



**Senator the Hon Michaelia Cash**  
Attorney-General  
Minister for Industrial Relations  
Deputy Leader of the Government in the Senate

Reference: MC22-000139

Mr Julian Leeser  
Federal Member for Berowra  
Level 11  
423 Pennant Hills Road  
PENNANT HILLS NSW 2120

By email: [Julian.leeser.mp@aph.gov.au](mailto:Julian.leeser.mp@aph.gov.au)

Dear Mr Leeser

Thank you for your letter of 4 January 2022 regarding the concerns raised by Mr Prakash Mehta on behalf of the Hindu Council of Australia in relation to the Religious Discrimination Bill. I appreciate the time you have taken to bring this matter to my attention.

The Australian Government believes that all Australians, regardless of their religious belief, should be able to fully participate in our society within the framework of Australian law. Importantly, the right to freedom of religion is one right among many others, and must co-exist with the broad suite of human rights. As you are aware, on 25 November 2021 the Government introduced into Parliament the Religious Discrimination Bill and associated legislation to implement recommendations from the May 2018 report of the Expert Panel to the Religious Freedom Review.

Your letter stated that Mr Mehta was particularly concerned about the potential impact of the Bill on a person of Hindu faith employed at a religious educational institution or other religious body. Clauses 7 and 11 set out the circumstances in which a religious body or a religious educational institution may take certain action in relation to employment, including by preferencing people of faith. However, religious bodies or educational institutions may reasonably decide that, in their particular circumstances, they do not wish to make use of the relevant provisions. Further, any religious educational institution that wishes to rely upon the exceptions in relation to employment must have a publicly available policy in place that explains why and in what circumstances the entity will use that exception, including in relation to existing staff. The requirement for a publicly available policy is an important safeguard to ensure the school is transparent about its employment preferences and the action that it will take, both to potential and existing employees and the broader school community.

I trust this information is of assistance.

Yours sincerely

Senator the Hon Michaelia Cash

09 Dec / 2022