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Parliament of Victoria
Legislative Assembly Legal and Social Issues Committee
Parliament House
Spring Street
East Melbourne VIC 3002

By website

Submission to the inquiry into cults and organised fringe groups in Victoria

Who are we?

1. This submission is on behalf of, and co-signed by:
 - Australia Christian Churches
 - Baptist Union of Victoria
 - Anglican Diocese of Melbourne
 - Seventh Day Adventist Church of Australia
 - Presbyterian Church of Victoria
2. The submission was coordinated by Freedom for Faith, a Christian legal think tank that exists to see religious freedom for all faiths protected and promoted in Australia and beyond. Freedom for Faith is led by people drawn from a range of denominational churches including the Anglican Church Diocese of Sydney, The Catholic Church, the Australian Christian Churches, Australian Baptist Churches, the Presbyterian Church of Australia, and the Seventh-day Adventist Church in Australia. It has strong links with, and works co-operatively with, a range of other faith groups in Australia.
3. We welcome the opportunity to make this submission and we give consent for this submission to be published. Our contact details are as follows.

Freedom for Faith

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Executive Summary

4. This submission is made in response to the Victorian Government's inquiry into cults, coercive control, and high-demand groups. We welcome the opportunity to contribute to this important process and commend the inquiry's stated intention to protect individuals from genuinely harmful and abusive conduct. At the same time, we express concern that, without careful definition and legal precision, the inquiry risks inadvertently targeting or stigmatising legitimate religious communities whose practices are based on sincerely held beliefs and freely accepted disciplines.
5. As a signatory to the International Covenant on Civil and Political Rights (ICCPR), Australia is committed to upholding the right to freedom of thought, conscience, and religion, including the right to manifest religious belief in practice, observance, teaching, and association. This right is non-derogable under international law, reflecting its foundational role in the dignity and autonomy of individuals and communities.
6. Religious communities often require high levels of commitment, moral discipline, and personal sacrifice. These traits, while sometimes misunderstood in secular contexts, are not inherently coercive. Indeed, such commitments are common across many areas of life that demand conviction and purpose—such as military service, political activism, and artistic excellence. The key distinction under international human rights law is whether individuals are free to enter, question, and exit such communities without intimidation, manipulation, or punishment.
7. The Committee will come under pressure from submissions and popular media to expand the definition of cult to include faiths that involve whole-of-life commitment, and faiths that teach unpopular beliefs (especially concerning sexuality, gender and marriage). It is imperative that the Committee maintains a tight definition of “cult” that focuses on truly harmful and coercive practices, and not beliefs or teachings. It is also imperative that the Committee does not expand the concept of “coercion” to include strongly held beliefs or community standards.
8. This submission outlines the legal and ethical framework necessary to protect individuals from abuse without infringing upon core human rights. It addresses the meaning of coercive control, the dangers of overextending definitions of cults and coercion to include mainstream religions, and the international legal principles that should guide the inquiry's findings. We urge the inquiry to adopt clear, narrow, and evidence-based criteria to avoid jeopardising the fundamental freedoms that underpin a pluralistic and democratic society.

Religious expression as a human right

9. Australia is a signatory to the International Covenant on Civil and Political Rights (ICCPR), which articulates the right to freedom of thought, conscience, and religion. Article 18 of the ICCPR stipulates that everyone shall have the right to freedom of religion, including the freedom to manifest one's religion or belief in worship, observance, practice, and teaching. Article 18(2) also prohibits the use of coercion “which would impair [a person’s] freedom to have or to adopt a religion or belief of [that person’s] choice.”
10. In General Comment No. 22, the United Nations Human Rights Committee clarified that freedom of religion encompasses not only internal belief (forum internum) but also external manifestations (forum externum), including teaching, practice, and observance. Any restrictions on the manifestation of religion must be demonstrably necessary and proportionate under Article 18(3) of the ICCPR.
11. Most notably, the right to freedom of thought, conscience, and religion in Article 18 is non-derogable under the ICCPR (Art 4.2). This means that it cannot be suspended or restricted even in times of public emergency that threaten the life of the nation—a status shared with only a handful of rights such as the right to life, freedom from torture, and recognition as a person before the law.
12. The non-derogability of Article 18 reflects the United Nations Human Rights Committee’s view that religious freedom is so fundamental to human dignity that it must never be compromised.¹
13. As a signatory to the ICCPR, Australia is obligated to respect and ensure these rights. This obligation binds all levels of government, including the Victorian Parliament.
14. Any regulation of religious practices must satisfy the test under Article 18(3), namely that limitations are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others and that they are legislated.
15. *The Siracusa Principles on the Limitation and Derogation Provisions in the ICCPR (1984)* explain that limitations on rights need to be necessary, proportionate to the aim, and the least intrusive means available(s10-11, 23-31). These criteria require more than fear that religious activity *might* cause harm. They require clear evidence that the specific religious activity poses a specific, concrete risk to public health, safety, or the rights of others. They also require that any limitations on religious freedom are the least intrusive possible to address the specific, concrete risk.
16. In balancing competing rights, the *Siracusa Principles* give priority to the most fundamental rights – including religious freedom – stating:

When a conflict exists between a right protected in the Covenant and one which is not, recognition and consideration should be given to the fact that the Covenant seeks to protect the most fundamental rights and freedoms. In this context especial weight should

¹ General Comment No. 22

be afforded to rights not subject to limitations in the Covenant. (s37)

17. The *Siracusa Principles* also require that any limitation of rights is non-discriminatory and does not target particular groups (including religious groups) disproportionately (ss8-9).
18. International jurisprudence has also consistently affirmed the primacy of the right to freedom of religion or belief, even if the beliefs are controversial or unpopular within the community.
19. The European Court of Human Rights (ECtHR) in *Kokkinakis v. Greece* (1993) held that proselytism, even if persistent, is protected under Article 9 of the European Convention on Human Rights (ECHR), unless it involves improper pressure or coercion. The Court warned against criminalising religious outreach merely because it is persuasive or doctrinally exclusive.
20. In *Church of Scientology Moscow v. Russia* (2007), the ECtHR criticised the Russian government's attempts to de-register a religious group based on controversial public perceptions, reiterating that freedom of association (Article 11) and religion (Article 9) cannot be denied due to societal disapproval or unfamiliarity with a group's beliefs or structure.
21. These cases establish that governments must not act on vague or subjective notions of "harm" or "public discomfort" to suppress religious expression. Instead, states are obligated to demonstrate with evidence that specific conduct, not beliefs or religious identity, presents a genuine, pressing threat to public order or the rights of others.

Definition of "cult"

22. One of the biggest dangers we can identify for this inquiry is the potential for expanding the definition of "cult" to encompass unpopular religions.
23. We are encouraged by the initial discussion in the Guidance Note about the nature of cults:

This Inquiry is not about judging or questioning anyone's beliefs, whether religious or otherwise.

Many groups, including new religious movements, bring people together who share similar beliefs, and offer real community, meaning, and support to their members—and have a positive impact on their members' lives.

What we're focused on are those groups that use techniques that can harm individuals emotionally, psychologically, financially, or even physically. Harmful or abusive practices can happen in any group—religious or not—and our concern is with those actions, not the beliefs behind them. (p. 1)

Given the strong negative connotations the term cult carries, especially when applied to new/fringe religious or ideological movements/organisations, caution is essential when using the term. Labelling a group as a cult without clear, objective criteria can lead to stigma, misrepresentation, and potential infringement on rights such as freedom of belief or association. (p. 2)

24. As well as the adoption of the West and Langone definition:

a group or movement exhibiting a great or excessive devotion or dedication to some person, idea, or thing and employing unethically manipulative techniques of persuasion and control (e.g., isolation from former friends and family, debilitation, use of special methods to heighten suggestibility and subservience, powerful group pressures, information management, suspension of individuality or critical judgement, promotion of total dependency on the group and fear of leaving it, etc.), designed to advance the goals of the group's leaders, to the actual or possible detriment of members, their families, or the community. (p. 3)

25. However, we are concerned that this position will come under significant pressure and risk of expansion in the definition of a cult to include mainstream religions.
26. For example, soon after the inquiry was announced, the ABC ran an article titled *"All to Jesus I surrender": When coercion is taken out of religion, what do we have left?*²
27. The article alleges that the inquiry will investigate "high demand" religious groups, which includes groups that influence "education, employment and opportunities, relationships, resources and lifestyle". The article goes on to argue that faiths with high conviction (especially evangelical Christianity) are inherently coercive:

doesn't religion *qua* religion require our "all"? Surely Christianity is, by necessity, "high demand"? Evangelicalism certainly is. Churches frequently sing "All to Jesus I surrender", and as a Christian, I was taught to "die to myself" so that I might "live for Christ". This is as high as demands get.

... surely the argument that one must give over one's life and soul to avoid damnation is coercive by nature?

28. This article highlights the kinds of pressures that the inquiry will face to expand the definition of "cult" or "coercion" to include mainstream faiths. Clearly, if the definition of coercive behaviour includes mainstream religious beliefs and practices, this definition is far too broad for the purposes of the inquiry, which is designed to evaluate "cults and fringe groups".
29. Accordingly, it is imperative that the inquiry uses a tight and clear definition of the term and ensures that the definition does not suffer from "scope creep".

² <https://www.abc.net.au/religion/all-to-jesus-i-surrender-christianity-and-coercive-control/105259848>

Lists of behaviours

30. One of the areas of greatest risk for expanding the definition of “cult” is in the description that the Guidance Note gives of “recruitment methods” and “tactics” used by cults. Many of the “tactics” listed are standard practice for most world religions, as well as many non-religious organisations, including:
 - Offering belonging and purpose: Appealing to people seeking meaning, identity, or community.
 - Promising transformation or salvation: Offering exclusive access to truth, enlightenment, or protection from existential threats.
 - Slowly introducing core beliefs and increasing commitment through rituals, group activities, or study sessions.
 - Peer recruitment: Leveraging social networks to build trust and credibility (friends, colleagues, family members).
31. Stated less pejoratively, other listed “tactics” are also standard practice for many world religions and non-religious associations:
 - Demonstrating love and affection for new members and providing special attention to them to help them participate and connect.
 - Inviting people to seminars and “first contact” events.
 - Building rapport and community through social events.
 - Providing particular support to those who are most vulnerable.
 - Voluntary isolation, such as monastic orders.
32. The danger of the lists in the Guidance Note is that they mix these religious practices with conduct which may be coercive tactics. By doing this, the Guidance Note risks condemning mainstream religious activities by association. The danger is that the individual items on the lists are considered to be indicators of cult-like behaviour, or that they could be implicitly used as a scoring system. That is, if a religious group fulfils enough of these examples (restated as pejoratively as possible), then they are a “cult”.
33. Our concern is that, under anti-religious pressure, these definitions can be stretched to cover non-coercive but unpopular religious groups. This impairs other rights, including to have or to adopt a religion or belief of your choice (ICCPR 18.2).
34. We encourage the inquiry to emphasise that many of these activities are not, of themselves, cult-like behaviour. Indeed, the inquiry would much more effectively avoid the appearance of anti-religious bias by removing the lists entirely and focusing on a clearly scoped definition of “cult”.

Coercive Control

35. The terms of reference include the “impacts of coercive control”.
36. In order to consider the role of coercive control in cults and fringe groups, it is important to have a clear and contained definition of the term. There is no specific definition of “coercive control” in Victorian legislation. A Victorian Parliamentary Library Research Paper What is coercive control? notes that “there is currently no agreed-upon definition of coercive control itself ... A 2017 study identified some 22 different definitions, all of which hold varying implications for research, practice and policy-making.” (p3)
37. However, that paper sketches a framework for coercive control that is helpful: (p3)

Coercive control describes a systematic pattern of behaviour used by a person to dominate and control another person...

While physical and sexual violence may be present, coercive control is characterised by nonphysical behaviours, including emotional and psychological abuse, financial abuse, technology facilitated abuse, stalking and intimidation...

The effect is that, over time, the person experiencing coercive control sees their sense of autonomy eroded.

Common features of coercive control include:

- jealousy and accusations of infidelity
- verbal abuse
- monitoring or control of movement
- restricting a partner’s access to money
- interfering with a partner’s relationships with family and/or friends
- making threats of self-harm, and
- making threats of violence against the partner, family, friends, children and/or pets

38. It is worth noting that the NSW Crimes Legislation Amendment (Coercive Control) Act 2022 legislates a definition of coercive control that matches the paper’s framework.
39. A few key elements of this definition are important:
 - Coercive control involves a systematic pattern of abusive behaviours directed at an individual
 - The intent of the behaviours is to coerce or control the person
40. A critical distinction must be made between deeply held religious convictions and coercive control, as defined above. Importantly, beliefs are not coercion. Even the presence of strong beliefs does not amount to coercive control.
41. We will briefly consider four categories of belief that some commentators have incorrectly argued are coercive in themselves.

A) Belief in Hell or Judgment

42. Many faiths—including Christianity, Judaism, Islam, and certain Buddhist and Hindu traditions—teach that there are serious spiritual consequences for one's moral or religious choices, such as eternal separation from God (hell) or karmic retribution. These beliefs are not coercive in themselves because:
- They reflect a theological worldview rather than an imposed threat by a person or group.
 - Adherents are free to accept, reject, or interpret these doctrines according to conscience.
 - Fear of divine judgment is not the same as fear of human-imposed punishment or control.
43. The doctrine of hell may be confronting, but confrontation is not coercion. If taught in an environment where individuals can question or leave the faith, the presence of such beliefs does not constitute abuse.

B) Exclusive Salvation or Religious Supremacy

44. Many world religions assert that their path is the only true or most effective way to reach spiritual enlightenment, salvation, or divine favour. Examples include:
- Christianity's claim that "no one comes to the Father except through [Jesus]" (John 14:6).
 - Judaism's belief that the God of the Hebrew Bible is the only true God.
 - Islam's belief in the finality of the Prophet Muhammad and the Qur'an.
 - Some forms of Buddhism teaching that enlightenment requires adherence to the Eightfold Path.
45. While these claims are exclusive, they are not inherently coercive. In democratic societies, exclusive truth claims are protected as part of freedom of belief religion and freedom of speech. Tolerance of exclusivity is essential to pluralism.

C) Sacrifice and Asceticism

46. Many religions include requirements for personal sacrifice, such as fasting (e.g., Ramadan in Islam, Lent in Christianity, Uposatha in Buddhism), celibacy (e.g., for clergy or monastics), sexual self control, material renunciation (e.g., vows of poverty in monastic traditions) and financial giving (e.g., tithing or Zakat).
47. These practices may be rigorous or demanding but are non-coercive, by definition, when freely chosen. Self-discipline is not abuse. In fact, voluntary sacrifice is a hallmark of many spiritual traditions and is intended to cultivate virtue, mindfulness, or surrender to the divine.

D) Membership requirements

48. Religious membership requirements, even when strict or culturally immersive, do not constitute coercive control. Membership requirements are part of the normal bounds of voluntary association.
49. The right to form communities around shared values and standards is fundamental to freedom of religion and belief under Article 18 of the ICCPR, and freedom of association under Article 22 of the ICCPR.
50. Many religious communities have moral expectations, doctrinal standards, or lifestyle codes that they ask members to adopt as part of belonging. These requirements, while potentially demanding, are a lawful exercise of religious association.
51. These communities can also choose not to include a person who does not comply with these requirements or expectations. If a community is defined by a set of beliefs or standards of conduct, then it follows that a person who does not believe the same things may not be included by the community. Failure to include a person in a voluntary association is not coercive.
52. Many deeply meaningful life choices are “high demand”, including joining the military or committing to a political cause. Many of these require large amounts of commitment and involve strong social pressure to remain, with costs to withdrawing. These are examples of commitment, not coercion.

Religious coercion vs freedom to leave

53. There is no doubt that coercive control does exist within some religious contexts – as it does in many other contexts. However, the presence of strong religious beliefs, including claims of absolute truth, beliefs on eternal consequences, membership requirements, and self-sacrifice, are not coercive in and of themselves.
54. Helpfully, the UN has provided some guidance as to what does constitute coercion in a religious context. ICCPR Article 18(2) states “No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.”
55. The UN Human Rights Committee’s General Comment No. 22 (1993) further elaborates:

Article 18.2 bars coercion that would impair the right to have or adopt a religion or belief, including the use of threat of physical force or penal sanctions to compel believers or non-believers to adhere to their religious beliefs and congregations, to recant their religion or belief or to convert.
56. In the ICCPR, the key defining factor between protected religious association and coercion is an individual’s freedom to join, change or exit their faith and religious affiliation. As long as a person can engage with and reject these beliefs, there is no coercive control.

57. Religion is not coercive if a person can leave the group or the faith without threats of violence or retribution, without being stalked, harassed, or isolated from all personal support, and without financial entrapment to prevent departure.

Conclusion

58. In themselves, strong religious beliefs and disciplines are not coercive. Problems arise only when such disciplines are imposed through manipulation, deception, threat, or without the informed and ongoing consent of the individual—particularly in contexts where exit is not meaningfully possible.
59. Religious commitment can be similarly life-defining and sacrificial. This is not coercion—it is meaning-making. Coercion only enters when freedom to leave is stripped away, not when a person chooses to invest deeply in something they believe matters.
60. The inquiry must be careful to ensure that their definitions of “cult” and “coercive control” are clearly distinguished from devotion, discipleship, or ideological rigor. Using an imprecise or expansive definition risks criminalising or stigmatising legitimate religious expression, especially among groups with structured beliefs and moral expectations.

61. We thank the Committee for the opportunity to submit to the inquiry.



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