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The Hon. Scott Morrison MP
Prime Minister

The Hon. Christian Porter MP
Attorney-General
Minister for Industrial Relations
Leader of the House

JOINT MEDIA RELEASE

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PROTECTING RELIGIOUS FREEDOM REMAINS HIGH PRIORITY FOR GOVERNMENT

Our Government is committed to protecting every Australian from discrimination.

Today, we have released a second exposure draft of our Religious Discrimination Bill, which incorporates many of the key changes that were suggested by religious bodies and other stakeholders after the first draft Bill was released in August.

The release of the revised Bill for a further period of consultation will provide all members of the Australian community an opportunity to consider these revisions and whether the amended Bill further addresses the issues they have raised.

As we have said, this is not a process that should be rushed. What is important is that we get this legislation right and deliver lasting reforms that provide real protections for all Australians.

The previous round of consultation saw members of the Australian community lodge almost 6,000 written submissions. Attorney-General Christian Porter has also met personally with close to 100 stakeholder groups to hear their views first-hand.

As a result of that consultation, key changes to the original draft of the Bill include:

- Making it clear that religious bodies, as defined in the Bill, continue to be able to make staffing and other decisions based upon faith, as they can currently do under existing federal law;

- Ensuring that religious public benevolent institutions, such as Vinnies, are included in the definition of ‘religious bodies’;
- Narrowing the provisions aimed at supporting existing conscientious objection processes so that they apply only to nurses, midwives, doctors, psychologists and pharmacists;
- Making it clear that the conscientious objection provisions do not give a right to discriminate against particular individuals based upon gender or other characteristics;
- New provisions to make sure that the current status quo under federal law is maintained, allowing religious hospitals, aged care facilities and accommodation providers (such as retirement homes) to employ staff to preserve a religious ethos, with additional specific protections for religious camps and conference centres.

Amendments have also been made to the Bill to clarify the application of certain provisions. For example, the term ‘vilify’ has been defined as incitement of hatred or violence.

In addition, a definition of ‘conscientiously object’ has been included in response to suggestions from a range of stakeholders, including the Australian Medical Association.

Any form of discrimination cannot and will not be tolerated by our Government. We already have in place laws that protect people from discrimination on the basis of their race, sex, age or disabilities. It makes sense that religion should be included so that Australians are free to live their lives in the way they choose to.

We also understand that this process is about striking a balance. That is why we have said from the outset that the protections we deliver must be a shield from discrimination, not a sword.

The draft Bills are available at <http://ag.gov.au/Consultations/Pages/religious-freedom-bills-second-exposure-drafts.aspx>

Submissions on the Bills close on 31 January 2020.

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