

Submission to:

Australian Law Reform Commission - Religious Educational Institutions and Anti-Discrimination Laws

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Mail: The Commissioner, Australian Law Reform Commission, PO Box 12953, George Street Post Shop, Queensland 4003

Submitted by: HillSide Christian College Incorporated Association and Board of Governance

We the HillSide Christian College Association and Board of Governance make the following submission to Australian Law Reform Commission.

This submission aligns with the HillSide Christian College Staff submission, however this submission is independent in its own right. This submission reflects unity and diversity within our organisation, whereby together, yet independently, we object to the proposals and propositions in the ALRC's Consultation Paper.

This submission is to protest the proposed abolition of exemptions which currently exist in Anti-Discrimination Law. This submission also refutes the principles, the process involved, the general propositions and the technical proposals in respect to the Consultation Paper. This submission does not dissect the Principles, Propositions or Proposals point-by-point, other than to reject them in entirety. The Consultation Paper, in our view, needs to be completely re-written from the ground up with particular attention made to genuine consultation. We would suggest that the recommendations of the Expert Panel on Religious Freedom would be a good starting point to better reflect a pluralistic society and fairer system of law.

We are connected to our school in many varied ways, through church and other community connections and some, as parents of students. We love our school the way it is.

Our submission is very simple. Please leave our school (and other faith-based schools) alone.

The right to practise our Christian faith and have our own school is precious to us. To practise one's faith is an unalienable right, and we assert this right for ourselves, our staff, our students and their parents.

The following points are to expand on the above sentiments and assertions.

1. It is clear to us that the ALRC's interpretation of United Nations' declarations and conventions is very selective and partisan. To read, the seminal UN Human Rights' documents plainly, and to examine the language used, it is clear that the agendas at play in the Consultation Paper twist, and render obtuse, the cited UN documents. To suggest that a major religion, like Christianity and its tenets, should experience "limitations" due to it having a negative effect on other "human rights", when the "human rights" have not even been established or articulated in the documents themselves, is unethical and wrong. The core UN documents (UDHR, ICCPR) do not articulate or infer the types of "rights" (sexual orientation, gender identity, etc.) that the ALRC asserts as the intention of the documents. The Consultation Paper's use of UN Human Rights documents has resulted in a subtle, legally and lexically massaged, viewpoint.

For instance, the UN's Universal Declaration of Human Rights (UDHR) and the ICCPR, make no reference to: "sexual orientation", "gender identity", as "rights" per se. Whereas religious belief and matters of conscience are clearly articulated in both documents. Part of the reason religious practice is so clearly articulated in the UDHR and ICCPR is to ensure that citizens, like us, are not subject to government hostility or oppressive measures that limit normal, accepted religious practice. Citizens should be able to (and can do so) plainly read and understand the UN core documents because they affect average people like us. It is not right or fair to make the interpretation of these documents complex and disingenuous, only understood by lawyers and bureaucrats. These documents are for citizens first and foremost.

2. We choose to operate and provide a Christian school environment. We purposefully chose our employees based on their suitability in the workplace, which we see as our responsibility to ensure the school's mission and core values are maintained.
3. We choose to be Christian, just as God has also chosen us.
4. Our faith is everything to us. It is eternal life and should not be controlled by the State nor any human being. We have a right to practice our faith without interference from the State or any entity or person that would seek to undermine it.
5. We believe the teachings of the Bible in its entirety. We believe in the inerrancy and supremacy of our Scriptures for all matters of life and living. Most importantly, the Bible teaches us the way of salvation, which is through Jesus Christ.
6. Holiness is a vital component of the Christian life. What we do with our bodies is inextricably linked to our Christian lives. We should always do only that with our bodies, which honours God. This truth is concisely summarised in the Bible from the words of Saint Paul to the Romans (12:1 ESVUK):

"I appeal to you therefore, brothers, by the mercies of God, to present your bodies as a living sacrifice, holy and acceptable to God, which is your spiritual worship."

7. LGBTQI+ worldviews are incompatible with the Christian worldview. Therefore, we cannot accept the ALRC's Consultation Paper as anything but flawed and biased towards groups other than ourselves. We must follow God, not man, if our faith is put at stake.

8. The main issue with the paper is not that all people need respect and love; everyone needs this, including ourselves. Unfortunately, the Consultation Paper reflects intolerance because it places the "rights" of one group of citizens above another. There is no "win/win" for HillSide Christian College in the Consultation Paper, only loss. The Consultation Paper creates a bias, and favours sexual orientation, gender identity, etc. based groups and individuals over those with religious belief and practice. The Paper's principles and recommendations create a dichotomy of rights, and people of faith are subordinated below those with alternative lifestyles and values. The Paper is inherently biased, is lacking in terms of religious understandings, and fails to protect or acknowledge the vital importance of faith to those who are Christian (and indeed other major world religions too).
9. The Consultation Paper tries to define the parameters of religion. In essence the Consultation Paper defines the tenets of our faith, with the government controlling religion. This is the antithesis of religious freedom and even the Australian way. This demonstrates that there is little understanding in respect to the integrity and nature of religion itself. It is not the role of the law or the State to define religious belief, practice and association. This is what religion actually is; a group which forms autonomously and independently around such principles and defines itself.
10. The traditional teachings of the Christian Church are patently obvious. For millennia, the Christian Church has taught clearly on core matters of lifestyle. Here, in our faith-based community, we believe every word of the Bible and we accept its truth and authority. It is perplexing that matters of gender, sexuality and morality, as understood traditionally by the Christian Church, are not respected or truly acknowledged by the authors of the Consultation Paper. It is one thing to have a contrary agenda or viewpoint, but to target religious groups because of their tenets and practices is paramount to persecution. A government cannot be pluralistic and persecute at the same time. We therefore find the Consultation Paper disrespectful and lacking nuance in respect to the breadth and depth of the Christian faith and its associated morals. The Christian Church is the world's largest religion by adherents. It is also Australia's largest religion. It deserves more respect from government and genuine protection under the Law.
11. Communities of faith are inextricably linked to schooling. Education is at the heart of a faith-based community. Children have a right to learn and practice the faith of their parents, which is supported and provided by a faith-based school. Faith-based schools like ours operate based on like-mindedness. The school and parents form a partnership which incorporates the tenets and religious practice at its heart. Parents seek out faith-based schools for their children, likewise we, the governing body, consider it a privilege to collaborate with families to create a faith-based learning community and culture.
12. Independent schools like ours are a product of choice. In 2023, there is a wealth of educational choice for parents, staff and students within the educational market. The enrolments and interest in our school continues to grow, even to the point that it is difficult to keep up with demand. This is based on families choosing our school for themselves and the school offering enrolment on terms which are articulated and advertised. Our parents are free to accept and support the terms of enrolment at this school. The majority of our families are Christian, and those that are not, are enrolled on the basis that they want our particular model of Christian education.
13. The overwhelming majority of our families come to the school for the integrity of the Christian teaching, values and practice. We are also noticing that more families are leaving the state system

and coming to our school because they feel it is not a good moral space for their child. Our school therefore is a safe haven for these families and a place where the Christian life is lived out practically. Our school is an authentic Christian environment and people are choosing this for their child's safety and welfare.

14. Conversely, if a person does not feel comfortable in this school environment, they simply need to find a school that suits their own values and beliefs. At our school, we actually want to match the family's values and beliefs with that of the school, so it is a genuine partnership which leads to better success for the student. HillSide Christian College was started by Christian parents who were concerned that the values and beliefs of the state system did not reflect their own, hence the establishment of the school. It has always been a choice-based relationship. The school's heritage is Christian at the core, and it is therefore clear in its beliefs and morals.
15. Our students are happy and well supported at our school. Our school is an overtly Christian environment. Every student does matter to us. We are not naïve to the fact that our school does not suit every family but we do not try to be something we are not. It is clear what model of education we offer, and how it allows our students to thrive. We have found from experience that families with contrary worldviews cause dissention and conflict within the school community. We like our school's culture as it is now, and these proposed laws will undermine everything we have built, and have enjoyed, to this point.
16. HillSide Christian College is an exceptionally positive place. It gives the employees, parents, students and our governing body meaning, security and aligns with our own values strongly. Therefore, any change to the school's values, beliefs and practice would be distressing. It is not necessary to change our school. We like our culture and so does our community. Our school surveys emphatically articulate this fact.
17. HillSide Christian College is performing to a very high standard. Culturally and performance-wise, the school is very positive educationally. Our parents, students and staff are exceptionally pleased with how the school operates and we have a unified community generally. The Consultation Paper will undermine the good standards we have because the culture and fabric will be harmed if these proposed laws come into effect.
18. Tolerance means we can all have our own safe spaces. This school is our safe space. It is a safe space for our families. The Consultation Paper has little systemic or demonstrable evidence to warrant the proposed radical changes. In performing well, we are doing no "harm" to anyone, nor is this place "unsafe". It is not always possible to please everyone, employ everyone or enrol every student, but we are not deliberately targeting anyone. We seek to live our lives in a manner that is consistent and pleasing to God, and in doing so, we seek to do good to all people. However, there are values and practices that are not always compatible with our faith. It is also naïve to expect some sort of egalitarian utopia where everyone is banal and without values. Tolerance is not necessarily agreeing, rather respecting safe spaces for all, including ourselves.
19. There is no aggression or systemic bullying in our school. It seems the only aggression and bullying in this situation is the Consultation Paper itself. We teach our children to have "agency" and the ability to say "no", yet this document would empower the opposite. The proposed laws would make our staff law breakers for discriminating in favour of shared religious beliefs which, in effect, would render good, hard-working staff as criminal. We would have little legal ability to say "no" ourselves. This is more than concerning to us because we are good Australian citizens, who

act fairly and reasonably. We endeavour to be kind to our students, parents and the community, but our morals would be seen as criminal. Immorality will be forced on us, with no respect for our individual and collective "no".

20. We, the Board of governance of HillSide Christian College emphatically re-state that we will be disenfranchised and disaffected by the proposed legislation in the Consultation Paper. Our school is an asset to the community. It is a very successful school. Please consider the fact that the government represents all citizens and is obliged by international agreements to earnestly respect religious rights and parental choice in respect to religious belief and schooling. Please do not harm our organisation because of lobbyists and activists who are not actually working in faith-based schools. Presently, we have peace in our school; the children, staff and families here need peace. Your proposed changes will harm our mission and undermine our faith-based learning community.

The above reflects the strongly held beliefs and passions of the HillSide Christian College Association and Board.

Accepted unanimously by the members of the HillSide Christian College Incorporated Association and College Board listed below:

David Bonanno

Alan Grover

Wayne Manoni

Kay Newton

Lance Staer

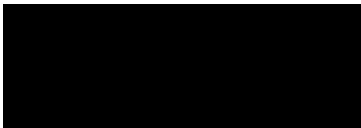
Devon Wynne

Tracey Pezzali

Ray Dallin

Rudolf van Noppen

Yours Sincerely,



Mr Devon Wynne

Board Chairperson and Association Chairperson (joint submission)

Hillside Christian College Incorporated