My submission to the Inquiry:

02 October 2019

Human Rights Unit, Integrity Law Branch, Integrity and Security Division
Attorney-General’s Department
3-5 National Circuit
Barton ACT 2600

Dear Mr. Attorney-General,

Please find my significant concerns about the Religious Discrimination Bill 2019, summarised below:

1. Religious activity is too narrowly defined in the draft bill and will remain problematic unless reviewed following further consultation as part of this inquiry.
2. Religious organisations that offer commercial services, among their other endeavours, remain unprotected and exposed to vilification and potential legal action.
3. The proposed legislation offers inadequate protections against competing state and federal legislation, which should form part of the obligatory government review process.
4. The test of ‘reasonableness’ contained in the legislation is onerous for people of most faiths.
5. The proposed bill will make courts responsible for interpreting religious doctrine, contravening the centuries-old principle of separation of church and state (established for good reason).
6. There are inadequate protections for religious freedom in the workplace.
7. The draft bill still allows excessive scope for small businesses to restrict the religious freedom of their employees.
8. Victims of religious discrimination in Australia, would remain unprotected by the draft bill.
9. The definition of some terms in the draft bill is troublesome. Several terms remain undefined, in particular the word ‘vilify’.
10. The interaction between competing rights remains unaddressed by the proposed exposure bill. Unless reviewed and resolved, the purposes of the bill will be unlikely to be achieved.
11. Religious schools remain largely unprotected by the legislation which in its’ current form remains discriminatory (an internal conflict).
12. Though non-participation in same-sex weddings was one of the original driving concerns of the legislation’s drafting, the proposed bill fails to adequately address such concerns.
13. I am concerned not just with religious freedom for Australian Christians, but the fundamental freedoms of all Australians, which this exposure bill fails to address.
14. Simply using the broad category of ‘unlawful’ will potentially undermine the protection of religious freedom under Federal law.