

Equal Futures for Women



Dear Prime Minister,

We write to you as a new coalition of women's organisations, legal experts, academics and community leaders, united in our call for the urgent removal of outdated and unfair exemptions in the *Sex Discrimination Act 1984* (SDA). It is unacceptable that in 2026, it is still legal for a woman employed by a religious school or a faith-based service provider to be dismissed, demoted or denied employment solely on the basis of her marital status, pregnancy or personal relationships.

Whether she is a teacher, receptionist or aged care worker, a woman can be lawfully punished for becoming pregnant outside of marriage, getting divorced or living in a de facto relationship. We hear countless troubling stories of women losing their careers simply because they wanted to start a family using IVF, entered a new relationship, or became single during their employment - even after leaving a violent relationship.

In some cases, her continued employment may be made contingent on entering into marriage. These same religious institutions and service providers can legally refuse to hire unmarried mothers or expel a student for falling pregnant, refuse to consider a same-sex couple as potential foster carers, or deny safe emergency accommodation to two women in a relationship.

The introduction of the SDA was a historic milestone in the protection and promotion of equality for women in Australia. Yet, more than 40 years on, significant gaps remain.

Exemptions within the Act that allow religious educational institutions to discriminate on the basis of sex, sexual orientation, gender identity, marital or relationship status, and pregnancy continue to undermine the fundamental rights of women and LGBTIQ+ people.

These concerns have been raised repeatedly by legal experts, parliamentary inquiries, and most recently, by the Australian Law Reform Commission, which has explicitly recommended the repeal of section 38 of the Act, which broadly allows religious educational institutions to discriminate where it's in 'good faith' to avoid injuring the 'religious susceptibilities' of members of the faith.

Section 37 goes further, granting religious service providers across a wide range of social services broad licence to discriminate against often vulnerable service users, based on religious doctrines or the susceptibilities of members of the faith.

These exemptions elevate institutional religious doctrines above the basic human right to live and work free from discrimination. This imbalance is both unjust and incompatible with modern democratic values.

It is particularly troubling that these discriminatory practices are permitted within organisations that receive substantial public funding.

The right of women and girls to make autonomous decisions about their bodies, relationships and reproductive lives is a cornerstone of any just society. No Australian should face the threat of dismissal or exclusion simply for exercising those rights. No woman should be forced to stay in a violent relationship just to keep her job. Protecting women's bodily autonomy and reproductive justice must also mean ensuring that religious doctrine cannot be used to control women's choices about pregnancy, family formation, or relationships.

We urge your government to act decisively to remove these outdated exemptions from the SDA and ensure that all women in Australia are afforded equal protection under the law - regardless of where they work or who their employer is.

Signatories

Organisations

Australian Multicultural Women's Alliance

Equality Australia

Fair Agenda

National Foundation for Australian Women

Plan International

Sexual and Reproductive Health Australia

Women's Legal Service NSW

Women's Legal Services Australia

Working With Women Alliance

Working Women's Centres

YWCA Australia

Individuals

Anne Hewitt, Adelaide Law School, University of Adelaide

Dr Cristy Clark, Associate Professor, Canberra Law School

Dr Peta Spyrou, Adelaide Law School, University of Adelaide

Professor Beth Goldblatt, Faculty of Law, University of Technology Sydney

Professor Margaret Thornton, Emerita Professor of Law