

AUSTRALIA 2016 INTERNATIONAL RELIGIOUS FREEDOM REPORT

EXECUTIVE SUMMARY

The constitution bars the federal government from making any law that imposes a state religion or religious observance, prohibits the free exercise of religion, or establishes a religious test for a federal public office. In August the Australian Capital Territory parliament passed legislation making it a crime to vilify someone based on his or her religion. In January the Victoria state government removed religious instruction from the public school curriculum and allowed students wishing to attend religious classes to do so during lunchtime or before or after school for 30 minutes. The Queensland state government suspended a Bible-based school program while reviewing its use in public schools. The campaign platform of the One Nation Party, which had four senators elected during the July federal elections, included cessation of Muslim immigration and limits on some Islamic practices. The prime minister stated his commitment to an “inclusive multicultural society which is based on mutual respect.” The government continued to run extensive programs to support religious pluralism.

In March approximately 10 youths assaulted three Muslim schoolgirls at a local park in Geelong, Victoria. The attack included both verbal and physical abuse and forcibly pulling off the hijabs of two of the schoolgirls. There were reports of vandalism of places of worship and verbal abuse of Jews and Muslims. A Presbyterian church in Western Geelong was destroyed by fire on April 15, and on May 18 a fire damaged the main mosque in Geelong, which is housed in a former church building. Authorities made no arrests in what they reported may be a series of suspicious fires. Three churches in Geelong had been burned the previous year.

The U.S. embassy and the U.S. consulates general in Melbourne, Perth, and Sydney regularly engaged government officials and a wide range of religious leaders, faith communities, and groups to promote religious freedom. Embassy and consulate general officers at all levels, including the Ambassador, engaged with religious communities and promoted religious tolerance in person and through social media.

Section I. Religious Demography

The U.S. government estimates the total population at 22.9 million (July 2016 estimate). According to the 2011 census, 61 percent of residents are Christian, including 25 percent Roman Catholic and 17 percent Anglican. Buddhists

constitute 2.5 percent of the population; Muslims 2.2 percent; Hindus 1.3 percent, and Jews 0.5 percent. Eight percent either did not state a religious affiliation or stated other religious affiliations such as “new age,” “not defined,” or “theism,” while 22.3 percent report having no religious affiliation.

The census indicated indigenous persons constitute 2.5 percent of the population, and that 1 percent of indigenous respondents practice traditional indigenous religions. Among this group, affiliation with a traditional indigenous religion is higher in very remote areas (6 percent) than in all other areas (less than 1 percent). Approximately 60 percent of indigenous respondents identify themselves as Christian and an estimated 20 percent report having no religious affiliation. The remainder either did not state a religious affiliation or stated other religious affiliations.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution bars the federal government from making any law that imposes a state religion or religious observance, prohibits the free exercise of religion, or establishes a religious test for a federal public office.

There are certain legal limitations on the right to religious freedom, including the necessity of protecting public safety, order, and health, or the fundamental rights and freedoms of others. Individuals who suffer religious discrimination have recourse under federal discrimination laws or through the court system and bodies such as the Australian Human Rights Commission.

The state of Tasmania is the only state or territory whose constitution specifically provides citizens with the right to profess and practice their religion; however, seven of the eight states and territories have laws prohibiting discrimination on the basis of a person’s religion or ethnoreligious background. South Australia is the only state or territory that does not explicitly prohibit discrimination on the grounds of religion. All other states and territories have independent agencies to mediate allegations of religious discrimination. In August the parliament of the Australian Capital Territory passed legislation making it a crime to vilify someone based on his or her religion.

Religious groups are not required to register. To receive tax-exempt status for income or other benefits and an exemption from the goods and services tax (sales

tax), however, nonprofit religious groups must apply to the Australia Tax Office (ATO). Registration with the ATO has no effect on how religious groups are treated, apart from standard ATO checks. To receive tax-exempt status, an organization must be a nonprofit entity. An organization's activities, size, and permanence are some of the factors taken into account when determining its tax-exempt status.

The government permits religious education in public schools, generally taught by volunteers using approved curricula; parents may decide whether their children will attend or not. There is no national standard for approving religious curricula, which happens at state and local levels. Public schools in New South Wales provide secular ethics classes as an alternative for students who do not attend optional scripture classes.

In January the Victoria state government removed religious instruction from the public school curriculum. Students in Victoria can attend religious classes on school grounds for a maximum of 30 minutes per week, but only during lunchtime or in the hours before or after school.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Four senators from the One Nation Party were elected during the July federal elections on a platform which included ceasing Muslim immigration, holding a royal commission on Islam, halting construction of mosques, installing surveillance cameras in mosques, banning wearing of the burqa and niqab in public places, and prohibiting members of parliament from being sworn in under the Quran. In her first senate speech, One Nation Party Leader Pauline Hanson said the country was “in danger of being swamped by Muslims.” Prime Minister Malcolm Turnbull disagreed with her views and said “my commitment is to an inclusive multicultural society which is based on mutual respect. The more we respect each other the more secure we become.”

In August an anti-Muslim rally was held in the Melbourne suburb of Melton. Approximately 150 members of nationalist groups attended the rally to oppose the construction of a 75-lot housing development that protestors said was a “Muslim housing estate.” Fifty police officers were present to maintain order and warn against illegal hate speech. The rally was criticized by Federal Opposition Leader

Bill Shorten who stated such actions were taking the country “down the wrong path and the wrong direction.”

The government continued to begin each session of parliament with a recitation of a short prayer and then the Lord’s Prayer, as has been the practice since 1901. Participation in the prayers remained optional. The Green Party and other groups called for the practice to end.

In June the federal High Court rejected a request to hear an appeal against the construction of a mosque in Bendigo. The Australian Muslims of Bendigo issued the statement: “we believe the decision is in line with every Australian’s constitutional right to practice their faith.” Premier of Victoria Daniel Andrews welcomed the High Court’s decision. In 2015, local residents opposed decisions providing for the construction of the mosque, reportedly for zoning reasons. Others reportedly opposed the construction of mosques in general.

In April the local council blocked approval for the building of a mosque in southeast Melbourne amid opposition from nationalist groups and local residents. The local government said the mosque should not be built due to its size and because it would not fit in with the local landscape, but critics said the decision represented community and nationalist backlash against Muslims.

In November Orthodox Jews in the northern Sydney suburb of St. Ives won approval to retain an *eruv*, “a wire cable attached to power poles which extends the private dwelling [in terms of religious practice] to an area encompassing a few blocks or more, giving Orthodox Jews freedom to participate in community activities on the Sabbath.” Several Christians spoke up in defense of the *eruv*, stating “there is no place for exclusion, discrimination, or anti-Semitism.”

In June the state government of Queensland conducted a review of religious education in state public schools after suspending the long standing Connect curriculum at Windsor State School. The three-year religious education program was said to “solicit” students to become Christians. State Education Minister Kate Jones said the lesson materials “go beyond imparting knowledge of Biblical references, and extend to soliciting children to develop a personal faith in God and Jesus to become a Christian.”

Public and private schools in New South Wales worked to implement the state government’s A\$47 million (\$34 million) School Communities Working Together program, released in 2015, to help at-risk schools counter “antisocial and extremist

behavior.” It included training to assist school staff identify vulnerable young people; specialist support teams; and a telephone hotline for teachers to report such incidents.

The government continued to provide funding for security installations – such as lighting, fencing, and closed-circuit television cameras – and for the cost of employing security guards, in order to protect schools and preschools facing a risk of attack, harassment, or violence stemming from racial or religious intolerance. This funding was available at both government and nongovernment schools, including religious schools.

In Victoria, the parliament was considering an amendment to equal opportunity legislation that would bar faith-based schools and organizations from discriminating against someone because of religious beliefs or activities, sex, sexual orientation, marital status, parental status, or gender identity. Some religious organizations stated they feared the amendment would prevent them from considering adherence to the organization’s religious beliefs when selecting employees.

In May the University of Sydney student union withdrew its threat to deregister a religious organization after Christian, Buddhist, and Muslim groups joined together to advocate for amending the union’s regulations to allow declarations based on faith as a condition of membership and leadership of faith-based groups on campus.

In June Prime Minister Turnbull became the first sitting prime minister to host an iftar and stated “the Australian Muslim community is valued and respected – and it is not confined to a narrow security prism – you are an integral part of an Australian family that rests on the essential foundation of mutual respect and understanding.”

The Australian Multicultural Council continued to provide guidance to the government on multicultural affairs policy and programs. The government’s national multicultural policy, *The People of Australia*, was based on a government-wide approach to maintaining social cohesion and included religious tolerance as a component. The government provided a range of youth-focused early intervention, outreach, and education programs to promote religious tolerance as well as “deradicalization” programs for prison inmates convicted of terrorism-related offenses.

Section III. Status of Societal Respect for Religious Freedom

In March approximately 10 youths assaulted three Muslim schoolgirls at a local city park in Geelong, Victoria. The attack included both verbal and physical abuse and forcibly pulling off the hijabs of two of the schoolgirls. By the end of the year, no arrests were made.

Religious tolerance advocates and those who opposed the spread of Islam held competing demonstrations in Melbourne during the year. Police made arrests following violence between the groups during protests in May and July.

Arsonists destroyed two places of worship in the state of Victoria, a Presbyterian church in western Geelong on April 15 and the main mosque in Geelong on May 18. The mosque was a refurbished Christian church and police believe the mosque may have been mistakenly targeted as a church. Police said the arson attacks may have been linked to three other church burnings in Geelong since October 2015. Some observers said the royal commission into child sexual abuse may have inspired the attacks against churches (or what were thought to be churches).

The Executive Council of Australian Jewry reported 210 anti-Semitic incidents of threats or abuse during the year, up from 190 the previous year. In September leaflets containing Holocaust-denial material were distributed in several Australian university campuses in Melbourne, Sydney, and Canberra. The leaflets asserted the Holocaust never happened and it was “the greatest swindle of all time.”

Over 300 incidents were reported in the first 12 months of the Islamophobia Register Australia, which was founded in September 2014 as an online resource for victims and witnesses of anti-Muslim attacks. The register was designed to provide a means to report and record incidents of anti-Muslim sentiment to inform the media and public. The figures represented an average of 5.4 incidents per week. A spokesman for the Melbourne Islamic Community stated the register showed an increase in the frequency of anti-Muslim attacks.

An increase in online harassment of Muslims was reported in South Australia, with families and individuals facing a greater frequency of anti-Muslim abuse, particularly following terrorist attacks abroad.

In June vandals burned a car and painted anti-Muslim graffiti outside a Perth mosque during prayer. In the same month, vandals defaced another Perth mosque with graffiti and left a pig’s head outside its main entrance. In July an Adelaide

mosque was vandalized with anti-Muslim and Nazi symbols. In April swastikas were painted on a synagogue and on bus stops in a Sydney suburb. Authorities made no arrests in connection with these incidents.

Several nongovernmental organizations continued to promote tolerance and better understanding among religious groups. These included the Columban Centre for Christian-Muslim Relations, the National Council of Churches in Australia, the Australian Council of Christians and Jews, and the Jewish Christian Muslim Association of Australia.

On October 29, the Lebanese Muslim Association in Australia, supported by the Australian Department of Social Services, sponsored the third annual National Mosque Open Day. The goal was to facilitate a greater understanding of Islam and Muslims in the country by opening mosques to the wider public. Thousands of individuals from different faiths visited mosques around the country.

Section IV. U.S. Government Policy

The U.S. embassy and consulates in Melbourne, Perth, and Sydney met with government officials from the federal and state-level departments of social services and multicultural affairs to promote religious freedom and tolerance programs.

They also engaged a wide range of religious leaders, faith communities, and groups including the Islamic Council of Victoria and the Australia Arab Association of Perth. The embassy and consulates general used social media platforms to increase awareness of U.S. policy and activities supportive of religious freedom through posting and sharing of articles and events.

In June the Consul General in Melbourne hosted a youth iftar. Interfaith attendees included youth and community leaders from throughout the state of Victoria. The event focused on building tolerance through the inclusion of people from other religious groups.

The Consul General in Perth gave an address at the Australia Arab Association's Multicultural Eid al-Adha events to celebrate diversity.