



Australia

International Religious Freedom Report 2007

Released by the Bureau of Democracy, Human Rights, and Labor

The law provides for freedom of religion, and the Government generally respected this right in practice.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There were few reports of societal abuses based on religious belief or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 2.9 million square miles and a population of 21 million. According to the 2006 census, 64 percent of citizens consider themselves to be Christian, including 26 percent Roman Catholic, 19 percent Anglican, and 19 percent other Christian. Buddhists constitute 2.1 percent of the population, Muslims 1.7 percent, Hindus 0.7 percent, Jews 0.4 percent, and all others professing a religion 0.5 percent.

At the time of European settlement, aboriginal inhabitants followed religions that were animistic, involving belief in spirits behind the forces of nature and the influence of ancestral spirit beings. According to the 2006 census, 5,206 persons, or less than 0.03 percent of respondents, reported practicing aboriginal traditional religions, down from 5,244 in 2001. The 2006 census reported that almost 64 percent of Aborigines practice some form of Christianity, and 20 percent listed no religion.

During the first census, in 1911, 96 percent of citizens identified themselves as Christian. In recent decades traditional Christian denominations have seen their total number and proportion of affiliates stagnate or decrease significantly, although from 2001 to 2006, the total number of Pentecostal and charismatic Christians increased by 12.9 percent. Over the past decade, increased immigration from Southeast Asia and the Middle East considerably expanded the numbers of citizens who identify themselves as Buddhists and Muslims, and increased the ethnic diversity of existing Christian denominations. Between 2001 and 2006, the number of Buddhists increased 17 percent to 418,000 persons, Muslims 21 percent to 340,393, Jews 6 percent to 89,000, and Hindus increased 55 percent to 148,131. In 2006 approximately 18.7 percent of citizens considered themselves to have no religion, up from 17 percent in 2001, and 11.2 percent made no statement regarding religious affiliation. According to a 2002 survey, 23 percent of adults had participated in church or religious activities during the previous three months. Missionaries operate freely in the country.

Section II. Status of Religious Freedom

Legal/Policy Framework

The law provides for freedom of religion, and the Government generally respected this right in practice. The Government at all levels sought to protect this right in full and did not tolerate its abuse, either by governmental or private actors.

The Constitution bars the federal Government from making a law that imposes a state religion or religious observance, prohibits the free exercise of religion, or sets a religious test for a federal public office. However, these federal constitutional prohibitions do not restrict the legislative powers of the states.

Public holidays include the Christian holy days of Good Friday, Easter Monday, and Christmas Day. Although the

Government is secular, each session of Parliament begins with a joint recitation of the Lord's Prayer.

Religious adherents who have suffered religious discrimination may have recourse under federal discrimination laws or through the court system. Under the provisions of the Federal Racial Discrimination Act, the independent federal Human Rights and Equal Opportunity Commission (HREOC) mediates a complaint when a plaintiff's religious affiliation is considered tantamount to membership in an ethnic group.

Commonwealth and state public service agencies are very active in promoting religious tolerance in the workplace. Australian Public Service employees that believe they have been denied a promotion on religious grounds can appeal to the office of the Australian Public Service Merit Protection Commissioner.

Another federal law, the Workplace Relations Act, prohibits termination of employment on the basis of religion. In May 2007, the media reported that an employer withdrew a job offer to a Christian pastor after he had refused to sign an Australian Workplace Agreement (AWA) which required him to be available to work on Sundays. Responding to union claims that a "right to worship" clause was needed, the Federal Workplace Relations Minister said that AWAs are subject to the same antidiscrimination laws as any other agreement and workers had the right to refuse shifts.

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 ethno-religious background. South Australia is the only jurisdiction that does not explicitly prohibit discrimination on the grounds of religion. All jurisdictions, apart from South Australia, have established independent agencies to mediate allegations of religious discrimination.

Minority religious groups and communities were generally given equal rights to land, status, and the building of places of worship. However, in the past a number of small city councils refused their local Muslim and Buddhist communities planning permits to construct places of worship. Those religious communities successfully appealed the councils' decisions to the courts.

On May 31, 2007 the Islamic Council of Victoria and Catch the Fire Ministries agreed to mediation in a case involving alleged vilification of Muslims. In 2003 the Islamic Council of Victoria (ICV) had filed a complaint under Victoria's Racial and Religious Tolerance Act against the pastors and their ministry organization. The act makes illegal "conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, that other person or class of persons" on the grounds of religious belief. In June 2005 the Victoria Civil and Administrative Tribunal ordered two Christian pastors affiliated with Catch the Fire Ministries to make a public apology, via newspaper advertisements, for critical comments that they had made regarding Islam. It was estimated that the newspaper advertisements would cost A\$68,690 (US\$52,900). The Tribunal also ordered the pastors not to repeat the comments anywhere in the country. In August 2005 the Court of Appeal granted a stay on the order for an apology but left in place the order that the pastors not repeat the comments. The pastors appealed the court of appeal's decision to the Victoria Supreme Court. On December 14, 2006, the Supreme Court agreed with the court of appeal, finding that the Tribunal had misinterpreted the Act. The Court ordered the case back to the Tribunal to be heard by a different judge.

Religious groups are not required to register. However, to receive tax-exempt status, nonprofit religious groups must apply to the Australian Tax Office (ATO). Registration with the ATO has no effect on how religious groups are monitored, apart from standard ATO checks seeking to confirm that tax-exempt groups continue to meet certain guidelines.

The Government permits religious education in public schools, generally taught by volunteers using approved curriculum, with the option for parents to have their child not attend. On October 26, 2006, Prime Minister John Howard announced the National School Chaplaincy Program to provide annual support of up to A\$20,000 (US\$16,700) for government and nongovernment school communities seeking to establish or extend school chaplaincy services. By May 30, 2007, the Government had received 1,503 applications, representing 15 percent of all schools.

The Government has put in place extensive programs to promote public acceptance of diversity and cultural pluralism, and has funded a variety of interfaith forums, including the International Dialogue on Interfaith Cooperation. For example, as part of the Government's "National Action Plan to Build on Social Cohesion, Harmony and Security," it announced in January 2007 that it had committed A\$8 million (US\$6.7 million) to fund a National Centre of Excellence in Islamic Studies that would be based at the University of Melbourne, Griffith University, and the University of Western Sydney.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

There were no religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Section III. Societal Abuses and Discrimination

There were few reports of societal abuses based on religious belief or practice, and prominent societal leaders took positive steps to promote religious freedom. Several nongovernmental organizations promoted tolerance and better understanding among religious groups in the country. These groups included the Columbian Center for Christian-Muslim Relations, the National Council of Churches in Australia and its affiliated Aboriginal and Islander Commission, and the Australian Council of Christians and Jews.

In October 2006 a senior Muslim cleric in Sydney made statements in a sermon implying that immodestly dressed women, whom he compared to "uncovered meat," invited rape. Many other Muslim clerics, as well as government and opposition politicians, women's groups, and media commentators, condemned the remarks. The cleric stated his remarks were taken out of context, but he issued a formal apology and stated he did not condone rape.

Two Muslim schools in Perth received threatening telephone calls following the controversial remarks by the cleric in Sydney. Police arrested a suspect and charged him with making the calls. In February 2007 the suspect was found guilty of harassment and fined A\$2,000 (US\$1,700) plus court costs.

Some Muslim leaders claimed that anti-Muslim sentiment in the country was increasing in the wake of public debate about the integration of Muslim immigrants into Australian society.

In the 12-month period ending September 30, 2006, the Executive Council of Australian Jewry recorded 440 anti-Semitic incidents, a 32.5 percent increase over the previous period. Although the overall total was lower than the record set in 2002, it was 47 percent higher than the average annual total. In November 2006 a delegation from the Executive Council of Australian Jewry briefed 38 university vice chancellors on the ongoing problem of anti-Semitism on university campuses.

In December 2006 the leader of the neo-Nazi Australian Nationalist Movement was released under an agreement in which he pled guilty to criminal damage and conspiracy to cause arson and agreed to leave the state of Western Australia. He had previously denied connection to incidents in 2004 in which several Asian-owned businesses and a synagogue in Perth were firebombed or sprayed with racist graffiti.

In October 2006 two independent investigations reported that inadequate police resources, training, and communication contributed to religiously charged riot in the Sydney suburb of Cronulla in December 2005. Angered by suspicions that a group of Lebanese-Australian youths had assaulted two lifeguards, rioters displayed anti-Arab and anti-Muslim slogans and attacked bystanders perceived to be of Middle Eastern origin or Muslim. Thirty-one persons were injured in the fighting. The following day, retaliatory vandalism and other assaults were reported around Sydney. Prominent Christian and Muslim leaders condemned the violence.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

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