



We proclaim a crucified Christ

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9 November 2021

Dear People and Clergy of the Archdiocese,

Equal Opportunity (Religious Exceptions) Amendment Bill 2021

My prayerful greetings to you in the Lord.

It is with grave concern that I write to you about proposed new legislation, the *Equal Opportunity (Religious Exceptions) Amendment Bill 2021* from the State Government, which will impact on all faith-based organisations in Victoria.

The Victorian Government is depicting this Bill as merely a protection against discrimination in religious settings. Sadly, however, this is a seriously far-reaching law that will limit faith-based organisations from managing employment matters according to their faith, conscience and values. The legalisation is a serious overreach of the Government into the rightful freedoms of Victorian faith-based organisations.

Across all areas of society, Catholics run organisations with an open and inclusive commitment to people in their care. Our excellence in the provision of services is recognised by many – evident in the large numbers of students attending Catholic schools and educational institutions.

Currently, Catholic organisations, including our schools can freely employ those who share our religious beliefs, values and ethos. However, the Victorian Government has introduced legislation seeking to change this. If it passes, the *Equal Opportunity (Religious Exceptions) Amendment Bill 2021* will affect religious organisations all across Victoria, who will be limited in their ability to employ staff, run their schools and provide other services that adhere to their faith, values and ethos.

Under the new legislation, religious bodies and educational institutes will no longer be able to employ staff who hold the same religious beliefs and values unless they can prove that it is an 'inherent requirement' of the job. It would grant power to a government appointed commissioner or a court to ultimately determine whether particular staffing roles carried an 'inherent' religious requirement or not. This means that in places like schools, and especially where government funding is attached, employers will have an extra burden of administration placed on them, and leave them vulnerable to a decrease in the role and importance of faith in the work they do.

The example has been given that in a religious school, the only roles where religious beliefs might be an 'inherent requirement' of the job include positions of senior leadership (e.g., a principal) or religious education teachers. However, what the Government fails to understand is that faith is holistic – it affects the way we see the world and conduct our lives. Faith is part of the very make-up and fabric of each school. It is entirely reasonable and fair that religious bodies should be able to preference those who share their beliefs and values in their own private employment matters.

I do not believe it is in anyone's interest in the long term for a secular power to make such a determination for religious organisations. The role or importance of faith in a faith-based organisation cannot be relegated to a bureaucrat or a secular court. This is another sad example of people of faith and the freedom of religious organisations being unfairly targeted.

Other organisations like political parties will not have the same restrictions placed on them. In other words, the Government will impose on the staffing of faith organisations but not on the staffing of political organisations. We rightly ask, why the imbalance?

Unfortunately, we can expect the Bill to be debated in Parliament next week and the Government has given its full support to these proposals without adequate consultation in which we could have negotiated a fair and equitable outcome.

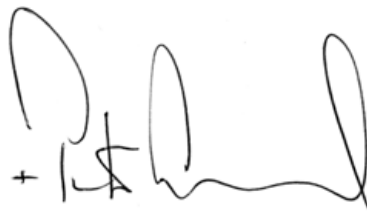
We live in a diverse and pluralistic society, and it is our democratic right and responsibility to respectfully challenge legislative proposals which are unfair and unreasonable. I encourage all people of faith and goodwill to stand up for religious freedom and ask our parliamentarians to oppose the Bill, particularly the introduction of an 'inherent requirement' test.

Attached you will find some suggestions on how to raise concerns about this important issue and I also encourage you to share this message widely.

Please continue to pray for a spirit of fairness to people of faith by our parliamentary representatives, and for good sense to prevail.

With every grace and blessing, I remain,

Yours sincerely in Christ Jesus,

A handwritten signature in black ink, appearing to read 'Peter A. Comensoli', with a small cross symbol to the left of the first letter.

Most Rev Peter A Comensoli
Archbishop of Melbourne



How to stand up for religious freedom

In light of the Equal Opportunity (Religious Exceptions) Amendment Bill 2021

1. Contact your local Members of Parliament in Victoria

Writing to Members of Parliament (MPs) is an effective way to communicate with them about this Bill. A short letter (emailed or mailed) respectfully expressing concerns with the legislation will help them understand what is important to people of faith.

Each Victorian has one MP representing their local **district** and six MPs who represent their wider **region**. If you're unsure who to write to, you can find out which district/region you are part of and the contact details of the MPs representing you here:

www.parliament.vic.gov.au/about/electorates

2. Contact your federal Members of Parliament

Writing to federal Members of Parliament to tell them about what is happening here in Victoria is also vitally important, because religious freedom legislation is potentially being considered on a federal level. You can write to them to share your concern and ask them to act to protect the religious freedom of all Australians.

Each Victorian has one local MP representing their geographic **area** and twelve Senators who represent their **state**.

Details of your local federal Member of Parliament can be found here:

www.aph.gov.au/Senators_and_Members/Members

Simply scroll down to 'Search Members' and type in your postcode to find your MP.

Details of Victorian Senators can be found here: www.bit.ly/3BNVYAI

3. Share your concerns with others

You are also encouraged to tell your family, friends and those in your local community about your concerns and ask them to become active too.

4. Get active on Social Media

You may also like to share your concerns with your Members of Parliament via their Social Media pages.

5. Find out more

Keep up to date about this issue at:

www.melbournecatholic.org/religiousfreedom



DEFEND FREEDOMS IN VICTORIA

New Victorian legislation will remove the right of faith-based schools to employ staff of their choice.

Why should religious schools be forced to employ people hostile to their beliefs while political parties are allowed to employ only those who are supporters of their own party?

PROTEST NOW

Call your Upper House members



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TAKING AWAY OUR FREEDOMS

Before Christmas, the Government plans to seriously erode crucial religious freedom protections in Victoria's Equal Opportunity Act. These protections allow religious schools to hire staff who support (or are not hostile) to the beliefs of the religion of the school.

The proposed changes violate the International Covenant on Civil and Political Rights (CCPR), which guarantees "the right to freedom of thought, conscience and religion ... [the] freedom ... either individually or in community with others and in public or private, to ... worship, observance, practice and teaching", and the freedom of parents "to ensure the religious and moral education of their children in conformity with their own convictions" [Art. 18 (1), (4)].

DEFEND OUR FREEDOMS

PROTEST NOW

CALL and ASK your Upper House Members:

- **Why can the Labor Party refuse to employ members of the Liberal Party, but a religious school will be denied the right to employ people who are not hostile to their beliefs?**
- **Why is the Liberal Party able to refuse employment to members of the Labor Party, but religious schools face prosecution for not employing people hostile to their beliefs?**
- **Isn't this hypocritical and state discrimination against religious schools?**

EASTERN METROPOLITAN

Mr Bruce Atkinson (Liberal) 9877 7188; **The Hon. Shaun Leane** (ALP) 9887 0255;

Ms Sonja Terpstra (ALP) 9803 0592; **Mr Rodney Barton** (Transport Matters) 9850 8600; **Dr Matt Bach** (Liberal) 9878 4113.



Authorised: P Byrne, National Civic Council, 3-5/1401 Burke Rd, Kew East, Vic 3102

More at: <https://ncc.org.au/ea/>

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