

Santa Teresa Catholic Church

**Private Mail Bag 216
Alice Springs NT 0870**

10th October, 2017

Director, Legal Policy (Ms Sarah Witham)
Department of the Attorney-General and Justice
GPO Box 1722
DARWIN NT 0801

Re: Modernisation of the Anti-Discrimination Act, September 2017

Dear Ms Sarah Witham,

With regard to the above Discussion Paper, as a community of Eastern Arrernte People who worship in the Catholic Faith and in whose community we have a Catholic School, we wish to raise the following concerns:

- Our reading of the Discussion Paper highlights for us the intended removal of Sections 30(2), 37A, 40 (2A), 40(3), and 43 of the existing Act.
- Firstly, we cannot recall this matter being part of your election mandate last year.
- We are concerned that the Executive of our school should retain the right to select staff and students who will support the values of our school. Our community, as a Catholic Aboriginal Community, holds certain values which we expect the school to uphold. In turn we expect that those employed in our school will also uphold our values and that the Executive of the school will consider our values when appointing staff. Teachers work as members of a team in partnership with local Arrernte People and Arrernte Assistant Teachers and tutors.
- Our Parish has limited long-term accommodation, and some short-term accommodation. While the former gives accommodation to persons who have given their lives to work in our community, the latter supports the additional needs of service providers in our community. To take away our right to decide who may stay on our Church Properties removes our fundamental right on this Aboriginal land. It would also be taking away our rights to decide whom we consider would best serve the needs of our community.
- Our community, being a Catholic Aboriginal Community, has multiple cultural and religious sensitivities regarding land and traditions. In removing the right to restrict, in good faith, the right of access to church land or buildings which are culturally significant (although not legally under the protection of Aboriginal Sacred Sites) is disrespectful to Eastern Arrernte People. The removal of Section 43 would mean that these sacred traditions could not be upheld. Furthermore, our church which is the hub of the community, has traditions that need to be upheld to support our religious and cultural beliefs.
- A further note is that cultural and religious sensitivities throughout the discussion paper seem to be equated with discrimination. The idea that 'modernisation' will make everyone the same contravenes celebrating religious and cultural differences. These amendments are discriminatory in themselves and rather than making religious groups more accountable for their activities, removes the accountability by not allowing common sense to prevail.
- Freedom of Religion has been upheld as a human right for centuries. Section 18 of the International Covenant on Civil and Political Rights protects not only the 'traditional' religious beliefs of the major religions, but also non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The right recognised in Article 18 is simultaneously an individual right, and a collective right. It has both an 'internal' dimension (the freedom to adopt or hold a belief), and an 'external' dimension

Phone: 08 8456 0422 E-mail: santateresac@gnail.com

- (the freedom to manifest that belief in worship, observance, practice or teaching).
- The Australian Government pledged its support to the UN Declaration on the Rights of Indigenous Peoples in April 2009. As a community we have endeavoured to advocate for support for positive change. This 'modernisation' will negatively impact the positive change that we have made.

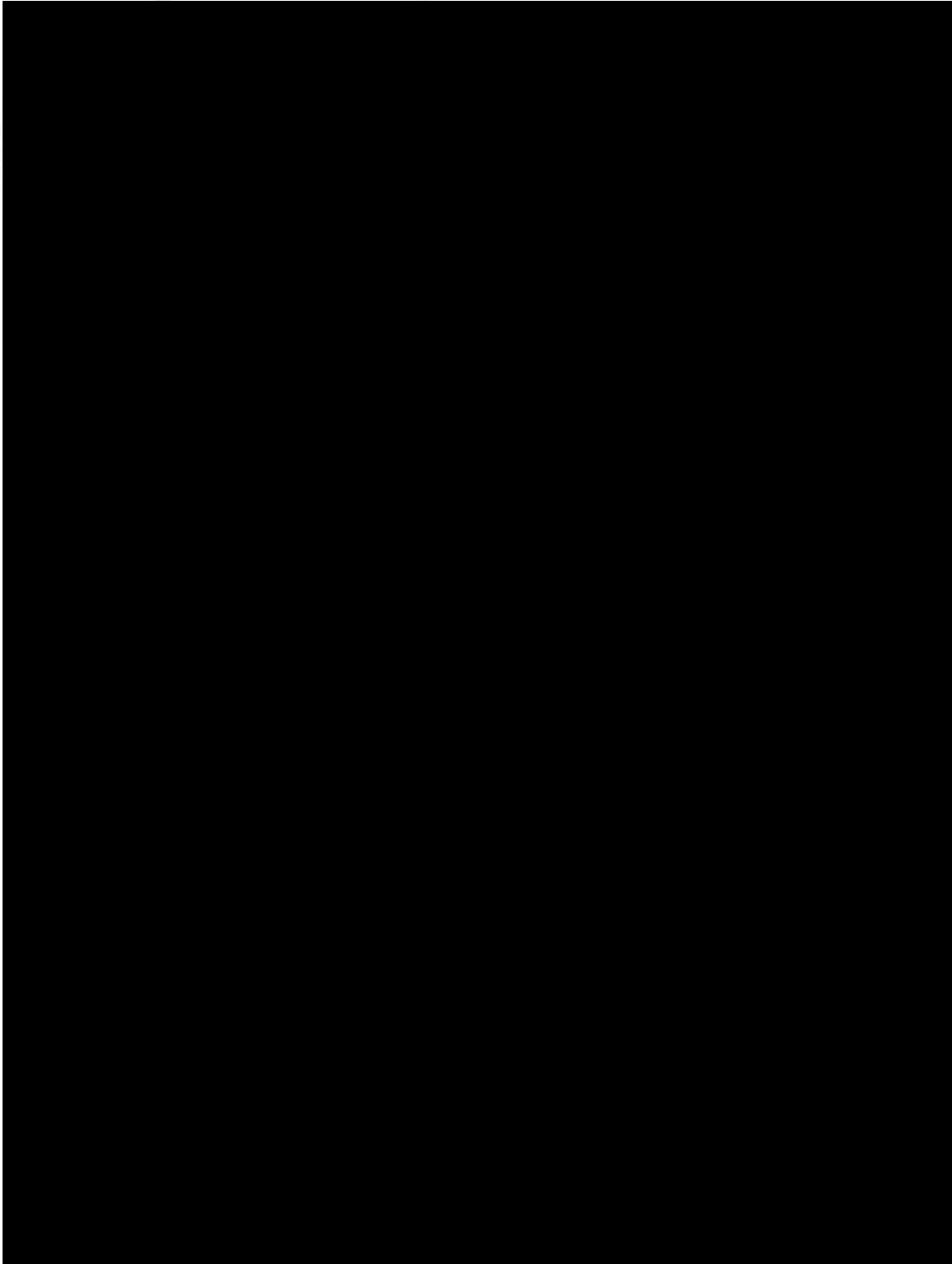
We conclude by reiterating the words of our Bishop, Eugene Hurley, with regard to the proposed amendments: *"If we remove these exemptions, which are few and paltry, we may end up with a situation where people may not be able to practise their faith or teach their religion, even in a religious school."*

We trust our views will be afforded due consideration.

Catholic Parish Santa Teresa



005



065

065