

# Concerned Catholics Tasmania Inc.

20 December 2021

## Submission to the Parliamentary Joint Committee on Human Rights regarding Religious Discrimination Bill 2021 and related bills

Concerned Catholics Tasmania Inc (CCT) offers this submission to the Parliamentary Joint Committee on Human Rights regarding Religious Discrimination Bill 2021 and related bills.

CCT is a group of Catholic faithful with a membership of more than 150 members. CCT was established in 2019 by its members.

**CCT proposes that greater time and attention be given to the three bills which were introduced to the House of Representatives: *the Religious Discrimination Bill 2021, the Religious Discrimination (Consequential Amendments) Bill 2021 and the Human Rights Legislation Amendment Bill 2021* to ensure that the bills do not override the Tasmanian anti-discrimination legislation, thereby weakening protections from humiliating, insulting and ridiculing conduct and diminishing existing protections for students and staff in faith-based schools, and for clients and staff in faith-based social services. In essence CCT's submission is that in Tasmania there is no gap to fill.**

We live in a multi-cultural and religious pluriform society; we value the freedoms Australians of our many faiths, and of no professed faith, enjoy, and the contribution that faith communities make to society. At the same time, we wish to raise our concerns with a number of issues in the proposed Bills.

The very word Catholic (meaning all embracing) urges us to build in our churches, and beyond, an inclusive community. The charismatic leadership of Pope Francis has challenged us to go to the periphery and give a preferential option for those who are marginalised in any way.

Our concern is that the bills could severely affect many who have been marginalised, especially LGBTIQ+ students and staff in faith-based schools. Furthermore, there are implications for persons in welfare (eg.CatholicCare) and other such faith-based institutions of care and support.

Noted jurist and Jesuit priest, Frank Brennan, has highlighted three major principles for any legislation intended to uphold religious freedom, namely, that:

- there should be no adverse discrimination against children;
- religious schools should be able to choose staff with an eye to maintaining the school's religious ethos; and
- should a highly conservative or evangelical school want to be very restrictive in staff selection, that selection should not be on the basis of sexual orientation, and it should be based on a published, coherent moral principle rigorously and equally applied to all staff regardless of their sexual orientation.

CCT is supportive of these principles.

We sense, and are hopeful, that our Church hierarchy is moving towards a fuller understanding and acceptance of LGBTIQ+ people. Asked for his view, Pope Francis famously answered, "*who am I to judge*"? Just last week, Pope Francis met with Jesuit, Fr James Martin from the Catholic global group, New Ways Ministry (NWM), <https://www.newwaysministry.org/>, to expand his understanding and

reaffirm his commitment to dialogue and support for LGBTQI+ people and their supporters. In Australia, Rainbow Catholics is affiliated with NWM.

At a local ecclesial level, the present dialogue of the Plenary Council of the Australian Church urges a warm embrace of LGBTQI+ persons. (proposal 10) We trust that the same spirit will continue and lead to a strong resolution in the 2022 session of the Plenary Council of Australia.

The protection and celebration of minority groups is at the core of Gospel teaching and our tradition of Catholic Social Teaching. Concerned Catholics Tasmania, and our many members, commit themselves to a deeper dialogue in this debate and to ensuring that the any proposed legislation does not diminish Tasmania's present legislation, which gives strong support to anti-discrimination. In doing so we seek to build a richer multi-cultural and religiously pluriform Australia, respecting people of many faiths and no professed faith, and ensuring the deep respect and support for those who often find themselves marginalised.