

A Federal Government review into religious freedom in Australia is currently underway, with public submissions closing on February 14. The review panel, chaired by the Hon. Philip Ruddock, has been asked to examine whether Australian law adequately protects the human right to freedom of religion.

More than 1500 submissions have already been received, many of them arising from letter-writing campaigns from groups that are hostile to religion. It is important that Christians also make our voices heard.

Sydney Diocese and other diocesan bodies will be making submissions, but it is vital that Review Panel hears the concerns of a wide cross-section of our church population. I am writing to encourage you to take the time to make your own submission to the Panel.

There are two types of submissions that are needed.

Firstly, we need thousands of short submissions that highlight the concerns of individual Christians. It is important that these are written in your own words – not form letters – and, where possible, focus on why religious freedom matters to you personally, rather than hypothetical situations or overseas experience.

Here are some ideas that you might like to use in your submission.

- Freedom of religion means much more to me that “freedom to worship”. It includes the freedom to express my Christian faith in my everyday life, the freedom for Christians to participate – as Christians – in the life of our nation (e.g., running Christian schools and welfare agencies). [Relate this to your personal circumstance/job/experience if possible]
- There is very little formal legal protection of freedom of religion in Australia. Religious Freedom is under threat from anti-discrimination laws that have the effect of restricting religious speech (e.g., Archbishop Porteous in Tasmania) or which limit religious institutions in preferencing the employment of staff who support the religious ethos of the institution (e.g., the current proposals before the NT government).
- Christians and people of other faiths are not protected from discrimination in Federal anti-discrimination law on the basis of their religion. It is inconsistent that age, disability, race, sex, intersex status, gender identity and sexual orientation are all protected attributed, but religious belief is not.
- [As a Christian parent, it is important to me that I am able to raise my child in accordance with my Christian beliefs. I believe parents should have the right to withdraw children from certain classes if what is being taught is against our religious beliefs.]
- I think that the Panel should recommends specific protection to recognise or enable:
 - The right of religious bodies (including schools) to recruit staff who share the religious ethos of the institution.
 - An anti-detriment provision that prevents government funding / charity registration / other accreditation being tied to a test that disqualifies a religious body due to religious belief.
 - The right of parents or guardians to “ensure the religious and moral education of their children in conformity with their own convictions” [ICCRP 18(4)]
 - Protection for freedom of expression of religious beliefs.
 - Protection against compulsion to perform acts which are contrary to conscience or belief – eg. doctors being forced to perform abortions or to euthanise a patient.
 - Protection for marriage celebrants who are not ministers of religion.
- I give consent for this submission to be published by the Panel.

Secondly, we also need technical submissions that engage with specific issues, written by people with specialist expertise (eg. legal, medical etc). If you feel you are able to contribute in this way we encourage you to first read the submission that Freedom for Faith (FFF) has written. Freedom for Faith (FFF) has produced a very substantial submission to the Ruddock Review. The FFF submission was prepared by Professor Patrick Parkinson AM with advice and comment from a range of religious freedom experts and church leaders across the country. The FFF submission demonstrates that it is possible to enact the protection of religious freedom that Australia has committed to as a signatory of the ICCPR without seeking special privileges for people of faith, and without winding back non-discrimination rights of others.

The key recommendations of the FFF submission are:

- Reframing anti-discrimination law to move away from treating religious freedom as a grudging exception to discrimination laws and instead recognising a positive right to religious freedom.
- Extending the coverage of Federal anti-discrimination law so that religious belief is a protected attribute.
- Expansion of the Fair Work Act so that employers are under a duty to offer reasonable accommodation of religious belief in the workplace.
- Enacting a national Freedom of Religion Act, which would provide statutory recognition of the rights and freedoms recognised in ICCPR Article 18, and the associated rights of freedom of speech and of association. This would include explicit recognition of parents' right to educate their children in accordance with their beliefs, and the associated right of religious groups to run faith-based schools and receive Government funding on an equal basis with non-religious schools. It would also provide anti-detriment provisions to protect faith-based organisations from, for example, discriminatory Government funding on religious grounds.
- Creating a National Religious Freedom Commissioner
- Amending other legislation to address anomalies not covered by recent changes to the Marriage Act (such as religious marriage celebrants, same-sex marriage exemptions for Anglican school chapels, and protection for charities).

The Sydney Diocese's submission to the Ruddock Review fully endorses the recommendations of the FFF submission, and provides further comments in relation to Anglican schools and Anglicare Sydney. Please consider whether you can also write in support of the recommendations of the FFF submission. You can obtain a copy of the FFF submission by registering at <https://freedomforfaith.org.au/ruddock-review>

Please make your submission to the Ruddock Review as soon as possible. These can be submitted online (<https://pmc.gov.au/domestic-policy/religious-freedom-review/submission>) or in writing, but submissions must be received by February 14. Written submissions should be mailed to:

The Expert Panel on Religious Freedom
c/o Department of the Prime Minister and Cabinet
PO Box 6500, Canberra ACT 2600

The Right Reverend Dr Michael Stead
Bishop of South Sydney