



3 December 2018

Dear Friends,

### **Religious Freedom Concerns – call for prayer and action**

You may well be aware that during this past week a bill has been introduced into our Federal Parliament proposing amendments to the federal Sex Discrimination Act. These have come in response to the leaked recommendations of the Ruddock Review into Religious Freedom.

On the face of it, the bill has the commendable aim of preventing religious schools from expelling students only on the basis of their personal sexual orientation. In practice our religious schools do not seek to discriminate in this way anyway. However, in effect (perhaps unintentionally) the proposed bill goes further than this.

The bill would remove exemptions to discrimination without the introduction of corresponding positive protections for religious freedom. This would leave religious schools, other religious educational institutions (including theological colleges) and churches/other faith communities who teach their beliefs, open to the charge of discrimination when they articulate a traditional position on sexuality.

In its current form the provisions of the proposed bill “are not limited to ‘educational institutions’ but apply to every ‘body established for religious purposes’, which of course will include churches”. Thus, the bill “might cover, unless somehow other constrained, teaching the Bible in Sunday Schools, in small Bible study groups, and presumably in churches, mosques and synagogues in their public meetings”.<sup>1</sup>

Amendments to seek to address and remedy this are under urgent consideration in Canberra, and it is currently unclear what the final form of the bill, that may be passed early this week, might look like.

Baptist submissions to the Ruddock Review into Religious Freedom earlier this year urged that these freedoms should be protected by a positive right, rather than conceded as exemptions. As noted in our partner organisation Freedom for Faith’s major submission to the Review ([Link](#)) this will be a cornerstone of a healthy way forward.

As Baptists, our convictions regarding the separation of church and state means we do not expect the government, in a democratic, pluralistic society, to privilege Christian faith over and above other belief systems. Conversely, we also advocate for freedom for all people to hold and propagate their

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<sup>1</sup> Neil Foster, Associate Professor of Law at Newcastle University, has a detailed analysis of the bill at: <https://lawandreligionaustralia.blog/2018/11/29/alp-bill-on-religious-schools-and-students> . These quotes are from this article.

faith and beliefs without fear of legal repercussions. It is these freedoms that appear to be at risk in this proposed Bill.

We do not wish to be alarmist, but these wider implications may be unintended consequences. We need to see appropriate protections put in place, so that such consequences do not eventuate.

**What can we do?**

1. Commit this matter to prayer, particularly over the next few days as the bill is debated in the Senate on Monday (today) and following this, in the Lower House.
2. Contact your local Federal MP early in the week and calmly raise these concerns with them. Remember they will be in their parliament house offices in Canberra. Highlight that we agree that a student should not be expelled from school purely for their personal sexual orientation. Our concern is the possible wider implications for religious freedoms discussed above which, though perhaps unintended, are nevertheless real and incompatible with a free, just, tolerant, pluralistic society.

Blessings,

**Stewart Pieper**  
**Acting General Superintendent**