



Supporting Gay, Lesbian, Bisexual, Transgender, Intersex & Queer people in Melbourne's Jewish community. Founded 1995.

February 13 2018

Aleph Melbourne is a support group for people who identify as Jewish and are part of the LGBTIQ community within Melbourne.

For over 20 years we have been running events, supporting and advocating for our membership within and beyond the Melbourne Jewish community.

We welcome the review on Religious Freedoms and make the following submission to the enquiry and authorise this submission to be made public.

There are many different tenets to the Jewish faith and Aleph Melbourne seeks to support all its members regardless of an individual's level of religious observance.

Over the years we have assisted many of our members reconcile their sexuality and/or gender identity with their faith.

We know that there are those in the Jewish LGBTIQ community who continue to hide their sexuality or gender identity to avoid losing their voluntary or paid positions.

The experience of our membership falls well within the scope of this review as many of our members have been at the intersection between enjoyment of their faith and their rights as member of the LGBTIQ community.

We understand that faith is the cornerstone of life for many people, and do not seek to diminish the freedom people have to observe their faith.

We also understand the innate nature of sexuality and gender identity, and acknowledge the relief and joy many of our members feel when they are able to be true to themselves.

There is clearly a tension at times between faith and sexuality in an Orthodox Jewish community.

We know from experience, supported by evidence, of the impact a conflict between faith and sexuality can have on an individual. The LGBTIQ community is already at a higher risk of suicide than the general population. This was established by Suicide Prevention Australia in their *2009 Gay and Lesbian Position Statement*.¹

The document says that many LGBTIQ people are at a disconnect between their faith and their sexuality, and those discordant with their self-definition may have increased feelings of low self-worth, guilt and shame.

¹ [Suicide Prevention Australia: Suicide and Self-harm among Gay, Lesbian, Bisexual and Transgender Communities](#)

The Position Statement also acknowledges that one of the groups at greater risk of suicide and self-harm is those belonging to religious faith communities that promulgate negative discourses about homosexuality. It says that conflicts between spiritual or religious beliefs and sexuality can result in significant psychological dissonance as well as division and exclusion from family, friends and community.

As Aleph Melbourne well knows, members of our community are of diverse sexuality and gender identity.

Our concern is that any attempt to make it easier for religious organisations to discriminate against someone because of their sexuality or gender identity will cause deep psychological harm to the individual.

We already have vulnerable people within our community and they may be put at greater risk if they think that they may lose their livelihood, family or community.

One such example that we are directly aware of is a teacher at a Jewish school who identifies as transgender outside work yet due to extreme fear of losing their job presents as the gender they were assigned at birth in the workplace. The need to present in 'stealth' at work may cause the individual unnecessary distress and is a wholly unsatisfactory situation.

Another example we are aware of is a gay man in the ultra-Orthodox Jewish community who is in a heterosexual relationship and has a number of young children. He is terrified his community will find out about his homosexuality and does not know of a way to openly discuss this for fear of retribution from his community. Any change to the law that allowed an employer to discriminate against this man should his circumstances become public would be devastating for him and his family.

As the Executive Council of Australian Jewry have stated in their submission to this Review², we see no need for any further exemptions or special laws for the religious communities. We do however strongly advocate for the rights of individuals to be themselves, to have respect and to enjoy their lives free of any form of religious discrimination.

Aleph Melbourne strongly recommends that the Government and this Review Panel makes no move to further restrict the rights of the LGBTIQ community who belong to or work in the faith communities of their choice. Existing protections for religious communities at a state and federal level already allow discrimination against the LGBTIQ community. Any new exemptions will have a detrimental impact on the human rights and health of our community. To that end, we also recommend the removal of existing religious exemptions that allow an employer to terminate a person's employment on the basis of their sexual orientation, gender identity, intersex status, or non-heterosexual marital status.

² [ECAJ: Submission to the Review of Freedom of Religion and Other Human Rights in Australia](#)