

**Submission
No 26**

**ANTI-DISCRIMINATION AMENDMENT (RELIGIOUS FREEDOMS AND
EQUALITY) BILL 2020**

Organisation: The Association of Independent Schools of NSW

Date Received: 19 August 2020



19 August 2020

The Hon Gabrielle Upton MP
Chair
Joint Select Committee on the Anti-Discrimination Amendment
(Religious Freedoms and Equality) Bill 2020
Parliament of New South Wales
Macquarie Street
SYDNEY NSW 2000

SUBJECT: Submission to the Joint Select Committee

Dear Chair,

The Association of Independent Schools of New South Wales (AISNSW) is the state's peak body representing the independent school sector. The sector is diverse and through this diversity, provides families with choice in school education. The NSW independent school sector has more than 500 schools and campuses, educates 204,000 students and accounts for 17% of all NSW school enrolments.

In NSW, independent faith-based schools provide schooling for approximately 90% of the sector's students. These include schools of Christian denominations, Anglican, Catholic, Greek Orthodox, Lutheran, Presbyterian, Seventh-day Adventist and Uniting Church, Christian, Islamic and Jewish schools.

Many Australian parents choose to enrol their children in faith-based schools because the schools' religious beliefs and values align with their own, a right protected by Article 13(3) of the International Covenant on Economic, Social and Cultural Rights (of which Australia is a party), which states:

The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools, other than those established by the public authorities... to ensure the religious and moral education of their children in conformity with their own convictions.

AISNSW strongly supports this right.

AISNSW particularly supports proposed clause 22M of the Anti-Discrimination Amendment (Religious Freedoms and Equality) Bill 2020, which allows religious ethos organisations to give preference to persons of the same religion as the religion of the religious ethos organisation.

I understand that by virtue of this provision, a faith-based school can also give preference to students of the same faith, notwithstanding the provisions of clause 22V. Assuming this is correct, AISNSW would support the enactment of the Bill.

Please let me know if you require any further elaboration.

Yours sincerely,

Dr Geoff Newcombe AM
Chief Executive