I would like to thank the Attorney General for the very positive aspects and intentions of the proposed bill. However I would like to briefly point out some of the limitations and the need for clarification, many of which have been raised by other submissions.

The draft bill/explanatory note does not adequately protect religious institutes, such as Campion College Australia, where a preference is for religiously affiliated employees rather than an explicit requirement. For example, at Campion College, it is a prerequisite that a lecturer in Theology would need to be a Catholic, however other lecturers and staff are not explicitly required to be Catholic. They are required to support the ethos and mission of the College, which is a different thing. The note at present seems to suggest that we would need ensure all our staff members were Catholic in order to protect the identity and mission of the College, which I am sure is not the intention of the bill.

It is imperative to change the negative language of "right to discriminate" to "right to select for identity and mission."

I agree with the submission of FFA that there needs to be clarification regarding the interaction between commonwealth and state. Their solution seems reasonable: "The way to deal with this issue is to make a positive statement in the Religious Discrimination Act 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 religion with which the organisation is associated, notwithstanding anything to the contrary in a State or Territory law or in other Commonwealth legislation."

I agree with what has been pointed out in other submissions that it ought to be clear in the Bill that ‘person’ includes a corporation and an unincorporated association.

Also, the word "vilify" should be removed or explained far more explicitly.

"Religious activity" should be defined as it is in International Law: as any 'manifestation of religion or belief in worship, observance, practice and teaching’

Thank you for the opportunity to submit and I trust that a robust defense of religious freedom will be the result of the proposed legislation

Dr Paul Morrissey
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