

The intention of this legislation is expressed in Paragraph 59, page 23:

*“For example, a religious educational institution could not refuse to consider a person as a ‘practising’ member of its religion because the person was LGBTQ+ or in a same-sex relationship...”*

This is to say, “Members of religions in which same-sex relationships are prohibited can no longer state that persons in same-sex relationships have ceased to practise their religion by doing something prohibited.”

Are you declaring that same-sex relationships are no longer prohibited and therefore are not a criterion for the descriptor ‘practising’? Or do you claim that you have relieved religious persons of their right to identify the practice of faith with, among other things, the avoidance of prohibited behaviour?

This is one of two things. It is either nonsensical, or it is a deliberate usurpation of the right of religious persons to state what is and what is not a defining teaching or practice of the faith.

To follow this instruction would be to allow the Australian government to decide what constitutes a practising Catholic, Muslim, or Sikh. This rule does not attempt to work with religious educators. It forces religious educators into a position where they must choose between their law and your law.

*“...where the person adhered to other religious criteria that the institution reasonably applied.”*

This is to impose upon religious institutions a hierarchy within religious criteria that is not their own. One assumes that the government will decide what is reasonable and not reasonable.

Questions remain, as follows:

1. How will this legislation be policed?
2. By whom will infractions of the legislation be reported and managed?
3. Do you consider the use of school-aged children as informants, complainants, or agents of litigation exploitative?
4. How do you intend to train young people to take on this role?
5. Will the leadership of a Catholic school be expected to discipline or expel a student who repeats, without accompanying threats of harm, a tenet of the Catholic faith, if a litigious student claims that hearing that tenet of the faith has caused her mental distress?
6. Will students be allowed to report the *parents* of their fellow students, as well as their fellow students and teachers?
7. Will the leadership of a Catholic school be expected to remove a student whose parents are the target of litigation, and who is therefore considered a triggering sight by the complainant?
8. Given that the clear intention of this paragraph is to force religious persons either to change their teaching or to be shut down, the question arises – could you not have found a way to legislate against faith, to punish religious persons for their faith, to reduce their sphere of influence or to shut them down entirely, without using children as your weapons?