



Immaculate Heart College
Through Mary to Jesus: "The Way, the Truth and the Life"
John 14:6

23 February 2023

Committee Secretary
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House
Canberra ACT 2600

The L&CA Religious Discrimination Bill 2021 [Provisions]; Religious Discrimination (Consequential Amendments) Bill 2021 [Provisions]; and Human Rights Legislation Amendment Bill 2021 [Provisions]

Dear Sir/Madam

We, the Board of Directors of Immaculate Heart College in Lower Chittering, Western Australia, present the following submission regarding the L&CA Religious Discrimination Bill 2021 [Provisions]; Religious Discrimination (Consequential Amendments) Bill 2021 [Provisions]; and Human Rights Legislation Amendment Bill 2021 [Provisions].

The Founding Directors opened Immaculate Heart College to fill a gap in the area for a Primary School that teaches the Catholic Religion. They had the support of Emeritus Archbishop Barry Hickey, the Association of Independent Schools, Western Australia (AISWA), and the Education Department. The two focus areas of the College are Academic Excellence and the Catholic Faith. It opened in 2012 with 24 students, three teachers and a Principal. In 2023 we have over 400 students and the College is now registered as a Pre-K to Year 12 College. It has taken a lot of hard work and prayers, and there have been many hurdles to overcome but with God's help we will continue to grow.

In support of faith-based schools such as ours, I include in our submission the latest Australian Bureau of Statistics results, which were presented as a media release on the 16th of February 2023, by the National Catholic Education Commission as well as commentary by National Catholic Education Executive Director, Ms Jacinta Collins:

- The latest Census data shows Catholic education remains the major provider of education outside of government, with enrolments growing from 766,088 students in 2017 to 785,396 students (in 2021), and 793,729 in 2022.
- As the largest provider of faith-based schooling in Australia, this growth shows the great importance Catholic school families place on choosing a school that meets the needs of their child and reflects their values and beliefs.
- We've seen this growth in all faith-based non-government schools across Australia in recent years, with enrolments increasing 7.7 per cent from 2017-2022. Overall enrolments in faith-based schools increased from 1,211,242 in 2017 to 1,304,909, according to the 2022 ABS data.
- The growth shows the value Australian families place on faith-based education.
- The data reveals a record number of students in Catholic schools and support for faith-based education.
- National Catholic Education Executive Director Jacinta Collins said "Ten new Catholic schools opened across Australia over the past 12 months with 1,759 Catholic schools educating nearly 794,000 or one in five Australian students and employing over 104,500 staff".
- "The latest Census data shows Catholic education remains the major provider of education outside of government, with enrolments growing from 766,088 students in 2017 to 785,396 students (in 2021), and 793,729 in 2022.
- "As the largest provider of faith-based schooling in Australia, this growth shows the great importance Catholic school families place on choosing a school that meets the needs of their child and reflects their values and beliefs. "We've seen this growth in all faith-based non-government schools across Australia in recent years, with enrolments increasing 7.7 per cent from 2017-2022. Overall enrolments in faith-based schools increased from 1,211,242 in 2017 to 1,304,909, according to the 2022 ABS data," Ms Collins said.

"It is a timely reminder that school choice is a highly valued component of the Australian education system and parents want an authentic faith-based education for their children."

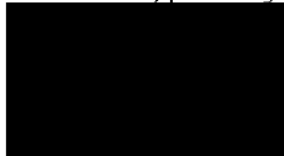
- Ms Collins said Catholic education is extremely disappointed with the proposed reforms outlined by Australian Law Reform Commission's (ALRC) in its current inquiry into religious educational institutions and anti-discrimination laws, which threaten the ability of faith-based schools to be authentic.
- "The proposed changes would remove or severely restrict the ability of Catholic schools to prioritise the employment of staff and enrolment of students from our faith background, or to operate and teach in accordance with our Catholic ethos," Ms Collins said.

Our views also align with those of Kevin Donnelly, as expressed in his online article of 21 February 2023, "Religious schools must be allowed to keep the right to discriminate":

- Freedom of Religion necessitates that faith-based organisations have a right to select staff who are not only adherents of that faith but support the doctrines and practices of the religious faith to which the organisation is committed.
- This is not different from any other organisation that has a mission or purpose. For example, an environmental group can choose not to select as a member of staff someone who does not share the objectives or priorities of the organisation or who might actively seek to undermine it.
- Political parties and offices would never contemplate hiring people who do not share the objectives of the organisation or who would seek to undermine that organisation.
- Anyone who openly goes or acts against the teaching of the Catholic Church, should not be employed to teach in a Catholic School.
- Human rights must always be balanced against each other. Why should one person's right not to be discriminated against on some other ground take precedence over another person's right not to be discriminated against on religious grounds? Religious rights are not second class rights.
- " .. no human right may be invoked to destroy another human right." - UN Rapporteur quoted at Paragraph 28 of the CP. We must be allowed "reasonable autonomy" to preserve our right to religious freedom.
- In conclusion, it was also reported that "school choice is a highly valued component of the Australian education system and parents want an authentic faith-based education for their children."

The Board of Directors of Immaculate Heart College present this submission in good faith that it will be considered favourably for the benefit of our growing and thriving school community, and for the greater benefit of Australian society.

Yours faithfully



Father Paul Fox

Chair of the Board of Directors

Immaculate Heart College

