Dear Religious Freedom Consultation,

Thank you for providing me with the opportunity to make a submission concerning the Government’s package of legislative reforms on religious freedom.

I applaud the government for its worthy intention to protect religious freedom, and the fact that it is listening to stakeholders and proactively taking action in this regard.

However, I feel that the government’s lofty intentions are frustrated by ill-conceived exceptions and ill-defined terms in the draft bills.

For example, one of the strongest protections in the Religious Discrimination Bill 2019 is clause 41, under the heading “Statements of belief do not constitute discrimination.” However, the clause goes on to explain that this does not apply to statements that “harass, vilify or incite hatred.”

The main problem here is that the word ‘vilify’ is not adequately defined in law and this vagueness of just one word removes a great deal of the protection for freedom of speech that this clause is supposed to enshrine. By not defining this term properly, the drafters of the legislation have effectively left it to be defined by the unelected judiciary. Furthermore, whilst it is left inadequately defined, and there exists the possibility of being taken to court, ordinary Australians will have to adopt even more caution in making public statements of faith than if this clause was never enacted!

What is needed is either for the word ‘vilify’ ‘to be struck from the bill, or for the bill to define the term very carefully, ensuring that only genuinely extreme statements could qualify, lest people who are simply offended become complainants.

I trust that you will consider this matter carefully and make these required amendments to the bill.