

Dear Committee Members,

I am in agreement with Article 23 of the United Nations International Covenant on Civil and Political Rights and therefore am opposed to the redefinition of marriage generally and there are several aspects of this draft with which I have concerns. In relation to 5, Section 47, in my opinion the ability for people to exercise their right to freedom of thought, conscience and religion is a right, so therefore should not be an "exemption" to anti-discrimination legislation, in accordance with Article 18 of the International Covenant on Civil and Political Rights. In connection with this, religious freedom is a right of all people and is not confined to ministers of religion, therefore denying religious freedom to the majority of citizens is in violation of section 116 of the Australian Constitution "Commonwealth not to legislate in respect of religion".

Furthermore, religious freedom does not encompass only worship and the conduct of religious services. It includes the right of every individual to live out their faith fully in the way they live their lives and raise their children (Article 18, International Covenant on Civil and Political Rights). This draft appears to be based on the incorrect assumption that the sole interest people of faith have is that of preserving their own position. This is simply not true. My objections are based upon the effect the redefinition of marriage will have on the whole of society. For example, the de-gendering of society based upon non-scientific theories and associated false constructs embedded throughout the curricula in the education system will have dire effects on Australia as a nation. It is taught that decisions are made by following feelings rather than by performing rational analysis of facts, and the subsequent effect this false ideology will have on the decision-making ability of the future leaders of Australian society is enormous.

Other effects on society would include increased pressure for commercial surrogacy and the use of anti-discrimination legislation to punish people who wish to operate their businesses in accordance with their beliefs. In every other country where the definition of marriage has been changed, the law has been unable to protect those who adhere to the current definition of marriage. Furthermore, the experience of other countries that have legalised same-sex marriage has been that the state has passed legislation discriminating against those who hold traditional beliefs concerning marriage and the family. Groups such as the National Association of Community Legal Centres and the Australian Council of Human Rights Agencies have already proposed that government funding and/or charitable status for religious groups be linked to their views on marriage and the family, and discrimination of this nature will inevitably increase if same-sex marriage is legalised.

Discrimination against people holding traditional views on marriage and the family has already occurred here in Australia. Recently, a printing firm refused to print a book written by Dr David van Gend providing a child-centred discussion of the consequences of redefining marriage "due to the subject matter and content" of the book (<http://australianmarriage.org/media-release-censored-opusgroup-refuses-print-dr-van-gends-book/>). An acquaintance of mine was sacked from his job at an educational institution simply because he stated that he had "some concerns about the Safe Schools program". Another personal acquaintance in the entertainment industry has been 'blacklisted' and therefore has not received work for months because she has aired her positive opinion regarding traditional marriage. Therefore, the very real potential already exists that a person will be discriminated against in access to services, work or study for expressing a sincerely held belief about marriage and the family. Also, Archbishop Julian Porteous and every Catholic Bishop in

Australia were told they had a case to answer before the Tasmanian Human Rights Commission for issuing a pastoral letter outlining Catholic teaching on marriage

(<http://hobart.catholic.org.au/media/news/complaint-lodged-anti-discrimination-commissioner-be-investigated>). Yet, the teaching was in line with current legislation on marriage.

The Victorian government recently violated the separation of Church and State by attempting to impose an “inherent requirement” test on faith-based institutions that would give the state, not the relevant religious institution, the ability to determine the level of faith required to maintain the ethos of a faith-based institution

([http://www.legislation.vic.gov.au/domino/Web\\_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/eedcc0c543212d6ca25801f00183a74/\\$FILE/581013exi1.pdf](http://www.legislation.vic.gov.au/domino/Web_Notes/LDMS/PubPDocs.nsf/ee665e366dcb6cb0ca256da400837f6b/eedcc0c543212d6ca25801f00183a74/$FILE/581013exi1.pdf)). The adoption of a same-sex marriage bill will no doubt increase such discrimination against faith-based institutions.

The potential also exists that parents will be judged as ‘unfit’ to raise children based on their views about marriage. The wife of a couple who are friends of mine was sacked from a school board when her pro-traditional marriage views became known and although having raised foster children for years and being previously officially recognised as exemplary foster carers, an unsuccessful attempt was made to have the foster children in their care removed from them. The cases of discrimination I have mentioned are happening right now, right here in Victoria, under the current legislation and it can be imagined that such instances will become magnified if a Same-Sex Marriage Bill is passed.

In light of the above examples of the real and serious threats to religious freedom for all Australians, and not just ministers of religion, with the introduction of same-sex marriage, it is clear that the Exposure Draft has no hope of preventing encroachment upon religious freedoms. I ask that the Committee take these matters into consideration during their deliberations, and thank you for the opportunity to contribute to this process.

Yours sincerely,

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