

## Commissioner's Position

Children and young people in South Australia want governments to implement legislation, plans and strategies that promote inclusion, diversity, kindness and trust. They want to help the most vulnerable, the poor, ensure everyone has a home, and let anyone believe what they want to believe, without the fear of being judged or treated differently by others.



Children and young people are not worried about their freedom of thought. They know that in Australia they can believe what they want. They just don't want to be judged by others for what they believe - neither do they want to be treated differently because of these beliefs, or have others 'preach' their beliefs on to them.

'If I had the power to change something about Australia, it would have to be acceptance and equality. There are so many people who aren't treated correctly. They're being bullied for what? Looking different?'

(Male 14)

When the Commissioner for Children and Young People asked South Australian children and young people what they thought of the Federal Government's *Religious Discrimination Bill 2019*, the vast majority of those who responded were concerned that it could lead to a less inclusive community.

'No. People shouldn't be able to refuse to teach, prescribe, look after, or help people because of their religion. Everyone has their own right to believe in what they want.'

(Female 14)

# The impact of the Religious Discrimination Bill 2019

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## Nurturing Inclusivity

Children and young people want an inclusive society where all people are accepted no matter what they think, what they look like, or where they come from.

Children and young people want to learn, live, work and play in places and spaces that feel inclusive and which are welcoming for people of all backgrounds, regardless of their backgrounds. This includes adults not judging children on the basis of their gender, religious or cultural beliefs, sexuality, identity, ethnicity and socio-economic background. They also want adults to be role models who demonstrate 'inclusiveness' in everything they do and say.

“ ‘We should be placing a greater emphasis on nurturing an environment where individuals feel comfortable to work on their personal skills and abilities, as well as feel comfortable in their own skin – culture, gender, socio-economic standing; promoting self-love & positive mental health.’  
(Male, 15)

This *Religious Discrimination Bill 2019* will take away existing anti-discrimination protections – it could stifle inclusivity and promote division.

The draft bill proposes that religious beliefs can override other laws that are in place to protect discrimination on the grounds of race, religion, gender, marital status, disability, sexual orientation and gender identity.

It will make it lawful for religious people to discriminate against others who do not fit into their definition of what is 'good' as long as it is in 'good faith' and it is a 'genuine religious belief' that sits within the tenets, doctrines, beliefs and teachings of a particular religion. This is likely to have the greatest impact on already vulnerable groups in our communities such as single mothers, those with a disability, and LGBTQI+ people.

“ ‘I think it is important for people to practice their own beliefs but your beliefs shouldn't be impacting anyone other than yourself’  
(Female, 14)

## Fostering Kindness

“ ‘If I could change the world which I know I can't, I would make everyone be treated like equals. No matter what gender they are, how they look or who they love. Humans can be so mean. Its unfair what these people have to go through just because they're not your so called 'normal'.

“ ‘It makes me sick, everyone judging each other. Why can't the world be more welcoming?’ (Female, 14)

Children and young people today are concerned about what they see as a lack of kindness being shown by adults. They want them to 'grow up' and to actually practice what they preach to children on a daily basis. This includes the negative behaviours being displayed by those in leadership such as:

- Adults showing disrespect when children and young people have expressed their worries by taking action on climate change
- Ministers verbally ridiculing others on the grounds of their religion, sex, culture or background in parliament
- Sports stars saying hurtful things on the basis of their specific religious teachings.
- Media personalities treating others with disrespect on television and on programs that actively appear to promote and encourage divisive behaviour.

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What is most confusing for children, is when adults condemn children and young people they see engaging in hurtful behaviour when the same behaviour is being modelled by adults.

The *Religious Discrimination Bill 2019* encourages hurtful behaviour as it makes it okay and lawful to be 'cruel' as long as it is 'in accordance with the doctrines, tenets, beliefs or teachings' of a particular religion.

But this raises the question of what exactly are accepted tenets, beliefs or teachings of a particular religion?

This will be hard to determine, particularly as there are currently arguments between theologians within the same religions regarding interpretations of teachings and tenets. The courts trying to interpret tenets and teachings of a particular religion could result in decisions being made that those in the same religious institutions will not be happy with.

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## Promoting Diversity

More than any other generation, today's young people are acutely aware of the diversity of their peers, both in South Australia and around the world. As the first truly global generation, these children and young people value inclusivity. They also place a huge importance on personal identity. They understand that there is no average 'normal Australian' and that there are thousands of ways to be a unique and valued member of a community. Kids from migrant and indigenous backgrounds told the Commissioner that keeping their traditions, languages, and cultures alive is extremely important to them.

Young people oppose any intolerance and racism they see around them. They are deeply committed to equality, and proud of Australia's reputation as a multi-cultural and inclusive society. Young people, particularly those of migrant and culturally-diverse backgrounds, also told the Commissioner that respect and inclusion is important to them.

For young Indigenous Australians, racism is still a key issue that impacts on them and their families on a daily basis. They asked for more education and understanding from the non-indigenous population, and more action on race-based bullying.

- “ ‘What would I change? The views of other cultures and religions. Racism should be stopped! Stop bullying – spread kindness. Teach to be kind.’
- “ ‘Learning about other cultures and religions – Everybody's beliefs are equally important.’ (Female, 16)

Children and young people want to learn about different religions, cultures and backgrounds, so that they can understand and appreciate differences in a non-judgemental way. Education breeds respect and reduces stigmatising of others.

- “ ‘Incorporate more education about social issues – different gender identities, same sex education, more education on politics to combat disenfranchised Australian youth.’ (Male, 15)
- “ ‘Establish a training program to use awareness of diversity issue in the workplace/school because it (no diversity training) results in anxiety, sadness, depression and more.’ (Female, 18)

Children at religious schools should also be taught about other religions and cultures, so that they learn to understand differences and respect these differences, especially as they receive taxpayer's funds. Children and young people do not want to be taught just one religious perspective. Neither do they wish to be taught no religious perspectives.

- “ ‘[Schools and] School teachers should not be allowed to integrate their own opinionated beliefs into education and onto students [when they're] are not based on fact. ie (homophobic) opinions, etc.’ (Unknown age)

# The impact of the draft Religious Discrimination Bill 2019

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## Trust in Institutions

Children and young people want to be able to trust institutions and people in power. Unfortunately, most do not feel they can relate to either politicians or other authority figures. This is not helped when leaders tell young people to go back to school and not worry about civics.

Young people want their leaders to engage with them directly, and to treat them with mutual respect and understanding. They want opportunities to be community leaders themselves and to have a positive impact on the lives of others.

Children and young people also want to trust in health services and doctors. The draft *Religious Discrimination Bill 2019* gives doctors the right to refuse to perform certain procedures or dispense with certain drugs such as the morning after pill.

Children's right to access health care could be compromised, especially for young people in regional areas who already experience limited access to health care, or those who identify as gender diverse. For example, children in regional areas have told the Commissioner that often there is only one doctor they can go to. Young women who would like to access contraceptives are reluctant to go to the same doctor their parents go to, because they have difficulty believing their privacy would be respected. The *Religious Discrimination Bill 2019* would mean they could be refused treatment if the doctor did not believe they should have access to contraceptives. It is unlikely there would be anyone else they could go to. The same situation would apply to gender diverse children.

“ ‘Doctors are meant to help people and their views should not effect that. If the numbers of doctors are limited and if their beliefs stop them from helping, then what are you supposed to do?’ (15 year old, gender neutral, gender fluid)

Children's trust in educational institutions could also be eroded and their right to access education compromised, especially if they are in a religious school. For example, if a student was to question the religious teachings of the school, they could be excluded. They could also be excluded if they were questioning their sexuality, particularly if this is known to be against the religious teachings of the school. Children need to have the freedom to explore who they are and what they believe in without fear of being punished or excluded. If religious schools are receiving funding through the tax payer then they should be required to comply with the same terms and conditions that public schools must comply with, or not receive the public funding.

Overall, from the perspective of children and young people, the draft *Religious Discrimination Bill 2019* goes against what children and young people have told the Commissioner they want from today's society and institutions. They have said that what they want most is to feel safe, included, accepted and respected as valued members of society. The negative outcomes that could result from the passing of such a bill could have direct adverse effects on children, especially their mental health, wellbeing, and feeling of safety and security within the community, and capacity to trust leaders and organisations, school and institutions, and their own government.