



19 December 2020

## **Response to Additional Questions**

Dear Ms Schofield,

The Australian National Imams Council (ANIC) has been requested to respond to additional questions dated 9 December 2020. An extension was granted for ANIC to provide its responses by 21 December 2020.

On behalf of ANIC, I provide the responses as below.

**1. *Do you or your organisations have concerns about this Bill being a One Nation Bill given the actions, comments and policy positions of One Nation that run counter to the claimed aims of this Bill?***

This question appears to associate the objectives and purpose of the Bill with the “actions, comments and policy positions” of One Nation. In doing so, it conflates what are two very separate and distinct matters.

As to the “actions, comments and policy positions” of One Nation, ANIC holds, and has expressed concerns, including directly to One Nation, relating to various specific actions, comments and policy positions. These are matters which ANIC will continue to raise and address as appropriate.

As to the Bill, as stated during the hearing before the Joint Select Committee on 5 November 2020, the objects and purposes of the Bill are to be commended. In particular, the Bill seeks to provide a legislative protection in circumstances where there is effectively no such protection either at the Federal level or at a State level in NSW in respect of discrimination against persons due to their religious identity and religious activities. Minority faith communities have borne the brunt of such discrimination and the statistics and trends indicate that such experiences are increasing.

In the above context, it is critical that steps are taken to provide appropriate protections. Accordingly, ANIC does not take a position relating to the Bill based only on its being put forward by One Nation. Rather, ANIC views the Bill based on its merits and in circumstances where, to ANIC’s knowledge, there has been little to no steps taken to acknowledge, let alone address, what has been a fundamental deficiency in the legislative regime applicable in NSW.



**2. *Is there concern in the communities you represent about the support offered to this One Nation Bill?***

By way of background, ANIC is comprised of 70 Imams or religious leaders across NSW and 176 Imams or religious leaders across Australia. These religious leaders in turn engage with their respective congregations throughout the community. Based on the 2016 Census data collated by the Australian Bureau of Statistics, there are approximately 250,000 Muslims in Greater Sydney and 270,000 across New South Wales. We expect these numbers to be a conservative indication.

In the above context, it is to be expected that there will be wide-ranging views and perspectives throughout the community. Based on the interactions which ANIC has had, including through its member religious leaders, there is a broad support for the Bill given that it provides a protection which hitherto has not been put forward nor proposed and given the absence of any such protection in NSW. For instance, many women and men working in blue-collar jobs (who routinely face discrimination) have expressed support for such protective legislation. That said, there are some who have expressed a level of concern but, based on the interactions of ANIC, such concerns are greatly outweighed by the support which has been indicated.

**3. *Given this, would you be supportive of the current NSW Government acting swiftly to protect people in NSW from discrimination on the grounds of religious belief in a similar way that other attributes are protected?***

This question appears to presuppose the answers to the earlier questions. In summary, there is a broad support for the Bill and an overwhelming support and need for protective legislation given the experiences and needs of the Islamic community in Australia (and indeed other minority faith communities). Accordingly, ANIC commends the Bill. To the extent that there are concerns as to particular provisions, these are appropriately addressed by focusing on those provisions rather than seeking to undermine the Bill by conflating other unrelated matters.

That said, ANIC would also be supportive of the current NSW Government acting swiftly to protect people in NSW from discrimination on the grounds of religious belief. However, it expresses the following reservations:

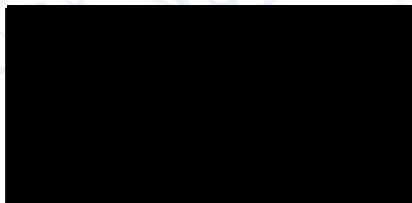
- a. To date, and over many decades, there have been little to no steps taken to amend the legislation to provide any protection in respect of discrimination on the grounds of a person's religious belief or activity. This is notwithstanding the increased experience and trend of religious discrimination faced by many minority faith communities. Given the track record of various governments, ANIC has little confidence of such legislation being *swiftly* amended;



- b. As stated during the hearing before the Joint Select Committee on 5 November 2020, it is also important to provide protection in respect of religious activities (such as the wearing of the hijab or attending mandatory Friday congregational prayers);
- c. There would also be a need to include other appropriate amendments and provisions dealing with religious activities and activities undertaken by religious organisations. The Bill has sought to achieve this; and
- d. Any amendments ought to include vilification provisions mirroring those presently contained in the *Anti-Discrimination Act 1977*, such as sections 20C, 38S, 49ZT and 49ZXB (which the Bill does not address).

Please let me know if you have any further questions. We are grateful for the opportunity to engage and provide our feedback.

Yours faithfully,



**Bilal Rauf**  
**Adviser and Spokesperson**