



24th February 2023

The Australian Law Reform Commission

Religious Educational Institutions Inquiry

We write to you on behalf of the Free Reformed School Association Inc. (FRSA), which operates five primary and secondary schools in Armadale (John Calvin Christian College), Byford (Byford John Calvin School), Capel (South West John Calvin Christian College), Kelmscott (Kelmscott John Calvin School) and Rockingham (Rockingham John Calvin School). In all the FRSA schools have over 1,000 students enrolled from K – 12 and employ in the vicinity of 145 permanent staff.

This letter concerns the ALRC Religious Educational Institutions Inquiry and the recently released Consultation Paper.

We have studied the consultation paper released on 27th January and provide the following preliminary comments, noting the short time provided to review and prepare a response.

Background

The FRSA is an association of individual members from the Free Reformed Churches who subscribe to the same faith and doctrine.

The FRSA operates schools for the purpose of teaching the mandatory curriculum through a religious worldview that reinforces the Bible knowledge, attitudes and values which are taught by the Church and students' parents and carers within the Free Reformed Church community.

Enrolment is only open to students whose parents are members of the FRSA and employment is only open to staff who are members of the Free Reformed Churches of Australia or a recognised sister church federation. At an operational level this means that FRSA schools generally do not need to make evaluations of a person's religious beliefs or lifestyle – that determination is largely made by the person's church. We believe this separation of responsibilities is wise, and avoids schools having to make evaluations of a person's faith when this is best done by elders and church leaders who are responsible for a person's pastoral care.



Proposition C

Proposition C frames the recruitment restrictions to be placed on a religious educational institution as permitting a *"preference"* for staff aligned with the religious foundations of the religious educational institutions if it is a genuine requirement of the role.

Paragraph 58 observes that *"For some educational institutions, religion is infused through all school life ..."*

Having established that situations exist where educational institutions do infuse religion through all school life, i.e. meeting the genuine requirement provision, the right to merely preference staff during selection, appointment and promotion appears to be disproportionately small.

We respectfully request that the technical proposals that would give effect to Proposition C be expanded to allow religious educational institutions that genuinely infuse their religion through all school life the right to restrict employment to those who adhere to or practice the aligned religion and not be restricted to merely preference those who adhere to or practice the aligned religion.

Further, we respectfully request that the technical proposals also permit such a religious educational institution to insist that staff and students adhere to a code of conduct that reflects the doctrines, creeds and confessions of the aligned religion.

Without these explicit rights it is our profound concern that religious educational institutions that genuinely infuse their religion through all school life would not be able to do so and will not be truly aligned with their respective religion. Such a situation would result in a religious educational institution where religion is quarantined to a specific subject area, siloed away from the rest of life. This would conflict with our basic religious belief that religion infuses every element of life.

We would appreciate your consideration of this submission, and if helpful we are willing to further discuss and clarify matters raised.

Yours faithfully,

A black rectangular box redacting the signature of Henry Dykstra.

Henry Dykstra
Board Chairman