



Religious Discrimination

An explainer from the Uniting Church Assembly

The debate about proposed Australian religious discrimination legislation is expected to return to Parliament in 2024. This explainer is a tool for Uniting Church members and communities who may want to engage locally about the issue and are seeking to understand the Uniting Church's view and how the Assembly has engaged so far.

What's happening with Religious Discrimination laws?

Religious discrimination has re-emerged as a topic of concern in the national conversation. This conversation is about what it means to enjoy religious freedom and what protections are in place to ensure all Australians are free from religious discrimination.

The Australian Government is currently considering legal protections for religious beliefs in order to meet a commitment it made at the last election to introduce legal protections for religions. In March 2024, the Australian Law Reform Commission (ALRC) released a report, commissioned by the Government, which focused on discrimination in religious schools. The recommendations in the report aim to strengthen protections for LGBTIQ+ students and staff at religious schools.

With the release of this report and as work progresses towards a separate Religious Discrimination Act, there is heightened concern in the community about the laws and their implications.

In its engagement with the Government on this issue, the Uniting Church has consistently argued that any laws that allow religious organisations to discriminate on the basis of religious belief must be carefully balanced against the rights of people to be free from discrimination.

In the Assembly's submission to the ALRC, we supported changes that will increase protections for LGBTIQ+ students, staff and their families.

How has the Uniting Church engaged with this issue?

The Uniting Church Assembly has played an active role in engaging with the Federal Government on religious discrimination.

Our longstanding position is that the right to religious freedom is an important part of protection of all human rights nationally by law. We have maintained legal protections for people of faith and religious organisations would be best served under a holistic human rights act.

We have consistently said that any permissions given to religious organisations to discriminate must be carefully balanced against the rights of people to be free from discrimination and to live with dignity. The safety and well-being of vulnerable groups and minorities is paramount.

Our position is grounded in our belief that every person is entitled to live with dignity because they are made in God's image and that each person's life and rights need to be protected or we are all diminished. We recognise all human rights are important, interdependent and interrelated.

In its most recent submission to the Australian Law Reform Commission (ALRC), the Uniting Church affirmed the principle that the safety and care of students should be paramount. Our report supported the proposed changes to the Sex Discrimination Act which seek to prevent discrimination on the basis of characteristics such as sexual orientation or gender identity, while also enabling such institutions to conduct themselves according to the doctrines, beliefs and teachings of their faith. The recommendations also included exemptions which allow religious schools to appropriately preference members of their faith in the selection of staff.

How will the Uniting Church continue to be involved?

The Uniting Church's engagement on this issue has included written submissions, consultations with Government and contributions to the national conversation in forums and media. The Assembly plans to continue this engagement and will be seeking ways to have our voice heard in the coming months.

RELIGIOUS DISCRIMINATION: A UNITING CHURCH ASSEMBLY EXPLAINER

What can you do?

- Speak to your local MP about how you feel about religious discrimination. You might like to share a link to one of the Assembly's previous submissions, which you can find on this webpage.
- Share the Uniting Church position with others and begin conversations in your community. Ecumenical and interfaith conversations may be particularly valuable if you have these relationships in your local area.
- Continue to stay informed and updated. Any updates or further contributions from the Assembly will be shared in National Update. [Sign up here](#).

Further reading and resources

- [Assembly Submission to the Australian Law Reform Commission \(ALRC\)](#)
- [Pastoral letter on Religious Discrimination Bill](#) January 2022
- [Evidence to Joint Parliamentary inquiry on Religious Discrimination Bill](#) January 2022
- [Media release on revised Religious Discrimination Bill](#) 2021
- [Submission to Religious Freedom Bills](#) 2020
- [Dignity in humanity: recognising Christ in every person](#), Assembly statement adopted by the 11th Assembly 2006
- [What is happening with religious discrimination laws in Australia?](#) Professor Lucas Lixinski, Associate Dean (International) at UNSW Sydney's Faculty of Law & Justice
- [Australia's religious and sex discrimination laws need fixing, a new report says. What happens next?](#) The Guardian Australia, 23 March 2024