

Joint Submission to the Australian Law Reform Commission
Consultation Paper: Religious Educational Institutions and Anti-Discrimination Laws

We submit that the Consultation Paper does not reflect the nature and reality of theological education in Australia today.

The phrases “train religious ministers and members of religious orders” and “students studying to be religious ministers” (and similar phrases) are too narrow to capture the wide range of students who study theological education, the wide range of the reasons for their study, and the diverse ways they are taught by staff.¹

First, different religious traditions use different descriptions of religious workers apart from those stated, including the terms priests, pastors, imams and rabbis.

Second, different religious traditions have different conceptions of the role of religious work and leadership in religious communities. Many do not rely on a full time religious minister or member of a religious order, and hence modern theological training needs to support students for many other kinds of roles than “religious ministers and members of religious orders”.

To give one of many examples, in the Protestant tradition, the doctrine of the “[priesthood of all believers](#)” means that potentially any believer can play a role of religious leadership in a religious community which has adopted this doctrine, and hence many students at relevant theological colleges do not intend to become religious ministers or other full-time workers, but nonetheless anticipate making theologically-informed contributions to their religious community.

For these reasons, we recommend amending the proposed wording to acknowledge the nature and reality of theological education as practised in Australia today. We suggest the following change be adopted for all Propositions in the relevant places:

“...train religious leaders and workers, and regulate participation in religious observances or practices, unfettered by sex discrimination laws. Religious leaders and workers include those who are, or seek to be:

- priests, ministers, pastors, imams, rabbis or the like in relevant religious communities,
- staff in religious organisations where theological education informs their responsibilities and duties,
- individuals providing service and charitable support for others, including overseas, where theological education informs their approach to service and support,
- individuals who are not employed by any religious community but nonetheless play a designated role in religious activities where theological education informs their activities, and
- others conducting religious activities where theological education informs their activities.”

In order for the proposed reforms to accurately reflect the current diversity in the nature and reality of theological education for Australian religious leaders and workers, we respectfully request that these changes be implemented.

Professor James Dalziel
Dean and CEO, Australian College of Theology

On behalf of:

¹ These phrases are also narrower than the phrases used in the existing exceptions in section 37(1) of the *Sex Discrimination Act 1984* as described in paragraph 36 of the Consultation Paper, and in sections of the *Fair Work Act 2009* as summarised in footnote 2 of the Consultation Paper.

Alphacrucis University College

Australian College of Christian Studies

Australian College of Theology: A network of 16 Australian theological colleges

- Bible College of South Australia
- Brisbane School of Theology
- Chinese Theological College Australia
- Christ College
- Malyon Theological College
- Mary Andrews College
- Melbourne School of Theology
- Morling College
- Presbyterian Theological College
- Queensland Theological College
- Reformed Theological College
- Ridley College
- Sydney Mission and Bible College
- Trinity Theological College
- Trinity College Queensland
- Youthworks College

Australian National Imams Council (ANIC)

Avondale University

Christian Heritage College

Moore Theological College

Perth Bible College

Sydney College of Divinity: A network of 8 Australian theological colleges

- Australian College of Ministries
- NAIITS: A Learning Community
- Nazarene Theological College
- Nisibis Assyrian Theological College
- NSW College of Clinical Pastoral Education
- Planetshakers Bible College
- St Andrew's Greek Orthodox Theological College
- St Cyril's Coptic Orthodox Theological College

Tabor Institute of Higher Education