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The same-sex marriage and SOGI ideological agenda

The experience of Canada and the USA raises serious questions about Australia's attempts to legalise same-sex marriage and to expand anti-discrimination law.

Same-sex marriage is part of a libertarian sexual revolution, which involves having all sexual orientations or gender identities (SOGIs) as legally protected attributes of the autonomous individual. This revolution also involves legal and cultural attacks on the institutions that teach sexual morality – the family, the churches, schools and the law. The groups involved are various human rights groups, law lobby groups, academic groups, same-sex marriage lobby groups and others. Among them are 30 organisations that told the Federal Attorney General's 2012 inquiry into the consolidation of anti-discrimination laws that they wanted no exemptions or narrow exemptions or time-limited exemptions for faith-based organisations, and none for businesses.

What is the agenda?

1. Insert sexual orientation and gender identity (SOGI) as protected attributes in anti-discrimination laws. Allegedly, there are now four types of sexual orientation and up to 56 socially described forms of gender identity. Some of these SOGIs are already recognised in federal and state laws.

2. Then differential treatment, to treat unfavourably or to offend or insult in any way on the grounds of SOGI would amount to discrimination under present tests in federal and state anti-discrimination laws. (For example, S18c of the Racial Discrimination Act defines it as illegal to speak or act in any way that a person could claim has caused him/her offence or insult on racial grounds.)

Consequently, merely saying that children do best with a mum and dad, or questioning any SOGI, could amount to discrimination.

3. Anti-discrimination laws are then implemented by courts, human rights tribunals, professional associations and authorities registering organisations like schools, radio and TV stations.

4. Same-sex marriage is a critical part of the agenda. Same-sex marriage would mean the union of any two people with any SOGI recognised in anti-discrimination law. Family would be radically redefined. The combinations and permutations of families would be mind-boggling.

5. Once SOGI and same-sex marriage are recognised in law, TOGETHER they become a mandatory part of school sex-education classes and permeate the whole curriculum. To not teach all forms of marriage and

family involving any recognised SOGI would discriminate against those SOGIs and forms of family excluded from the curriculum.

6. Same-sex marriage “exceptions” and “exemptions”: They can be progressively removed from the law. They will be narrow. They may exempt a minister of religion from performing a same-sex marriage, but they won't stop those with SOGI “protected attributes” from demanding

to participate in church activities and from hiring church facilities for weddings and functions. (Already in Victoria a church youth camp has been fined for not hiring their facilities for a gay youth camp).

Further, if “exceptions” and “exemptions” in same-sex marriage law conflict with anti-discrimination law, then the courts will decide if they last.

Punishments and enforcements could include: fines; being directed to sensitivity training, that is to re-education classes; facing discipline by professional organisations; loss of job; being denied future promotions; losing

charity/tax exemption status; losing government funding/contracts; cancellation of business licence by licencing authority; requiring all schools receiving state funding to have gay-straight student clubs, under the guise of anti-bullying programs; requiring companies to have SOGI policies as a condition for government funding.



Commentator Paul Kelly says there are questions about the real ideology of the same-sex marriage campaign.

“Is it merely to allow gays to marry? Or is its ultimate purpose to impose ‘marriage equality’ across the entire society, civil and religious? Ideologies do not normally stop at the halfway mark.”

“The same-sex marriage debate and the right to religious belief”, Paul Kelly, *The Australian*, July 11, 2015. <http://www.theaustralian.com.au/opinion/columnists/the-same-sex-marriage-debate-and-the-right-to-religious-belief/story-e6frq74x-1227437429587>

Utterly destroying family values:

Brendan O'Neill, editor of *Spiked*, says: *Coercion is built into gay marriage. They used to say love and marriage went together - in the gay-marriage movement, it's authoritarianism and marriage that are bedfellows.*

[G]ay marriage is not actually a campaign to expand equality, far less freedom, but is better seen as the main mechanism through which modern society now challenges traditional cultural norms, through which society expresses its dislocation from, and its growing disdain for, the old-world values of family life, family sovereignty, long-term commitment, loyalty, and so on.

*We have seen the weaponisation of homosexuality, the transformation of it by sections of the political and media classes into the focal point for the expression of hostility to the straight world – which means not just people who are sexually straight, but also so-called straight culture and straight values, straightlacedness itself, ways of life that are based on commitment, privacy, familial sovereignty, things that tend to be viewed by the modern cultural clerisy as outdated or, worse, dangerous and destructive. (Same-sex marriage: coercion dolled up as civil rights, *Spiked*, April 30, 2014) <http://www.spiked-online.com/newsite/article/same-sex-marriage-coercion-dolled-up-as-civil-rights/14967#.VdlqXb4xZjw>*

Canada: basic freedoms lost after same-sex marriage

Canadians face discipline, termination of employment or prosecution by government tribunals after legalising same-sex marriage in 2005 and the granting of protected attribute status to sexual orientation and gender identity in anti-discrimination laws.^{1,2}

Once made legal, same-sex marriage was treated identically to traditional marriage in law and public life.

A corollary is that anyone who rejects the new orthodoxy must be acting on the basis of bigotry and hostility toward gays and lesbians.

Any reasoned explanation – for example, that conjugal marriage is best for children because it preserves their biological relationships with their mother, father, siblings, grandparents – is dismissed as a straightforward manifestation of hatred toward a minority sexual group.³

Such dissent is now deemed intolerable. Many of those who have persisted in voicing their dissent have been subjected to investigations by human rights commissions and (in some cases) proceedings before human rights tribunals.

Civil marriage celebrants were the first to feel the hard edge of the new legal system. Several Canadian provinces refused to allow celebrants a right of conscience to not preside over same-sex weddings, and demanded their resignations.⁴ The Catholic Church's Knights of Columbus, were fined for refusing to rent their facilities for post-wedding celebrations.⁵

Those who are poor, poorly educated, and without institutional affiliation have been particularly easy targets – anti-discrimination laws are not always applied evenly. Some have been ordered to pay fines, make apologies, and undertake never to speak publicly on such matters again.⁶ Targets have included:

- **individuals** writing letters to the editors of local newspapers;⁷

- **ministers** of small congregations of Christians;⁸
- **a Catholic bishop** who faced two complaints – both eventually withdrawn – prompted by comments he made in a pastoral letter about marriage.⁹

To engage in public discussion about same-sex marriage is to court ruin, costing money and time.

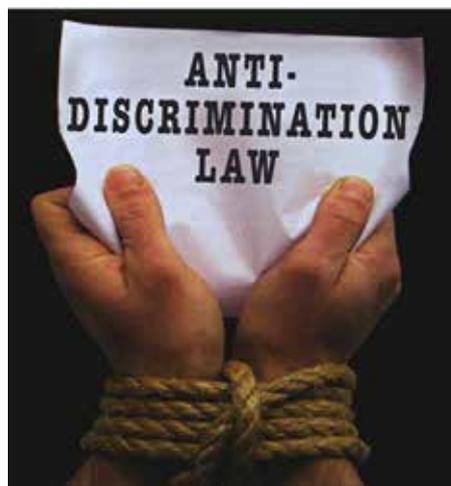
Although the Parliament of Canada did revoke the Canadian Human Rights Commission's statutory jurisdiction to pursue "hate speech", in reality similar legislation remains in place across various Canadian provinces.

Professional governing bodies – such as bar associations, teachers' colleges, and the like – have used statutory powers to discipline members for conduct unbecoming of the profession.¹⁰ Expressions of disagreement with the reasonableness of institutionalising same-sex marriage are understood by these bodies to be acts of illegal discrimination, which are matters for professional censure.

Teachers are particularly at risk for disciplinary action. Even if they only make public statements criticising same-sex marriage *outside* the classroom, they are still deemed to create a hostile environment for gay and lesbian students.¹¹

Other workplaces and voluntary associations have adopted similar policies as a result of their having internalised this new orthodoxy that disagreement with same-sex marriage is illegal discrimination that must not be tolerated.¹²

Parental rights in public education after same-sex marriage have subtly but pervasively changed. Same-sex relationships must be treated like natural marriage. Same-sex marriage and parenting must be treated the same as heterosexual marriage in the classroom and this permeates all areas of the curriculum. Curriculum reforms in jurisdictions such as British Columbia now prevent parents from exercising their long-held veto power over contentious educational practices.¹³



1 "Same-Sex Marriage Ten Years On: Lessons from Canada", [Bradley Miller](#), *The Public Discourse*, November 5, 2012. Miller is an associate professor of law at the University of Western Ontario and a 2012-2013 Visiting Fellow in the James Madison Program in American Ideals and Institutions at Princeton University. <http://www.thepublicdiscourse.com/2012/11/6758/>

2 "A Warning from Canada: Same-Sex Marriage Erodes Fundamental Rights," by [Dawn Stefanowicz](#), *The Public Discourse*, April 24th, 2015. Dawn Stefanowicz is was raised by a gay father and is now married with children. <http://www.thepublicdiscourse.com/2015/04/14899/>

3 See, for example, the comments of Justice LaForme in *Halpern v. Canada (AG)*, 2002 CanLII 49633 (On SC), paras. 242-43.

4 See, for example, Saskatchewan: *Marriage Commissioners Appointed Under the Marriage Act (Re)*, 2011 SKCA 3.

5 *Smith and Chymyshyn v. Knights of Columbus and others*, 2005 BCHRT 544.

6 See the remedy ordered by the Alberta Human Rights tribunal (later overturned on judicial review) in *Lund v. Boissain*, 2012 ABCA 300.

7 *Kempling v. British Columbia College of Teachers*, 2005 BCCA 327 (CanLII);

8 *Lund v. Boissain*, 2012 ABCA 300.

9 Fred Henry, Bishop of Calgary, Alberta <http://www.ccr.ca/index.php?id=4917>;

note also the experience of Fr. Alphonse de Valk, editor of *Catholic Insight*, who spent \$20,000 defending a human rights complaint that was eventually dismissed.

10 E.g., *Kempling v. British Columbia College of Teachers*, 2005 BCCA 327 (CanLII)

11 *Ibid.*

12 E.g., the dismissal of Ontario sportscaster Damian Goddard by Rogers Sportsnet for tweeting his support of traditional marriage: 'Broadcaster fired after controversial tweet files human rights complaint', National Post, June 23, 2011.

<http://sports.nationalpost.com/2011/06/23/broadcaster-fired-controversial-tweet-tweet-files-human-rights-complaint/>.

13 *Scolaire de Chenes*; Glen Hansman, "Parents cannot 'opt out' of provincial curriculum: clarifying alternative delivery", BC Teachers' Federation Teacher Newsmagazine, vol. 19, no.2, October 2006, available at <http://bctf.ca/publications/NewsmagArticle.aspx?id=9396&printPage=true>.

Courts have been unsympathetic to parental objections and parental attempts to remove their children from the public school system entirely. Parents are forced to accept conflicting views from home and school over same-sex marriage and sexual orientation and gender identity (SOGI).

Same-sex marriage/SOGI ideology has been put into the curriculum under the guise of anti-bullying programs.¹⁴

This has proved to be a **gross violation of the rights of the family**. It is nothing less than the deliberate indoctrination of children (over the objections of their parents) into a conception of marriage that is fundamentally hostile to what many parents understand to be in their children's best interests.

It teaches children that the underlying rationale of marriage is nothing other than the satisfaction of changeable adult desires for companionship.

Religious institutions have been particularly vulnerable, despite so-called protections. The grand bargain of the same-sex marriage lobby was that houses of worship were supposed to be exempt from same-sex marriage law.¹⁵

This protection has proved to be very narrow. It only prevents clergy from being coerced into performing marriage ceremonies. It does not shield sermons or pastoral letters from the scrutiny of human rights commissions. It leaves congregations vulnerable to legal challenges if they refuse to rent their auxiliary facilities to same-sex couples for their ceremony or reception, or to any other organisation that will use the facility to promote a view of sexuality at odds with their own.

Provincial and municipal governments can withhold benefits to religious congregations because of their marriage doctrine. For example, Bill 13, the same Ontario statute that compels Catholic schools to host "Gay-Straight Alliance" clubs (and to use that particular name), also prohibits public schools from renting their facilities to organisations that will not agree to a code of conduct premised on the new orthodoxy.¹⁶ Given that many small Christian congregations rent school auditoriums to conduct their worship services, they are vulnerable.

Media: Under the Canadian Radio, Television and Telecommunications Commission, any media airing content considered "discriminatory" can have their broadcasting licences revoked. Human rights agencies can charge fines

and restrict future programs/publications.¹⁷

Children's rights compromised: When same-sex marriage was legalised, parenting was immediately redefined to erase the term "natural parent" and replace it across the board with gender-neutral "legal parent" in federal law. By legally erasing biological parenthood, the state ignores children's foremost right: their immutable, intrinsic yearning to know their own biological parents.¹⁸

Wedding planners, rental hall and bed and breakfast owners, florists, photographers, and bakers have already seen their freedoms eroded, conscience rights ignored, and religious freedoms trampled. In fact **anybody who owns a business** may not legally permit his or her conscience to inform business practices or decisions if those decisions are not in line with the tribunals' decisions and the government's

sexual orientation and gender identity anti-discrimination laws. This means that the state basically dictates whether and how citizens may express themselves.¹⁹

Freedom to assemble and speak publicly about man-woman marriage, family, and sexuality is now restricted.

If a person's beliefs, values, and political opinions are different from that of the state, they risk losing their professional licence, job, or business.



Canada's imposition of same-sex marriage, gender identity and sexual orientation laws in the cause of "sexual autonomy" has trampled freedom of speech, association and religion and the rights of parents to educate and raise their children as they choose.

14 See the legislative preamble to Ontario's *Accepting Schools Act*, S.O. 2012 C.5. See also, *Chamberlain v. Surrey School District No. 36*, [2002] 4 S.C.R. 710. The same fault lines are visible in *S.L. v. Commission scolaire des Chenes*, [2012] 1 S.C.R. 235.

15 *Civil Marriage Act*, S.C. 2005 c. 33, ss. 3 – 3.1.

16 *Accepting Schools Act*, S.O. 2012 C.5.

17 "A Warning from Canada: Same-Sex Marriage Erodes Fundamental Rights," by Dawn Stefanowicz, *The Public Discourse*, April 24th, 2015. Stefanowicz was raised by a gay father and is now married with children. <http://www.thepublicdiscourse.com/2015/04/14899/>

18 *Ibid.*

19 *Ibid.*

UNITED STATES: first same-sex marriage, now *The Equality Act*



Only weeks after the US Supreme Court legalised same-sex marriage in June, Democratic Party law makers have proposed a bill to introduce a new *Equality Act* to elevate sexual orientation and gender identity as “protected attributes”. *The Equality Act* combined with same-sex marriage would take the US down a similar path to Canada.

The Equality Act aims to place sexual orientation and gender identity (SOGI) into the 1964 *Civil Rights Act* as protected attributes alongside race, colour and national origin.²⁰

In Australia in 2013, the federal Sex Discrimination Act was amended to include SOGI as protected attributes. States and territories variously cover SOGI to some extent. In those laws *sexual orientation* is generally defined as heterosexuality, homosexuality, lesbianism and bisexuality. *Gender identity* applies equally to: males who identify as female; females who identify as male, and intersex people (i.e. people born of indeterminate sex) who identify as male or female.²¹

However, some SOGI advocates are now claiming that there are 56 different forms of sexual identity.²² (See blackboard) Australian feminists like psychologist Laura McNally have strongly criticised the identity confusions that “gender enforcement” (teaching diverse SOGIs) is causing in young people.²³

While a person’s race and skin colour is genetically given, even diversity advocates admit that sexual identity is “fluid”,

it can change. A woman can identify as a transsexual at one time, but at a later time marry a man, have children and identify as a straight woman.

The law enshrines protections for man+woman marriage, because it provides many protections to the next generation of the state’s children/citizens – it defines the identity of children and their inheritance rights.

The US *Equality Act* would:

- elevate SOGI to protected class status in all schools;
- shut down debate by treating SOGI protected attributes as topics beyond debate;
- require all entities receiving federal funding not to consider SOGI as a factor in their programs;
- require withdrawing any public funds from institutions that believe that marriage is the union of one man and one woman or that question SOGI protected attributes.²⁰

Under *The Equality Act*, it would be unlawful to treat the union of any two people with any combination of SOGIs differently to heterosexual marriage.

By elevating same-sex marriage and SOGI to the protected level of race, *The Equality Act* would effectively equate dissenters with racists and label them perpetrators of irrational bigotry.

20 “The Equality Act: Bad Policy that Poses Great Harms”, Andrew T Walker, *The Public Discourse*, July 24th, 2015. <http://www.thepublicdiscourse.com/2015/07/15381/>

21 *Consolidation of Commonwealth Anti-Discrimination Laws: Discussion Paper*; Attorney General’s Department, Commonwealth of Australia, September 2011. <http://www.ag.gov.au/Consultations/Pages/ConsolidationofCommonwealthanti-discriminationlaws.aspx>

22 “Here’s a List of 58 Gender Options for Facebook Users”, ABC News, February 13, 2014. <http://abcnews.go.com/blogs/headlines/2014/02/heres-a-list-of-58-gender-options-for-facebook-users/>

23 Gender Neutrality or Enforcement? ‘Safe Schools’ isn’t as Progressive as it Seems”, Laura McNally, *ABC Religion and Ethics*, March 24, 2015. <http://www.abc.net.au/religion/articles/2015/03/24/4204018.htm>

AUSTRALIA: same-sex marriage threatens fundamental freedoms

Other countries now demonstrate the damaging effects of the combination of same-sex marriage and anti-discrimination laws that include sexual orientation and gender identity (SOGI).

- Canada is an example of the same-sex marriage/SOGI end game where fundamental freedoms have been compromised.
- If the proposed US *Equality Act* were to be passed, then together with same-sex marriage laws it would drive the US down a similar road to Canada.

Rodney Croome, national convenor of Australian Marriage Equality, recently called for the prosecution under anti-discrimination law of Tasmania's Catholic Archbishop, Julian Porteous, after he distributed a paper from the Catholic Church in support of natural marriage.²⁴

If marriage between “any two people” is legalised in Australia, will it be illegal under anti-discrimination law to express opinions questioning or opposing same-sex marriage?

How far would our basic freedoms be compromised – freedom of enterprise, freedom of speech, freedom of association, freedom of conscience, freedom of religion?

Australian Human Rights commissioner, **Tim Wilson**, has shattered the haze of misinformation to admit that businesses and churches may face prosecution under anti-discrimination law if marriage “between any two people” is legalised. However, he argues that basic freedoms can still be protected in any same-sex marriage legislation by providing “exceptions” and “exemptions” for businesses and churches.²⁵

Mr Wilson's arguments are unconvincing.

First, what guarantee is there that “exceptions” and “exemptions” in a same-sex marriage law would not conflict with other laws? In the event of a conflict, the courts would decide how effective or ineffective are “exceptions” and “exemptions”.

Second, “exceptions” and “exemptions” are likely to be temporary. Here are three reasons why:

1. The 2012 ALP dissenting Senate report on a same-sex marriage bill warned that such assurances are “hollow and tactical in nature rather than a matter of substance.” They pointed out how “Denmark has passed legislation to

compel churches [of the state Lutheran Church] to officiate at same-sex ceremonies”. The report was signed by seven Labor senators.²⁶

2. Thirty GLBTI, human rights and legal lobby groups told the 2012 inquiry into the Consolidation of Commonwealth Anti-Discrimination Laws that they wanted no exemptions, or narrow or temporary exemptions only for faith-based organisations, let alone for businesses and other groups. (See next 2 pages).

3. David Glasgow (Australian lawyer, Associate Director and Research Fellow in the Public Interest Law Centre at New York University School of Law and leading same-sex marriage advocate), has publicly repudiated any idea of exceptions and exemptions from either anti-discrimination

law or a same-sex marriage bill.²⁷ Recently, Glasgow asked: “With a large number of wedding vendors from which to choose, is it not reasonable to allow businesses with religious objections to opt out? No, it's not.”

Campaigners have said that same-sex marriage will “do no harm”, while at the same time many other lobby groups have called for no exemptions for conscientious objection in

anti-discrimination law. Some, like Rodney Croome, have already called for anti-discrimination law to be used to silence those expressing a differing opinion.

Also, the Australian Education Union *Policy on Gay, Lesbian, Bisexual, Transgender and Intersex People*, adopted at the 2006 Annual AEU Federal Conference, declared that “homosexuality, bisexuality, transgenderism and intersex need to be normalised” in Australian schools.



Who will benefit?

- Will same-sex marriage and SOGI anti-discrimination legislation create a **new industry funded mostly by taxpayers**?
- Will a **new bureaucracy be created to push SOGI** into kindergartens, primary and secondary schools and to “educate” the community?
- Will human rights tribunals and the courts have to be **expanded to handle an escalation of cases**?
- **Will consumers bear the cost** of companies running SOGI anti-discrimination education programs and of professional associations implementing disciplinary procedures?

²⁴ “Media Release: Church School Marriage Booklet Likely Violates Anti-Bias Law”, Rodney Croome, Australian Marriage Equality, June 24, 2015.

<http://www.australianmarriageequality.org/2015/06/24/media-release-church-school-marriage-booklet-likely-violates-anti-bias-law/>

²⁵ “A same-sex marriage law can protect the rights of all”, Tim Wilson, *The Weekend Australian*, August 8-9, 2015. <http://www.theaustralian.com.au/opinion/same-sex-marriage-a-law-that-protects-the-rights-of-all-parties/story-e6fg-6zo-1227473069313>

²⁶ Dissenting Report by Individual Labor Senators.

http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Legal_and_Constitutional_Affairs/Completed_inquiries/2010-13/marriageequality2012/report/d03

²⁷ “Gay marriage is not the foe of religious freedom,” David Glasgow, *The Age*, August 4, 2015. <http://www.theage.com.au/comment/religious-freedom-is-not-a-licence-to-discriminate-20150803-giq342.html>

Who wants to force businesses and churches to service same-sex weddings?

Thirty GLBT, human rights and legal lobbies said they wanted no exemptions, or draconian restrictions on exemptions, for churches, schools, community groups, let alone businesses. They said this in their submissions to the 2012 Federal inquiry into consolidation of anti-discrimination laws.

If this was their intention in anti-discrimination law, then what protection from prosecution would there be for businesses, community groups and churches in a law allowing same-sex marriage?

Full text of submissions of these organisations at

www.ag.gov.au/Consultations/Pages/ConsolidationofCommonwealthanti-discriminationlaws.aspx



Australian Lawyers for Human Rights

“Religious exemptions should only apply to the core functions and beliefs of religious institutions....”



The Law Institute of Victoria

“religious exceptions ... should be precise, public, and subject to sunset provisions....”



Legal Aid Queensland

“... argues for the removal of those (i.e., religious) exemptions”.



South Australian Bar Association

“If exemptions are retained, then they should not ... be available where functions are being carried out by an organisation pursuant to a Commonwealth government contract or for activities conducted using public funds.”



Legal Aid NSW

“... does not support the retention of any exemption on religious grounds”.

PILCH

Public Interest Law Clearing House (Vic)

“The Consolidated Law should include no exemptions for religious organisations in relation to the protected attributes of sexual orientation and gender identity.”

Australian Council of Human Rights Agencies

Australian Council of Human Rights Agencies

“There should be no religious exemptions where

“(a) The institution is carrying out functions contracted by government in relation to the employment; or where

“(b) The institution is accessing public funds to fund the employment.”

Discrimination Law Experts Group

Discrimination Law Experts Group

“We recommend that the religious exceptions be repealed.”

ANU College of Law

ANU College of Law “Equality Project”

It “rejects permanent exemptions on religious grounds for institutions or individuals”.

halc

HIV/AIDS Legal Centre

“Remove entirely any religious exemption to discrimination on the grounds of sexual orientation or gender identity.”



Human Rights Law Centre

“These exemptions are manifestly inappropriate and inconsistent with Australia’s human rights obligations and international best-practice.”



Public Interest Advocacy Centre

“There should be no permanent exemptions for religious organisations in respect of any protected attributes.” However, if there are exemptions, they should be limited to “the ordination, appointment, training or education of priests, ministers of religion or members of any religious orders” and to institutions involved in the “employment of staff in the provision of religious education and training”.



The South Australia Equal Opportunity Commission

“Any religious exemption should be strictly restricted to the inherent requirements of the religious belief or activities rather than apply more broadly to employment-related conduct.”



The National Association of Community Legal Centres

“The consolidation bill should not provide for religious exemptions in relation to the protected attributes of sexual orientation or gender identity.” However, if there are exemptions, they “should not be applicable to organisations or services in receipt of public funding”.



SA UNIONS

Young Workers’ Legal Service [SA unions]

“... religious institutions would be required to ‘opt-in’ for exemption under federal anti-discrimination laws”.



Australian Lesbian Health Coalition

“There should exist no blanket exceptions or exemptions for religious bodies.”



National LGBTI Health Alliance

“Religious bodies should not be granted exemptions from anti-discrimination legislation for their activities in the provision of services, such as aged care, health services and education.”



The Diversity Council of Australia

“... does not support general exemptions for religious bodies for any acts and practices”.

Lesbian and Gay Solidarity (Melbourne) says that the federal government must “withdraw its religious exemptions from all its anti-discrimination laws”.



Equality Rights Alliance

“...exceptions for religious organisation... should not be included in the consolidated Act.”



Australian Federation of AIDS Organisations (AFAO)

says there should “be no religious exemptions in the new consolidated anti-discrimination law”.



ACT Human Rights Commission

It looked favourably on exemptions, but argued that “it is essential that any remaining stand-alone exceptions are reviewed regularly and rigorously to determine whether they should be retained, amended or repealed...”.

The Coalition of Activist Lesbians Australia Inc.

The Coalition of Activist Lesbians Australia

recommended “the complete removal of exemptions for religious organisations with regards to sexual orientation”.

Tasmanian Gay & Lesbian Rights Group

Tasmanian Gay & Lesbian Rights Group

said that it “does not support any legislative exemptions or exceptions that are specific to sexual orientation of gender identity and presentation”.



Liberty Victoria, Victorian Council for Civil Liberties Inc.

said that religious bodies and educational institutions should be required to have a “licence to discriminate, time-limited but renewable, conditional on ... specific ‘doctrines, tenets, beliefs or teachings’ (that) necessitate it”.



The Equal Rights Trust, UK

said that Australia’s new consolidated act “should expressly recognise that direct discrimination may be permitted only very exceptionally, and only when it can be justified against strictly defined criteria”.



Victorian Gay and Lesbian Rights Lobby

said that it “opposes any exemption granted to religious bodies that would permit discrimination on the basis of sexual orientation or gender identity”.



Women’s Electoral Lobby Australia

said “Legislation should remove automatic exceptions for religious and other bodies from all anti-discrimination legislation, and that if any exceptions are made that they be limited to a two-year period, with no automatic extension of exemptions.”



Gay & Lesbian Rights Lobby, Embracing Equality

“Excluding special measures, there should be no religious exemptions or exceptions to Commonwealth anti-discrimination laws.”



The Australian Sex Party

“The Consolidated Act should not include religious exceptions that apply to discrimination on the grounds of sexual orientation or gender identity.... If the Act does include religious exceptions, they should apply only to the ordination or appointment of priests, ministers of religion or members of a religious order.”



ACON (formerly known as the AIDS Council of NSW)

said: “That no exemptions to the consolidated anti-discrimination legislation are available for any organisation receiving government funding when performing those government functions.

“That if exemptions do exist they should be narrow, temporary and made public by organisations utilising them, including when advertising for jobs or the provision of services.”