

**Submission
No 112**

**ANTI-DISCRIMINATION AMENDMENT (RELIGIOUS FREEDOMS AND
EQUALITY) BILL 2020**

Organisation: Women's Safety NSW

Date Received: 21 August 2020

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To the Joint Select Committee on the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020

RE: *Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 (NSW)*

In accordance with Women's Legal Service NSW's submission, Women's Safety NSW strongly opposes the *Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 (NSW)*. If this Bill were to be passed, Women's Safety NSW contends that it would infringe upon a woman's access to safe and affordable healthcare, including reproductive healthcare, and their right to autonomy.

As a peak body for women's safety, justice and wellbeing in the context of domestic and family violence, Women's Safety NSW notes the strong correlation between domestic violence and reproductive coercion. Reproductive coercion refers to a range of male partner pregnancy-controlling behaviours such as: forced sex, interfering with contraception methods (birth-control sabotage) and verbal pressure and threats to become pregnant.¹ Unintended pregnancies are 2-3 times more likely to be associated with intimate partner violence than planned pregnancies.² Indeed, **reproductive coercion affects one in three female domestic violence victims.**³ If this Bill is passed, urgent access to reproductive health care for female victim-survivors of domestic and family violence impacted by reproductive coercion will be infringed.

Women's Safety NSW is particularly concerned about the potential impact the Bill will have on women living in regional, rural and remote areas. With pre-existing barriers to accessing reproductive services, these women will be faced with greater obstacles should the Bill be made into law as the few health services currently available may become contingent upon the religious views of medical practitioners and providers. In a similar vein, we are conscious of the fact that the Bill will further discriminate against the LGBTIQ+ people who are already vulnerable to discrimination in our community.

Women's Safety NSW further asserts that the Bill is flawed as it "privileges and prioritises religious belief and activity over the protected attributes, provides exceptions for a wide range of organisations in relation to a vast array of potentially unlawful conduct, and allows religious organisations to refuse to comply with, and avoid liability under, some existing NSW laws where they conflict with their own beliefs."⁴

¹ <https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2013/02/reproductive-and-sexual-coercion>

² <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3282154/>

³ <https://www.abc.net.au/news/2019-06-24/reproductive-coercion-affecting-domestic-violence-survivors/11223778>

⁴ [file:///C:/Users/bekst/Downloads/WLS%20NSW%20sub%20Religious%20Freedoms%20Bill%20submission%20\(final%20draft%20-%20not%20for%20wider%20circulation\)\[4\].pdf](file:///C:/Users/bekst/Downloads/WLS%20NSW%20sub%20Religious%20Freedoms%20Bill%20submission%20(final%20draft%20-%20not%20for%20wider%20circulation)[4].pdf)

Although Women's Safety NSW respects and acknowledges religious freedoms, when it conflicts with such essential human rights, we must weigh up the importance of these, and the way in which they interact and compete with one another. This Bill does not provide an appropriate balance on this basis, placing religious freedom on a pedestal over the rights of women and girl's health and bodily autonomy.

We thank you for your consideration of this urgent matter and hope we can count on your support for women and girl's rights to safe and affordable care.

Sincerely,



Hayley Foster

About Women's Safety NSW

Women's Safety NSW is a peak representative body for women's specialist domestic and family violence services. Our purpose is to advocate on behalf of our members for women's safety, justice and wellbeing in the context of domestic and family violence through policy, practice, law reform and cultural change.

Our full members – Women's Domestic Violence Court Advocacy Service workers – supported 51,383 women across NSW last year through:

- NSW's integrated response to domestic and family violence, Safer Pathway, in 43 metropolitan, regional and rural locations;
- The Women's Domestic Violence Court Advocacy Program in 117 local courts across the state; and
- The Family Advocacy Support Service in Family Law Registries.

Our associate members are women's specialist domestic violence workers working in a variety of services including staying home leaving violence, women's health, women's supported accommodation, women's counselling, and women's legal services.