

Media Release

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When it comes to discrimination, no special privilege for religion

THERE ARE FEARS LGBTI Australians will be left more vulnerable and unprotected as a result of the Federal Government's review into Religious Freedom (Ruddock Review), as the deadline for submissions closes tomorrow.

The Rationalist Society of Australia (RSA) has called on Philip Ruddock and other members of the Expert Panel to recommend repealing harmful exemptions that allow religious entities to freely discriminate against any member of the Australian community, based on their sexual orientation, gender identity, intersex status and more.

"These religious exemptions entrench historical prejudices against LGBTI Australians, despite that being completely contrary to outcomes anti-discrimination law is meant to address and prevent" said Dr Meredith Doig, President of the RSA.

"We are worried that instead of recommending they be repealed, Ruddock will recommend the expansion of religious exemptions, meaning members of the Australian community could be discriminated against even when it comes to the basic provision of goods and services," she said.

"Current exemptions allow religious services to deny housing, health and counselling services to vulnerable Australians because they are gay, or trans, or unmarried, or pregnant. This is so even in rural and regional areas, where there might not be other alternatives for individuals. It is 2018 and a kid can be expelled for being gay in Australia: now is the time to say 'no' to prejudice, whatever its justification, religious or not."

Recent revelations the Expert Panel is holding secret meetings with select stakeholders has encouraged widespread fears that it will strongly preference voices of powerful Christian lobby groups. The RSA notes that such groups have effectively flooded previous inquiries with submissions, ensuring the status quo of religious privilege is maintained at the expense of a more accurate appraisal of the Australian context (cf. Section 6 of RSA submission).

"We are calling for an honest review of religious privilege and prejudice in Australia. While religious bodies are entitled to practise their faith, this should not result in harm against Australian citizens, or undue privileges that put them above the law. This review is an important opportunity to address this and that's why we are calling for existing exemptions to be repealed."

"Even religious service providers that receive significant public funds can discriminate against individuals. That means, state and federal governments in Australia are complicit in, and in fact perpetuate, the social inequalities such discrimination leads to."

The RSA released its recommendations to the Ruddock Review to the public, as submissions close this week.

RECOMMENDATIONS:

1. Any examination of the right to freedom of religion or belief must examine the right of nonreligious people or members of minority religious groups to be free from the impositions of any other religion.
2. A federal statutory human rights instrument that protects and balances fundamental human rights should be enacted.
3. Religious exemptions to anti-discrimination laws should be limited to the following:
 - a) the ordination or appointment of priests, ministers of religion or members of any religious order;
 - b) the training or education of people seeking ordination or appointment as priests, ministers of religion or members of a religious order;
 - c) the selection or appointment of people to perform functions in relation to, or otherwise participate in, any religious observance or practice; and
 - d) the selection or appointment of people, by a body established to propagate religion (or religious views), to positions substantially involving religious observance, practice, teaching, leadership, counselling or lobbying.
4. Demands for broader religious exemptions or privileges, in particular with regards to their expansion to include religious individuals, or commercial enterprises operated by religious individuals, should be categorically rejected.
5. Repeal the provisions of the *Charities Act 2013* and the *Australian Charities and Not-for-profits Commission Act 2012* that treat the “advancement of religion” as inherently charitable, and abolish any related rule of the common law.

“Australians voted in overwhelming majority for marriage equality and an end to prejudice, and now we are calling on the Federal Government to go further and put an end to discrimination against the LGBTI community for good.

“We are asking for all Australians to be treated as equal, to be given a fair go. And these exemptions are anything but fair.”

For more information or to view the Rationalist’s Society’s [full public submission](#) to the Ruddock Review, please contact Executive Officer Tosca Lloyd on 0411 093 339, or visit www.rationalist.com.au.

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THE RATIONALIST SOCIETY OF AUSTRALIA is the nation’s oldest freethought group, promoting reason, compassion and inquiry since 1906. We’re in favour of a secular government and reason and evidence based public-policy. For more information visit our website at rationalist.com.au

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