or teachings of the religion” or words to that effect.

In Conclusion, The issue is a right to select, not a right to discriminate. Furthermore, there is a lot of opposition from the left of politics to any exemptions under anti-discrimination laws. The best way to deal with this issue is to make a positive statement that it is lawful for a religious body, a faith-based educational institution or a charity established for religious purposes, to appoint, or prefer to appoint, staff who practise the faith with which the organisation is associated. With this enacted, a lot of the concerns about religious freedom in Australia will be resolved.