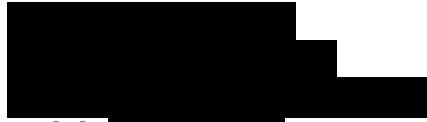


**SUBMISSION – Australian Law Reform Commission
Inquiry into Religious Educational Institutions and Anti Discrimination**

Submitter:

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Mobile

Introduction

This is a very sensitive subject, which is not a straightforward issue. It is one with many complex layers and nuance. Religion and faith to many provides a source of comfort, of security and of identity. It provides belonging and guidance. Views are held and are passionately so. Many parents choose an educational institution for the faith based environment and values they share,

It is important to note that there is not a single unitary religious view. No group can claim to represent or speak for all. This is important, when examining and evaluating perspectives. The Anglican Church for many decades was Australia's largest religious grouping, until supplanted by Catholicism, following the post war immigration from Southern Europe. Both these churches are now closing parishes, have greatly reduced numbers, have a rapidly ageing and diminishing clergy. They no longer represent mainstream Australia. Both of these institutions operate a number of church schools. Arguably, most of the parents of these students attending the schools are themselves not religious or observers.

Both of these churches are riven with internal division and theological differences. The Anglican Church is divided over the issue of the ordination of women and homosexuality.,The Roman Catholic Church is in decline, and a battle is being fought between Conservatives and reformers.,The role of laity and women is contested.

The Australian Christian Lobby is a noisy, but largely irrelevant group. I highlight these highlighting the point there is no singular position.

Freedom of thought, opinion, speech, expression and religion are all important human rights. They must be protected and defended. They are essential not maintain a fair and just civilised society, to protect the rights of others. There are times such rights will seemingly collide and conflict.

The issues are nuanced.

I will confine myself to the four main propositions as I am not a lawyer, I have little understanding of the fourteen more technical proposals.

DISCRIMINATION AGAINST STUDENTS

Religious educational institutions should have no rights or powers which allow them to discriminate on grounds such as sexual orientation, gender identity, pregnancy or relationship and marital status,

Sexual identity, is an inherent part of who we are as human beings. It is part of many characteristics that form our individual unique traits that make us.

Each student should be respected and have access to an education in an environment which is safe, and fosters their growth and development as citizens, family members, friends and individuals. All are entitled to an education. Schools should reflect the mainstream values of diversity, inclusion, acceptance and tolerance.

DISCRIMINATION AGAINST STAFF

Institutions must not be allowed to discriminate against staff on the same grounds as per students, That is, on the grounds of sexual identity, gender, marital, relationship or pregnancy status.

The most important aspects to be considered in an employment position is the ability of the staff member to do the job: Religious belief, faith, gender, or sexuality is not important in teaching mathematics. More importantly the ability to understand complex mathematical precepts, to communicate the principles involved, to obtain the attention of students and an understanding of the students.

Sexuality, matrimony or faith has no bearing on Pythagoras, or Archimedes.,

A teacher of nutrition, should be able to plan lessons around diet, and have the ability to reach her students. There could be an intersection with faith here, in that food may be need to be Kosher or Halal.

Similarly, administration roles, a bursar, teaching assistant, caretaker or grounds assistant has no genuine reason to be discriminated against. Their own beliefs or lifestyle have no relationship to the role.

PREFERRED STAFF IN EMPLOYMENT

Institutions should be able to employ specific staff who share the ethos, faith or beliefs of the school. My caveat is that is only for particular roles.

A Catholic school such as Xavier College, Assumption College or St Kevin's does not a maths teacher to be Catholic. It's not relevant to the subject being taught: It may be relevant to a Philosophy cksss, where religious belief is discussed. In teaching Catholic morality, then it is desirable that a person of faith is engaged.

This is fair and reasonable. To engage a non believer or person of different background could mean an incorrect understanding or incorrect knowledge is conveyed.

Such exemptions need to be clear, proportionate and directly related.

STAFF SHOULD RESPECT THE ETHOS AND MORAL

Employees should respect the school as their employer and parents choice. The school should respect the staff too.

Neither party should denigrate the other, but respect the values and underlying faith of the institution.

A mathematics, physics or music teacher should concentrate on their topics of instruction. The classroom is not appropriate to condemn the beliefs or values of the organisation. There are always limits, but such actions should be proportional and reasonable.

PERSONAL BACKGROUND

I was not educated at a religious school being educated within the public school system. I grew up in country Victoria, attending a council run kindergarten, then two state schools, Cobram Consolidated School and then Cobram High School.

My parents and grandparents were church attendees, part of the Methodist Church of Australia. After the union of the Methodist, Presbyterian and Congregational Churches we became part of the Uniting Church. I attended Sunday School regularly until I was 15 and religious instruction at the two state schools.

I am not a regular church goer, though, I am a believer in God and Christianity.,I volunteer for a a Uniting Church agency.,

I am also a friend, ally and supporter of the LGBTQIA community. I have witnessed some disgusting treatment against this diaspora by so called religious people.I have also seen incredible acts of love from religious people.
I have friends from the Jewish and Islamic communities.

The Marriage Equality debate saw how destructive intolerance could become, often in the name of religion. We must now allow discrimination to take place.

My sister, has sent her children to Catholic schools, as have cousins and friends. Interestingly many of these parents are non religious. Based on numbers enrolled and actual church attendances, there is a huge disparity in numbers. This suggests that the religious institutions do not have the influence or sway they visit to represent.

There is no place for discrimination by religious educational institutions any more,

Peter Sutton