

**Submission
No 453**

INQUIRY INTO EDUCATION AMENDMENT (ETHICS CLASSES REPEAL) BILL 2011

Name: Ms Sandy Killick

Date received: 24/02/2012

In response to the question of whether the Education Amendment (Ethics) Act 2010 should be repealed and ethics education prohibited in state schools, I turned to the United Nations Convention on the Rights of the Child for some guidance. The Australian government became a signatory to the Convention in 1990, thereby creating a duty for all levels of government in Australia to enact the convention.

The central premise of the Convention on the Rights of the Child is that “..the best interests of the child shall be a primary consideration.” (Article 3). I ask that this be the central consideration that is applied by the members of the Parliamentary Committee when deciding whether or not to remove the option of ethics education in public schools in NSW.

The majority of students at the primary state school my children attend are not enrolled in religious education classes. This is likely to be the dominant pattern in the majority of NSW state schools. The arrangement for the provision of religious education to the minority of children has however restricted the educational opportunities of the majority of students. The introduction of ethics education in 2011 finally addressed this anomalous situation.

Educational institutions may inherit such historical anomalies but they also have the capacity to change them in response to social change. If the responsibility of state education institutions is to prepare all students for the future communities they will live in, then both ethics education and religious education have a role to play. It should not be an either/or decision – both can be made available in schools and families may then be invited to choose an option, keeping the ‘best interests of their child’ in mind.

The Director
General Purpose Standing Committee No. 2
Parliament House
Macquarie St
Sydney NSW 2000

February 22, 2012

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

Dear Madam/Sir

I write in support of the Education Amendment (Ethics) Act 2010 for the following reasons.

Ethics education provides an opportunity for primary age children to develop the thinking skills and discussion skills that will enable them to actively engage in a civil society.

The philosophical thinking skills developed through the ethics curriculum offers students a personal framework to help them observe, question and understand the communities they live in - both domestic and international. It equips them to respond to the complex decisions they will encounter in life. It also helps them notice day-to-day events that may otherwise pass them by, thereby making their life experience a richer one.

At the community, ethics skills such as listening to the positions of others, building on the ideas of others and respecting differences of opinion, offer a foundation for dialogue between different groups of people, including dialogue between faith and non-faith groups. In my eyes, ethics education is a way of building bridges between different communities that may otherwise remain isolated, unnecessarily polarized and unable to identify common ground that can help resolve conflict.

My experience of teaching in a Catholic secondary school demonstrated the value of having a philosophical framework to apply to day-to-day experiences. The philosophical framework, in this case Catholicism, offered the school community a shared set of values, knowledge and language that helped them navigate significant events, such as the death of a parent in the school community and life changing events on the world stage. I witnessed how a shared philosophy gave comfort and created a method for communal exploration of personal responses to a difficult situation.

I contrasted this experience with the secular education I had experienced as a child and young adult. I wondered how a philosophical framework could be offered in state schools to enable students to develop a shared set of values, language and thinking skills with which to collectively contemplate their reactions to difficult situations and choices. I believe that ethics education offers such an opportunity.

As a parent of two primary school age children in a state school, I seek educational opportunities that foster thinking skills to help them see an issue from multiple angles and to make decisions that they can defend from a basis of logic and personal integrity. The ethics education curriculum developed for NSW public schools offers the type of educational opportunity that I believe challenges the cognitive and social development of my children.

The alternative, that is to remove ethics education and to issue a legislative directive that they must not engage in any meaningful activities for 30 minutes per week across approximately 40 weeks of school for seven years of primary school education, can only be construed as an act of state sponsored discrimination.

In response to the question of whether the Education Amendment (Ethics) Act 2010 should be repealed and ethics education prohibited in state schools, I

turned to the United Nations Convention on the Rights of the Child¹ for some guidance. The Australian government became a signatory to the Convention in 1990, thereby creating a duty for **all levels of government** in Australia to enact the convention.

The central premise of the Convention on the Rights of the Child is that “**..the best interests of the child shall be a primary consideration.**” (Article 3).

I ask that this be the central consideration that is applied by the members of the Parliamentary Committee when deciding whether or not to remove the option of ethics education in public schools in NSW.

When evaluating *‘the stated objectives, curriculum, implementation, effectiveness and other related matters pertaining to the current operation of ‘special education in ethics’ being conducted in State schools’*, I urge the members of the Committee to ascertain whether the ethics curriculum fulfils the following principles from the Convention on the Rights of the Child, in particular:

Article 2

States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's... religion, political or other opinion...

¹ (Source United Nations Office of the High Commissioner for Human Rights, <http://www2.ohchr.org/english/law/crc.htm>)

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to ...social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources...

Article 29

*1. States Parties agree that the **education** of the child shall be directed to:*

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;*
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;*
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;*
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin...*

The ethics curriculum currently available in NSW public schools fosters the skills that enable students who do not attend religious education classes to live a *'responsible life... in the spirit of understanding, peace and friendship among all peoples ethnic, national and religious groups and persons of indigenous origin.'*

The majority of students at the primary state school my children attend are not enrolled in religious education classes. This is likely to be the dominant pattern in the majority of NSW state schools. The arrangement for the provision of religious education to the minority of children has however restricted the educational opportunities of the majority of students. The introduction of ethics education in 2011 finally addressed this anomalous situation.

Educational institutions may inherit such historical anomalies but they also have the capacity to change them in response to social change. **If the responsibility of state education institutions is to prepare all students for the future communities they will live in, then both ethics education and religious education have a role to play.** It should not be an either/or decision – both can be made available in schools and families may then be invited to choose an option, keeping the ‘best interests of their child’ in mind.

Sandy Killick
B.Ed, M.Ed
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Please note
Relevant articles from the Convention on the Rights of the Child is provided for the use of the Committee. See Attachment 1.

Attachment 1

Relevant articles from the Convention on the Rights of the Child for the Committee's reference

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or

her right in a manner consistent with the evolving capacities of the child.

2. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 29

1. States Parties agree that the education of the child shall be directed to:

- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
- (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
- (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
- (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
- (e) The development of respect for the natural environment.

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.