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Lawyers slam Nile religious freedoms Bill as backwards step

Australian Lawyers for Human Rights is urging the NSW Parliament to vote against the Anti-Discrimination Amendment (Religious Freedoms) Bill 2018, introduced into State Parliament on 15 May 2018 by Reverend Fred Nile.

Nicholas Stewart, Co-Chair of ALHR's LGBTI Subcommittee said, "The Bill proposes to provide exemptions to NSW's anti-discrimination laws allowing for discrimination on the basis of beliefs or convictions that marriage is between a man and a woman or beliefs or convictions consistent with the gender binary."

"The Bill would leave the NSW LGBTQI community open to discrimination in their workplace, in education and in the provision of goods and services. It would leave them vulnerable to hurtful, prejudicial and homophobic conduct by people they may rely on for the provision of essential goods and services.

"In November 2017, an overwhelming majority of Australians voted for marriage equality. Exemptions to NSW anti-discrimination laws allowing individuals to discriminate on the basis of sexual orientation or gender identity would be a step backwards for a nation which has clearly expressed its commitment to equality for all LGBTQI people," Mr Stewart said.

"The right of freedom of religion does not 'trump' other human rights, but rather, must be considered in the context of other rights, such as the right to be free from discrimination"

"This Bill attempts to incorporate the right to religious freedom as expressed in Article 18 of the International Covenant on Civil and Political Rights (ICCPR) but it does so in complete isolation of the many other human rights contained within the ICCPR, rendering the Bill an inadequate reflection of international human rights law."

Mr Stewart continued, "A secular and democratic government should not privilege the right to act on religious views above other human rights. We cannot create new exemptions to anti-discrimination law without undermining the wider principle of fostering respect and tolerance as a means of promoting and preserving democracy and human rights for all. The Bill should be rejected as inconsistent with human rights and moreover the views of the NSW community."

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ALHR was established in 1993 and is a national association of Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and specialist thematic committees. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.