



THE UNITING CHURCH IN AUSTRALIA
NORTHERN SYNOD
GENERAL SECRETARY

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4th December 2017

The Hon. Natasha Fyles MLA
 Attorney-General and Minister for Justice
 Northern Territory Government
 DARWIN NT

Minister.Fyles@nt.gov.au

Dear Minister,

**RE: PROPOSED CHANGES TO THE NORTHERN TERRITORY
 ANTI-DISCRIMINATION ACT**

Thank you for the opportunity to respond to the proposed changes to the Northern Territory Anti-Discrimination Act.

The Northern Synod of the Uniting Church welcomes strategies to remove discrimination against people from both our law and culture. In this spirit we support the proposed strengthening of the Northern Territory Anti-Discrimination Legislation.

Across the membership of the Uniting Church Northern Synod there is a diversity of opinion in relation to specific proposals. It ought to be noted that there is significant dissatisfaction in relation to the proposed representative complaint model, and to the inclusion of the terms 'offend' and 'insult' in new anti-vilification provisions - deemed by many to be overly subjective and difficult to measure/substantiate.

We support the removal of the Religious Exemptions in relation to admission of students to religious schools and in relation to the accommodation of persons by religious schools and institutions. However, we do not support the removal of the other religious exemptions as doing so removes the freedom of religious communities to structure themselves in accordance with their beliefs and conscience.

The revised Act should retain exemptions in relation to the appointment and training of ministers of religion, the conduct of religious services and ceremony, and the employment of persons by religious organisations including schools, where discrimination may be necessary in cases where applicants are unable to fulfil the inherent requirements of the roles.

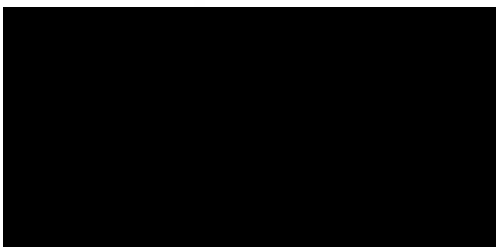
Our position is in line with that articulated by the Rev Dr Keith Joseph, Dean of the Darwin Anglican Cathedral:

..there are two principal areas where the proposal to remove religious exemptions as a right is problematic. First, it is problematic philosophically because it means that religious freedoms are seen not as rights that automatically apply. Rather they are privileges to be allowed by the government on a case-by- case basis. This significantly impinges on both religious freedom and the idea of separation of church and state. It would require the state to make decisions on religious practice which it is simply not competent to do.

Second, it is problematic administratively. Requiring each instance of proposed discrimination in relation to employment, restriction of access to religious sites, and so on, [to be examined case-by-case] would be both a heavy administrative burden for religious organisations and for the Anti-Discrimination Commissioner.... Undoubtedly many of these cases would end up in court, and courts are historically reluctant to intervene in religious matters, especially where they concern doctrine or practice. “

Again, thank you for the opportunity comment on this important area in the life of our Northern Territory community.

Yours sincerely,



Peter Jones
CEO/General Secretary
Uniting Church Northern Synod

