



## **Submission**

### **Review to Inform a Better and Fairer Education System**

**2 August 2023**

This is a formal submission by the [Rationalist Society of Australia](#) (RSA) – Australia’s oldest freethought organisation promoting reason, evidence-based policy and secularism – into the Review to Inform a Better and Fairer Education System. We welcome the opportunity to make this submission as part of this public consultation.

In this submission, we outline our general position on the importance of secular public education and then address a specific point identified in the scope of the review – the point relating to wellbeing.

### **1. Secular education**

We believe every child has the right to be educated to the full extent of their capacities. We oppose any attempt by organisations to limit children’s education, or to isolate children within closed communities. We also oppose the indoctrination of children into any particular religious doctrine before they are mature enough to consider alternatives and make up their own minds.

We therefore believe Australian governments should support the invigoration of a robust, well-funded, universal, free and secular government education system.

Australian governments have for some time allowed and orchestrated religious missionary activities in the government education system, including activities that segregate children along religious lines during class time. Such missionary activities have included:

- the teaching of scripture during class time, such as in Special Religious Education (SRE) in New South Wales and Religious Instruction (RI) in Queensland;





- the public recitation of prayers or similar religious rituals;
- the promotion of church-run camps;
- school-based church-run programs for children such as Hillsong’s ‘Shine’ program;
- the presence of religious chaplains or similar religious functionaries.

**1.1 Committing to secular public education**

***The RSA recommends that the Education Act (or equivalent) in each jurisdiction includes an express commitment to secular public education.***

<b>Jurisdiction</b>	<b>Statutory commitment to secular public education</b>	<b>Relevant provision</b>
New South Wales	Yes	<i>Education Act 1990 (NSW) s 30: “In government schools, the education is to consist of strictly non-sectarian and secular instruction.”</i>
Victoria	Yes	<i>Education and Training Reform Act 2006 (Vic) s 2.2.10: “education in Government schools must be secular and not promote any particular religious practice, denomination or sect.”</i>
Queensland	No	The word ‘secular’ does not appear in the <i>Education (General Provisions) Act 2006 (Qld)</i> .
South Australia	Yes	<i>Education and Children’s Services Act 2019 (SA) s 7(4)(g): “education and</i>





		children's services provided by Government schools, Government preschools and children's services centres are to be secular in nature”
Western Australia	Indirectly	The word ‘secular’ does not appear in the <i>School Education Act 1999 (WA)</i> , but s 68(1)(a) prohibits the curriculum and teaching in government schools from promoting any particular religious practice, denomination or sect.
Tasmania	Yes	<i>Education Act 2016 (Tas)</i> s 125(1): “The curriculum in a State school is to consist of any non-sectarian and secular instruction and courses the Secretary determines.”

Committing to secular public education does not mean that government schools should not teach about religions. We support the teaching of ethics and comparative religion as part of humanity’s rich cultural heritage.

We accept that discussion of religion and religious texts may legitimately arise when learning about art, music, history or literature. However, ethics and religion should be taught by qualified teachers in an academic context, not by unqualified religious instructors in an evangelical context.

**1.2 Special religious instruction (or “scripture”) should not be permitted during class time**

***The RSA recommends that, if school-based special religious instruction is to be permitted, all jurisdictions adopt Victoria’s opt-in, out-of-class-time model of special religious instruction.***





In particular, the New South Wales and Queensland governments allow religious missionaries to enter classrooms under the SRE and RI programs respectively, disrupting the normal curriculum, so that these missionaries can [“harvest children for the Lord”](#) and [teach about “hellfire” and creationism](#).

<b>Jurisdiction</b>	<b>Status of doctrinal religious education provided by outside religious missionaries</b>	<b>Governing instrument/s</b>
New South Wales	Faith groups have an entitlement to provide RE during class time for 1 hour per week.	<i>Education Act 1990 (NSW) s 32</i>  <a href="#">Special religious education procedures</a>
Victoria	Schools may permit RE outside of class time for 30 minutes per week.	<i>Education and Training Reform Act 2006 (Vic) s 2.2.1</i>  <a href="#">Special Religious Instruction Policy</a>
Queensland	Faith groups have an entitlement to provide RE during class time for 1 hour per week.	<i>Education (General Provisions) Act 2006 (Qld) s 76</i>  <a href="#">Religious instruction policy statement</a>
South Australia	Schools may set aside time during the school day for “religious activities” conducted by external persons.	<i>Education and Children's Services Act 2019 (SA) s 82</i>  <a href="#">Religious activities in schools and preschools policy</a>
Western Australia	Schools may permit RE during class time for up to 40 hours per year.	<i>School Education Act 1999 (WA) s 69</i>  <a href="#">Guidelines for religious education</a>
Tasmania	Schools may permit RE during	<i>Education Act 2016 (Tas) s 126</i>





	class time.	<a href="#">Secretary’s Instruction No 8: religious instruction in a state school</a>  Religious instruction in a state school policy
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Governments should stop treating children as targets for religious indoctrination and proselytising in the classrooms of government schools. Precious learning time – especially in New South Wales and Queensland – should be given back to professional teachers.

## 2. Student Wellbeing

***The RSA recommends that all student wellbeing and pastoral care workers be direct employees of schools (or education departments) rather than employees of third-party organisations.***

This section addresses point 5 of the scope of the review: *‘How the next agreement can contribute to improving student mental health and wellbeing, by addressing in-school factors while acknowledging the impact of non-school factors on wellbeing’.*

The Australian government has undermined the wellbeing of Australian schoolchildren by funding, since the Howard government, the placement of religious chaplains in government schools through third-party religious providers.

Instead of funding the best-qualified professional people to support children, the federal government has chosen to fund, to the tune of an estimated more than \$1 billion since 2007, the ideologically driven National School Chaplaincy Program (NSCP). This program has required staff employed in public schools have religious credentials and endorsement from churches. Additionally, some states such as Western Australia have directed additional funding, in the millions of dollars each year, to their own religious chaplaincy programs in public schools.





If Australian governments were serious about the wellbeing of school children, they would have chosen to fund programs that employ professionally trained people, regardless of religion, with appropriate qualifications in areas such as youth work, wellbeing, pastoral care – essentially, the “best person for the job”. Instead, governments have continued to fund – essentially, given the dominance of Christian third-party providers – “the best Christian for the job”. In doing so, the wellbeing needs of children have been a secondary concern.

And this has come at a cost to the wellbeing of children across Australia. Over the life of the NSCP, the media have documented many instances of inappropriate behaviour by religious chaplains. In one case, a [chaplain told an anorexic child she was “hungering for the word of God”](#). In another, a [chaplaincy provider referred to homosexual activity as a “serious sin”](#).

The [latest evaluation of the NSCP](#), released earlier this year, included testimonials from students that chaplains had tried proselytising to them. The student said the chaplain “makes kids uncomfortable because they want to push their religion.” Another said: “I have had a chaplain attempt to discuss religion with me...”

The evaluation report, [produced by dandolopartners for the federal Department of Education](#), also revealed that the perception of religious judgmentalism was a barrier to students seeking care. Some students, including because of their gender identity or sexual orientation, told the evaluation that they refused to engage with religious chaplains.

The real toll on the wellbeing of children because of the Australian government’s opting for religious chaplains instead of appropriately qualified professionals is, of course, unknown.

## **2.1 Ongoing discrimination in the National Student Wellbeing Program**

While the previous NSCP discriminated against non-religious people by requiring that chaplains be people of faith, religious-based discrimination continues in the NSWP, with some of the roles – chaplains – still required to have “endorsement by a recognised or accepted religious institution”, even though this is inconsistent with the declaration that the NSWP is not a religious program. Earlier this year, [the federal education department](#)



[said](#) the requirement for chaplains to have religious endorsement was in order to “confirm their faith”.

In practice, schools do not hire wellbeing workers directly. Schools enter into contracts with third-party providers who engage the wellbeing workers. In almost all cases, these third-party providers are Christian organisations who require their employees – including wellbeing workers in public schools – to be Christians. The requirement to be a Christian is usually a selection criterion in job advertisements.

In 2020, [Victoria’s Human Rights Commission told a Victorian MP](#): “we agree that the program may be in breach of [Victoria’s] Equal Opportunity Act 2010”. In 2021, in response to advocacy by the RSA, [Western Australia’s Equal Opportunity Commission said](#) it was concerned that restricting youth worker/chaplain positions to religious people was “prima facie religious conviction discrimination” under Western Australia’s Equal Opportunity Act 1984. In 2020, [Queensland’s Human Rights Commissioner said](#) the practice involved “potential contraventions of the [Qld Anti-Discrimination] Act”.

The [RSA last year warned the federal education minister Jason Clare and his state and territory counterparts](#) that, given the dominance of long-established religious-based chaplaincy providers that only employ people of their own faith background, discrimination would likely continue in the NSW.

## **2.2 Inconsistent implementation of the National Student Wellbeing Program**

Some states and territories are failing to implement the new NSW as agreed with the federal government, leading to inconsistencies in the implementation across the nation. Here are some examples:

- The new Project Agreement for the five-year federally funded NSW includes a clear statement that the program is “not a religious program”. However, both Queensland’s and South Australia’s guidelines fail to mention that key requirement. New South Wales and Victoria have included the statement in their respective guidelines.
- The Project Agreement also states that chaplains and student wellbeing officers funded under the program may be of “any faith or of no faith”. New South Wales,





Queensland and Victoria have included this statement in their respective guidelines. In contrast, South Australia still requires chaplains to be “of any faith”.

- The Project Agreement requires all states and territories to publish their own guidelines and policies on their respective education departments’ websites, but Tasmania, Western Australia, the Australian Capital Territory and the Northern Territory are yet to do so.
- Under Queensland’s guidelines, chaplains are still allowed to invite children to attend religious activities such as “lunchtime prayer group” or camps outside school hours. In contrast, the Victorian government has specifically banned chaplains from engaging in such activities. The state’s guidelines say chaplains must not “conduct religious services or ceremonies or lead religious observances”, or “promote external events run by religious organisations”, including camps, excursions, youth conferences, and guest speaker presentations.
- South Australia is the only state that continues to refer to the role’s responsibilities as including the provision of ‘spiritual’ care – a description included in the former national agreement for the NSCP but omitted from the Project Agreement for the new program.

*See table on the next page for an overview of inconsistencies in implementation of NSW.*







**Overview of inconsistencies in implementation of NSWP.** Note: Green background indicates that the Rationalist Society of Australia approves of the position and a red background indicates it disapproves of the position.

	Includes statement that program is not a religious program	Includes statement that chaplains/ wellbeing officers may be of "any faith or of no faith"	Expressly <i>permits</i> religious activities such as prayer groups and external camps	Expressly <i>prohibits</i> religious activities such as prayer groups and external camps	Expressly prohibits proselytising and evangelising	Includes references to the role as providing 'spiritual' care	Includes statement that chaplains be endorsed by a religious institution
Federal Project Agreement	YES	YES	NO	NO	YES	NO	YES
NSW Guidelines	YES	YES	NO	NO	YES	NO	YES
Vic. Guidelines	YES	YES	NO	YES	YES	NO	YES
QLD Guidelines	NO	YES	YES	NO	YES	NO	YES
SA Guidelines	NO	NO	NO	NO	YES	YES	YES

While the NSWP was intended to give schools a choice of either a chaplain or student wellbeing officer, some schools in Queensland have been pressuring their parents and carers to accept the continuation of religious-based chaplaincy – [as the RSA reported on its website in late July](#).

**The RSA recommends that the federal government conduct an audit of whether state and territory guidelines and practice are consistent with the program agreement.**



### **3. Conclusion**

List of recommendations:

1. The RSA recommends that the Education Act (or equivalent) in each jurisdiction includes an express commitment to secular public education.
2. The RSA recommends that, if school-based special religious instruction is to be permitted, all jurisdictions adopt Victoria's opt-in, out-of-class-time model of special religious instruction.
3. The RSA recommends that all student wellbeing and pastoral care workers be direct employees of schools (or education departments) rather than employees of third-party organisations.
4. The RSA recommends that the federal government conduct an audit of whether state and territory guidelines and practice are consistent with the NSW program agreement.

Regards,

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