

## **Catholic education says religious freedom legislation must go hand-in-hand with the Law Reform Commission review**

The National Catholic Education Commission looks forward to progress on religious protections that enable Catholic schools to continue to operate according to their values and beliefs.

National Catholic education acting executive director Sally Egan said today's announcement of the terms of reference for the Australian Law Reform Commission's (ALRC) review of laws protecting faith-based schools shows some progress on this important issue, but must go hand-in-hand with proactive legislation to protect religious rights in Australia.

"Religious freedom deserves the same protection as other rights in Australia, ensuring a fair and reasonable balance with other protected rights," Ms Egan said.

"International law recognises that parents have the right to choose a school for their children that reflects their values and beliefs," Ms Egan said. "For Catholic schools this means being able to preference the enrolment or employment of students or staff who are Catholic, or who are willing to support the ethos and mission of the school."

A survey conducted for Catholic education last year showed 63% of the general population, 82% of Catholics and 79% of parents with children in Catholic schools believe religious schools should be 'entitled to require employees to act in their roles that uphold the ethos and values of that faith' and the school should be free to favour hiring employees who share these values.

"In operating in accordance with their religious beliefs, Catholic school communities do not discriminate, and are not seeking to discriminate, based on an individual's personal attributes," Ms Egan said. "However, it's critical that staff are willing to support the mission and ethos of the school, which may be a person who is Catholic, but may also be a person who has another religious faith or no religious faith at all.

"We hope the outcome of the ALRC review will be to make recommendations to the Australian Government for a fair and reasonable balance to ensure staff and students are not discriminated against on the basis of sex, sexual orientation, gender identity, marital or relationship status or pregnancy, while enabling faith-based educational institutions to continue to express their faith identity, ethos and values.

"Any review of laws protecting religious schools should go hand-in-hand with proactive Commonwealth legislation to protect religious freedom and prevent over-reach of state legislation on faith-based schools," she said.

Federal Attorney General Mark Dreyfus KC MP released the terms of reference into the ALRC's review into exemptions for religious education institutions in federal anti-discrimination law today. They include amendments to the Sex Discrimination Act 1984 and other federal anti-discrimination laws to ensure educational institutions conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed:

- Must not discriminate against a student on the basis of sexual orientation, gender identity, marital or relationship status or pregnancy;
- Must not discriminate against a member of staff on the basis of sex, sexual orientation, gender identity, marital or relationship status or pregnancy;
- Can continue to build a community of faith by giving preference, in good faith, to persons of the same religion as the educational institution in the selection of staff.

*NCEC is the peak body for Catholic Education in Australia and is responsible for the national coordination and representation of Catholic schools and education authorities. There are 1,755 Catholic schools educating over 785,000 or one in five Australian students and employing over 102,000 staff.*