

Submission
No 216

**INQUIRY INTO EDUCATION AMENDMENT (ETHICS
CLASSES REPEAL) BILL 2011**

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LEGISLATIVE COUNCIL OF NEW SOUTH WALES

GENERAL PURPOSE STANDING COMMITTEE No 2

**SUBMISSION TO INQUIRY INTO EDUCATION AMENDMENT
(ETHICS CLASSES REPEAL) BILL 2011**

1. This brief submission is primarily directed to the question raised by paragraph (b) of the Terms of Reference, namely, whether the *Education Amendment (Ethics) Act 2010* (“the Act”) should be repealed. For the reasons which follow, the Parliament should not repeal that Act; indeed, to do so would be a gross betrayal of many thousands of parents and children who wish only to have available a worthwhile alternative to special religious education (“SRE”) during the time which is set aside for SRE in government schools.
2. It is, or at least should be, a fundamental principle in our society that people accept that others may hold different views or beliefs on all range of subjects, including religious and philosophical ones. Moreover, it is, and should be, a fundamental principle that people respect the rights of others to hold those different views, even where people find that they strongly disagree with such views. Any attempt to repeal the Act would be a repudiation of those principles because it would effectively discriminate against a section of the public on the basis of the views they hold.
3. Just as it would be clearly wrong to exclude the teaching of a particular religion during the time set aside for SRE, it would be clearly wrong to exclude the teaching of a secular alternative to scripture classes during that time. The accommodation of various religious beliefs and secular beliefs is specifically recognised elsewhere in our laws, including in relation to the

taking of oaths and the making of affirmations by witnesses in Court,¹ and such an accommodation should be likewise recognised in relation to the time set aside in government schools for SRE. The availability of choice in such matters is paramount.²

4. It is not surprising that both major parties went to the last election promising that ethics classes would be retained. The arguments in favour of the Act, which merely provided a choice which had been unavailable for too long, are straightforward and compelling. Conversely, the arguments against the Act are spurious and unconvincing.
5. An examination of the speeches made by Rev Nile MLC in the Parliament reveal that his argument is largely based on a concern that the ethics course is “in clear competition with scripture classes”³ and that this may result in fewer children attending SRE.⁴ This is an argument which might be expected of a rent-seeking industrialist, pleading for protection against legitimate competition. It does Rev Nile no credit. If he truly wants to equate the discussion of religious and philosophic beliefs with a market place, where different products compete for market share, I would respectfully suggest that he have more faith in the virtues of his own “product”. In any case, a lack of confidence in one’s own product is no justification for banning someone else’s.
6. As for paragraph (a) of the Terms of Reference, I would prefer to leave to those who have a detailed knowledge of the Ethics course to describe the nature of the course, and the benefits it provides. I would only want to add that one of my children has been attending the Ethics class and has found it interesting, and a great improvement over the uninstructed period which was previously the only alternative to SRE. The topics and issues which have been

¹ See *Oaths Act 1900*, sections 12 & 13.

² It is noteworthy that Rev Nile MLC, speaking on 11 November 2011 in support of the *Constitution Amendment (Restoration of Oaths of Allegiance) Bill 2011*, identified its purpose as providing “the option of taking or making an oath or affirmation of allegiance to Her Majesty Queen Elizabeth the Second..... as an alternative to the pledge of loyalty to Australia and the people of New South Wales”.

³ See Adjournment debate, 23 November 2010.

⁴ See debate on the Second Reading of the *Education Amendment (Ethics) Bill 2010*, 1 December 2010.

discussed in the classes seem to me to be appropriate and thought provoking.
The option to attend such classes must not be taken away.

7. I urge members of the Committee to strongly reject the suggestion that the Act be repealed.

Mr Rowan Darke

21 February 2012