

## FEDERAL RELIGIOUS DISCRIMINATION BILL: WHAT LGBTIQ TASMANIANS SHOULD KNOW



# DEFENDING EQUALITY:

Here's how the Religious Discrimination Bill  
impact on LGBTIQ Tasmanians

We were told the Federal Religious Discrimination Bill would be a shield for people of faith, but it is actually a sword against existing discrimination protections for LGBTIQ people.

No LGBTIQ Australians have as much to lose as LGBTIQ Tasmanians because our discrimination protections are the strongest.

Here is how the Religious Discrimination bill will take away the rights we have fought so hard for.

**At a glance: the Religious Discrimination Bill undermines the legal rights of LGBTIQ Tasmanians in three ways:**

- 1.) Weakening section 17(1) of the Tasmanian Anti-Discrimination Act allowing LGBTIQ Tasmanians and others to be humiliated, intimidated, insulted or ridiculed in the name of religion
- 2.) Making it harder for big companies to promote inclusive workplaces by allowing employees to make demeaning statements against other employees in the name of religion
- 3.) Making it harder for LGBTIQ Tasmanians to safely seek health care by allowing health care professionals to refuse us service in the name of religion



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## Allowing discrimination in health care.

- There are currently no exemptions in the Tasmanian Anti-Discrimination Act allowing health care to be withheld from LGBTIQ people.
- This has fostered better health care access and outcomes for LGBTIQ Tasmanians.
- The Religious Discrimination Bill will undermine this by allowing Tasmanian health care practitioners to refuse their services to LGBTIQ people if it offends their religious beliefs.
- This could mean a transgender person is refused health care related to gender transition, a gay man is refused a prescription for Prep or a child is refused health care because their parents are in a same-sex relationship.

## Allowing demeaning language and undermining inclusive workplaces.

- = The Tasmanian Anti-Discrimination Act does not have exemptions allowing hate speech in the name of religion, or discrimination and hate speech by religious or other organisations.
- = This has helped create much more inclusive workplace cultures for LGBTIQ Tasmanians.
- For example, Baptist welfare agency, Bapcare, received an LGBTIQ award in 2018.
- The Religious Discrimination Bill will undermine this culture of respect and inclusion by allowing demeaning speech between employees and against clients in the name of religion, especially in large organisations.
- = This will make it much harder to tackle the ingrained prejudices against LGBTIQ Tasmanians that continue to limit our ability to participate in and contribute to our workplaces..

## What is really behind the attack on LGBTIQ equality?

- The Religious Discrimination Bill is an attempt to write special rights and privileges for religion into Australian law
- It is also a backlash to Tasmania's transformation from the state with the worst LGBTIQ laws in Australia, to the state with the best.
- We must do all we can to show that the majority of Australians do not support rolling back LGBTIQ equality.

## Overriding existing Tasmanian legal protections for LGBTIQ people.

- Section 17(1) prohibits language that humiliates, intimidates, insults or ridicules LGBTIQ Tasmanians and others
- It is the same level of protection as that offered to racial minorities by section 18C of the Race Discrimination Act, but Tasmania is the only state that offers this protection to LGBTIQ people
- Under section 17(1) landmark cases have been taken against hateful anti-LGBTIQ materials including the case against a flyer distributed in Hobart which made homosexuality out to be a health hazard
- If section 17(1) is weakened it will be harder to take action against this kind of homophobic material
- The attack on section 17(1) has been excused by reference to a case against a Catholic booklet. It is claimed the case was against catholic doctrine when, in fact, it was against the booklet's suggestion that same-sex couples "mess with kids" and aren't whole people. The case was dropped.



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## This attack on LGBTI equality must be stopped

- It undermines both the letter and the spirit of Tasmania's world-class LGBTIQ anti-discrimination laws
- It gives permission to prejudice and hate to destroy the lives of LGBTIQ
- It tries to turn back the clock to a time when discrimination was acceptable in Tasmania

## what you can do:

Sign the petition and send an email here:

[www.equal.org.au/equality\\_tasmania](http://www.equal.org.au/equality_tasmania)

Make a submission by October 2nd 2019 to the Religious Discrimination  
Bill consultation [ForConsultation@ag.gov.au](mailto:ForConsultation@ag.gov.au)

Write to Tasmania's federal members:

[Julie.collins.mp@aph.gov.au](mailto:Julie.collins.mp@aph.gov.au)  
[Brian.Mitchell.MP@aph.gov.au](mailto:Brian.Mitchell.MP@aph.gov.au)  
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