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6 January 2022

The Secretary
Senate Standing Committee on Legal & Constitutional Affairs
Parliament of Australia
Canberra, A.C.T.
legcon.sen@aph.gov.au

Dear Secretary,

Religious Discrimination Bill 2021 and Related Bills

The following submission is made on behalf of Humanists Victoria, a secular organization fostering an ethical and reasoned life-stance, supporting human rights, democratic processes, and just and inclusive governance.

1. Summary

1.1. This submission supplements the views expressed in our submission, 'Religious Discrimination Bill 2021', already lodged with the Parliamentary Joint Committee on Human Rights (Submission No. 52).

1.2. These Bills attempt to formulate religious anti-discrimination law and at the same time to make religious exemptions. The result is over-complicated and would create more problems than it would solve. We respectfully urge the Committee to recommend that the Bills not be adopted.

2. Religious privilege

2.1. The Australian Human Rights Commission states that the Bills privilege religion over other rights. The Bills fail to strike the necessary balance between protecting religious belief and safeguarding other rights, in particular the right to be protected from adverse discrimination. It goes beyond standard discrimination law to permit people of faith to discriminate against others.

2.2. The law should protect statements of belief beyond the religious. There is no reason for government to accord the expression of religious belief, which may be sacred to a well defined religious group, higher priority than personal, conscientious belief. These Bills in so doing infringe the principle of secular government.

3. A national charter of human rights

3.1. We agree with the Human Rights Law Centre that what is needed is a framework for carefully and thoroughly balancing all human rights, including those of religion, race, gender, age and so on.

Humanists Victoria (Humanist Society of Victoria Inc. Reg. No. A0020272M)

Humanists Victoria strive for a society in which all individuals can attain their full potential through promoting an ethical, reasoned and compassionate approach to life.



3.2. A national charter of human rights, introduced by statute, would protect the human rights of all Australians. It would improve the accountability of public service delivery, enhance public awareness of human rights and generally strengthen democracy.

3.3. Australia is the only liberal democratic state without the benefit of such a charter. In 2009 the National Human Rights Consultation found that a Human Rights Charter was supported by 87% of 35 thousand public submissions. We see no good reason for continuing to stifle such a development.

4. Consolidated laws

4.1. In 2013 the Australian Government proposed a *Human Rights and Anti-Discrimination Bill*, to consolidate the five separate Commonwealth anti-discrimination laws. This should be reconsidered.

This concludes the submission.

Yours faithfully,

Jennie Stuart
President, Humanists Victoria

[HV SSCLCA22]