

## EQUAL OPPORTUNITY (MISCELLANEOUS) AMENDMENT BILL – 14 July 09

Adjourned debate on second reading.

(Continued from 18 June 2009. Page 3346.)

**Mr PEDERICK (Hammond) (12:26):** Regarding this bill, I want to read into *Hansard* some letters from constituents, mainly in regard to section 50, relating to religious bodies, and where people feel there are issues with the bill. I quote from a letter from Timothy Koch as follows:

*I am writing regarding the Equal Opportunity Bill 2008. Is the quote below accurate? Under the current SA Equal Opportunity Act, churches and faith-based organisations have the freedom to discriminate on the ground of sexuality in their choice of staff.*

*However under the new Equal Opportunity (Miscellaneous) Amendment Bill 2008, churches would retain this freedom—but not para-church agencies or faith-based bookshops such as Word or Koorong. If so why is it OK to discriminate against people on their core faith belief but not on their choice of sexuality?*

*As a Christian I'm getting the feeling that it is OK to be anything else, but for the state's sake don't be a Christian. Why does this bill protect everyone else's rights but neglects mine? Don't I have a right to believe in the Christian faith and to express it in my life—obviously not!*

*As my representative I would ask you to seek to amend this bill which is so blatantly designed to attack Christianity. Please don't try and legislate religion, it always becomes a messy business. Allow people to express their faith frankly but with respect. Allow people the room to disagree. Please don't play God legislating what we can and can't believe.*

*I would strongly encourage you to look at amending the bill to allow churches and faith-based organisations to have the freedom to express their differences showing respect to those they disagree with.*

He makes further comments:

*Thank you for serving this community. May Christ bless you with wisdom in performing this important role. I certainly appreciate the political system we have in Australia, and the large amount of time and effort our representatives put into serving us as a community. Thank you.*

*Yours sincerely,*

*Timothy Koch.*

I think that, especially in those final remarks, Timothy Koch is a fair-minded person just seeking to have the right protections for religious-based bodies, such as schools, to get on with the job that they wish to do. I will also quote from a letter along a similar vein from David Gordon, who writes:

*Dear Mr Pederick,*

*I am writing to you as a representative of the people of South Australia to ask you to consider the implications of the new Equal Opportunity (Miscellaneous) Amendment Bill 2008. My concerns are as follows:*

- my wish is to see religious freedom retained in South Australia;*
- I support the changes to the Equal Opportunity (Miscellaneous) Amendment Bill 2008 made in the Legislative Council in April, but a serious problem remains as neither para-church agencies nor faith-based organisations will have the freedom to choose staff who uphold their beliefs.*

*Importantly, politicians have the freedom to choose staff with their political beliefs and faith groups should have the freedom to choose staff whose lifestyle upholds the group's religious beliefs.*

*So, I am asking that you please amend the Equal Opportunity (Miscellaneous) Bill in order to keep section 50(2) in the South Australian Equal Opportunity Act. This will allow faith-based groups to retain their current freedom to choose staff who uphold their beliefs and values regarding sexuality. Finally, thanks for carefully considering the concerns I have mentioned.*

Another letter in a similar vein was received from Pam Morgan, a constituent from Geranium, who wrote:

*Dear Members,*

*I realise this bill is about to be debated again by the parliament. Thank you for all the improvements which have been made to the bill so far.*

*I ask that you vote to amend the Equal Opportunity (Miscellaneous) Amendment Bill in order to retain section 50(2) in the South Australian Equal Opportunity Act, so that organisations based on a faith can retain their present freedom to choose staff who also uphold their beliefs and values regarding sexuality.*

*We should all, no matter what business we are in, have the right to select staff whose lifestyles we admire and respect. Thanking you for your time and attention.*

I have read those letters onto the record because they are from constituents of mine who are concerned enough with the passage of the bill through the houses to voice their opinion, and I think they do have some valid concerns.

Faith-based groups could be loose groups connected to religious organisations or even educational facilities. There are many church-based educational facilities in the private sector: Catholic, Lutheran, Anglican and others, and I can understand why people want the freedom to conduct their business in the way they want. However, in saying that, if an educational professional comes to them who does not fully concur with their religious beliefs, at the end of the day it is up to them (if they can see that person's educational qualities) as to whether they employ them. I doubt that they would, but I can understand why religious bodies, especially those in tandem with educational facilities, want that freedom and the knowledge that they will not be prosecuted for how they hire people in their line of business.

It will be interesting to watch the passage of the bill through the committee stage, and I note that section 50 requires a conscience vote by members on this side of the house.