

**Submission
No 286**

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

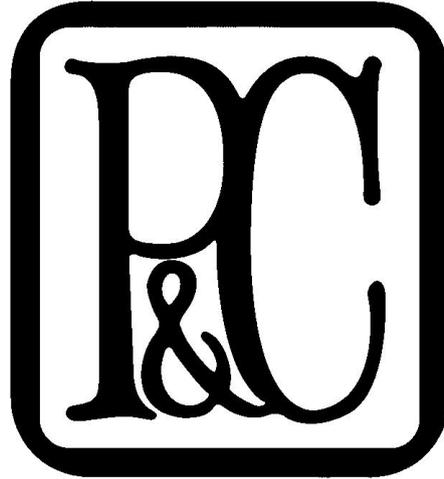
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Submission to the Inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011

February 2012

Approved by: Helen Walton

PREAMBLE¹

The Federation of Parents and Citizens' Association of New South Wales (P&C Federation) is committed to a free public education system which is open to all people, irrespective of culture, gender, academic ability and socio-economic class and empowers students to control their own lives and be contributing members of society.

This commitment is based on the belief that:

- all students have the capacity to learn
- the Government has prime responsibility to provide an education system open to all, which is free and secular
- schools should be structured to meet the needs of individual students and should respect the knowledge those students bring to school and build on that knowledge to foster their understanding about the world.

Parents, as partners in the education process, have a right and a responsibility to play an active role in the education of their children.

P&C Federation and its representatives share a responsibility of ensuring representative decision making for the benefit of all students in Public Education.

The Federation of Parents and Citizens' Associations of New South Wales is pleased for this opportunity to submit our comments to the inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011. P&C Federation is disappointed that the government of the day would consider such a bill. It is our sincere concern that the rationale is politically based and heeds no acknowledgement of the significance this decision may have on our children. Indeed an objective of the Education Act 1990 section 4 (c) *it is the duty of the State to ensure that every child receives an education of the highest quality*' so to remove an option for our students would be in contravention of the education act. Further, section 6 (1)(n) as well as the whole section 6 (1A) talk to the delivery of promotion family and community values and developing social and moral understanding in students. P&C Federation does contest that the current operation of Special Education in Ethics being conducted in state schools is effective in meeting the objectives of the Act.

P&C Federation questions the validity of the government entertaining the notion of repealing a bill that was passed into legislation a mere 13 months ago, whilst enshrining legislation from decades ago. Would it not be pertinent to examine the legislation paying

¹ Preamble of Federation of Parents and Citizens' Associations of NSW. 2010 P&C Handbook p 1-2

particular regard to its relevance in modern society and the implications of repealing legislation that so many parents and community members have supported so vigorously?²

P&C Federation has been involved in lobbying for an alternate to Special Religious Education since 2003 when our members first passed a motion in favour of the provision of an ethics based complement to scripture. The call for an alternative option was unanimous and did indeed demonstrate the real need for parents to be assured that no educational opportunity is wasted in Government schools. Anecdotally, P&C Federation has heard of children being forced to attend SRE due to no alternate option, we have heard of students feeling isolated due to no alternate option, and we have heard of students watching playschool or waiting in the corridor whilst other students undertook SRE. Encouraged by this support, St James Ethics Centre united with P&C Federation, to advocate on our behalf and on behalf of the students in Public Education, for the creation of a course that saw all students able to be engaged while SRE was undertaken. Successive Ministers rejected the proposals, among their justifications they often cited lack of community support, this despite the fact that a 2006 P&C survey indicated that a clear majority of parents felt that there ought to be a choice available for their children to attend a secular, ethics-based complement to scripture.

As part of our lobbying P&C Federation discovered that SRE providers had not been required to undertake a working with children check, this situation has now been remedied. Further, requests for quantitative data on students attending SRE could not be, and still currently is not able to be collated, represented or reported. This is not to detract from the role SRE has in some students' life, however as parents and carers we must insist that the Department of Education and Communities (DEC) is able to account and articulate what occurs in all facets of public education, SRE cannot be seen as an aside to the curriculum offered in our Government Schools. There has been no data qualitative or quantitative to show the impact, if any, that Ethics classes have had on SRE in any Public School. In order to comment in a more sophisticated manner on the effectiveness of the Ethics program as requested in the terms of reference for this inquiry, data that shows the effectiveness of SRE in Public School would need to be accessed. As aforementioned, P&C Federation has made previous enquiry into finding this information with no avail. How then can we judge effectiveness of the Ethics program against non-participation in SRE other than stating the figures and uptake of the Ethics program since inception? With the absence of this material the effectiveness of Ethics can only be represented by enthusiasm and lack of complaint against the program Reverend Fred Nile and a small number of church groups aside.

The P&C Federation would like to comment that due to extensive enquiries and trials previously conducted throughout NSW this option was made available to students to ensure that whilst other students were receiving meaningful instruction in Special Religious

² Primary Ethics website (<http://www.primaryethics.com.au/media.html>) 1st February 2012

Education they too were able to undertake some kind of meaningful activity. Indeed many religious groups have supported and still support Special Education in Ethics.

The Federation of Parents and Citizens' Association of NSW in conjunction with the St James Ethics Centre has played a key role in providing a meaningful alternative to SRE for those children who opt out of Special Religious Education. Currently the Education Act allows children to attend special education in ethics if they opt out of special religious education;

(1) Special education in ethics is allowed as a secular alternative to special religious education at government schools.

(2) If the parent of a child objects to the child receiving special religious education, the child is entitled to receive special education in ethics, but only if:

(a) it is reasonably practicable for special education in ethics to be made available to the child at the government school, and

(b) the parent requests that the child receive special education in ethics.

(3) A government school cannot be directed (by the Minister or otherwise) not to make special education in ethics available at the school.³

In December 2010 P&C Federation was elated that legislation was passed to permit those students who opt out of Special Religious Education to undertake meaningful participation in Ethics. P&C Federation was aware that this legislative change was contemporary and would enhance the educational experience of the students in public education in NSW.

The outpouring of support for the ethics based compliment to scripture has been illustrated by nearly 100 Schools sending through formal motions and correspondence to the St James Ethics Centre, following on from this, nearly double that, 171 schools as at 22 Dec 2011⁴, have taken the opportunity to offer ethics classes to those children that opt out of Special Religious Education.

Many parents and community members have joined in P&C Federation's pursuit of a compliment to Special Religious Education or Scripture and feel it presents an alternative to the activities their children were previously undertaking when opting out of SRE with a focus on social and moral development.

P&C Federation's affiliates are determined that children who do not participate in SRE are engaged in a suitable activity. This can be shown through the numerous motions moved at P&C Federation's Annual Conferences by Affiliates over the past nine years. Children who participate in SRE experience an opportunity to examine their values. The secular option offers children structured activity and a chance to explore ethical situations and minimises

³ EDUCATION ACT 1990 - SECT 33(a)

⁴ Primary Ethics website (<http://www.primaryethics.com.au/currentschools.html>) 1st February 2012

possible discrimination. Further the student is engaged in developing, understanding and appreciating their values and as such could be considered to be better situated to recognise their identity in their community. The objectives of the ethics program, is not and should not be to dictate absolutes, rather, it should encourage a student to discover their own moral and ethical standards.

The DEC recognised ethics program allows parents to be involved and have an active voice in their child's education. A mantra that is proven to increase the chance of a child's ongoing educational success. The ethics program also reflects the best practices and citizenship of public education.

*The current curriculum set by Primary Ethics 'spans all seven years of primary school, teaching children how to approach ethical issues while developing their capacity for moral reasoning. By considering a wide range of ethical issues appropriate to their particular level of development, children will learn skills such as collaborative inquiry, logical reasoning, critical thinking and the capacity to evaluate good and bad moral reasoning.'*⁵

The program aims to:

- Provide a secular complement for the discussion of the ethical dimensions of students' lives.
- Offer a secure, non-judgemental space to explore the question, "What ought one do?"
- Introduce the language of ethics and in doing so, to provide the tools to survey the values and principles we live by.
- Incorporate an ethical dimension to the students' decision making.
- Inspire an appreciation of virtues and ideals.
- Develop the intellectual capacity and the personal attitudes needed for participating in ethical reflection and action.
- Encourage an openness towards important personal and public issues.
- Introduce dialogue as a means of resolving ethical issues.
- Develop students' ability to identify the relevant stakeholders and thoroughly explore, among other things, the consequences of proposed resolutions to the ethical dilemmas which are considering.
- In short, to deepen the ethical sense of the future generation.

The implementation of the program has been undertaken by Primary Ethics through the St James Ethics Centre. Primary Ethics relies on many volunteers to be able to undertake the work to ensure a non-discriminatory environment is available for all students in Public Schools in NSW. To date the centre has trained over 400 volunteers to undertake classes at some 171 schools and engage 3500 students who participate in Ethics Classes⁶.

Further and significantly, the Primary Ethics curriculum can only be introduced to a school community where it is requested. This active voice of parents goes beyond the right to

⁵ Primary Ethics website (<http://www.primaryethics.com.au/building.html>) 1st February 2012

⁶ Primary Ethics website (<http://www.primaryethics.com.au/media.html>) 1st February 2012

choose an educational system and supports the manifesto in the Universal Declaration of Human Rights for a parents right to choose the kind of education afforded to their child. P&C Federation feels this reflects sincere social inclusion. As well it should be recognised that there is an engagement of ethics facilitators. The facilitators, mainly volunteers, have the opportunity to learn and be up skilled, the structure of the program allows for the development of not just the student but the volunteer. Social inclusion and up skilling are features of most national legislation, state legislations and indeed are two of the core principles of Public Education.

In further attempting the discussion on effectiveness of Special Education in Ethics, P&C Federation wishes it to be recognised that:

- Not all schools offer SRE that reflects the school community's religious construction.
- Not all students that have a recognised religious belief opt in to SRE. Some families realise religious instruction as a private entity and do not wish to involve their child in SRE without their attendance.
- Not all students who attend Special education in Ethics are atheist.
- Not all students who attend SRE have a prescribed faith; rather they attend instruction to broaden their education in Religion.
- **Every student in NSW Public Education deserves to have their educational rights protected from politically motivated decision making.**

P&C Federation advocates for our children in Public Education and believes that the removal of Special Education in Ethics would create a void that would see many students being discriminated against because of their or their family's choices and or religious beliefs. This is unacceptable and we would stress the importance of a secular education being available to all children in NSW Public Education.

P&C Federation acknowledges the need for wider involvement in this discussion and hopes that the standing committee takes into account many of the key areas that concern parents, students and school communities in NSW. We hope the comments made in this document are of assistance with discussions around this subject and welcome any further dialogue this may evoke.