



Australia

International Religious Freedom Report 2008

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

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The U.S. Government discusses religious freedom 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 identify themselves as Christian and 20 percent listed no religion.

In 1911, during the first census, 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, Hindus, and Muslims, and increased the ethnic diversity of existing Christian denominations. Between 2001 and 2006, the numbers increased for Buddhists by 17 percent (to 418,000), Muslims by 21 percent (to 340,393), Jews by 6 percent (to 89,000), and Hindus by 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 3 months.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The law at all levels protects this right in full against abuse, either by governmental or private actors.

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 sets a religious test for a federal public office. These federal constitutional prohibitions do not restrict the legislative powers of the states. In 1980, the country ratified the UN International Covenant on Civil and Political Rights which includes the right to freedom of religion.

The Government recognizes Good Friday, Easter Monday, and Christmas as national holidays. 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 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 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.

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 to build 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. Some of those religious communities successfully appealed the councils' decisions to the courts.

On May 31, 2007, the Islamic Council of Victoria (ICV) and Catch the Fire Ministries agreed to mediation in a case involving alleged vilification of Muslims. In 2003 the 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.

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. The government of Prime Minister Kevin Rudd has continued the previous government's National School Chaplaincy Program to provide annual support of up to \$18,800 (A\$20,000) for government and nongovernment school communities seeking to establish or extend school chaplaincy services. As of June 2008, the Government had received 2,630 applications, representing 27 percent of all schools. The federal government provides funding to private schools, the majority of which are faith-based.

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 March 2008 that it had committed \$6.3 million (A\$6.6 million) to continue funding 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.

In May 2008 the Government rejected calls to launch an inquiry into the Protestant denomination called the Exclusive Brethren, despite the Prime Minister previously calling the group an "extremist cult" that "breaks up families." The Government said an investigation would unreasonably interfere with group members' right to freely practice their faith.

At a national summit convened by the Prime Minister in April 2008 there was discussion about reviving a campaign to create a bill of rights for the country. The idea met with vocal criticism from conservatives and the religious community. A former New South Wales premier noted that the religious community feared that its immunity from antidiscrimination laws would disappear with a bill of rights. He said churches can currently lobby elected officials for redress of grievances, but would be unable to lobby the judges who would interpret the bill of rights. The Catholic Archbishop of Sydney warned a Bill of Rights could cause a "culture war" in the country. When the Government realized that the summit conflicted with Passover, it held a separate meeting with Jewish leaders 5 days before the summit.

Restrictions on Religious Freedom

The Government generally respected religious freedom in practice. There was no change in the status of respect for

religious freedom by the Government during the period covered by this report.

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, the Australian Council of Christians and Jews, and the Affinity Intercultural Foundation.

In May 2008 the local Council in Camden, New South Wales rejected the proposal for a 1200-student Islamic school, citing traffic flows and the loss of agricultural land. The Mayor said religion was not a factor in the decision and encouraged the Muslim community to identify another site in the area. In December 2007 two New South Wales members of Parliament had joined others protesting proposed construction. Many protestors cited planning considerations, while others complained of an attempt to change the nature of their town. Some Muslim leaders claimed that anti-Islamic sentiment in the country was increasing in the wake of public debate about the integration of Muslim immigrants into society.

In February 2008 the family of a Sikh youth filed a complaint with the Queensland Anti-Discrimination Commission. The student was barred from enrollment in a Brisbane private school because his turban violated the school's dress code. The case, the first of its kind in the country, was scheduled to be heard later in the year.

In the 12-month period ending September 30, 2007, the Executive Council of Australian Jewry recorded 638 anti-Semitic incidents, a figure more than twice the previous average. Incidents ranged from taunting and teasing to verbally and physically abusive harassment and assault. A number of Jewish citizens reported that attackers yelled anti-Semitic epithets at them.

In January 2008 two youths attacked a 54-year-old Jewish woman and her son while yelling ethnic slurs. The youths punched the mother and son, and ripped the son's yarmulke off of his head.

In October 2007 as three Orthodox Jewish men left a bar in Sydney, a group of men spat on them and shouted insults and threats. One of the Jewish men was punched in the head during the incident.

In September 2007 a group of cars reportedly passed near the Yeshiva Centre in Melbourne while shouting epithets over loud speakers and later returned to throw eggs at the building.

Anti-Semitic arson appears to be on the rise in the country. In January 2008 vandals spray painted swastikas on the Caulfield Hebrew Congregation, one of Melbourne's largest synagogues. In September 2007, a large swastika and "KKK" were carved into the green of a historic Jewish golf club at the Cranbourne Golf Club in Victoria.

The Australian Office of Film and Literature Classification came under fire in April 2007 for its decision to rate the controversial film, *The Death Series*, as Parental Guidance Suggested (PG). One of the characters in the movie refers to Jews as "an army of pigs." The Australian/Israel and Jewish Affairs Council said that the rating shows that the classification scheme provides inadequate consideration of the dangers posed by the nonfiction advocacy of violence and bigotry.

Section IV. U.S. Government Policy

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

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