

Australian Law Reform Commission
PO BOX 12953
George Street Post Shop
Queensland 4003

Re: Proposed Religious Education Institution and Anti-discrimination Laws Consultation Paper (2023)

I have written to express my views against the proposed changes limiting religious educational entities for self-governance and staff selection.

I am an Australian citizen and a parent at these religious education institutions. I have found nothing except a genuine care, deep respect and kindness from individuals, parents and teachers from these religious based education institutions.

The reasons I am opposed to this bill are six-fold.

1.1 Religious Education institutions, much like any group, are formed by individuals and groups who share common values, ideals, worldviews and beliefs. Much like political parties, sporting groups or stakeholder groups that form under a shared belief (e.g. LGBTQI), it is expected that people involved in these groups share the same beliefs. For instance, you wouldn't want someone with strong Liberal values to be in the Labor party (and vice versa). Each political party has a right to self-govern who is involved in their political party. This same right should be afforded to religious-based educational institutions who are formed from people with common value sets.

1.2 Discrimination in the form of taking away the rights of religious groups for self-governance (e.g. staff selection) is taking away religious freedoms clearly stipulated in Conventions such as the International Covenant of Civil and Political Rights, Article 18. As the review committee is well aware, Article 18 states:

- a. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
- b. The States Parties to the present Covenant undertake to respect the liberty of parents and, when applicable, legal guardians to ensure their children's religious and moral education in conformity with their convictions.

1.3 Specifically, when parents or religious conviction (eg Christian, Muslim, Catholic, Jewish, Buddhist, etc) send their children to a religious-based educational institution, they want the same institution to share their ideals/convictions. Parents are willing to sacrifice their income to pay the school fees for these schools to ensure a safe place for their children to foster their families shared beliefs and values. Denying this right for parents as

proposed in the consultation paper the stipulations in the International Covenant of Civil and Political Rights.

1.4 Additionally, parents who are not religious who choose to attend these schools are fully aware that they are sending their children to a religious-based school/institution. They are not coerced to join the school and understand upfront that it is a religious-based school with its own governance structure, values and convictions. If they do not agree with these ideals and becomes an issue for them, they have the freedom to send their children to other schools (e.g. public/selective schools).

1.5 Furthermore, if parent group(s) or stakeholder claim that there isn't "good options" for public/selective schools in the area, the ownership of this issue, frankly, does not lie with religious-based schools.

- a. Other stakeholder/community groups could of rallies together and start their own schools based on a shared value set/belief
- b. The fact that religious based schools (and the parents, with common values, who supported them financially over many years) built up and invested in their school over many years shows foresight in religious based communities and their conviction that religious freedoms and shared ideals are essential in Australia. The prevalent and impact of these graduate students who hold strong ethics is strong evidence that their value sets matter.
- c. Rather than view religious based educational institutions as enemies, it is important to realise these schools support the role of the government in educating their citizens. These religious based schools/institutions should not be the targets of a pernicious and unresolved hunt; Christians and people of other faiths are not the enemy. Instead they should be valued as important contributing stakeholder groups in Australia and not have their rights taken from them.
- d. In the same way religious groups do not dictate operational terms to non-religious groups (e.g. LGBTQI), the question must be raised why this proposal would seek to do the opposite. The government role should not be to incite hatred between groups; we do not want to become like America with their discrimination between groups (think Black Lives Matter). Rather the government's role should be to ensure that people can live respecting people who hold different values that their own, without impinging on their rights.
- e. To have their rights of religious based schools/institutions to self govern removed strips religious base them from the very fabric of what makes these institutions special and what makes Australia Australian; it is a violation of international freedom of religion conventions, and should be protected at all costs.

1.6 Likewise, staff who work in religious based educational institutions know upfront the expectations before working at their chosen place of employment.

- a. They could have chosen upfront not to work in that institution if they didn't agree with those ideals and convictions
- b. They are aware upfront that if they don't share those ideals, they are not locked in and can seek to work in another place of employment.
- c. Religious based schools should, therefore, not be persecuted/discriminated against by having their rights of self-governance removed because they are alternative employment opportunity that supports the government educational system.


- d. As mentioned above, other community groups can form together and open their own schools' educational institutions should they wish for other governance structures.

For the above reasons, I firmly believe that the proposed changes in the Religious Education Institution and Anti-discrimination Laws Consultation Paper (2023) should not be allowed to proceed, as it would break the religious freedoms set out in Conventions such as the International Covenant of Civil and Political Rights, Article 18.

Instead of inciting hatred and tension between these groups, the message from all levels of government should be that Australian can live with other who hold different beliefs.

Rather than remove rights for self-governance and religious freedom, Religious Education Institutions and their work should be valued for their vital role they play in the Australian Education landscape, to support the federal and state initiatives for education in Australia.

Regards,



Gabriel Cheung
Ratepayer, Parent