

## **Supplementary Submission**

**to the**

**Joint Standing Committee on Foreign Affairs, Defence and  
Trade**

**Inquiry into the status of the human right to freedom of religion  
or belief**

**by**

**Catholic Women's League Tasmania Inc.**

**Catholic Women's League Tasmania Inc. (CWL Tas.)** was established in 1936 to promote the spiritual, cultural and social development of women, and their participation in church, social and public life. CWL Tas. Is affiliated with Catholic Women's League Australia (CWLA) whose reach goes beyond Australia with representation as an accredited NGO at the Economic and Social Council of the United Nations (ECOSOC). Two of our objects are:

*To promote the right and facilitate the duty of Catholic women  
to acquire a knowledge of Christian teaching.*

*To uphold the dignity of women and promote their participation  
in social and public life*

It is with concern that we find that Australian law fails to protect our right to acquire a knowledge of Christian teaching and to practice and explain the Faith in public. We therefore welcome the opportunity to focus on the status of the freedom of religion or belief in Australia and elsewhere.

Article 18 of the International Covenant on Civil and Political Rights (ICCPR) establishes the standard by which the status of religious freedom is judged.

In short, it encompasses freedom of thought, conscience and religion, in public and private, in worship, observance, practice and teaching, free from coercion. It

confirms the liberty of parents to ensure the religious and moral education of their children in conformity with their own convictions. These rights subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

**We submit that the status of the freedom of religion or belief, as recognised in Article 18 of the International Covenant on Civil and Political Rights, is under worldwide assault. Indeed, millions of our fellow Christians are subjected to an unprecedented level of violence, torture and execution where religious intolerance and nationalism are at play.**

According to a report from Aid to the Church in Need, a Catholic charity, the persecution against Christians is the worst it has ever been in human history.

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As Catholic women we hold our Christian faith to be of the greatest importance, the centrepiece of our lives, the basis for our understanding of the meaning and purpose of human life. We claim the right not only to practice our faith in freedom, but also to live out our faith in public, and teach the faith to our children and grandchildren. **We reject the notion that the millions of Australians who align themselves with the Christian churches, are simply a fringe group, to be stereotyped as unjustly discriminatory, and therefore to be disqualified from contributing to the important debates about Australian life.**

We are shocked by the rapidly rising and broad-ranging attacks on the freedom of Australian Christians to fully practice our faith, teach it to our children and discuss our beliefs in public.

We watched in disbelief as Archbishop Julian Porteous, Archbishop of Hobart, was summoned by the Anti-Discrimination Commissioner to defend fulfilling the

centuries old responsibility of a bishop: teaching, governing, and sanctifying the faithful of his diocese. The action has been withdrawn, with no resolution determined. It was claimed that the Church's teaching on marriage caused offence to an individual.

"The Catholic tradition teaches that every human being is a unique and irreplaceable person, created in the image of God and loved by Him. Because of this, every man, woman and child has great dignity and worth which can never be taken away. This includes those who experience same-sex attraction. They must be treated with respect, sensitivity, and love." *Don't Mess with Marriage*

It should be noted that discussion of contentious issues cannot occur without causing offence.

### **Ridicule, name calling, intimidation**

Debate about the redefinition of marriage, and the Safe Schools Programme, both in both Federal and State Parliaments and the public arena, is characterised by ridicule and the vilification of the Christian voice, in large part in place of arguments of substance.

Christians have been described as 'shameful', 'divisive', 'reactionary', 'festering and engendering hatred'. Politicians and public figures who oppose redefinition of marriage are labeled as 'bigots'.

When former Supreme Court Chief Justice and former Tasmanian Governor, William Cox expressed legal and moral concerns about same-sex marriage, Rodney Croome's response was:

*“This wasn’t a carefully considered legal opinion from a knowledgeable legal expert. It appeared more like a homophobic diatribe from an out-of-touch old man”.*

This form of attack is exemplified by Leader of the Opposition, Bill Shorten when he described the proposed plebiscite as ‘a taxpayer-funded platform for homophobia’.

It is deeply disturbing that in Australia our businessmen, university staff and students, athletes, commentators, teachers, doctors and nurses, religious leaders and others who have spoken in support of their Christian beliefs, have been vilified in the media, denied employment or business contracts, and threatened with prosecution.

### **Parental Rights**

Parents are the principle carers of their children, so we also claim the right and freedom, as conferred by the ICCPR, to determine whether our children are introduced to radical social agendas at school e.g. gender ideology which they believe is fundamentally at odds with science, logic and reason. Parents are the primary carers of their children, they delegate this responsibility to the Principle of their child’s school who remains answerable to the parents.

The parents’ freedom as primary carers must be respected.

Tasmanian anti-discrimination legislation initially focused on discrimination on the grounds of sex, marital status and pregnancy. The principle purpose was to act as a lever to secure and protect women’s rights in the workplace. Subsequently, the legislation has been broadened, with the result that it has become a weapon used by some to limit, even deny, the right to freedom of speech, conscience and religion.

**There is an irreconcilable clash between the right to religious freedom and Australia’s anti-discrimination laws.**

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**It is vital that freedom of conscience, speech and belief in Australia is assured in our laws. Experience in the past and the present clearly reveals the horrors that follow when they are suppressed.**

Appendix 1

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## CHALLENGES TO FREEDOM OF SPEECH AND BELIEF IN AUSTRALIA

A student at a major Australian university was recently suspended for a minimum of six months and conditions imposed on his enrolment following two incidents. First, he prayed for a fellow student struggling with anxiety (with her permission). Second, in response to a direct question from a classmate, he indicated that he would be happy to be friends with a homosexual person although he “would not necessarily agree” with homosexual conduct. The grounds relied on for the action were that he caused the student to “feel unsafe.” He was verbally warned not to speak about religion on campus.

A teacher at a government school engaged in a debate on Facebook concerning same-sex marriage. He shared news articles in support and offered his own contrary opinion, which is one informed by his Christian convictions. He was insulted in the local media as “homophobic” and was placed under investigation for suspected breaches of discipline by the relevant Department of Education.

A Commonwealth public servant with a conservative and Christian cultural heritage was given an official warning and placed under further investigation for suspected breaches of discipline after expressing his views at work. He had expressed concern at the pressure being placed on staff to march in a “pride” parade and had asked to be removed from the internal “pride” newsletter mailing list as he found some of the content offensive to his sensitivities around sex and related matters.

When his Christian views became known to employees, the General Manager of a Melbourne digital services agency was challenged about the content of the safe schools program. He indicated his disagreement with the teaching but affirmed his

belief in tolerance and respect. He was summarily dismissed for his beliefs and later obtained a settlement for unfair dismissal.

A medical practitioner with honorary status at a major Australian university recently gave talks in a church and a school, carrying a Christian view on human sexuality and conduct, her area of professional expertise. The university and a professional association of which she was a member both received complaints. Her membership with the association was terminated, whilst her honorary status was retained after she received legal representation, though warnings were issued.

A Christian Western Australian couple with two of their own children applied to be foster parents of children under the age of six. Their application progressed without a hitch until they were asked to disclose their Christian views of sexuality and sexual conduct. A decision notice was issued thereafter, indicating their application to foster

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children was refused on the basis that their beliefs rendered it “unsafe” for children to be placed in their care

A faith-based school operating according to Christian convictions around gender was recently the subject of a complaint to VCAT alleging transgender discrimination for not allowing a girl to wear a boy’s uniform (the allegation is disputed by the school). The complainant has demanded 17 the school adopt policies that contradict its convictions and donate money to a transgender group. The school is threatened with further legal action if they do not comply.

A woman who holds accreditation with a family counselling service gave a talk challenging the queer theory view of transgenderism and gender identity. She was the subject of complaints to the qualifying body and had her accreditation terminated.

A man who worked for a national insurance firm engaged in a forum on the company’s intranet. Several had posted voicing their support for same-sex marriage. He voiced his opposition. The posts were deleted, and he received a letter from human resources indicating that he would have to attend a meeting at which it would

be discussed, “what action should be taken up to and including dismissal.” The proceeding was dropped after he obtained legal representation.

Two medical doctors who declined on conscientious grounds to refer two lesbian couples for IVF treatment, due to their religious convictions around family and IVF itself, were the subject of complaints to the Medical Board. One received an official warning whilst the other had the proceedings dropped after obtaining legal representation.

A children’s party entertainer based in Canberra updated her Facebook profile image to include the official “it’s ok to vote no” frame during the same-sex marriage postal vote campaign period. She was terminated immediately from her job by her employer who was upset by her religiously motivated views, alleging it would be unsafe for her to continue working with children.

A Hobart Cornerstone Presbyterian Church pastor published blogs in the leadup to the marriage vote which outlined the church’s teachings on marriage and related matters. Another member of the church was engaged in evangelistic activities, distributing Christian literature and preaching in public. Both men are subjects of the complaint for their conduct. The matter is the subject of an application to the Tasmanian Supreme Court challenging its validity.

The Catholic Archbishop of Hobart, Julian Porteous, was required by the Tasmanian Anti-Discrimination Commissioner to defend charges of causing offence by distributing to Tasmanian Catholics a booklet outlining the Church’s teaching on marriage. The case has been withdrawn with no resolution determined.

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Tasmanian doctors are denied freedom of conscience or belief by the Tasmanian abortion law.

Section 7 (2) of the Reproductive Health (Access to Terminations) Act states:

Subject to subsection (3), (see below) if a woman seeks a termination or advice regarding the full range of pregnancy options from a medical practitioner and the practitioner has a conscientious objection to terminations, the practitioner must, on becoming aware that the woman is seeking a termination or advice regarding the full range of pregnancy options, provide the woman with a list of prescribed health services from which the woman may seek advice, information or counselling on the full range of pregnancy options.

Doctors who object to having any role in the provision of abortion see this as an attack on their right to freedom of conscience.

Section (3) A medical practitioner has a duty to perform a termination in an emergency if a termination is necessary to save the life of a pregnant woman or to prevent her serious physical injury.