

**CHRISTIAN CONCERN FOR OUR NATION/
CHRISTIAN LEGAL CENTRE/ENDORSED BY
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ADVOCATES INTERNATIONAL
SUBMISSION TO THE AUSTRALIAN
CONSULTATION ON FREEDOM OF RELIGION
AND BELIEF IN THE 21ST CENTURY
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*Changing Society to put the
Hope of Christ at its Centre*



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CHRISTIAN CONCERN FOR OUR NATION/CHRISTIAN LEGAL CENTRE

Christian Concern for our Nation (CCFON) is a policy and legal resource centre that identifies changes in policy and law that will affect Christians. The team of lawyers at CCFON research and campaign on legislation affecting Christian Freedoms. CCFON serves a mailing list of 25,000 supporters.

<http://www.ccfon.org>

It is linked to a sister and separate organisation, the Christian Legal Centre, which takes up cases affecting Christian freedoms including fostering cases.

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How can I lodge my submission?

Electronic submissions are encouraged, however you can respond to the discussion paper in the following ways:

By email:

frb@humanrights.gov.au.

By post:

Freedom of Religion and Belief in the 21st Century Submission
Race Discrimination Unit: Education and Partnerships Section
Human Rights and Equal Opportunity Commission
GPO Box 5218
Sydney NSW 2001

FREEDOM OF RELIGION AND BELIEF IN 21ST CENTURY

Discussion Paper Notes

26 November 2008

Executive Summary

1. The Australian Human Rights Commission has commissioned a report on *Freedom of Religion and Belief in the 21st Century*. This project builds on HREOC's earlier report *Article 18: Freedom of Religion and Belief* released in 1998 and the 2004 report *Religion, Cultural Diversity and Safeguarding Australia*
2. The stated aims of the project are *to work with faith communities and other civil society organisations to record their concerns and proposed solutions to build a more socially cohesive and harmonious society that protects and promotes Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR).*"¹
3. In our response to this consultation, our submission argues from experience in the UK that the best option to achieve the stated aims and in order to protect the freedom of religion is to follow a non-legislative route, and not to introduce a Religious Freedom Act (which includes direct and indirect discrimination as well as incitement to hatred) or a Charter/ Bill of Rights or any other legislation, but to approach any issues that arise on a non-legislative basis.
4. In our opinion, section 116 of the Commonwealth of Australia Constitution Act 1900 provides an adequate protection of freedom of religion and belief. Government in Australia is three-tiered - Commonwealth (or Federal), State and Local.² The Australian Constitution is based upon the 1900 Act, which constitutes the Commonwealth of Australia.³
5. It is stated in a Government factsheet that *Australia's system of government is founded in the liberal democratic tradition. Based on the values of religious tolerance, freedom of speech and association, and the rule of law....*⁴
6. Legislation, instead of supporting or enhancing religious freedom and tolerance can instead result in religious intolerance. A more socially cohesive society is built upon mutual understanding and trust where solutions are found in a reasonable and informal way. Conflicting rights in a legislative context may have an opposite, chilling effect and even serve to create an atmosphere of division, threat and fear between different religions and between religion and sexual orientation. In other words, well meaning and unnecessary legislation can result in the curtailing and oppression of freedom of speech and freedom of the exercise of religion instead of its protection. Australia has successfully managed without such legislation for over 200 years and arguably has more religious freedom than any other nation.
7. Australia needs to ensure that, whilst it has become a multi-ethnic nation, moves toward multi-culturalism and multi-faithism have diluted, and will continue to dilute, the religious and cultural foundations of this great nation

and undermine Australia from within. It is important not to pursue such policies.

8. In our opinion, the UK has suffered from pursuing multiculturalism and multi-faithism which ultimately cause division, segregation and a lack of common values. The Australian Christian heritage and traditions founded on religious tolerance and freedom of speech provide the necessary foundation and background for integration by ensuring that a Christian identity is a central part of an Australian identity. This should not be sacrificed at the altar of multiculturalism, multi-faithism, political correctness or Equality laws. Such policies and laws should not be pursued as they result in the protection of the freedom of religion being eroded, undermined and may even have the opposite effect by providing the tools for religious intolerance and oppression.

Religion and the State – the Constitution, roles and responsibilities

The Constitution

1. Is this section of the Constitution an adequate protection of freedom of religion and belief?

Section 116 of the Commonwealth of Australia Constitution Act 1900⁵ restricts the Commonwealth government from undertaking four actions:

- Establishing a religion
- Imposing a religious observance
- Prohibiting free exercise of religion
- Requiring a religious test for an office or public trust under the Commonwealth.

These elements seem to express concern over a number of issues:

- That the federal government of the new nation be prevented from selecting a particular Christian denomination (not any other religion) as the 'official religion', in the manner in which the Church of England is the 'official religion' of England.
- In keeping with the previous point, there should be no official religion and thus no requirement for any person to observe any religious tradition. At one time, taking Holy Communion in the Church of England (Anglican Church) was a requirement for public office.
- In its original context, the prohibition on the free exercise of religion would have meant that no **Christian** religious observance was to be limited. Until
 - o In practical terms, there are limitations upon religious practice that contradicts other laws. For example, a person who asserted that their religion requires them to murder another person, or steal, or break any other civil law, would find their religious freedom curtailed. And a witch was jailed in Victoria some time ago despite arguing that according to his religion he was entitled to have sex with teenage (underage) girls.
 - o On one hand it might be argued that the 'harm principle' is the distinguishing factor between religious observance that is

acceptable and that which is not, however it also might be argued that the constitutional prohibition is directed to the Commonwealth government and most of the laws regulating theft/murder etc are state laws. The text of the Commonwealth Constitution does not limit in any way the power of the state governments to establish or prohibit religion.

“The first detailed judicial consideration of section 116 was the decision of the High Court in *Adelaide Company of Jehovah’s Witnesses Incorporated v The Commonwealth*. The Court determined that section 116 was of general application to all Commonwealth laws. As stated by Chief Justice Latham:

*[s]ection 116 is a general prohibition applying to all laws, under whatever power those laws may be made. It is an overriding provision. It does not compete with other provisions... All the legislative powers of the Commonwealth are subject to the condition which s116 imposes”.*⁶

This consultation project builds on HREOC’s earlier report *Article 18: Freedom of Religion and Belief* released in 1998. The main recommendation of the Article 18 report⁷, is that there should be a Religious Freedom Act which includes direct and indirect discrimination as well as incitement to hatred.

In our opinion, this would be counterproductive and section 116 is an adequate protection of freedom of belief. It has general application to all Commonwealth laws.

Matters such as the protection of the freedom of religion are best determined by section 116 being adhered to and any disputes being resolved by case law or by informal non-legislative means. The experience in the UK of introducing equality laws both domestically and from European Directives is that they serve to limit rather than protect the freedom of religion and belief. In view of this we would strongly recommend that Australia does not follow such a route. It is vitally important that the Government is prevented from prohibiting the free exercise of religion as provided under section 116.

In 2004 Professor Parkinson, a law Professor, produced a paper entitled, *Enforcing Tolerance: Vilification Laws and Religious Freedom in Australia*⁸. Whilst it is disagreed that there should be a constitutional human rights framework as proposed in that paper, nevertheless the paper does point out the detrimental effect upon Religious freedom as a result of State legislation such as *The Racial and Religious Tolerance Act 2001 (Victoria)* and the collateral damage to religious freedom together with its chilling effect upon free speech. This is illustrated by the case of the Catch Fire Ministries which is described as follows;

“The case *Islamic Council of Victoria Inc v Catch the Fire Ministries Inc*

Issues of religious freedom and expression have already arisen under this legislation. In particular, the freedom of Christians to teach about Islam. The complaint in this case arose from a seminar on Islam presented by Pastor Daniel Scot in March 2002 in Melbourne. The seminar was organised by Catch the Fire Ministries. Three converts to Islam attended parts of the seminar and then lodged a complaint,

claiming that it incited hatred against Muslims in Australia. The Islamic Council of Victoria also became involved in the case. A conciliation session was held by the Equal Opportunity Commission but this was unsuccessful. The case eventually went to a hearing at the Victorian Civil and Administrative Appeals Tribunal. According to Saltshakers, a Christian organisation following the case, the seminar presented information on Jihad and the Qur'an, compared the Bible and the Qur'an and talked about how to reach out to Muslims in love. The Islamic Council of Victoria obviously had a different interpretation of the seminar, and of some other material about which complaint was made."

The paper goes on to say that:

"The fact that a religious leader could be sued for communicating religious beliefs at a meeting intended for adherents of his or her faith because what is taught might cause grave offence to someone of another faith who happens to be, or indeed chooses to be in the audience, is troubling."

At tribunal level the Islamic Council of Victoria was successful but this was overturned at the Court of Appeal.⁹

In our opinion, this amply demonstrates how vilification laws which have a label and purport to provide "religious tolerance" in fact do the reverse and may cause collateral damage to the freedom of religion. Tolerance arises by bearing with each other and working out any frictions which do arise in an informal, co-operative and reasonable manner. Legislation is totally unnecessary and instead of creating a more religiously tolerant society creates a tense intolerant litigation mentality. The same applies to incitement to hatred laws on sexual orientation which should not be enacted because they damage free speech, the freedom of religion and the rights of citizens to hold their own beliefs on sexual ethics for religious or non religious reasons without State interference. They also result in causing unnecessary friction on the grounds of religion and sexual orientation. Any issues of incitement should be dealt with by general laws applicable to all.

2. *How should the Australian Government protect freedom of religion and belief?*

As well as section 116, Australia also provides for the protection of the freedom of religion by adhering to a number of international human rights standards set out in a number of international treaties and declarations, including:

- the International Covenant on Civil and Political Rights (ICCPR)
- the International Covenant on Economic, Social and Cultural Rights (ICESCR)
- the Convention on the Rights of the Child (CRC)
- the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- the Convention on the Elimination of All Forms of Racial Discrimination (CERD)
- the Universal Declaration of Human Rights (UDHR)
- the Convention Against Torture (CAT), and
- the Convention on the Rights of Persons with Disabilities (CRPD).

This includes Article 18 of the ICCPR states that.

- 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.*
- 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.*
- 3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.*
4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.¹⁰

In our opinion Australia has sufficient legislation to adequately protect the freedom of religion.

A reference to the earlier consultation in the Article 18 report states that:

Not all submissions favoured legislation to guarantee the right to freedom of religion and belief. The Festival of Light argued that such legislation was unnecessary, expressing the view that Australians have arguably more religious freedom than any other nation.¹¹

Our experience in the UK would fully endorse the view that such legislation is unnecessary. There are a number of examples of how the effect of Equality laws in the UK has resulted in religious intolerance. (see Appendix A) Equality measures are being introduced with such rigor that the initial purpose of protection of rights and the need to balance rights appears to have been forgotten. This is creating a hierarchy of rights which results in orthodox traditional christian beliefs and the long established belief of the world's major religions that homosexuality is a sin¹² being overridden by sexual orientation rights where these rights conflict. A proportionate test being applied to such situations and the principle of equal rights should not lead to that unreasonable outcome.

3. When considering the separation of religion and state, are there any issues that presently concern you?

In our submission, the first step in dealing with separation of religion and state should be to dismiss its origin as a specific constitutional principle. The term came from a letter written by James Madison in 1802 to a Baptist church, in which he assured the congregation that the First Amendment to the US Constitution created a wall of separation between church and state. However this was not a concern over the freedom to practice any religion within the new nation.

The concern was that the new federal government would choose one Christian denomination and establish it as a state church. This was of concern to many in the US, as many of the early settlers had left England in order to get away from the Church of England (Anglican Church) which was the state church. This was not a general principle that religion should never inform the operation of the state, as when the US was formed, 9 of the original 13 colonies had state religions. Even now, the US Constitution does not explicitly prohibit the states from establishing religions, any more than the states of Australia are so prohibited. This doctrine only became a constitutional principle through the successive decisions of the US Supreme Court.

Therefore our concern is the lack of understanding of the concept. It is currently used in public debate as an excuse to ignore the statements of any religious person.

However, the real question of religious liberty is to ensure religious independence from the State. This is so that in a democratic society the State does not dictate to the Churches what beliefs or opinions are or are not acceptable. Section 116 assists this aim by stating that the Commonwealth shall not make any law for establishing any religion, or imposing any religious observance, or for prohibiting the free exercise of any religion and no religious test shall be required as a qualification for any office or public trust.

Freedom of religion is actually preserved by the principle of not legislating. The freedom for churches and other religious organisations and religious individuals to live both publicly and privately according to their religious beliefs is dependent on a lack of State interference with such beliefs and the State acting in a reasonable manner. Religious freedom is found where religious beliefs, doctrines and tenets are not subject to State interference. This independence for Churches is not necessarily dependent on there being no State Churches. An intrusion or a lack of State interference could be found both where there are State Churches and where there are none. The crucial distinction is dependent upon the State not interfering with religious beliefs.

As stated in Article 18 of the ICCPR, the freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

However, it is important to ensure that there is a proper balance and in a democratic society the need is always to ensure that there is a minimum interference with freedom of religion so that the rights of others do not create a hierarchy of rights which then become discriminatory.

4. *Do religious or faith-based groups have undue influence over government and/or does the government have undue influence over religious or faith based groups?*

The claim that religious or faith groups have undue influence over government is inaccurate. Secularism itself is the assertion that governmental practices or institutions should exist separately from religion and/or religious beliefs.¹³ For this reason non-religious secular organisations are likely to make such assertions.¹⁴ The assertion of undue influence is based upon the premise of organisations which wish to restrict religious or faith group's influence upon Government. However, in our opinion the Christian influence upon Government is a positive one and one which should be encouraged.

In a poll conducted in 2004, Americans are about evenly divided on whether the church or organised religion has too little or too much political influence.¹⁵ A further poll in 2005 found that Americans think religious leaders should influence public policy.¹⁶

In England and Wales, all Parliamentary Bills and Acts commence with;

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:-

Bishops as Lords Spiritual still serve in the House of Lords and although small in number are important to give a Christian ethical viewpoint on bills passing through Parliament. This shows how Religion can have a positive influence on the State yet still be independent of it. The institution of Government is still formally separated from religion. However, although there remains a state religion, the Church of England, which forms part of our constitution and affects the succession of the monarchy, an individual is still free to believe whatever he chooses.

Laws in the UK have traditionally been drafted on the basis of Judaeo-Christian principles. However, law and ethics have increasingly become divorced. The declining influence of religious groups on Government policies and laws due to secularisation creates a moral vacuum which then allows for the passing of unethical laws. Law and Ethics should go hand in hand and Governments should take full account of traditional Christian values in shaping laws and not underestimate the importance of the positive influence Christianity can have.

However, in order to retain the freedom and tolerance of religion it is important to ensure that Government does not have undue influence upon religious or faith groups.

5. Would a legislated national Charter of Rights add to these freedoms of religion and belief?

In our submission, we should emphatically deny this statement, for the following reasons:

- Australia has an excellent record of rights and freedoms at the present time, and has achieved this through limited government and common law, without any need for a charter of rights.

- A charter of rights removes political decision making from the political arena and places it in the hands of judges, which is undesirable as judges are not accountable to the public through the election process.
- Due to the previous point, the political views of judges will become more important in their selection than their legal skills, as it is in America. This is undesirable.
- The entrenchment of rights would create a situation where they can be twisted into a situation that was never intended. For example, the right to privacy in the US has now become the right for a 12 yr old girl to have an abortion, while still requiring parental consent to receive aspirin from a school.¹⁷

Roles and Responsibilities

6. a) What are the roles, rights and responsibilities of religious, spiritual and civil society (including secular) organisations in implementing the commitment to freedom of religion and belief?

This commitment to the freedom of religion can be best achieved by non-legislative means so that the roles, rights and responsibilities are based upon norms of behaviour within society working in a way which seek to resolve issues by reasonable and informal methods.

b) How should this be managed?

In every sphere of life this should be based upon the operation of generic educated norms and an understanding that people should seek reasonable and informal resolution of issues. For example, in burials Muslims require the body to be buried lying on the right side with the face towards Mecca. A local council in a cemetery has allowed Muslim burials to occur at the end of each row in a cemetery where the grave may be dug in the required direction.¹⁸

It also requires employers (including secular ones) to make reasonable attempts to accommodate the religious beliefs and practices of employees. But based upon generic norms that an Employer should act in a fair and reasonable way with all employees. This is based upon an informal common sense approach which is preferably resolved between individual Employers and employees. But if there is real evidence of a problem then the solution is not legislation but self regulation by norms of behaviour and ethical codes of practice which advocate religious tolerance.

7. How can these organisations model a cooperative approach in responding to issues of freedom of religion and belief?

Inter-faith approaches often result in compromises. It is important to ensure that Churches are not required to compromise their beliefs or work in a manner inconsistent with their religious doctrines and beliefs. A church or religious organisation should not be in a position where it has to accept those of other faiths such as Muslims/Buddhists/Taoists/etc supporting the ministry and teaching their own beliefs. A Christian homeless centre or Christian Care home should be based on and maintain Christian principles, values, ethos, norms of behaviour and beliefs. The distinct nature of different religious beliefs should be respected provided this does not lead to practices which are harmful or detrimental to the spiritual wellbeing of society such as evil cults or witchcraft.

8. How well established and comprehensive is the commitment to interfaith understanding and inclusion in Australia at present and where should it go from here?

Interfaith or multifaith is presented in a positive light by the use of terms such as *inclusion* on the basis of a misconstrued notion of it being the opposite of the negative concept of exclusion and something that should be promoted. This misses the point that there needs to be exclusion in order to maintain the distinct nature of religious belief and not to dilute core beliefs by assuming that they can be merged in some kind of interfaith melting pot. The real effect of policies of inclusion may well result in the exclusion and destruction of mainstream shared cultural norms and values which derive from Australia's Christian traditions and heritage.

The report entitled "Religion, Cultural Diversity and Safeguarding Australia" which was published in December 2004 which this consultation project is said to build upon is a prime example of where Australia should not go from here.

We support the Comments made by Saltshakers on this report quoted as follows:

"The 149 page publication promotes multi-faith and inter-faith activity, profiles religious activity in Australia and makes recommendations for the future. Submissions were received more than two years ago and consultations have been held with various religious communities.

These are very disturbing suggestions because our country, its government and legal systems were established under a Christian heritage and this has served our nation well for 200 years.

We have certainly become a multi-ethnic nation, but moves toward multi-culturalism and multi-faithism have diluted, and will continue to dilute, the religious and cultural foundations of this great nation and undermine us from within.

Major Concerns: *The whole report focuses on multi-faith activities rather than the present 'Christian' basis of our society. The recommendations include*

- **Opening parliament with a rotating roster of prayers by 17 different 'religions',**
- **All national services to be "multi-faith" rather than Christian**
- **An interfaith 'sacred space' to be established in Canberra for national services – [A government religion/church?]**

- ***The establishment of local interfaith networks - facilitated by local government!!! This is already happening using the ‘Constructing a Local Multifaith Network’ handbook.***
- ***An annual Multifaith forum.***
- ***A Multifaith Advisory Council. A government funded secretariat!!!***
- ***The teaching of world religions in schools. With an emphasis on Islam? Book already produced!***
- ***The education of those training for religious ministry in how to ‘participate in a multi-faith society’!***
- ***Monitoring of websites by faith communities to ensure harmony.***
- ***Local Councils be encouraged to establish local interfaith or multifaith Networks.”¹⁹***

In our opinion it is vitally important to remember that Australia is predominately a Christian country²⁰ and it is a serious error for Government policies to discount those traditions and heritage. In Britain, the sense of what it means to be British should be based upon our Christian traditions and heritage. However, the short-sighted adoption of Government policies based upon the ideology of interfaith, multifaith, multiculturalism and the humanist concept of pluralism has lost that perspective and created a moral vacuum. Policies which are pursued on the basis of the diversity of values simply cause confusion so that there are seen to be so many different norms and values in society, that a country loses its moral compass, common values and sense of direction. In the UK, the sacrifice of our Christian traditions and heritage at the altar of multifaith and multiculturalism has divisively served to segregate rather than integrate our society and means that it is difficult to integrate into a British way of life when there is little left of shared values in which to integrate into.

9. How should we understand the changing role and face of religion, nationally and internationally?

The changing role of the face of religion in those countries which have adopted Equality laws have resulted in religious freedoms and freedom of speech being unreasonably restricted. In our opinion it would be counterproductive to have a bill of rights or a Religious Freedom Act including an incitement to hatred provision as such measures may result in the infringement of religious liberty and serves to divide rather than accommodate religious belief.

Religion and the State – practice and expression

1. What are some consequences of the emergence of faith-based services as major government service delivery agencies?

Faith based organisations such as Churches can and do provide considerable services to the local community. This includes the entire age spectrum from mothers and toddlers, children and youth groups as well as luncheon clubs for the elderly. If

churches do take money from the Government then it is vitally important that there are not conditions imposed which infringe upon the independence of faith based organisations which compromise religious beliefs, particularly on beliefs on the importance of marriage and sexual ethics. For example, in Brighton and Hove, England a local council is withdrawing a grant from a Christian care home because the elderly residents did not wish to complete a questionnaire on sexual orientation which they found intrusive.²¹

In England and Wales the Charity Commission produced guidance for Charities on the Independence of Charities from the State²²(please see link for further information). It is important that faith based services for major government service delivery agencies maintain that independence of religious belief from the State. Government conditions upon funding should not seek to infringe or compromise the religious ethos under which such activities are undertaken and independence needs to be maintained. In terms of both major and minor service provision, any Government grants or funding of youth services run by religious organisations should not compromise religious beliefs. Service delivery would need to be within a Christian context. For example, Christian youth clubs would wish to include prayer and operate in practice on the basis of their faith including beliefs in importance of Christian marriage. The majority of service provision by religious organisations should not cause any conflict. However this is part and parcel of the principle in section 116 that there should not be any prohibition on the free expression of religion. This principle can also apply to making sure that in the provision of funding; the Government's conditions on such funding do not do so.

2. *How should government accommodate the needs of faith groups in addressing issues such as religion and education, faith schools, the building of places of worship, religious holy days, religious symbols and religious dress practices?*

It is important to ensure that the Education system operates in a way which ensures the importance of maintaining curriculums which are centred upon the fact that the Australian country, its government and legal systems were established under a Christian heritage and this has served Australia well for over 200 years and should continue to do so. The need to preserve the centrality of Christianity and not to dilute this should apply to the sites and the building of places of worship. For example in a Christian country the planning proposals for the central position of a Mega Mosque in a future Olympic location is not appropriate and should be refused and has been objected to by both Christians and a leading Muslim figure.²³ The centrality of Christian churches in towns and cities and places of cultural significance should be maintained.

The education system should allow for the teaching of other main religions but within the main context of Australia as a Christian nation and with the central emphasis upon teaching Christianity. The ethos of a Christian Education provides children with the important much needed element of Spiritual and moral education. In England, recent draft guidance on pupil wellbeing for schools has failed to include the important spiritual and moral elements to such wellbeing. However, pupil

wellbeing is seen to include physical wellbeing in the form of diet to combat the problems of childhood obesity.²⁴ From a Christian perspective whilst physical health is important the emphasis is upon Spiritual wellbeing which is achieved through Worship of God and following a Christian lifestyle.

Public holidays known as “bank holidays “ in the UK such as Easter, Good Friday and Christmas should be based on Christian beliefs but there should be respect given to other religious holidays by making reasonable accommodation for people of those religions to celebrate them but without causing disruption to the majority. However such respect does not entail the alteration of such mainstream holidays to accommodate other religious beliefs. The wearing of a cross should always be permitted. It is important to maintain the Christian traditions or heritage of Australia whilst still respecting other religions but not to the extent that the country’s own culture and traditions are diluted and in the process destroyed.

The collateral damage the twin aims of “diversity and equality” in public services encouraged by legislation and/or policies in this area, can do to Christian traditions or heritage of a country such as the UK, is becoming all too apparent. For example, the recent case of a Christian nurse who was suspended for offering to pray for a patient and a Christian primary school receptionist who could face dismissal for asking for prayer of her church after her primary school daughter was scolded for talking about Jesus, has led to the Archbishop of York’s being quoted as commenting, as follows:

“The intolerance and ignorance of those who would relegate the Christian faith to just another disposable lifestyle choice, argue that they operate in pursuit of policies based on the twin aims of 'diversity and equality'.

“Yet in the minds of those charged with implementing such policies 'diversity' apparently means every colour and creed except Christianity, the nominal religion of the white majority; and 'equality' seemingly excludes anyone, black or white, with a Christian belief in God.”

(Please see links for details).²⁵

3. Is current legislation on burial practice and autopsy practice adequate? Are any other of your religious practices inhibited by law, procedural practice or policy (i.e. education or health)?

Please see our answer to question 6b under the heading *Religion and the State – the Constitution, roles and responsibilities*. Burial practice and autopsy practice should be dealt with in a non-legislative way. Firstly in an informal way without codes of practice and if this is not successful, only if absolutely necessary, then examine the necessity for the development of non-legislative codes of practice.

Security issues in the aftermath of September 11

General Answer

The questions below are centred upon September 11th raising the question of the terrorist's actions as a result of extreme religious beliefs. However, terrorist actions can be based upon different motivations, only some of which are religious and some non-religious. It is a mistake to see or pigeon hole terrorism as a religious problem rather than as a general terrorism problem. The focus of any efforts should be to concentrate upon generic preventative criminal laws to combat such actions and not to focus upon religion. It is a real concern that the questions ask for examples of religious radicalism and political extremism. This is likely to allow scope for secular non-religious organisations to attack religious organisations who legitimately seek to allow religious beliefs to have a positive influence upon Government and policies by exaggerating the effect of beliefs (for example on sexual orientation) in order to justify legislation curtailing their expression. There are extreme beliefs within non-religious organisations which may also result in terrorism. It would be wrong to see terrorism as a religious problem rather than a generic problem as a result of extreme beliefs. However this does not mean that Governments should be unaware of extreme fundamental Islamic groups who may resort to terrorism.

It is important, in considering such generic terrorist laws, to balance the requirement of protection of citizens but ensure human rights are not infringed beyond what is absolutely necessary.

Article 15 of the ECHR allows contracting States to derogate from the rights guaranteed by the Convention in time of "war or other public emergency threatening the life of the nation".

"In November 2001 the United Kingdom government held that there was such a dire state of emergency in the country that it was necessary to implement Part 4 of the Anti-terrorism, Crime and Security Act 2001 and detain a number of terrorist suspects indefinitely without charge in Belmarsh Prison pending deportation. This lasted until April 2005, after the Law Lords ruled on 16 December 2004 that the claim was not consistent with the Convention. Lord Hoffmann went further to say:

*"The real threat to the life of the nation, in the sense of a people living in accordance with its traditional laws and political values, comes not from terrorism but from laws such as these. That is the true measure of what terrorism may achieve. It is for Parliament to decide whether to give the terrorists such a victory."*²⁶

It is important that any generic terrorism laws take account of these principles.

The inherent danger of the lack of integration within a country of all its citizens is that this may result in fertile ground for terrorist teaching. This emphasises the need to ensure that multiculturalism leading to societal exclusion is not followed. It is important to ensure that those from outside Australia become integrated into mainstream Australian life. The mistake of multiculturalism is that it encourages segregation where those of different cultures or faiths live segregated lives independent of the ethos that previously united the country they now live in. In the UK there are many people who due to segregation in following the policies of multiculturalism no longer feel British. This means that there is a lack of British

identity and such policies may even result in fertile grounds for more extreme views. Even Trevor Phillips Head of the Commission for Equalities and Human Rights argues against multiculturalism as a “sleepwalk towards segregation”.²⁷ The danger of segregation and the lack of common values means that one’s own country may no longer be supported or be part of one’s identity.

1. **a) Have the changes in federal and state laws affected any religious groups, and if so how?**

b) How should this be addressed?

Please see general answer above.

2. **How should the Government balance physical security and civil liberties?**

Please see general answer above.

3. **Consider and comment on the relationship between law and religious or faith based communities, and issues such as legal literacy, civil liberties, dissemination of law to new immigrant communities, and the role and conduct of judiciary, courts and police.**

Please see general answer above.

4. **a) Is there religious radicalism and political extremism in Australia?**

Please see general answer above.

b) If so, what are the risks to Australia?

Please see general answer above.

5. **Can you provide any examples of social exclusion in regard to religion? How and why do issues of social exclusion develop?**

Please see general answer above.

The interface of religious, political and cultural aspirations

1. **a) How would you describe the interface between religion and politics and cultural aspirations in contemporary Australia?**

The early European settlers were generally Christians, and the indigenous inhabitants had a religious life. This is especially true in South Australia, where early European settlers included many Baptists, Congregationalists, and other Christian groups which objected to the state religion of England. However it also included the Muslim Afghan camel riders who provided transport in the outback between the 1860s and the 1930s, and a significant Lutheran population who fled persecution in Germany.

The bulk of the population is still religious.

The Article 18 report indicates that Australia is predominately Christian, in the 1996 census 70% described themselves as Christian, 1.1% Muslim, 1% Buddhists, 0.4% Judaism and 0.3% Hindus.²⁸

Religious, political and cultural aspirations should reflect the fact that Christianity is the main belief of the Australian population and Christianity's culture and values need to be given centre stage.

b) What issues does this include?

It is vitally important that laws and ethics go hand and hand with Christianity as the moral compass that shapes political and cultural aspirations. When a non-christian agenda is followed this is when there can be spiritual, moral and financial bankruptcy. Recently a Bishop in England commented upon the moral vacuum created by the Government generally and in relation to the credit crunch.²⁹

2. How should government manage tensions that develop between aspirations?

In our submission, the appropriate response is to encourage all parties to contribute their ideas, whatever their background in open debate. But it is important to maintain Australia's Christian heritage, values and traditions.

3. How do you perceive gender in faith communities?

The Article 18 report discusses the subject of female circumcision/genital mutilation. The Family Law Council was quoted as concluding that;

“Some groups which practise female genital mutilation consider incorrectly that the practice is endorsed by Islam. However, there is no Islamic religious basis for the practice. Both Muslim and non-Muslim religious leaders overseas and in Australia have emphasised the absence of a religious foundation for the custom”

The 1998, Article 18 report refers to the need for legislation to prohibit such practices. However, change in the law would appear unnecessary, as Australia's fourth report, under the Convention against torture and other cruel, inhuman or degrading treatment or punishment for June 1997-October 2004 on female genital mutilation stated that:

“Specific offences against the person targeting female genital mutilation (FGM) have been enacted in every jurisdiction in Australia.”³⁰

This does not provide any argument for any need for a Religious Freedom Act.

In our submission, in relation to the perception of gender in faith communities apart from harmful practices, the appropriate response is to protect the rights of a religious group to determine their internal relations without the imposition of cultural/state values. However, it is important to ensure that the rights of women in

family matters are maintained through the national courts and not in segregated religious courts in order to ensure that the law of the land applies to all citizens equally.

4. Do you believe there is equality of gender in faith communities?

In our submission, faith communities need to be free to set the roles of the sexes, but people must be free to leave faith communities should they so desire. However there is also a need to be realistic. The Government must recognise that ideas of consent are viewed very differently within the Muslim community leading to oppression and inequality between men and women.³¹ It will take moral courage for Governments to intervene but, in requiring a Christian ethos to be adhered to by all; this is likely to be necessary in certain situations.

5. What do you think should be the relationship between the right to gender equality and the right to religious freedom in Australia?

As above, in our submission:

- faith community should be free to determine its internal understanding of gender roles; but crucially
- a person should be genuinely free to leave the faith community if they so choose.

6. Citizenship and Australian values have emerged as central issues, how do you balance integration and cultural preservation?

There should be an understanding/protection of the historical Christianity of Australia. There should also be an understanding that it is generally only the countries based on Judaeo-Christian values that have produced religious freedom (and it is only the countries that maintain those values which can maintain religious freedom)

A citizenship test should include the Christian roots of the country.

7. What are reasonable expectations to have of citizens' civic responsibility, rights, participation and knowledge?

In our submission Australians should be taught Australian history and the importance of our Christian values and traditions and the Australian Constitution. The teaching of Christianity does by its nature teach civic responsibility and the need to respect and love others.

8. Is there a role for religious voices, alongside others in the policy debates of the nation?

Again: in our submission everyone should be free to contribute ideas to policy debates by open consultations. But policies should be centrally based on Christian values and norms to positively develop policies. Since the Christian faith believes in respect and love for others this should achieve sound policies.

Technology and its implications

1. How have the new technologies affected the practice and dissemination of religious and faith communities?

New technologies have had the same effect upon the practice and dissemination of information for religious and faith communities as any other group. The e-mail system allows for quicker and more frequent contacts amongst all groups in society.

2. Has new technology had an impact on your religion and/or your religious practice?

Churches may use data projectors connected to computers instead of hymn or prayer books. This makes preaching more visual but otherwise the content may be similar. The web has also been used to make teaching material available to a wide audience thus increasing the reach of religious organisations.

3. What issues are posed by new religions and spiritualities using new technologies?

The same issues as apply to any user of new technologies to ensure that the content placed upon a website is suitable and not harmful. However, general laws are applicable to such matters and are not religion specific.

4. Is your freedom to express your religion or beliefs hindered or helped by current media policies and practices, considering reporting, professional knowledge, ownership, and right of reply?

In the UK current media policies make mainstream media reluctant to issue news on the persecution of Christians in other parts of the world. An exception to the media block was the persecution of Christians in Orissa.³²

There appears to be an unwritten rule that the media has to be careful for Muslims and other religions on what is said but the same rules of ultra care and respect do not apply to Christians. This applies in other areas. For example, a Government funded agency refused stories of three pigs in case this offended Muslims.³³

The simple answer to this is to have a change of policy to allow for more open reporting. Again changes in this area should be based on generic laws to ensure that there is not an unstated policy of restrictive reporting.

5. *What impact do the media have on the free practice of religion in Australia and the balanced portrayal of religious beliefs and practice?*

In the UK, they generally do not portray Christians in a favourable light, and usually only when something unfavourable is happening. However the internet means religious groups have more direct access to communities.

6. *Are there religious or moral implications in the development of new technologies such as the internet and or mobile phones, especially in regard to religious vilification and hatred?*

Again, in our submission this is a generic enforcement issue for all web sites and it is unhelpful to have laws which separate out religious groups in terms of hatred. This may actually serve to create hatred rather than harmony between groups if legal means of redress are available as opposed to informal and friendlier means of resolving differences.

Religion, cultural expression and human rights

1. *Is there satisfactory freedom of cultural expression and practice within the normative social and legal framework?*

In the UK the answer to that question is no, simply as a result of the detrimental effect of Equality laws resulting in State interference in the freedom of religion. The fact that religious schools and Faith communities are required to obtain exemptions from discrimination law means that a faith community is subject to the cultural values of whatever group is in political ascendancy. A faith community which sets up a school should be free to interpret their faith as they please. Perhaps as an accountability measure, they should have to notify the government of the body to which they are accountable in matters of faith. This would not give the government any authority over the decisions of the body, just the right to know who is making the decisions.

2. *Do service providers in your state or territory support the right to cultural security, safety and competence?*

Not known as this submission is from the UK.

3. How can the cultural aspirations and human rights of Aboriginal and Torres Strait Islanders be met?

Not known as this submission is from the UK.

4. What are the issues impacting on Aboriginal and Torres Strait Islanders communities at present, and proposed solutions?

Not known as this submission is from the UK.

5. Are there any issues in regard to participation in the faith community for people with disabilities?

No except the usual issues of ensuring that those who are disabled are able to access services and reasonable accommodation is made for them.

6. How is diverse sexuality perceived within faith communities?

A central orthodox Christian belief and that of many faiths of the world is on the importance of marriage between man and woman in the sight of God and the Biblical teaching that the practice of homosexuality is sinful. It becomes State interference and religious intolerance, if basic religious beliefs are not upheld and the free expression of religion not allowed. It is also contrary to section 116.

In the UK Equality laws have lead to a restriction upon the freedom of religion and this is now resulting in those with religious beliefs losing their employment where there is a conflict between freedom of religion and sexual orientation matters. This is creating an unfair hierarchy of rights leading to the oppression of Christianity. Our experience in the UK of how Equality laws have run contrary to the freedom of religion is the reason for the high level of support for the view that Australia is one of the freest nations for religious freedom due to the lack of laws and is something that should be both treasured and retained.

Christian sexual ethics are actually positive for society because time and time again studies show that the most stable upbringing for children is based upon the traditional families and children from these families have a better education than those who are in care or from broken homes. A belief in marriage and abstinence until marriage, also results in the disappearance of the problem of teenage pregnancies, abortion and sexually transmitted diseases all of which are rapidly on the increase in the UK due to the moral vacuum created by not following Christian laws and policies.

If proposed Equality laws are brought in, which we would oppose, in order to retain religious freedom, this would require individual, organisational and school exemptions so that any person will not be forced or coerced by the State laws into compromising or acting against strongly held religious beliefs of not promoting

homosexuality. Instead of exemptions there should be an absence of such laws in the first place.

7. *How can faith communities be inclusive of people of diverse sexualities?*

Being inclusive sounds in theory to be a positive step but in practice the inclusion of sexual beliefs which are not part of religious beliefs is in practice coercive and not inclusive but demonstrates religious intolerance to traditional sexual ethical beliefs.

This is based on the false premise that 'inclusiveness' is a universal social value that is more important than anything else.

The freedom of religions to uphold the tenets of religious faith must be maintained.

This does not exclude those of a different sexual orientation from becoming members of orthodox Christian churches provided they adhere to the Christian lifestyle of being either married or celibate. We are all sinners and the love of God is available to all if we repent. In being inclusive this should not require a secular view of sexual ethics to be imposed upon religious beliefs or a compromise of such beliefs.

For the Church of England the question of homosexuality has been highly contentious.

8. *Should religious organisations (including religious schools, hospitals and other service delivery agencies) exclude people from employment because of their sexuality or their sex and gender identity?*

In our submission Christian schools, hospitals and care homes should be free to state that their employees should follow the ethos of the Christian life in the way they practise their lives including sexual ethics. The lack of freedom to do so in England has led to a Bishop being successfully sued by a homosexual youth worker. Religion is not confined to the pulpit but is part and parcel of the way we live our lives. States should not coerce or dictate to its citizens what their sexual ethics should be; neither should it confine such beliefs to the worship service only. Faith without manifestation results in religious intolerance. The hallmark of a democracy is the freedom of religion amongst its citizens.

In other words, this should be approached on the basis of freedom of the faith community, and decisions on this should be made internally.

9. *Do you consider environmental concern to be an influence shaping spiritualities and value systems?*

In our submission, this should be approached on the basis of freedom of the faith community, and decisions on this should be made internally.

10. a) Are there religious groups, practices and beliefs that you think are of concern to Australians?

The growth of occult practices and cults which isolate adherents from their families and inculcate them with extreme religious views is of concern. In particular any advocacy of terrorism is of concern, whether religiously motivated or not.

Antisocial behaviour should be dealt with on the basis of generic laws regardless of faith, in order not to cause any frictions between those of different faith. For example, in the UK the Protection of Harassment Act 1997 makes the harassment of a person both a civil or criminal offence.³⁴ This is a generic offence whether religiously motivated or not and is a good example of the type of laws which prevent harmful behaviour but do not result in setting one religion against another because it has general applicability.

b) Should these be subjected to legislative control, and should they be eligible for government grants and assistance?

There should be legislative control exercised over religious practices that are harmful to a person either physically or mentally. That test should be based on traditional Christian morality. Religious faith organisations provide an enormous amount of social capital in the work they undertake for the community which is motivated by the outworking of their faith. Grants should be available for youth work and other forms of community service provided by religious groups without trying to impose State control upon religious beliefs and that such activities may well be undertaken with the involvement of prayer or a religious element. This should not prejudice the receipt of such funds and to do otherwise would demonstrate religious intolerance.

Conclusion

In conclusion the best way that Australia can maintain and achieve religious freedom is to follow, wherever possible, a policy of non-intervention in order to promote cohesion rather than division between different religions and between religion and sexual orientation.

We believe legislation should only be required in the most extreme situations in order to guard the well-being of individuals and society as a whole and to maintain the Christian ethos within the nation which alone is the guarantee of true freedom and tolerance.

We attach below an Appendix A to this submission examples of how Equality laws in the UK have damaged religious freedom.

Appendix A

Examples of Equality Laws that have infringed the Religious Liberty of Christians in the UK contrary to the Declaration on Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, UN Resolution 36/55³⁵

The Reverend Mahboob Masih

The Rev Masih was dismissed from his position as a radio presenter on a community radio station because he defended Christianity during a discussion about a prominent Muslim speaker's claim that Jesus was not the only prophet considered to be 'the Way, the Truth and the Life'.³⁶ This demonstrates the importance of the fundamental rights of freedom of speech and freedom of religion and the importance of protecting the freedom of conscience of Christians against incursion by other religions. The case is ongoing.

Foster Parents

Mr and Mrs Matherick refused to sign an equality policy that would force them to promote homosexuality due to their strongly-held religious beliefs and as a result social services took away the 11 year-old child in their care. They were only reinstated after legal intervention.³⁷

Another couple (Mr and Mrs Johns) were advised to withdraw their fostering application after social services decided that the couple's views on homosexuality were out of line with diversity standards. Although the couple's application has since been reinstated, there remains uncertainty about social services' view regarding the suitability of potential carers who believe the practice of homosexuality is wrong.³⁸

The two cases above demonstrate that it is the pool of carers itself that requires diversity rather than the views of individual carers, in order to avoid discrimination against individual carers with traditional orthodox religious beliefs who do not wish to promote homosexuality. It is well known that some Catholic adoption and fostering agencies have been forced to close because it would infringe the freedom of conscience and religion of the agency staff to require them to place children with homosexual couples. Doctors are also affected.³⁹

Andrew McClintock

A Christian magistrate (part-time non-legally qualified judge) who was forced to resign because his employers would not reasonably accommodate his conscientious objection to placing children with same-sex carers by screening him from such cases.⁴⁰

Gary McFarlane

A Christian counsellor who believed that sex should be reserved for marriage was sacked merely for raising potential difficulties he may have with providing sex therapy to same-sex couples.⁴¹

University Christian Unions

Several Christian Unions have suffered discrimination because of their adherence to core Christian beliefs. The discrimination came about because over-zealous Student Unions took it upon themselves to impose equality standards upon Christian Unions and chose to ignore their freedom of association and freedom of religion.

At Birmingham, Exeter and Heriot Watt Universities, Christians' freedom of association was interfered with when the Student Guilds/Unions attempted to compel the Christian Unions in question to accept non-Christian students as members or leaders.

At Edinburgh University, the Christian Union was banned from using University facilities because its Biblically-based 'Pure' course did not coincide with the sexual ethics of the Student Association.⁴²

Bed and Breakfast Owners

Several Christian bed and breakfast owners refusing to offer rooms to homosexual couples were threatened with legal action under recent sexual orientation provisions inserted into UK equality law.⁴³ Such 'equality' laws force people to accept that homosexual practices will take place on their business premises, thus putting homosexual 'rights' above freedom of religion and respect for individuals' private and family life.

Other Examples

Withdrawal of funding by Brighton and Hove Council from a Christian home because elderly residents found questions on sexual orientation intrusive.⁴⁴

A Christian nurse was suspended for offering to pray for a patient before being allowed to return to work.⁴⁵

A Christian primary school receptionist could face dismissal for asking for prayer after daughter scolded for talking about Jesus.⁴⁶

A Christian foster mother has been struck off the council's register because a Muslim girl in her care became a Christian.⁴⁷

References with internet links (including Appendix A)

¹ See this consultation at <http://www.humanrights.gov.au/frb/>

² See <http://www.nla.gov.au/oz/gov/>

³ See <http://www.aph.gov.au/senate/general/Constitution/index.htm>

⁴ See http://www.dfat.gov.au/facts/sys_gov.html

⁵ See

[http://www.comlaw.gov.au/comlaw/comlaw.nsf/440c19285821b109ca256f3a001d59b7/57dea3835d797364ca256f9d0078c087/\\$file/constitutionact.pdf](http://www.comlaw.gov.au/comlaw/comlaw.nsf/440c19285821b109ca256f3a001d59b7/57dea3835d797364ca256f9d0078c087/$file/constitutionact.pdf)

⁶ See

<http://www.austlii.edu.au/cgi-bin/sinodisp/au/journals/ILB/2001/17.html?query=s%2016%20and%20%22Commonwealth%20Constitution%22#fn3#fn3>

⁷ See http://www.humanrights.gov.au/pdf/human_rights/religion/article_18_religious_freedom.pdf

⁸ See http://www.sydneyanglicans.net/images/uploads/indepth/Article_-_Enforcing_Tolerance.pdf

⁹ See

<https://wiki.qut.edu.au/display/CPNS/Catch+the+Fire+Ministries+Inc+v+Islamic+Council+of+Victoria+Inc>

¹⁰ See http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

¹¹ See page 23

http://www.humanrights.gov.au/pdf/human_rights/religion/article_18_religious_freedom.pdf

¹² See the *Re the Christian Institute & Ors* [2007] NIQB 66 case at:

http://www.courtsni.gov.uk/NR/rdonlyres/EA5461EI-AE50-42BA-A12D-B09ACA992B41/0/j_j_VEAC5888Final.htm

The relevant quotation from the Northern Irish *Christian Institute* case can be found at paragraph. 50: The belief in question is the orthodox Christian belief that the practice of homosexuality is sinful. The manifestation in question is by teaching, practice and observance to maintain the choice not to accept, endorse or encourage homosexuality. Whether the belief is to be accepted or rejected is not the issue. The belief is a long established part of the belief system of the world's major religions. This is not a belief that is unworthy of recognition. I am satisfied that Article 9 is engaged in the present case. The extent to which the manifestation of the belief may be limited is a different issue.

¹³ See <http://en.wikipedia.org/wiki/Secularism>

¹⁴ See <http://www.seculargovernment.us/ite/2008-08-20.html>

¹⁵ See <http://www.gallup.com/poll/14422/Public-Split-Political-Power-Organized-Religion.aspx>

¹⁶ <http://www.npr.org/templates/player/mediaPlayer.html?action=1&t=1&islist=false&id=4694428&m=4694429>

¹⁷ See http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf

<http://www.cmanet.org/publicdoc.cfm/15/4/GENER/165>

¹⁸ See page 45 under heading "Non-Indigenous burials".

http://www.humanrights.gov.au/pdf/human_rights/religion/article_18_religious_freedom.pdf

¹⁹ http://74.125.77.132/search?q=cache:l6R3c5lw3Uw:www.saltshakers.org.au/pdf/308289_MULTI-FAITH_RELIGION_REP.doc+religion+cultural+diversity+and+safeguarding+australia+summary+saltshakers&hl=en&ct=clnk&cd=1&gl=uk

²⁰ See http://www.humanrights.gov.au/pdf/human_rights/religion/article_18_religious_freedom.pdf -In the 1996 national population census 70% of a national population of almost 18 million people described themselves as Christian or as members of a Christian denomination

²¹ See <http://www.telegraph.co.uk/news/newstoppers/religion/3999004/Care-home-for-elderly-Christians-in-gay-row.html>.

²² See

<http://www.charity-commission.gov.uk/publications/r7.asp>

²³ See <http://news.bbc.co.uk/1/hi/england/london/7299037.stm>

<http://www.thisislondon.co.uk/standard/article-23447906-details/'We+don't+need+this+Olympics+mosque'/article.do>

²⁴ See

http://www.ccfon.org/docs/RESPONSE_TO_CONSULTATION_ON_SCHOOLS_ROLE_IN_PROMOTING_PUPIL_WELLBEING_SEPT_2008.pdf

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- ²⁵ See <http://www.telegraph.co.uk/news/newstopics/religion/4623783/Christianity-in-schools-why-were-losing-our-religion.html>
See also the full comments of the Archbishop of York
<http://www.telegraph.co.uk/news/newstopics/religion/4604205/Archbishop-speaks-in-support-of-primary-school-receptionist-facing-sack.html>
See <http://www.ccfon.org/view.php?id=684>
See <http://www.ccfon.org/view.php?id=689>
- ²⁶ See <http://www.hri.org/docs/ECHR50.html#C.Art15>
http://en.wikipedia.org/wiki/European_Convention_on_Human_Rights
- ²⁷ See http://en.wikipedia.org/wiki/Trevor_Philips
- ²⁸ See http://www.humanrights.gov.au/pdf/human_rights/religion/article_18_religious_freedom.pdf
- ²⁹ See <http://www.dailymail.co.uk/debate/article-1102445/A-N-WILSON-The-moral-vacuum-New-Labours-heart.html>
- ³⁰ See page 7 http://www.dfat.gov.au/hr/downloads/16_march_torture.pdf
- ³¹ See <http://www.wluml.org/english/about.shtml>
<http://www.wluml.org/english/actions.shtml>
- ³² See <http://www.timesonline.co.uk/tol/news/world/asia/article4687075.ece>
<http://www.timesonline.co.uk/tol/news/world/asia/article4618690.ece>
- ³³ See <http://news.bbc.co.uk/1/hi/education/7204635.stm>
- ³⁴ See http://www.opsi.gov.uk/acts/acts1997/ukpga_19970040_en_1#pb3-1g14 –see also section 14 as different sections apply in different ways to England, Wales, Scotland and Northern Ireland.
- ³⁵ For more information see http://www.unhchr.ch/html/menu3/b/d_intole.htm.
- ³⁶ For more information see <http://www.christianlegalcentre.com/view.php?id=671>.
- ³⁷ For more information see <http://www.christianlegalcentre.com/view.php?id=182>.
- ³⁸ For more information see <http://www.christianlegalcentre.com/view.php?id=264>.
- ³⁹ See for example http://news.bbc.co.uk/1/hi/uk_politics/6290073.stm and <http://www.christianlegalcentre.com/view.php?id=41>.
- ⁴⁰ For more information see <http://www.christianlegalcentre.com/view.php?id=180>.
- ⁴¹ For more information see <http://www.christianlegalcentre.com/view.php?id=669>.
- ⁴² For more information see <http://www.christianlegalcentre.com/view.php?id=67>.
- ⁴³ For more information see <http://www.christianlegalcentre.com/view.php?id=209>.
- ⁴⁴ For more information see <http://www.telegraph.co.uk/news/newstopics/religion/3999004/Care-home-for-elderly-Christians-in-gay-row.html>.
- ⁴⁵ See <http://www.ccfon.org/view.php?id=684>
- ⁴⁶ See <http://www.ccfon.org/view.php?id=689>
- ⁴⁷ See <http://www.ccfon.org/view.php?id=685>