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Sent: Friday, 24 February 2023 9:56 PM
To: Anti Discrimination Law
Subject: Submission : Religious Educational Institutions and AntiDiscrimination Law - consultation paper

Australian Law Reform Commission

A personal submission by David R M Mills, [REDACTED]
24th February, 2023.

As the survey for the public was closed at 6pm today when I attempted to do it (the deadline was stated as 24 February, 2023) I make a brief submission.

a) I have perused the [Submission made by the Human Rights Law Alliance on 21 Feb 2023](#), 16 pages plus covering letter (HRLA for short).

I support that submission in its detailed analysis of the short-comings of the ALRC's consultation paper.

I do not have the legal, constitutional nor socio-psychological expertise to comment in depth, although I have read some of the academic critiques supporting the above HRLA submission and other materials). Hence my comments are based on everyday experience, our own, and those of many friends and colleagues across Australia.

b) I have worked in cross-cultural situations in South East Asia and at one of Australia's largest universities with a very diverse student population. I observed, in over 40 years of engagement, deep respect of others' religious beliefs - beliefs held by almost all in South East Asia and what is still a majority in Australia (ABS 2021) - including in a physics department in which the majority of academics were practising Christians; others from Pakistan, Iran, Afghanistan, Indonesia, Malaysia who were practising Muslims. All without exception had values shaped by their religious faith.

I observe in my neighbourhood, many who have come to Australia from Asia and beyond, whose lives are similarly shaped by their religious beliefs, as well as more than half of the 'Aussies' in the neighbourhood.

I observe two faith-based schools close to my home, a Roman Catholic primary school and an Adventist school through to secondary. People choose these schools for their children's education, I gather, based on their confidence in the values of those schools, not on specific doctrines. And yes, there are excellent public schools equally close.

Australian families, overall, are choosing the stability of religious and independent schools, not necessarily for a perceived academic advantage (which is known to be short-lived if at all) but because of their values. And, I dare say, concern about the loss of foundations in a secular society.

c) I understand the role of law-making at the federal level, is to first and foremost uphold The Constitution of Australia and to govern the life of our nation in a way which benefits our citizens (and residents) as a whole. As in Section 51 Legislative Powers of the Parliament.

It appears that changes proposed go beyond this. As outlined in the HRLA, there are for instance, elements of social engineering and of changes of values which have no firm evidential basis, I do not see the Constitution giving parliament the power to allow social experimentation.

As a physical scientist, one knows that theory and evidence must go hand in hand, a theory may suggest a particular approach but the experimental evidence must support it. For the physical sciences or say engineering and new technologies, we expect a consistency of outcome as there is a governing law of nature ... In economics, politics, sociology, and the psychology of the individual, there is no such certainty rather, observations made over time in particular situations for particular groups or individuals subject to a multitude of influences.

d) I conclude by noting that the direction of changes proposed will have unknown consequences. (One might draw a comparison with the attempts to manage situations in the NT by alcohol prohibition, etc etc and recognise the harm caused by 'solutions' - friends and family have been involved in different ways and different times in the NT.)

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