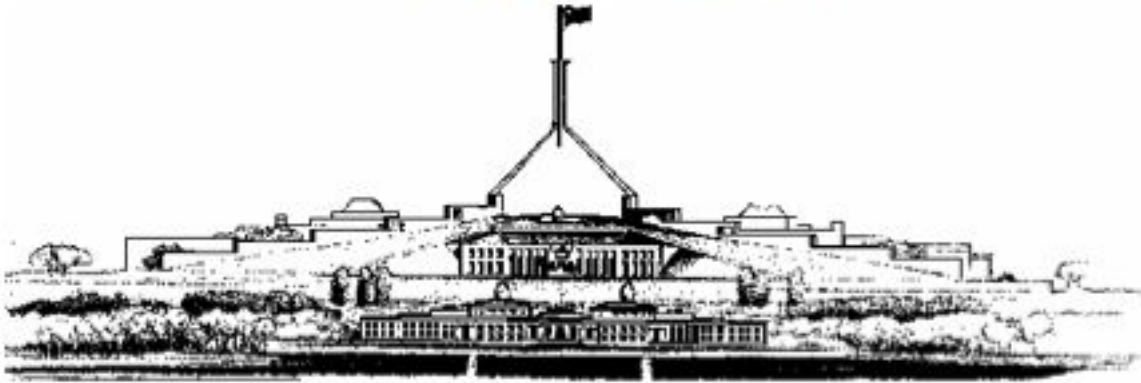




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



THE SENATE

PROOF

ADJOURNMENT

Petition: Religious Freedom Act

SPEECH

Tuesday, 2 July 2019

BY AUTHORITY OF THE SENATE

SPEECH

Date Tuesday, 2 July 2019	Source Senate
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Questioner	Responder
Speaker Fierravanti-Wells, Sen Concetta	Question No.

Senator FIERRAVANTI-WELLS (New South Wales) (18:08): I rise this evening to speak on the important issue of religious freedom and to formally announce that I am launching a petition calling for a religious freedom act which should not only contain a protection against religious discrimination for religious believers but also ensure: firstly, that everyone shall have the right to freedom of speech, thought, conscience and religion, including freedom to have or to adopt a religion or belief of one's choice, and freedom, either individually or in community with others, and in public or private, to manifest one's religion or belief in worship, observance, practice and teaching; secondly, that no-one shall be subjected to coercion which would impair his or her freedom to have or to adopt a religion or belief of his or her choice; thirdly, that freedom to manifest one's religion or beliefs may be 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; fourthly, that parents or legal guardians may ensure the religious and moral education of their children in conformity with their own convictions; and, fifthly, that all arms of government must act consistently with the religious freedom act and all laws must be applied consistently with the principles contained therein. Such a religious freedom act would ensure that Australia conforms to the international obligations which it signed up to and which implement article 18 of the International Covenant on Civil and Political Rights.

The Israel Folau matter has hardened my resolve on this issue. Whilst this situation relates to employment issues, the greatest story—with far-reaching ramifications—is about freedom of speech and freedom to express one's beliefs. Indeed, I'm heartened to see the extensive financial support given to Israel Folau. It not only demonstrates the overwhelming support in the community for him but also shows that there are Australians who may not agree with his views but are prepared to support his fundamental right to express those views.

The coalition won the election, and Scott Morrison is entitled to his victory lap. He ran an excellent campaign, but he was able to do so because he capitalised on Labor's dud policies—namely negative gearing, franking credits, the assault on the coal industry, and concerns about religious freedom, which were manifested with the Israel Folau sacking during the election. Scott Morrison refers to the 'quiet Australians' who supported the coalition. This is the silent majority, which rejected Labor's dud policies, returned the coalition to power and voted to keep Labor and their fiscal vandalism away from the treasury bench.

Let's look at some of these swings against Labor, especially in Western Sydney: Chifley, almost seven per cent; McMahon, about 5½ per cent; Blaxland, almost five per cent; Parramatta and Watson, over four per cent; and Greenway and Fowler, about 3½ per cent. These quiet Australians now expect the coalition to legislate to protect their religious freedom. It is important that Australians of all faiths be free to practise their religion without discrimination. Even those who have no beliefs should be free to express those views.

The results of the election had their antecedents in the same-sex marriage debate. During that debate I warned that religious freedom issues needed to be considered before we enacted same-sex marriage. My warning was prescient. Many Australians voted yes on the understanding that religious freedoms would be protected. Today we are seeing the ramifications of not having sorted out these issues at that time. I would remind the Senate that 17 federal electorates voted no. Twelve of those were in New South Wales, with the majority falling in Western Sydney, and eight of the top 10 no-voting seats were Labor seats.

As one of the leading advocates of the 'no' vote, I have continued my strong and active involvement with religious leaders and faith based communities. This was followed last year and earlier this year by a Senate inquiry into the removal of exemptions under the Sex Discrimination Act. The inquiry received more than 9,000 submissions against amendments referred to as 'the Wong bill'. During this time, I was able to meet with many religious leaders, who additionally activated thousands of people in the wider community. The Senate released its report on 4 February 2019, recommending no changes to the Sex Discrimination Act—that the exemptions for religious bodies and educational institutions be maintained and that the matters be referred to the Australian Law Reform Commission for consideration. Just prior to caretaker, the Attorney-General referred

certain recommendations of the Ruddock review to the ALRC, including state jurisdiction exemptions, domestic legal frameworks, employment in religious schools, and exemptions and interaction with religious belief or activity regarding discrimination, including amending the Racial Discrimination Act or enacting a religious discrimination act.

The Israel Folau issue has heightened already existing concerns about incursions on religious freedom. Ordinary people of faith are now, understandably, asking the question: if I quote the Bible, will it get me into trouble? This is now the discussion at the kitchen table for Australians who hold religious beliefs. We need to make sure that religious persecution of Israel Folau does not happen again. To quote someone who recently wrote to me: 'If people do not believe hell exists and don't believe there is a god, why feel upset about going to hell? Hell means nothing to them other than some weird concept. And if people believe in God they have their choice to make.'

Although religious freedom is a right enshrined under international law, there has been a continued push—especially by Labor, the Greens, and their acolytes—for laws to take away rights of Australia's faith based communities. I continue to work with religious leaders and faith based communities and advocate strongly for standalone religious freedom protection legislation.

Whilst the ALRC is not due to report until 2020, I believe that the recent election has reinforced not only the need for more immediate legislative action but also the need for a more amplified and comprehensive referral. Indeed, it remains open to the Attorney-General to augment the ALRC referral and request that it report this year and before a religious freedom act is tabled. It makes greater sense for the issue to be dealt with comprehensively, rather than in the current piecemeal approach. This is vitally important to afford long-term protection against these constant incursions. It is a new dawn on this issue.

A religious discrimination act is not sufficient. It would be defensive in nature and limited to protecting against acts and practices by others which are discriminatory on the grounds of religion. A religious discrimination act would fall well short of the expectations of the 'quiet Australians' who voted for us. We cannot let them down.

I conclude by thanking those many Australians who continue to support my push for a religious freedom act and who are supporting the petition. I quote one who recently wrote to me:

Understanding and tolerance are fostered in an environment where ideas can be shared. As one of the quiet Australians who voted for the Liberal government, this issue is much broader than who will go to hell or not.

This is about the ability for all sectors of the community to think independently; speak and share ideas—popular and unpopular; for the ability to listen to alternate views and be listened to; for an environment where all Australians can think, speak and listen to diverse views.

Does that mean we will always agree? No. But it does mean that we should always be able to have a mature conversation and public debate without silencing or punishing the other side. This, is what we're at risk of losing as a nation. This, is what we need to fight for.

Today it is me as a Christian, tomorrow it could be you or those close to you. And this is why so many Australians are weighing in to support Israel Folau. This is not just about freedom of religion for a select group, but freedom of thought, conscience and belief for all Australians.

In conclusion, I urge you to go forth and ensure we collect as many signatures as possible, to keep the pressure on this Senate and this parliament to take decisive and long-term action to protect religious freedom once and for all.

The DEPUTY PRESIDENT: Senator Bilyk.