

Disability Sector Statement of Concern

On the Religious Discrimination Bill and impacts on people with disability

We, the undersigned, are **deeply concerned** about the harmful impacts the proposed Religious Discrimination Bill will have on Australians with disability.

We all support protection against discrimination on the ground of religion and of religious freedom as essential to any thriving democracy, but this must not be allowed at the expense of the rights and dignity of others.

Particular concerns with the Religious Discrimination Bill and its provisions permitting ‘statements of belief’ overriding the existing legal and policy protections for people with disability from humiliating, insulting, ridiculing and demeaning behaviour and gives licence to an increase in such behaviour towards people with disability, undermining our confidence and sense of worth as Australians.

There are significant risks particularly for people with disability who have intersectional identities like those from communities that are LGBTQAI+, Cultural & Linguistically Diverse, Aboriginal and Torres Strait Islanders, who already face intersecting discrimination, along with women and girls with disability as well as children and young people with disability as they grow and form their own identity. We see discrimination of all people with disability being exacerbated and openly allowed by this Bill.

Discrimination protections seek to ensure that people are not treated less favourably, yet the statement of belief provision will allow people to be treated in ways that demean or humiliate them because of their disability. **This is clearly less favourable treatment and will be expressly permitted by this new legislation overriding the provisions of the federal *Disability Discrimination Act 1992 (Cth)* and equivalent provisions in every state and territory law’s.**

People with disability are often subjected to unwelcome & uninvited statements of religious belief that demean disability as the result of sin, possession, or karma. Some examples that they have been told:

- their disability is a "punishment from God for their, or their parents', sins"
- their disability can be "healed by prayer" or by "living virtuously"
- they "deserve to suffer from their disability for what they have done in a previous life"

While these may seem extreme religious views and statements, they are views commonly expressed to people with disability and the Bill will legitimise these views as long as they are personally held beliefs of religious doctrine and are made in good faith. It would be extremely difficult to prove that a person expressing such views is not acting in good faith because they genuinely hold the view that what they are expressing is their religions will and they are seeking to "save" the person. The limits in the Bill on very extreme statements are insufficient to protect people with disability from personal, hurtful and demeaning statements that undermine our dignity and humanity.

All people with disability deserve services, education, employment, health care and communities that are free of prejudice, stigma, denigration, and discrimination. The Religious Discrimination Bill will encourage prejudice, stigma, denigration, division, and discrimination against people with disability, and undermine all efforts to build and sustain an inclusive Australia.

These are impacts that **undermine Australia's commitments to the equality, and equal dignity and rights for people with disability under the UN Convention on the Rights of Persons with Disability**, the vision of Australia's Disability Strategy 2021–2031, the purpose of the Disability Royal Commission, and the principles of dignity and equity that Australian disability communities continue to fight for.

We are **strongly opposed to this legislation** and urge you to speak and vote against the Bill if Part 2 is proposed to be retained in any format.

Yours sincerely,

Disability Sector Representative Organisations

5 February 2022

National Organisations:

- Australian Federation of Disability Organisations
- People with Disability Australia
- National Ethnic Disability Alliance
- Children and Young People with Disability Australia
- Disability Advocacy Network Australia
- Down Syndrome Australia
- Inclusion Australia
- Autism Aspergers Advocacy Australia
- Brain Injury Australia
- Physical Disability Australia
- Blind Citizens Australia
- All Means All
- National Organisation for Fetal Alcohol Spectrum Disorders Australia

State and Territory Organisations:

- Disability Voices Tasmania
- Disability Advocacy and Complaints Service of South Australia
- People with Disabilities Western Australia

