

Joint Statement on the Religious Freedom Review recommendations from LGBTI organisations, leaders and allies

As organisations, leaders and allies of diverse lesbian, gay, bisexual, transgender and intersex (LGBTI) communities, we stand united in our call on all Australian governments to ensure that every person can go to school, work or access services free from discrimination.

Australians voted for fairness and equality last year, not to entrench discrimination against LGBTI people and their families.

LGBTI people have - time and again - shown strength and resilience in the face of adversity. However, discrimination continues to have a devastating impact on the health of our communities. That's why these outdated laws which entrench discrimination need to change.

Last week, following leaks of the Religious Freedom Review recommendations, many Australians were surprised and outraged to learn that under current anti-discrimination laws schools and other services run by religious bodies are able to legally discriminate against LGBTI children, clients and workers. Our shared goal is simple - we want equality for all children to learn, and equality for all people to do their job.

Kids in schools should be focusing on classes, homework and building friendships, not living in fear of mistreatment because of who they or their families are. Children have been asked to leave their school because they have come out, or because of their parents being part of LGBTI communities.

Teachers should be focusing on educating their students, not worrying about losing their job. No employee should face discrimination when the reason has nothing to do with their job.

We welcome the recent bipartisan commitment to end discrimination against children in schools on the basis of sexuality. While welcome, we also need to protect trans and gender diverse students, and teachers and other school staff, from discrimination. We should be aiming for best practice, not lowering the standard.

Most religious schools don't use their exemptions to discriminate, and instead provide supportive and inclusive environments for their students and staff. But these issues are broader than just schools and education.

In parts of Australia, religious organisations can also turn away LGBTI people from essential family violence, disability, adoption and housing services.

The Religious Freedom Review recommends reviewing these exemptions on the basis of race, disability, pregnancy and intersex status. We welcome the removal of laws that allow discrimination against intersex people, and will continue to advocate for reforms that respect the human rights and dignity of intersex people in relation to medical treatment.

However, the report recommends retaining these religious exemptions to discriminate against members of our communities on the basis of their sexual orientation, gender identity or relationship status.

We've moved away from a time where it's considered acceptable to treat people unfairly simply because of who we are or who we love. For example, Tasmanian laws already do not allow religious groups to discriminate against LGBTI people in schools or service delivery. Unfair exemptions for religious groups fundamentally undermine the integrity of laws which are supposed to protect against discrimination on the basis of sexual orientation, gender identity or sex characteristics.

All children should be accepted for who they are at school. Every person should be able to do their job without having to hide who they are. Every school should be inclusive of diverse families in the school community. We should all be able to access publicly available services free from discrimination.

We call on all political leaders and governments across Australia to take action now by amending outdated anti-discrimination laws to make sure they treat LGBTI people with fairness and equality.

List of signatories (as of 17 October 2018):

