



THE HON. CHRISTIAN PORTER MP
Attorney-General
Minister for Industrial Relations
Leader of the House

Media Release

Thursday, 29th August 2019

Morrison Government delivers on religious reforms

The Morrison Government today delivered on its commitment to legislate to prevent discrimination on the basis of religion, releasing a draft Religious Discrimination Bill.

Attorney-General Christian Porter released the draft Bill and associated Bills during a speech in Sydney.

The Attorney-General said the draft Bill would form the basis of extensive consultation over the coming weeks and he expected a final draft Bill to be presented to Federal Parliament in October.

“The draft Bill I have released today reflects the election commitment to present a Bill which reflects the structure of existing anti-discrimination legislation,” the Attorney-General said.

“Australia has a strong anti-discrimination framework with specific protections for people against discrimination on the basis of their age, sex, race and disability.

“This draft Bill released today extends those protections to provide protection for people against discrimination on the basis of their religion or religious belief, or lack thereof.

“The Bill would make it unlawful to discriminate on the basis of religious belief or activity in key areas of public life. The Bill does not create a positive right to freedom of religion.”

The Attorney-General said the package released today comprised three Bills:

- The Religious Discrimination Bill, which provides comprehensive protection against discrimination on the basis of religious belief or activity and establishes a new office of Freedom of Religion Commissioner. This Bill implements recommendations 15 and 19 of the Ruddock Review.
- The Religious Discrimination (Consequential Amendments Bill) 2019 which makes consequential amendments to existing Commonwealth legislation to support the introduction of the Religious Discrimination Bill. This Bill implements recommendations 3, 15 and 19 of the Ruddock Review.

- The Human Rights Legislation Amendment (Freedom of Religion Bill) 2019 which amends the Charities Act 2013 and Marriage Act 1961 to provide certainty to charities and religious education institutions. This Bill implements recommendations 3, 4 and 12 of the Ruddock Review.

The Attorney-General said the Religious Discrimination Bill was the result of extensive consultation.

“Whilst there will always be competing views on issues such as this, the government considers the draft Bill presented today strikes the right balance in the interests of all Australians,” the Attorney-General said.

“Consultation has already been undertaken through my office and the office of the Prime Minister with a range of stakeholder groups, including religious organisations.

“Further consultation with a wide range of stakeholders will now follow the release of the Bill and I look forward to working constructively with interested parties in settling a final Bill over the coming weeks. The first of these consultations will take place next week.

“I expect the Bills can be introduced in October and considered by both the House and Senate before the end of the calendar year, allowing time for a Senate inquiry.”

The Attorney-General said the Australian Law Reform Commission process of inquiring into religious exemptions to other discrimination laws across Australia was continuing. The ALRC Review covers recommendations 1 and 5-8 of the Ruddock Review.

“The ALRC inquiry is designed to ensure that existing legislative exemptions to discrimination based on a person’s identity are redrafted or removed, while also protecting the right of religious institutions to conduct their affairs in a way consistent with their religious ethos,” the Attorney-General said.

“The ALRC is due to report next year. What the Bill I am releasing today aims to deliver was rightly described by Anglican Public Affairs Commission chairwoman, Carolyn Tan, recently as being a ‘shield’ against discrimination, and not a ‘sword’.

“The laws will protect people from being discriminated against, but will not give them a licence to discriminate against other people, or engage in harassing or vilifying speech.”

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

Submissions on the Bills close on 2 October 2019

Attachments: Attorney-General’s Speech
Backgrounder on Religious Discrimination and associated Bills
Draft Bills