

**Submission
No 191**

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

Organisation: Hindu Council of Australia

Date Received: 9 November 2020

Hindu Council's stand on Religious freedom is given below :

Hindus have arrived very recently in Australia and unlike established religions of Australia, we do not have Hindu schools, charities, hospitals and other social institutes based on Hindu religion. There is no level playing field when it comes to newly arrived religions in Australia.

Hindu Council is concerned that Religious exemptions may adversely affect students, employees and teachers of other faiths studying or working in faith based schools/institutions. Hindu Council of Australia urges protection of religious rights of others faith believers as well as of non-believers in faith based institutes, so that they are not discriminated against based on their religion or for not having one.

Religion can be a criteria for employment or subcontracting etc only when it comes to teaching or performing religious rituals. It should not be a criteria for jobs that may be inspired by religion but are not religious in nature and can be performed equally well by secular organizations. We would also like that religious rights should not override human rights, rights to employment and right not to be insulted or denigrated because of your religion.

In particular we would like to make following points pertaining to Religious Freedom (including freedom to practice and freedom to not practice any or anyone else's religion) in your scope :

1. Each faith based institute (including schools, charities, businesses etc) should make public its policy for students/clients, employees, contractors, suppliers of other faiths.
2. The institute will respect their faith and beliefs even if they are different from the faith professed by the institute.
3. Those of other faith should not be asked to hide their religious identity, should be clearly told that their participation in religious services is optional and non-participation will not be viewed negatively. No attempt shall be made to coerce them to change their religion.
4. Faith of an applicant should not be a reason to refuse admission, service, employment, business, promotion or participation.
5. Faith based schools and employers must admit a certain percentage of students, employees, teachers of other faiths so that students while learning about their own religion, do not grow without contact with students and people of other faiths, cultures, orientation and backgrounds.
6. No other religious group should try to interpret another faith's beliefs but should be guided by the religious leaders of the other faith. The syllabus and content of religious teachings must be approved by that religious community and not be based merely on academic scholars opinions.
7. Only the courts of law can interpret a faith practice if it violates human rights or is ultra virus to Australian constitution. Only the courts have the power to interpret a practice, belief or tenets of a faith

8. Within the constraints above, an institute will have freedom to profess, teach and practice their faith within the institute.
9. No faith based institution will ever be forced for its resources to be used in any way to promote, encourage or propagate teachings that are against the teachings and beliefs of that faith
10. No faith can denigrate or insult or call names to people of other religions

Thanks,

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Hindu Council of Australia