

SPEECH

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Questioner	Responder
Speaker Perrett, Graham Douglas MP	Question No.

Mr PERRETT (Moreton) (17:09): by leave—I rise to make some comments as Deputy Chair of the Parliamentary Joint Committee on Human Rights on the tabling of the committee's report on the Religious Discrimination Bill 2021 and related bills. I particularly thank the chair for her great work in herding those cats together. We don't always agree on every topic, but she always treats me with respect. I also thank the rest of the committee, who perhaps didn't plan to spend the last 71 days after parliament rose doing that, and the very hardworking secretariat. I know what you did last summer, and it wasn't much fun at all!

I will start by saying something about the timing and the time frame imposed on the committee to conduct this inquiry. The Attorney-General allowed this committee only 71 days—with Christmas and New Year in the middle—to conduct this inquiry and report to both houses of parliament. There are at least 12 religious celebrations during that period—Christmas, Hanukkah and others. Almost the entire 71 days fell during the school holidays; so, sorry to my boys. For many stakeholders the timing of the inquiry during religious celebrations and holidays posed great difficulties. Many organisations rely on volunteers to prepare submissions—a time-consuming and complex task. Many volunteers were writing submissions when they would have preferred to spend time with their families over the holidays. The Attorney-General's own department failed to get their submission in on time—the Attorney-General's own department. Yet the Attorney-General expected volunteers to spend their holidays writing submissions.

Despite being a secular nation, from 1901 to 2010 our House of Representatives has commenced the sitting day with a prayer. Since 2010 an acknowledgement of country has preceded the prayer on each sitting day, recognising two ancient traditions of wisdom. Of course, no parliamentarian is required to recite prayers or to be present in the chamber while this national prayer is read. The fact that Australia is a secular nation is acknowledged by section 116 of the Commonwealth Constitution, but this longstanding tradition of prayer in the people's house reflects the duality of our secular nation with that religious vibe.

There is no doubt that the right to freedom of religion is recognised in international human rights law treaties that Australia is a signatory to. The freedom to have or adopt a religion or belief is absolute and cannot be limited or confined to protect other interests. As the Ruddock review noted, they cannot be departed from, even in times of national emergency. In contrast, the freedom to manifest religion or belief may be limited in specified circumstances.

Labor members of this committee understand the importance of this bill to protect people of faith against discrimination. We understand that there are real fears held by people of faith about not being able to practise their faith freely. We also understand that many of the concerns repeatedly raised about this legislation have not been addressed by the Morrison government. The committee heard evidence from many stakeholders about their concerns that some of the provisions in this legislative package will harm people, particularly people in the LGBTIQ community and people with disabilities, to name a few. To the trans community in particular, I say, 'I hear you.'

There are many unresolved issues with these bills. The majority report makes 12 recommendations to improve these bills. Labor members of the committee attached additional comments to the report. Please read these comments. The Morrison government should take note of all of the issues raised in the report and the additional comments before these bills are brought into this chamber.

I'd also just comment on the use of the committee process. The Attorney-General referred the bills to the committee late last year. As I've said, 71 days were allowed for the committee to inquire and report on the bills, with only three days of public hearings. I find it frustrating and quite astounding that there was a drafting error that was known about by the Attorney-General's Department that was not pointed out to the human rights committee. And the day before the committee report was due to be handed down, the Prime Minister publicly flagged that a

significant amendment would be made to the bills before they were passed by this parliament, but our committee was not provided with that amendment.

I've been Deputy Chair of the Parliamentary Joint Committee on Human Rights since 2016. I take my role on this committee very seriously. I note that one of the previous chairs, who's on this committee, Mr Goodenough, has been a great contributor as well. This committee has scrutinised many difficult and complex pieces of legislation during that time. Reports from this committee are important. This is the only committee that examines all bills and legislative instruments for compatibility with human rights, but what is the worth of a report that examines a bill the Prime Minister already knows he will significantly amend before it is passed? That is putting marketing before law, a press release before common sense. A cynical person may think that the committee has been used as a political device, rather than an important parliamentary tool to ensure that legislation passed by this parliament does not harm Australians.

Although the Joint Parliamentary Committee on Human Rights has not had the opportunity to consider the significant amendments the Prime Minister has flagged, I would encourage all parliamentarians to read the evidence set out in the majority report, as well as the additional comments from Labor members, and focus their minds on the serious issues that they raise. The Australian Labor Party has a long history of fighting to prevent discrimination against people, including people of faith. The antidiscrimination legislation that Prime Minister Morrison personally introduced should unite our nation, not divide it. Labor members urge the Morrison government to work with Labor and the state and territory governments to resolve the outstanding issues identified in the additional comments and in the majority report of this committee as a matter of urgency.