

**Submission
No 135**

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

Organisation: Wagga Women's Health Centre Inc.

Date Received: 24 August 2020

24 August 2020

Joint Select Committee
Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020
Email: ReligiousFreedomBill@parliament.nsw.gov.au

Dear Joint Select Committee Members,

Inquiry into the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020

1. Thank you for the opportunity to submit our comments regarding the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 (The Bill)
2. The Wagga Women's Health Centre Inc. (the Centre) is one of 21 non-government women's health centre's across the NSW. The Centre was first established in 1979 and comes under the umbrella of Women's Health NSW as its peak body. The Centre provides an alternative, feminist health care service run by women for women ensuring accessibility, without financial and cultural barriers, to the Women of Wagga Wagga and surrounding districts. These services are provided within the context of international, national, state, regional and other relevant women's health documents, and health as defined by the World Health Organisation, enabling women to make informed choices about their health and wellbeing.
3. The Centre supports and advocates for equality for all citizens; our philosophy is that one person's freedom does not override another's human rights or freedoms. Legislation therefore must not elevate the religious beliefs of one group over another as this legislation aims to do.
4. Being a frontline support organisation providing women's health services in Wagga Wagga, we have a clear and strong understanding of the needs of women in our area and the likely impacts of a Bill such as this.

5. We are extremely concerned that the proposed amendments will elevate the rights to religious expression above other human rights, thus allowing people to use religion to hurt others. We are especially concerned about the impacts that the elevation of these rights would have on already vulnerable members of our community including vulnerable women, women with disability and women from the lesbian, bi-sexual, gay, transsexual, and queer (LGBTQ) communities.
6. Recommendations
 - a. The Wagga Women's Health Centre recommends that the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020 be rejected in its entirety.
 - b. Wagga Women's Health Centre endorses Women's Health NSW recommendation that the Joint Select Committee support a review of the Anti-Discrimination Act 1977 (NSW) to consider the introduction of protections from discrimination on the basis of religion and replacing or narrowing the current exceptions for religious organisations.
7. Our primary concerns regarding the proposed amendments, including the negative impacts on our community of these changes being passed, are outlined below:
 - a) That religion overrides government rules: faith-based organisations and commercial bodies which define themselves as religious will be able to challenge NSW government programs, policies, contracts and decisions which contradict their particular religion. In Wagga Wagga there are a number of large faith based charity organisations that are funded by the government to provide social services such as welfare services, family programs, youth services and the provision of accommodation services. The proposed legislation may support the withdrawal of services from those without religious beliefs or people who may also be a part of a marginalised group such as the LGBTQ communities.

For regional communities and those seeking services, the limited access to services may have dire consequences as there are often no accessible alternatives.
 - b) No consequences for conduct: If this legislation is passed it will be almost impossible for government and non-government employers, educators and professional and licencing bodies to foster inclusive cultures, or meet shareholder, customer or community expectations, when their employees or members use their religion privately to hurt others.

- c) Double standards in employment, education and service delivery: faith-based organisations will be able to discriminate on the grounds of religion in employment, education and service delivery, even when receiving public funding.
- d) Religion above the law: the legislation would provide protection to religious activities which may be unlawful, such as religious activity that vilifies others or breaches civil obligations.
- e) Religion above human rights: the freedom of religion will be prioritised above all other rights and freedoms when applying NSW's anti-discrimination laws. The discriminatory bias of this Bill will adversely impact women in our community from accessing an appropriate referral for termination services, the morning after pill, contraceptives and medical treatment for sexual and reproductive health.

For the reasons outlined above, the Wagga Women's Health Centre does not support the changes to the Bill, we believe that adequate protections are already in place and recommend that the Bill be rejected in its entirety as outlined.

Yours sincerely,

Jenny Rolfe - President
Wagga Women's Health Centre Inc.