



RELIGIOUS DISCRIMINATION BILL 2019 - IN FOCUS: WOMEN

Women's access to healthcare will be put at risk, and all women will lose discrimination protections, to accommodate the religious beliefs of people who want to discriminate against them.

WHAT DOES THE RELIGIOUS DISCRIMINATION BILL 2019 DO?

The Government has released its draft Religious Discrimination Bill which aims to protect people of faith and without faith from discrimination in certain areas of public life, such as employment, education and the provision of goods and services.

But the Bill gives greater protections to health professionals who *refuse* treatment to women on religious grounds. The Bill also *takes away* existing sex, gender identity, marital status, pregnancy and breastfeeding discrimination protections, leaving women (including single mothers, pregnant women, divorcees, de factos, and same-sex attracted and/or trans women) at greater risk of discrimination in employment, education and the provision of goods and services.

COMPROMISING ACCESS TO HEALTHCARE FOR ALL WOMEN

Health professionals such as doctors, nurses, pharmacists and psychologists will be given greater protection if they refuse treatment to women (including single mothers, pregnant women, divorcees, de factos, and same-sex attracted and/or trans women) because they

object on religious grounds to the type of treatment sought or the person seeking the treatment.

For example, doctors, nurses, pharmacist, and other health professionals will be given greater protection if they object to providing information about or access to contraception (such as the morning after pill), abortion, fertility services to unmarried or same-sex attracted women, or gender-affirming healthcare for trans women.

State and territory laws already protect conscientious objections in abortion settings, but these laws will go further to cover a much wider range of health services and settings.

Health employers and professional bodies that impose policies and standards requiring doctors, nurses or other health professionals to treat people based on need and without judgement, and to refer women to alternative providers if they object to providing the treatment themselves, may find them under challenge.

MAKING DISCRIMINATORY STATEMENTS LAWFUL

The Religious Discrimination Bill takes away existing anti-discrimination protections for all women, including single mothers, pregnant women, divorcees, de factos, and same-sex attracted and/or trans women.

Employees, students, patients and others who access goods and services may not be protected under existing anti-discrimination laws where someone makes offensive or uninformed statements about women based on their religious beliefs.



For example, the proposed laws may protect a teacher, boss, support worker or shop-owner who might say that:

- women must submit to her husband or learn to stay silent¹
- men are the protectors and maintainers of women because they are stronger²
- a child born out of wedlock is the product of sin
- same-sex attracted and/or trans women need spiritual healing.

Statements which are malicious, or which are likely to harass, vilify or incite hatred or violence against women, or which encourage serious offences, will not be protected. But where the line will be drawn between statements that are allowed and those which are not is unclear.

CASE STUDIES

Scenario 1: A Catholic GP in a public hospital refuses to prescribe the morning after pill or refer a woman to someone who will. Under the Religious Discrimination Bill, the doctor could challenge an employment policy or professional standard requiring that they refer a woman to another doctor.

Scenario 2: A boss says to a junior female employee he believes that women are commanded to defer to their husbands and stay silent. Under the Bill, the woman's sex discrimination protections could be taken away to accommodate her boss' religious statement.

Scenario 3: An Anglican nurse or physiotherapist refuses to assist a trans woman in hospital who needs help washing. Under the Bill, the nurse or physio could challenge an employment policy requiring the provision of services to all without discrimination, while the employer could also face a separate discrimination complaint from the trans patient.

THERE'S A BETTER WAY FORWARD

A woman's right to access healthcare should not be compromised to privilege the personal religious views of her health professional.

Discriminatory statements about women have no place in the workplace, in schools or in the provision of public goods and services. It shouldn't matter whether these statements are motivated by religious beliefs or not.

You can provide discrimination protections for people of faith without removing existing anti-discrimination protections for others.

WHAT YOU CAN DO

Write to your MP voicing your concerns on the Religious Discrimination Bill [here](#).

Stay up to date with our campaign and learn more about the Religious Discrimination Bill [here](#).

Have you been refused healthcare because of the religious views of your health professional? Have you been exposed to sexist views in the workplace justified by religious beliefs?

Tell us your story [here](#).

¹ Ephesians 5: 22-23; 1 Timothy 2: 11-12.

² Quran 4:34.