

**REPORT OF PROCEEDINGS BEFORE**

**SELECT COMMITTEE INTO HOME SCHOOLING**

**INQUIRY INTO HOME SCHOOLING**

**CORRECTED PROOF**

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**At Sydney on 8 September 2014**

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**The Committee met at 10.30 a.m.**

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**PRESENT**

The Hon. P. Green (Chair)

Dr J. Kaye (Deputy Chair)

The Hon. D Clarke

The Hon. C. Cusack

The Hon. T Khan

The Hon. A. Searle

The Hon. H. Westwood

**CHAIR:** Good morning and welcome to the second hearing of the Select Committee into Home Schooling. The inquiry is reviewing the home schooling practices and comparing the practice with other jurisdictions in Australia and New Zealand. Before I commence, I would like to acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay my respects to the elders past and present of the Eora nation and extend that respect to all other Aboriginals. The hearing today is the second hearing for this inquiry. Today we will hear from the Department of Family and Community Services, Australian Christian Home Schooling, the Home Education Association, Mr Guy Tebbutt, the Queensland University of Technology and Cardinal Newman Catechist Consultants.

Before we commence I will make some brief comments about the procedures today. In accordance with the broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the gallery should not be the primary focus of any filming or photography. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at the hearing. I urge witnesses to be careful about any comments they may make to the media or to others after they complete their evidence as such comments will not be protected by parliamentary privilege if another person decided to take an action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be questions that a witness could answer only if they had more time with certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. As to the delivery of messages to be tendered to the Committee, witnesses are advised that any messages should be delivered to the Committee members through the Committee staff. Finally, I ask everyone to please turn their mobiles to silent or turn them off.

**ANNE CAMPBELL**, Deputy Chief Executive, Policy, Programs and Strategy, Community Services Division, Department of Family and Community Services, affirmed and examined:

**CHAIR:** Ms Campbell, do you have a brief opening statement that you would like to make?

**Ms CAMPBELL:** Yes, I do. The Department of Family and Community Services understands that the Board of Studies, Teaching and Educational Standards [BOSTES] has responsibility for registering families for home schooling and monitoring compliance with the requirements of registration. Home schooling is not within the primary responsibility of Family and Community Services. Family and Community Services does not have specific policies on home schooling, although the department's procedure, education and training opportunities for children and young people in statutory out-of-home care states that children must attend school or be registered for home schooling.

In New South Wales registration for a parent or guardian to provide home schooling is undertaken by the Board of Studies, Teaching and Educational Standards, and it is a legal requirement in New South Wales. We understand that a certificate of registration is valid for two years, after which a renewal is processed by an authorised person in the Department of Education and Communities Homeschooling Unit. For both the initial and any renewal registration, the applicant must demonstrate a capacity to plan and provide for the educational needs of the child or young person. Regular monitoring of all families registered for home schooling should occur to ensure that educational requirements are met and that children and young people are safe.

It appears that there is no current mechanism for Education and Communities to identify children and young people who are not registered and maybe flying under the radar. Further consideration should be given to this issue and how an effective process could be established. There is no national data on abuse or neglect which identifies different rates for those children and young people who are schooled at home compared to those who attend school. The 2010 legislative changes to the New South Wales Children and Young Persons (Care and Protection) Act 1998 raised the statutory reporting threshold to "at risk of significant harm". For the first time in New South Wales, educational neglect of children and young people became a ground for reporting under the following circumstances:

b(1) in the case of a child or young person who is required to attend school in accordance with the Education Act 1990 -the parents or other caregivers have not arranged and are unable or unwilling to arrange for the child or young person to receive an education in accordance with that Act,

The New South Wales Mandatory Reporter Guide, which commenced in 2010, aligns the threshold with the legislative changes in that particular tool. The Mandatory Reporter Guide includes that children and young people who are not registered for home schooling can be reported to the New South Wales Child Protection Helpline for educational neglect. The helpline assesses the circumstances to determine whether the report reaches the statutory reporting threshold. If so, the report is forwarded to the Family and Community Services local community service centre. Further action would typically be undertaken in conjunction with the Department of Education and Communities.

However, evidence does show that children and young people in out-of-home care have some of the lowest health, educational and employment outcomes compared to their New South Wales counterparts. For these children and young people, evidence also shows that support, specialised skills and resources are best offered within a school environment to provide the opportunity to enhance their educational outcomes. The submission provided to the Committee by the Department of Family and Community Services refers to the 2003 Queensland Review of Homeschooling, which did not find any evidence to support the belief that home schooled children were more at risk of abuse and neglect than those attending school. However, a proviso in the submission of the Department of Family and Community Services noted that, since children who are home schooled may have less surveillance, the regulation and monitoring of home schooling arrangements for these children is really important.

**CHAIR:** In terms of educational neglect, could you define what education neglect is?

**Ms CAMPBELL:** Where the child or young person is of compulsory school age and is not enrolled at a school or registered for home schooling, despite attempts to contact the parents or the carer to ascertain reasons for the non-enrolment; or where the child or young person is enrolled at school but is habitually absent. The definition for that is a "strong indication of habitual absence is 30 days absence within the last 100 school

days". Absence of less than 30 days can also indicate habitual absence if there are other significant issues in the home. A report concerning habitual absence can refer to either the number or percentage of days. There may be concerns that the parent or carer is unwilling or unable to arrange for the child or young person to receive an education due to the parent or carer refusing to ensure school attendance, despite attempts to explore reasons for the absence; parent or carer alcohol or drug abuse, mental health or domestic violence; the parent or carer keeping the child or young person at home to care for others; family transience; and other significant concerns in relation to educational neglect.

**CHAIR:** Thank you. It has been said there are about 56,000 children who are at risk who are not being seen to through the Family and Community Services system, for whatever reason. How many of those would be of school age and what would be the breakdown of where they attend school?

**Ms CAMPBELL:** I would not have those specific figures but I am happy to take that on notice.

**CHAIR:** Do we know that the majority of those 56,000 students who are at risk are school-aged children or are they from nought to—

**Ms CAMPBELL:** Nought to 17.

**CHAIR:** Is there a breakdown of whether they are at a school, what sort of school it is or whether they are home schooled?

**Ms CAMPBELL:** Yes.

**CHAIR:** Would you take those questions on notice?

**Ms CAMPBELL:** I do not know whether we would have the breakdown around home schooling and education, but we would certainly have a breakdown in terms of reports associated with different age groups.

**CHAIR:** It has been said that the 56,000 children who are children at risk are "not being seen to". What is the definition of "being seen to"? Is school classed as an opportunity for these children to have some sort of contact? Is a teacher classed as contact for a child at risk?

**Ms CAMPBELL:** Generally when it is referred to publicly that the Department of Family and Community Services [FACS] are seeing children face to face, it is about a child protection caseworker within the department going out and doing an assessment. In saying that, it may mean that a teacher is working with a child or young person in a school and they may make a report to the department. They would continue, obviously, to provide the requisite supports to those children until Family and Community Services makes a decision about what type of intervention—

**CHAIR:** We understand there is an interagency dialogue.

**Ms CAMPBELL:** Yes, there is.

**CHAIR:** How many of these kids who are defined as being at risk would the Board of Studies, Teaching and Educational Standards [BOSTES] be aware of?

**Ms CAMPBELL:** There is a category within child abuse where we have children and young people in out-of-home care. There are more than 18,000 children and young people in care in New South Wales today. We have a protocol with the Department of Education and Communities around educational plans for children and young people in and out-of-home care, so at a local district or regional level there would be identified people within education and within community services who would ensure that children and young people who enter care have an assessment and have the development of an education plan. There is quite a lot of local contact at a district and regional level between the two departments.

**CHAIR:** Page 2 of your submission states:

The 2003 Queensland Review of Home Schooling identified what it found to be a number of myths about home schooling. Among these was *Child protection issues—home schooled children are more at risk than children in schools to various forms of child abuse as a result of their perceived social isolation*. The Review concluded that ... there is no evidence, reputable research or judicial data to support this position.

Do you have any evidence that children who are home schooled in New South Wales are being neglected in any shape or form?

**Ms CAMPBELL:** No, I do not have any evidence.

**CHAIR:** The next line states:

... child protection authorities in Australia do not collect data on abuse/neglect incidence for families where children are home schooled.

Does that mean it is collected for public schools, independent schools, faith schools?

**Ms CAMPBELL:** I think what this is trying to say is obviously if a child is at school there are teachers and other people who may make reports to the department. I guess what it is saying, if you are being home schooled by a parent, there are at least people involved, but we get reports from neighbours, from members of the community as well as teachers, so there is no different threshold applied to someone making a report around a child whether they are home schooled or in public education.

**CHAIR:** In the last paragraph on the first page the last line states:

There is quite a stringent process for ensuring that minimum curriculum is taught and records are kept.

Are these records kept by your department or BOSTES?

**Ms CAMPBELL:** By BOSTES.

**CHAIR:** What do the records pertain to?

**Ms CAMPBELL:** You might need to refer that to the Department of Education, but for children in out-of-home care we keep copies of reports, their National Assessment Program—Literacy and Numeracy [NAPLAN] results, those sorts of thing that are held on an individual child's case records.

**Dr JOHN KAYE:** Ms Campbell, thank you for your written submission to the Committee. What percentage of children are reported by teachers compared to other people in their lives?

**Ms CAMPBELL:** I could get the specifics, but certainly in New South Wales professional reporters make up about three-quarters of mandatory reporters, of which some would include teachers. Others would be police and health officials. That is, about 75 per cent of all mandatory reports made to the New South Wales helpline are professional reporters, of which there will be a percentage of educational reporters. I can take that on notice.

**Dr JOHN KAYE:** Take that on notice and get back to us. It is a significant percentage. That would go to your statement, again on page 2:

Some argue that home education has the potential to mask child abuse, as there are fewer opportunities for those outside the home to note possible concerns and to raise any necessary alarms.

You stated "Some argue that". Is that the department's position?

**Ms CAMPBELL:** As I said earlier, there is no strong evidence linking home schooling to child protection reports, but obviously where children are more isolated, there can be risks associated with being able to have a relationship with someone outside the home, but that—

**Dr JOHN KAYE:** Are we not talking about two separate things? One is the innate risk to a child where there is a higher rate of child abuse in a home school environment versus in a non-home school environment, and your submission says very clearly there is no evidence to point to that.

**Ms CAMPBELL:** That is right.

**Dr JOHN KAYE:** The second issue is where the abuse happens, the capacity to identify that abuse and to report that abuse. I put to you that the statement I have just read to you is not a statement that there is a higher risk in the home school environment, but there is a lower detection rate.

**Ms CAMPBELL:** Correct, yes.

**Dr JOHN KAYE:** Does the department have concern about that?

**Ms CAMPBELL:** That would be a risk, but in terms of reports that we get around children and young people, we still get a significant number from within a school setting.

**The Hon. TREVOR KHAN:** That is the point.

**Dr JOHN KAYE:** That is precisely my point. By definition, you will not get the same report in respect of a child who is in a home school environment?

**Ms CAMPBELL:** We do not know because we do not collect that data, but there is obviously a risk there. That is all I can comment on.

**Dr JOHN KAYE:** The authorised personnel that you refer to in your report performs some child protection oversight, is that correct?

**Ms CAMPBELL:** Can you just point me to "authorised personnel"?

**Dr JOHN KAYE:** Authorised persons are referred to, are they not?

**The Hon. ADAM SEARLE:** They are not inspectors, they are authorised persons.

**Dr JOHN KAYE:** They are authorised persons who act on behalf of the Minister to authorise a home schooling registration. Do you have any communications with the authorised persons? Is there a protocol with the authorised persons from FACS?

**Ms CAMPBELL:** No. The authorisation referred to in this paper refers to the processes within the Department of Education and Communities.

**Dr JOHN KAYE:** I think you mean within BOSTES, do you not?

**Ms CAMPBELL:** Yes. Sorry, yes.

**Dr JOHN KAYE:** The authorisation is within BOSTES. Does FACS have any interaction with that authorisation process? Do they, for example, train the authorised personnel in detecting the signs of child abuse?

**Ms CAMPBELL:** FACS does not, but there is a whole-of-government process that occurred back in 2009-10 of which education, Board of Studies, had to develop child protection guidelines, training of their staff, so I am assuming that would be part of the role of the Board of Studies.

**Dr JOHN KAYE:** FACS does not have oversight of those protocols?

**Ms CAMPBELL:** No.

**Dr JOHN KAYE:** Nor do you have oversight of the protocols used within the Department of Education with respect to Government schools?

**Ms CAMPBELL:** No. In respect of the development, I referred earlier to the mandatory reporter guidelines we have that provide guidance to all reporters across the State, which was done in conjunction with education, police and NSW Health a number of years ago. There is regular training that occurs across government. As part of the Keep Them Safe reforms, there was an identification that child protection is everyone's business, not just that of the Department of Family and Community Services, so there has been quite significant efforts over the years to look at the training for staff employed but equally those who are monitoring outcomes for children and young people, which includes the Board of Studies role in terms of home schooling.

**Dr JOHN KAYE:** You do not monitor in any way the performance of the AP [authorised person] with respect to their oversight of child protection issues?

**Ms CAMPBELL:** No, we do not.

**Dr JOHN KAYE:** That is not your role to do so?

**Ms CAMPBELL:** No.

**The Hon. ADAM SEARLE:** Page 1 of your submission states that FACS does not have specific policies on home schooling. Can you explain to the Committee why that is the case? Is it simply not part of your remit or are you just not interested?

**Ms CAMPBELL:** It is not that we are not interested. I think it is part of the remit of the Board of Studies. Our concern around schooling is in relation to children and young people in out-of-home care. As I mentioned earlier, because of some of the trauma that those children and young people have had and their connection to school, we have a very strong focus on public education within the out-of-home care system. For those children and young people who often have not necessarily had similar peer development or peer relationships or have not been in school, that is a critical part of our work, so we have put in place a number of processes. I mentioned earlier individual education plans for children and young people entering home care. Obviously a child's educational needs and whether it is in a public system, in a private setting or in home schooling would be assessed on an individual basis for each child as part of their care plan.

**The Hon. ADAM SEARLE:** Turning to the second page of your submission—and I note that Dr John Kaye asked you some questions about this and I think the Chair did as well—there are some common concerns about the merits of home schooling and the isolation of children. Why is it that home protection authorities in this State do not collect data on neglect incidence for families where there is home schooling? Was there a conscious decision at some point not to collect that data or has it just never been thought of?

**Ms CAMPBELL:** It has not ever been collected is my understanding.

**The Hon. TREVOR KHAN:** That is non-responsive. The question was essentially why, one or way the other, not the fact that it is not. What are the thought processes that have gone on?

**Ms CAMPBELL:** I do not think there is strong evidence between home schooling and abuse and neglect.

**The Hon. TREVOR KHAN:** If you do not collect the data of course there is not strong evidence one way or the other, is there?

**The Hon. ADAM SEARLE:** Thanks, Mr Khan.

**CHAIR:** I am sure the other barrister will be fine.

**The Hon. ADAM SEARLE:** Can you please answer the Hon. Trevor Khan's question?

**Ms CAMPBELL:** I can only guess that the reason we have not collected it is because in terms of collecting that sort of information, many of our children and young people in out-of-home care would be in the public sector—

**The Hon. ADAM SEARLE:** Again, that is not responsive to my question. I am happy for you now to take this on notice. What I want to know is why your agency does not collect this data.

**Ms CAMPBELL:** Okay.

**The Hon. ADAM SEARLE:** When was that decision made and by whom?

**Ms CAMPBELL:** Okay.

**The Hon. ADAM SEARLE:** I take the point there might not be any evidence, but the Hon. Trevor Khan's point is well made. That is, if you do not collect the data you will never get the information one way or the other. What sort of education information is collected in relation to other children at risk by your agency?

**Ms CAMPBELL:** We would obviously collect where we get a report, as I mentioned earlier, around habitual non-attendance. We would liaise with the Department of Education and Training.

**The Hon. ADAM SEARLE:** Pausing there, I do not wish to interrupt but will try to speed this up. You record the fact that a child who has been notified to your agency is enrolled in a school, whether that school is a public or a private school?

**Ms CAMPBELL:** Yes.

**The Hon. ADAM SEARLE:** You record that information?

**Ms CAMPBELL:** It comes through in a report to the department.

**The Hon. ADAM SEARLE:** And the individual name of the school is also recorded?

**Ms CAMPBELL:** That is correct.

**The Hon. ADAM SEARLE:** It then leaps off the page, does it not, that it is remarkable and astounding that you do not record the data for home schooled children who might be notified?

**Ms CAMPBELL:** I am happy to take that on notice.

**The Hon. ADAM SEARLE:** Would you agree with me it is an interesting omission that you record it for children at school but not for children who are home schooled?

**Ms CAMPBELL:** It may be that the data is collected in an individual record, but in terms of what we report on, we do not report on at home. We would have individual information if we received a report from whomever, about a child or young person, we would obviously follow up to find out whether they are in school, what kind of educational arrangements, because we need to make an assessment as to whether that child is either getting home schooling or in public education, so we would catch it on an individual record and I am happy to take it on notice if that can be aggregated.

**The Hon. ADAM SEARLE:** So you do record it?

**Ms CAMPBELL:** Yes.

**The Hon. ADAM SEARLE:** But you just do not report on it?

**Ms CAMPBELL:** Correct.

**The Hon. HELEN WESTWOOD:** Can I just ask whether you would collect any data on the number of children who are in out-of-home care placements and what proportion of those children were home schooled? Would you collect that?

**Ms CAMPBELL:** At an individual record we would. I am happy to take that on notice to see if the system can actually identify what percentage. I would say most children in out-of-home care would be in either a public or private school.

**The Hon. HELEN WESTWOOD:** That is a reasonable assumption. I just wondered if it was the sort of data that you actually would record and would be able to provide to the Committee. The other area I was interested in, just picking up on Dr Kaye's question to you earlier that I think you took on notice, was about the proportion of teachers who make a report of abuse. With respect to interaction of a child who is home schooled, who, in the department's view, would be in the best position to observe any abuse and then report that to either the department or the police? Would the authorised person be the only person that the department would look to to report abuse that maybe happening in a home schooling setting.

**Ms CAMPBELL:** Potentially, or it could be a neighbour and depending on the individual child's circumstances who else they come in contact with in a local community.

**The Hon. HELEN WESTWOOD:** I was thinking about professionals—sorry, I should have made that clear—that you referred to earlier who make 75 per cent of the reports. So are police the only professional authorised persons that a child in a home school setting is likely—

**Ms CAMPBELL:** It could be a doctor, it could be a nurse; it could be a range of other professionals that may be delivering services locally. If a child or young person who is being home schooled has gone to the doctor, the doctor may pick up some issues; the child may disclose something and then the doctor is required to make a report if it meets a particular threshold.

**The Hon. HELEN WESTWOOD:** If it was an authorised person would you be likely to capture that in the report?

**Ms CAMPBELL:** We would know the identity of a mandated reporter, yes.

**The Hon. HELEN WESTWOOD:** Do you think it would be something you would be able to extract from your data or would it be too difficult?

**Ms CAMPBELL:** I do not know. I will take that on notice.

**The Hon. HELEN WESTWOOD:** If you could have a look?

**Ms CAMPBELL:** Yes.

**The Hon. CATHERINE CUSACK:** What is the rate of notification in New South Wales for child protection notifications?

**Ms CAMPBELL:** Depending on the counting rules I think it is 7.2 or 4 per cent of the population. I am happy to take that on notice.

**The Hon. CATHERINE CUSACK:** The Australian Government's Institute of Family Studies figure is 34 per 1,000 children. I do not know what the figure for New South Wales would be.

**Ms CAMPBELL:** I am happy to take that on notice.

**The Hon. CATHERINE CUSACK:** But, yes, 4 per cent would be consistent with that.

**Ms CAMPBELL:** Okay.

**The Hon. CATHERINE CUSACK:** Given that there are 3,700 kids in home schooling, assuming it is consistent with the rest of the population because we do not really have any information as to whether it is or not, we would be looking at over 100 children potentially, applying those consistent statistics. The issue is concern that they are not under the same level of surveillance as children in schools. You understand that that is the issue we are concerned about?

**Ms CAMPBELL:** Yes, I do.

**The Hon. CATHERINE CUSACK:** We have a submission by Michael Coutts-Trotter, previously head of Education and now Secretary of Family and Community Services. One of the great things about the new administrative arrangement is that agencies can work together.

**Ms CAMPBELL:** Yes.

**The Hon. CATHERINE CUSACK:** So what is being done between Family and Community Services and Education to work together on this issue?

**Ms CAMPBELL:** Specifically on this issue we are not doing anything currently but in a general way for children, as I mentioned earlier, we have a number of initiatives underway between the Department of

Education and ourselves in relation to access to educational plans for children and young people in out-of-home care. We have been trialling some work in looking at educational neglect and reports that come through the helpline and are managed at a local level with district staff to intervene a bit earlier.

**The Hon. CATHERINE CUSACK:** Can I just clarify? You are talking about children who are in school now, are you not?

**Ms CAMPBELL:** Yes, I am.

**The Hon. CATHERINE CUSACK:** This inquiry is about children who are not in school, so they are the ones—

**Ms CAMPBELL:** But there may be children who are not in school that we get a report around educational neglect because they are not in either home schools or in public schools and we then need to carry out assessments with Education around that.

**The Hon. CATHERINE CUSACK:** But the data we are interested in for this inquiry is the home schooling data?

**Ms CAMPBELL:** Yes, so nothing specific.

**The Hon. CATHERINE CUSACK:** So there is nothing going on between home schooling and—

**Ms CAMPBELL:** No.

**The Hon. CATHERINE CUSACK:** It is difficult to know what questions to ask because of the lack of data being collected by the department.

**The Hon. DAVID CLARKE:** I want to clarify to be absolutely sure that when you investigate complaints of child abuse regarding children of school age, do you record which school those children go to?

**Ms CAMPBELL:** Yes, we do.

**The Hon. DAVID CLARKE:** Do record those who are in home schooling?

**Ms CAMPBELL:** We would recall it on individual files, yes.

**The Hon. DAVID CLARKE:** So every child of school age, whether it is a complaint of child abuse, will have recorded in the file which school they go to or whether they are involved in home schooling, is that correct?

**Ms CAMPBELL:** Yes, if that information is known when the reporter contacts the helpline.

**The Hon. DAVID CLARKE:** So you should be able to take a defined period of time—and I know you have 56,000 cases—and you can ascertain within that period of time how many of those complaints relate to children engaged in home schooling? You can do that?

**Ms CAMPBELL:** As I have said before, I am happy to take that on notice to see what we can capture.

**The Hon. DAVID CLARKE:** I just want to clarify that. So you do record children where there are allegations of child abuse, whether they are in home schooling or in public schooling?

**Ms CAMPBELL:** If that is provided by the reporter who makes the report to the helpline.

**The Hon. DAVID CLARKE:** If that is part of the data that you collect, would they not just—

**Ms CAMPBELL:** They may not know.

**The Hon. DAVID CLARKE:** Fair enough, but that would also apply to children who might be in a government school or non-government school; that they may not know?

**Ms CAMPBELL:** That is correct.

**The Hon. DAVID CLARKE:** So it applies to children who may be in home schooling or children who are in public or private schools?

**Ms CAMPBELL:** That is correct.

**The Hon. DAVID CLARKE:** So it applies to both in the same way?

**Ms CAMPBELL:** Yes, that is right.

**The Hon. DAVID CLARKE:** There could be a lack of information?

**Ms CAMPBELL:** Yes.

**The Hon. DAVID CLARKE:** So there is no reason why there should be more information lacking regarding children in home schooling than those in public schooling?

**Ms CAMPBELL:** That is correct.

**The Hon. DAVID CLARKE:** So you should be able to do an assessment for a defined period of children in home schooling. We should be able to get statistics of percentages, should we not?

**Ms CAMPBELL:** Well, that is what I am happy to take on notice to see that we can extract that from the system.

**The Hon. DAVID CLARKE:** You may not be able to do 56,000 but you may be able to do them for complaints received over, say, a three-month period or a six-month period?

**Ms CAMPBELL:** Yes.

**The Hon. DAVID CLARKE:** To make it easier to do.

**Ms CAMPBELL:** I am certainly happy to take that on notice.

**The Hon. TREVOR KHAN:** Just reading this paper, you were taken by the Chair to page 2 of the Secretary's submission that made reference to social isolation, do you remember that?

**Ms CAMPBELL:** Yes I do.

**The Hon. TREVOR KHAN:** Do I take it you would agree that questions of abuse are different, particularly in scale, from issues of social isolation?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** That is, a child can be socially isolated but under the terms of the Act that child would not be considered to be abused or neglected for the purpose of the Act?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** Do you also agree with me that particularly over time social isolation can lead to negative outcomes in a child's development?

**Ms CAMPBELL:** It can.

**The Hon. TREVOR KHAN:** Indeed, when Commissioner Wood made his report he emphasised the importance of social connectedness, I think might have been the term?

**Ms CAMPBELL:** Yes.

**Dr JOHN KAYE:** School connectedness.

**The Hon. TREVOR KHAN:** That is, it is optimal that children be widely integrated within their community?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** Including at school, is that right?

**Ms CAMPBELL:** That is right.

**The Hon. TREVOR KHAN:** And that proposition is one that you would agree with?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** So in essence children can, in a sense, slip through the net because the Act seeks to identify children who are significantly at risk of abuse, is that right?

**Ms CAMPBELL:** That is right and those children may not necessarily be home schooled and be isolated and attending school.

**The Hon. TREVOR KHAN:** Of course, but if what we are looking at is the issue of home schooling, then we are looking at a particular subset, are we not?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** It would be fair to say, do I take it, that if social isolation is an outcome of home schooling, that could have impacts long term which would never really come within the interest of your department?

**Ms CAMPBELL:** Yes, and I think it depends on your definition of social isolation. It is assuming that because a child is home schooled they are socially isolated. That may not be the case.

**The Hon. TREVOR KHAN:** That is very true.

**Ms CAMPBELL:** They may be connected to their local footy club. They may be attending church. They could be doing a whole range of things where they are connected with others.

**The Hon. TREVOR KHAN:** Yes, but then you do not know that, do you?

**Ms CAMPBELL:** No.

**The Hon. TREVOR KHAN:** Because it is not something that you, in a sense, investigate?

**Ms CAMPBELL:** No.

**The Hon. TREVOR KHAN:** So we are left in this void as to whether there is a problem or not in that regard?

**Ms CAMPBELL:** I think for all children it depends on them being able to tell someone and that could be kids that are at school as well as home schooled about having an adult—

**The Hon. TREVOR KHAN:** Well, if they are being home schooled they are not going to be telling anyone at school, are they?

**Ms CAMPBELL:** No, but they may be telling the local soccer coach; they might be talking to their general practitioner or they could be talking to a range of other people that they may come in contact with. They may be talking to their friends in the local neighbourhood and similarly certainly kids that are engaged in school, we get reports from those cohorts even though there are adults in their life. So it depends on the

individual situation and about what other people are involved in that child's life. If there was no other connection for a child who may be living at home, not attending school, they do not have any connections to local clubs, friends, those sorts of things, then there is a high risk for a child to be able to talk to someone if they are being abused.

**The Hon. DAVID CLARKE:** I just want to clarify this: of those complaints you receive of child abuse, there is as much chance of recording in the file whether they are home schooled as whether they are attending a public or private school, is there not? There is no reason why it will be any different. Things may be overlooked but they may be overlooked in public schools as well, that is right, is it not?

**Ms CAMPBELL:** That is correct.

**The Hon. DAVID CLARKE:** It is part of the process?

**Ms CAMPBELL:** Yes.

**The Hon. DAVID CLARKE:** So if you get a complaint of child abuse you will record which school the person goes to or whether the person is home schooled?

**Ms CAMPBELL:** We would if it was relevant and the mandatory reporter had that information because the issue may not be about whether the child is being home schooled—

**The Hon. DAVID CLARKE:** But if it is relevant?

**Ms CAMPBELL:** Absolutely.

**The Hon. DAVID CLARKE:** If the information is relevant about the education of the abused child—

**Ms CAMPBELL:** Yes.

**The Hon. DAVID CLARKE:** —you will record whether that child is attending home schooling or attending public schooling?

**Ms CAMPBELL:** Yes.

**The Hon. DAVID CLARKE:** It is the same for both sides.

**Ms CAMPBELL:** Yes, that is right.

**The Hon. TREVOR KHAN:** You agreed with my friend's earlier question with regard to "just as likely". Does that not fly in the face of what Commissioner Wood said in his report? That is, he identified the importance of the interrelationship between education and the capacity to report. That was the social connectedness argument he was referring to?

**Ms CAMPBELL:** I do not think he was specific about whether it was home schooling or public education. What he was talking about was a good education, children being connected to community and having relationships with people so if there were concerns about abuse occurring in a family home or in the community they had someone to go to.

**The Hon. TREVOR KHAN:** What you do when you remove the child from a formalised school education is remove one of the potential pillars of report, do you not?

**Ms CAMPBELL:** Justice Wood made a recommendation to introduce the educational neglect definition into the risk of significant harm—

**The Hon. TREVOR KHAN:** Listen to me. If you remove a child from a formalised school environment you remove one of the legs of the chair for reports to be made, that is from teachers in schools, is that not right?

**Ms CAMPBELL:** Yes, from teachers in schools, but there are other mandatory reporters in local communities.

**The Hon. TREVOR KHAN:** Of course there are. A child in school has the same ones, do they not? Soccer coaches, doctors, the neighbour, all of those exist for a child at school?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** For a home schooled child the one uncommon factor or one leg of the chair that is missing is the teacher, is it not?

**Ms CAMPBELL:** Yes.

**The Hon. TREVOR KHAN:** You cannot say it is just as likely for the child to be reported by a home schooler as a kid in school because one of the obligatory sources of reporting has been removed?

**Ms CAMPBELL:** It would not be reported by a teacher, yes.

**CHAIR:** A lot of the home schoolers are being taught by teachers that have come out of teaching to teach their children, would they be under the same mandatory requirements even though they are outside the school education system?

**Ms CAMPBELL:** No, they would not be a mandatory reporter. If they were a teacher and doing both, yes, but not if they were solely working with their child.

**Dr JOHN KAYE:** Ms Campbell, when you say "if they were a teacher", you mean if they were working as a teacher in that environment but if they were not being paid as a teacher in a school recognised by the Board of Studies that would not apply even though they had professional teaching qualifications?

**Ms CAMPBELL:** That's right.

**CHAIR:** Thank you, Ms Campbell, for your help to the inquiry. You have 21 days to answer the questions on notice and the secretariat will help you if you require assistance.

**(The witness withdrew)**

**TERRENCE JOHN ARTHUR HARDING**, General Manager, Australian Christian Homeschooling, sworn and examined:

**CHAIR:** Dr Harding, do you have an opening statement?

**Dr HARDING:** Yes. I would like to thank the Committee for the opportunity to address it on the issue of home schooling in New South Wales. As outlined in my submission home schooling is not a new phenomenon on the Australian educational landscape. The first formal European style education commenced around 1788 in homes in Sydney, Norfolk Island and Parramatta. Research has demonstrated that home schooling's re-emergence in the late 1970s and 80s is the result of many factors, including issues surrounding the desire of parents to have their children educated in a manner consistent with their values and beliefs, to see their children become successful in terms of literacy, numeracy and academics, to facilitate their behavioural and social development along socially acceptable norms, to ensure that their children learn in a safe environment that is commensurate to learning and to provide a flexible learning environment for highly gifted and talented children as well as for children with special education and health requirements. Home schooling also meets the needs of children whose families travel or who live in remote locations.

It is clearly demonstrable that home schooling is well and truly a family affair motivated by specific needs in individual families and generated by parent choice. This choice is not made frivolously as many uninitiated to home schooling would assume. For it is far easier to put one's child on the school bus and allow the State to educate one's child for free or next to free than to take on that responsibility and expense for one year, five years, 10 years or in my family's case for 15 years and at the same time relegating one's family to single income status and to a lower socioeconomic level than many other Australian families.

Whilst home schooling is a family matter the phenomenon of schooling in general is the legislated responsibility of the State. Over the past 40 years the interests of the home schooling family in their child's learning and development and the interests of the State in the children's attendance at school and what curriculum they are exposed to have intersected. The question of who is responsible for what has been the key issue. This intersection of differing interests has created three key outcomes. First, some home schooling families have complied with State regulations. Secondly, the State has increased its regulations, and thirdly, some home schooled families have ignored the State's registration process entirely. For this inquiry to be successful it is critical for the interests of both the families and the State to be satisfied.

The State's hegemony over compulsory schooling has driven it to grow its powers over home schooling, a pedagogy with which it is most unfamiliar. Research and anecdotal evidence have demonstrated that not only have the State's registration requirements increased over the years but those requirements have been applied in different ways by different educational bureaucrats. This discrepancy in the application of the State's powers has in several ways created a culture of fear among many home schoolers and in turn a culture of suspicion has developed among many educational bureaucrats towards home schooling families. This negative adversarial culture is one of the key reasons that many home schooling families avoid the registration process currently.

Thus one of my recommendations is that the State reviews its registration process, its employment criteria of educational bureaucrats and its professional development of such public servants with a view to helping them better understand home schooling. Further, I recommended in my submission that the registration process of home schooled children be assigned to an independent body which is familiar with and empathetic towards home schooling and its pedagogies. Such recommendations would see a regulatory group dedicated to home schooling and allow it to flourish in the same way that other forms of education, such as early childhood and tertiary entities, have developed in their own right in this country.

Because home schooling is so completely different from traditional schooling to leave it under the authority of the Board of Studies, this State's expert in traditional classroom-based schooling, would perpetuate the view that home schooling is a poor educational cousin and render it unable to develop in its own right. Whilst it is quite true that many home schooling parents comply with and find the registration process and the authorised persons to be very helpful there are also many sad stories to the contrary. When it comes to the education of children such a discrepancy of standards is unacceptable and should be redressed.

In closing I would point out that many social welfare benefits in this country are linked to a child's enrolment status in traditional schooling. Because home schooling courses of study are not deemed to be "approved courses" for the purposes of qualifying for such social welfare benefits, home schooling families are denied these benefits. Social welfare benefits should be linked to the fact that a child exists rather than to enrolment in a school. In my submission I cited one such example, the loss of family tax benefit part A at the beginning of this year once a home schooled child turns 16 simply because the child is home schooled rather than enrolled in a traditional school.

**Dr JOHN KAYE:** Dr Harding, you are saying that was a change that occurred this year or your child turned 16?

**Dr HARDING:** It started 1 January this year.

**Dr JOHN KAYE:** For everybody?

**Dr HARDING:** Correct. It is a Commonwealth issue. Whilst it is fair that home schooled children do not attract schooling subsidies it is a disgrace that they and their families do not qualify for such social welfare benefits. I encourage this Committee to look into this and other similar social injustices at both the State and Commonwealth levels and to make fair and just recommendations as per category (b) (ii) of the terms of reference. Thank you for your consideration of these matters. I request that you deliver outcomes which show respect to home schooling, its students and its families. To deliver alternative outcomes would merely exacerbate current problems and the Committee will not have achieved its goals.

**CHAIR:** On page 3 of your submission you state:

Citing philosophers such as Mill and Dewey, a body of educators grew seeking more humane alternatives to traditional schooling, which they viewed as a limited, post-industrialist, one-size-fits-all enterprise.

Could you comment on that?

**Dr HARDING:** Certainly. A number of scholars in the 60s and 70s picked up on the need for a more humane approach to education and citing such folk as Vygotsky, Mill and Dewey, these leading thinkers have espoused such thoughts—

**Dr JOHN KAYE:** You are speaking of John Stuart Mill and John Dewey?

**Dr HARDING:** Yes.

**Dr JOHN KAYE:** They were not in the 1960s or 1970s?

**Dr HARDING:** No, the scholars picked it up during that period. We understand their time lines. The work was done in that time and subsequent academics have followed those lines. The home education or home schooling movement has developed a rationale from such thinkers.

**CHAIR:** Is the "one size does not fit all" comment in relation to special needs children and mixing and matching a person's capacity for learning? Some might learn slowly on some subjects and faster on others, is it that mix and match approach that is ruling that out by saying everyone should be in a situation where a professional person is teaching and that is the way it is?

**Dr HARDING:** Largely it comes from what is known in the educational sector as a post-industrial methodology of teaching and learning where one person would be dealing with a large group of children and these philosophers are saying—and the academics picked it up in the 1970s and 1980s—that children are individuals and they need to be addressed as such in their education.

**CHAIR:** I went to a school where we had years one to six in one classroom and the principal was talented enough to get around to us all. That was an amazing mix of gifts, talents and education needs in one classroom. That was a public school system. Can you comment on that?

**Dr HARDING:** My first teaching class was similar, in a one-room school ranging from years one to seven. What is behind these thinkers—

**The Hon. TREVOR KHAN:** You are not suggesting that is optimal, are you?

**Dr HARDING:** Not at all.

**The Hon. TREVOR KHAN:** Otherwise we have been spending a lot on education for nothing at all.

**CHAIR:** If you could answer my question?

**Dr HARDING:** What I am trying to say, and what the academics are saying, is that home schooling has come out of a more humane individualised focus on the individual student and their specific needs where possible.

**CHAIR:** On page 18 of your submission there is a heading "Extent of and reasons for unregistered home schoolers." Could you go through your comments about why people may choose to be unregistered?

**Dr HARDING:** As you can see from my small survey, there was a split between those who were happy to register and those who were not. In the survey I did not ask who had registered and who had not. I would not have had any respondents if I had done that. There were a number of issues. Some had had bad experiences with their authorised person. Some said that the authorised person had not accepted or had potentially disparaged their religious position or their curriculum choice. There were another group of folk who said that they did not see the point to it in terms of benefits for them. There were those who also felt, for example:

Parents stated that their interactions with the Authorised Persons (AP) from BOSTES left them with the view that the APs "don't see parents as the authority in their children's lives." They thus felt demeaned by their APs.

Other parents stated that their AP viewed the role of faith in their children's education with disdain during their meetings together.

Parents stated that it was unfair and unjust that one person (the AP) "has so much say in my child's education." These kind of statements came with an appeal for an AP with more open and tolerant views. For this reason, they were quite circumspect with what they said to the AP during their inspection. One mother put it this way:

"We are guarded with what we share with department representatives when registration time comes."

I hasten to say that negative experience was not the only view. I had respondents who were saying they found it a pleasant experience and helpful. In fact, a couple of the families said the authorised person had been very encouraging to their children.

**Dr JOHN KAYE:** Thank you for your submission and for reminding me of my least favourite John Stuart Mill quote. Your organisation provides services for Christian home schoolers?

**Dr HARDING:** No. Our organisation provides services to home schoolers irrespective of a religious position.

**Dr JOHN KAYE:** But it does so from a religious position?

**Dr HARDING:** Correct.

**Dr JOHN KAYE:** I will ask you first of all about the issue of corporal punishment. Is it fair to say that you provide biblically based advice?

**Dr HARDING:** No, we provide educational services so corporal punishment does not come into the matter at all.

**Dr JOHN KAYE:** Do parents ask you about corporal punishment?

**Dr HARDING:** No, it is their affair.

**Dr JOHN KAYE:** It is their affair?

**Dr HARDING:** The way they deal with their families is their affair. We are there to provide educational services.

**Dr JOHN KAYE:** You do not provide any advice with respect to corporal punishment?

**Dr HARDING:** No.

**Dr JOHN KAYE:** What would you do if a parent came to you and asked you about corporal punishment?

**Dr HARDING:** We would just say it is a matter of their own affair that they would need to consider their own way.

**Dr JOHN KAYE:** But the services you provide are biblically based?

**Dr HARDING:** No, they are educational; the curriculum is biblically based.

**Dr JOHN KAYE:** Then let us go to the issue of creationism and evolution. In that area what advice do you provide to parents? What service do you provide to parents teaching science?

**Dr HARDING:** We provide the curriculum to the families. We are home schooling; we are not a school of distance education and so we do not provide teaching advice in that sense.

**Dr JOHN KAYE:** On Friday we heard from a number of parents who were teaching evolution and Young Earth creationism as coequal scientific theories. Would that be what you would provide to your parents?

**Dr HARDING:** No, not at all. We would not say that is a scientific theory but in the curriculum we would provide information as to the creation idea of origins and the evolutionary idea of origins.

**Dr JOHN KAYE:** As part of science?

**Dr HARDING:** There would be some of it in the science section.

**Dr JOHN KAYE:** There would be creationism in the science section?

**Dr HARDING:** And evolution, yes.

**Dr JOHN KAYE:** But there would be creationism in the science section?

**Dr HARDING:** Yes.

**Dr JOHN KAYE:** As a scientific theory?

**Dr HARDING:** No. It is not a scientific theory.

**Dr JOHN KAYE:** How does it belong in the science section?

**Dr HARDING:** It belongs in the science section because it relates to the natural world. But in terms of scientific methodology, which is based on observation, there was no-one at the beginning whether it was a big bang or a creation and thus it is not a scientific methodology. However, because it relates to the natural world and science relates to the natural world, it is relevant. The other factor is that in the realm of science it is a debate and thus from the point of debate it is also relevant.

**Dr JOHN KAYE:** You are saying there is a valid scientific debate between creationism and evolution?

**Dr HARDING:** Well, there is certainly a global debate on it as I am sure you are aware.

**Dr JOHN KAYE:** But you see that as a debate within science, not a debate within theology?

**Dr HARDING:** It seems to be in the science sector and philosophy, yes. If you want to bring theology in, a third element would be theistic evolution. So there would be a third factor if you brought theology into it, which we do not deal with.

**Dr JOHN KAYE:** You home schooled a number of children?

**Dr HARDING:** I did, yes.

**Dr JOHN KAYE:** What did you teach them?

**Dr HARDING:** My wife and I home schooled our children.

**Dr JOHN KAYE:** What did you teach them with respect to creationism and evolution?

**Dr HARDING:** We taught both. We taught them both, yes.

**Dr JOHN KAYE:** As equal theories?

**Dr HARDING:** As equal theories, yes. However, in my family we took the creationist position.

**Dr JOHN KAYE:** When you say "in my family we took the creationist position" do you mean you taught to your children that evolution is what some people say but what we believe in our family is that is wrong and creationism is the correct view?

**Dr HARDING:** You are quoting a conversation that I have had in my family over a long period of time.

**Dr JOHN KAYE:** No, I asked you. I am not quoting. I am paraphrasing and asking you if that is how you did it.

**Dr HARDING:** We would evaluate both theories in our home and we would tell our children what we believe, yes.

**Dr JOHN KAYE:** You would evaluate both theories from a scientific perspective?

**Dr HARDING:** No, it is from a theoretical perspective because both theories are theories. They are not ideas that are observable and repeatable in terms of the scientific method.

**Dr JOHN KAYE:** You are saying that evolution is not repeatable as a theory?

**Dr HARDING:** The theory of the beginnings from an evolutionary perspective is not repeatable. No-one was there at the big bang.

**The Hon. ADAM SEARLE:** On page 3 of your submission you talk about educators seeking a more humane alternative to traditional schooling. Do you see traditional schooling as inhumane?

**Dr HARDING:** No, sir. Not at all.

**The Hon. ADAM SEARLE:** So that is not your view?

**Dr HARDING:** No, it is not my view. But certainly the academics who were citing the reasons or motivations for people choosing home schooling cited situations which would be unacceptable. I have done so in my research as well and found that to be in my research. For example, a mother was in class with the child as a mother's help and her child was stabbed.

**The Hon. TREVOR KHAN:** Sorry, her child was stabbed?

**Dr HARDING:** Yes, stabbed with a pencil. A young girl was stabbed in the arm.

**The Hon. ADAM SEARLE:** But that is not necessarily a feature of being in a classroom or in public school.

**Dr HARDING:** No, but I would not call that a humane feature either. I am just giving that as an example.

**The Hon. ADAM SEARLE:** That is something I think we would all agree is unacceptable but it is not a feature of education or classroom-based education.

**Dr HARDING:** I did not suggest that it was.

**The Hon. ADAM SEARLE:** The way you have written it in your submission and the flavour of your submission suggests that you are coming from a perspective that is hostile to traditional schooling formats.

**Dr HARDING:** No. I am a teacher. I was educated at Sydney University. I have a master's degree in education, a PhD. I love schooling. I love what our nation does. All I am saying is that there are aspects in the experience of individuals, and you have probably heard them already in this Committee hearing. Certain parents have found behaviours in schooling that were unacceptable. They sought to see the change within the school environment and were not satisfied. Thus they took their child out of school for such reasons.

**The Hon. ADAM SEARLE:** You say in your submission that most of the information about home schooling and the academic outcomes from home schooling are from the United States. I think you concede that there is very little Australian research.

**Dr HARDING:** Yes. There is a growing body but it is limited compared to the US.

**The Hon. ADAM SEARLE:** There is something like 3,000 registered home schoolers in New South Wales. The research that covers New South Wales is almost non-existent, is it not?

**Dr HARDING:** I would agree, yes.

**The Hon. ADAM SEARLE:** Your claims at pages 5, 6 and 7 are based on the very limited study done by Harding in 2003, are they not?

**Dr HARDING:** Yes, and Harding 2006 of 438 graduates but they were not only from New South Wales.

**The Hon. ADAM SEARLE:** They were graduates of the Australian Christian Academy in particular.

**Dr HARDING:** Yes.

**The Hon. ADAM SEARLE:** It is not a representative sample even of the home schooling sector.

**Dr HARDING:** No, but it is a piece of research. As you said quite correctly, there is not much in terms of post-home schooling pathways to tertiary education or to employment.

**The Hon. ADAM SEARLE:** For example, at page 7 when you talk about both research and anecdotal evidence you just mean anecdotal evidence because most of the information you are able to convey, other than that very limited research sample, is basically episodic and impressionistic, is it not?

**Dr HARDING:** I have been in this position since 1994. I have seen—

**The Hon. TREVOR KHAN:** What position is that?

**Dr HARDING:** In terms of leadership in a home school organisation which has grown to 4,000 as a steady number. I have seen literally tens of thousands of students. I do concede that the scholarly research with respect to post-home schooling pathways is very limited. I think that my research in 2006 was probably the largest, if you want to say that. So I concede that point for sure.

**The Hon. ADAM SEARLE:** We know how many home schoolers are registered in this State. From reading some of the submissions it seems there is speculation that the number of non-registered students might be as high as 10,000 or 20,000 in total in this State. Sorry, I think 16,000 was one estimate. That is a lot of people and the content of what they are taught in the home schooling environment is largely not regulated, is it? I know they are meant to follow the syllabus but there is no real quality assurance or auditing of the situation, is there?

**Dr HARDING:** If I may break that question into two. One is with respect to numbers in New South Wales. It has been my experience that governments often in the past have tended to downplay the numbers. Happily, the registration numbers are at least something that is concrete. However, my experience of home educators in various States is that they tend to overplay the numbers. Then the second part of your question was with respect to the quality of education. It has to vary. There are largely three large sectors of home schooling: the structured group, the eclectic group and the unschoolers group.

**The Hon. ADAM SEARLE:** By "unschoolers" you mean not schooled?

**Dr HARDING:** I am no expert in unschooling or natural learning as it may be called, but I understand it is child directed and conversationally based according to the interests of the child.

**The Hon. TREVOR KHAN:** That is not schooling.

**Dr HARDING:** I understand that. That is why they say unschooling.

**CHAIR:** It is a definition we heard on Friday.

**Dr HARDING:** I think I have answered your question. I guess I am saying that there is massive variation there between the structured, the less structured and the less than that structured.

**The Hon. ADAM SEARLE:** But other than the visitations from the approved persons, which is really about seeing whether the parent or the person directing the instruction is providing plans and following the syllabus, there is no auditing or quality assurance that ascertains what the child or children in question are receiving by way of education. It is wholly unregulated.

**Dr HARDING:** I disagree with that. In a qualitative way, parents have the greatest vested interest in the success of their children, in their development, in their educational outcomes and in their entry into the adult world. While it is not quantitatively demonstrable, parents have a responsibility to have a vested interest. It has been my experience since 1994 that the majority of these people want to provide a quality education.

**The Hon. ADAM SEARLE:** You may take it as a given that no member of the Committee doubts the parents' best intentions with regard to their children. It is more an issue of their varying skills and capabilities. It really is a question of what people are capable of teaching, is it not?

**Dr HARDING:** Certainly.

**The Hon. ADAM SEARLE:** This is an area in which that is not regulated; there is no quality assurance or monitoring of educational attainment in the home schooling sector by anyone, is there?

**Dr HARDING:** No. I was about to agree fully, but it is done by the parents. We have seen families return to traditional schooling if home schooling is not working. It is monitored, but not by a professional.

**The Hon. HELEN WESTWOOD:** Page 5 of your submission refers to research demonstrating that home-educated students perform academically as well as if not better than their traditionally educated counterparts. You say that most of this research comes from the United States and that very little information is available in Australia.

**Dr HARDING:** That is correct.

**The Hon. HELEN WESTWOOD:** Is the United States model of home schooling comparable to the model used in New South Wales?

**Dr HARDING:** Definitely. I have been there and undertaken research and spoken at conferences and with the leaders. The answer is yes.

**The Hon. HELEN WESTWOOD:** Do they have those three categories that you referred to earlier?

**Dr HARDING:** And subcategories, particularly in the eclectic group. It varies.

**The Hon. HELEN WESTWOOD:** I asked the Board of Studies, Teaching and Educational Standards NSW a question last week about the gender of the home schooling parent. It is said to be overwhelmingly women. Do you know the proportion—is it 60 per cent, 70 per cent, 80 per cent or 90 per cent?

**Dr HARDING:** The research I did for Minister Garrett and Minister Piccoli and my own private research for my masters and doctorate degrees indicated that 90 per cent of home schoolers were mothers. I repeat, the numbers are hard to ascertain. I would be happy saying that it is 90 per cent to 95 per cent.

**The Hon. HELEN WESTWOOD:** Are you still home schooling?

**Dr HARDING:** No, my youngest is 27 years old.

**The Hon. HELEN WESTWOOD:** Were both you and your wife registered? Did you register?

**Dr HARDING:** No, we did not register.

**The Hon. HELEN WESTWOOD:** Why?

**Dr HARDING:** We started in the 1980s and I do not know whether there was registration in those days. It was the Rod Cavalier and Terry Metherell years. By the time the requirements were tightened we were well past that role.

**The Hon. HELEN WESTWOOD:** You had been out of that role for a long time.

**Dr HARDING:** That is correct.

**The Hon. HELEN WESTWOOD:** Many of the submissions that the Committee has received have criticised the current registration process. Do you have any exposure to that or any thoughts about it?

**Dr HARDING:** As I said, there was a split between those who had a helpful and happy experience and those who were less than happy and sometimes quite fearful.

**The Hon. HELEN WESTWOOD:** Are you referring to the current process?

**Dr HARDING:** Yes, the 2014 process.

**The Hon. HELEN WESTWOOD:** The other issue that you raise in your submission that has been raised by others is the question of access to allowances. I know that most of the allowances are federal, but have you made any representations to the Federal Government about that issue? If so, what has been the response?

**Dr HARDING:** Minister Andrews was very responsive in 2005. I spent time with his senior adviser discussing the family tax benefit issue when he came to see me in my office in Brisbane. I will not say what he said. It has not been dealt with quickly and with open arms, nor has it been mean. Changing regulations, Acts or even policies is a slow process.

**The Hon. TREVOR KHAN:** I have obviously looked at your website. I note that under the heading "Curriculum" you state, "The curriculum used by the ACHS families upholds the Bible and Lordship of Jesus Christ in every subject." That is the general drift, is it not?

**Dr HARDING:** Yes.

**The Hon. TREVOR KHAN:** In putting the curriculum together, that is the core of what you are seeking to do. I am not being critical.

**Dr HARDING:** That is right.

**The Hon. TREVOR KHAN:** I ventilated a question with other members of the Committee before the taking of evidence. If a similar website were created by members of the Muslim community that advocated taking children out of school and teaching strictly in accordance with Islamic principles, would you be as enthusiastic about the concept of home schooling?

**Dr HARDING:** I believe in educational choice and freedom. So I would be happy with Muslims establishing a school or doing—

**The Hon. TREVOR KHAN:** We are not talking about a school, because we know that schools require that the basic curriculum be taught.

**Dr HARDING:** Yes.

**The Hon. TREVOR KHAN:** I am talking about members of the Muslim community putting together their own eclectic program to teach their children.

**Dr HARDING:** I cannot answer for another religious group. All I can say is that our group provides a curriculum to children from diverse backgrounds regardless of whether they are believers or non-believers, and we enjoy providing help to those people.

**The Hon. TREVOR KHAN:** You are not genuinely saying that people who do not believe adopt your system, or are you?

**Dr HARDING:** Yes.

**The Hon. TREVOR KHAN:** Really?

**Dr HARDING:** An example would be folks who do not follow an overt Christian practice. They love the 60 character traits that are woven into our curriculum, such as honesty, creativity, courage and so on.

**The Hon. TREVOR KHAN:** They could be described as humanist principles.

**Dr HARDING:** Or humane principles. I was happy today to swear on a Bible. However, that does not preclude taking an oath without a Bible. I am very happy with that openness and I uphold it within my organisation.

**The Hon. TREVOR KHAN:** On the page that deals with the curriculum you identify parents' training. I congratulate you on the extent of it and on the support you provide. However, you state, "Each parent is given a self-instructional training package at commencement, which is completed at home and takes about 10 hours." If it takes 10 hours to train a parent to teach their kid, have people such as my daughter—who spent three or four years at university at considerable expense training to be a teacher—completely wasted their time?

**Dr HARDING:** We do not train parents to teach their kids.

**The Hon. TREVOR KHAN:** Who does?

**Dr HARDING:** We train parents in the methodologies of the implementation of our curriculum, which includes goal setting, daily goal checks of academic goals for the key learning areas [KLA], how to report back and so on. We do have some pedagogical training, and we do that on a monthly basis, as do the home schooling groups around New South Wales.

**The Hon. TREVOR KHAN:** Let us just talk about yours.

**CHAIR:** I understand that examples of how to do that are in the 2013 information pack for home schoolers.

**Dr HARDING:** Yes.

**The Hon. TREVOR KHAN:** You provide a degree of structure; is that right?

**Dr HARDING:** That is correct.

**The Hon. TREVOR KHAN:** And you do that because it is important for the education of a child.

**Dr HARDING:** I would like to address your earlier question because I did not answer it. I disagree with part of it. I said that we do not fully train parents to be teachers. Parents are teaching all the time. I make that point very strongly. That was clearly demonstrated in my 2011 research. We add to that; the parents are teachers in that sense.

**The Hon. TREVOR KHAN:** Do I take it that you provide considerable support because it is important in terms of the child's educational outcome?

**Dr HARDING:** It is for the parents who take on our particular pedagogy. Parents who take on other pedagogies get training in those pedagogies.

**The Hon. CATHERINE CUSACK:** What is nongovernment distance education?

**Dr HARDING:** It is distance education provided by nongovernment schools.

**The Hon. CATHERINE CUSACK:** I am not aware of any accredited nongovernment organisations.

**Dr HARDING:** There is one in New South Wales. When I did the research for Minister Garrett in 2012, we found 13 Australia-wide in four States—Queensland predominantly, New South Wales, Tasmania and Western Australia.

**The Hon. CATHERINE CUSACK:** What is the organisation in New South Wales?

**Dr HARDING:** Australian Christian College at Marsden Park.

**The Hon. CATHERINE CUSACK:** Is that college accredited to provide distance education?

**Dr HARDING:** Yes.

**The Hon. CATHERINE CUSACK:** Does it develop its own curriculum in the same way that the Department of Education and Communities does?

**Dr HARDING:** Yes.

**The Hon. CATHERINE CUSACK:** And is it accredited by the Board of Studies, Teaching and Educational Standards NSW?

**Dr HARDING:** Yes. It has been in existence since January 2007.

**The Hon. CATHERINE CUSACK:** You mentioned that you support 4,000 students. Is that the national figure?

**Dr HARDING:** No, that is an historic figure. Since their creation in various States parents have elected to enrol their children in nongovernment distance education schools. We would no longer be responsible for 4,000 students.

**The Hon. CATHERINE CUSACK:** That is a bit confusing.

**Dr HARDING:** I will try again. In the 1990s and the mid-2000s our nationwide student numbers grew to 4,000. However, my board asked me to establish schools of distance education in various States. We succeeded in July 2003 in Queensland, in 2008 in Western Australia and in 2007 in New South Wales.

**The Hon. CATHERINE CUSACK:** Does that include the distance education children?

**Dr HARDING:** They were home schooling but they then moved into distance education.

**The Hon. DAVID CLARKE:** In response to a question asked by the Hon. Adam Searle you said that you are aware of parents who took their children out of public schools in favour of home schooling because, as you implied, they were unsuccessful in achieving change. I take it that you would include in that persistent bullying of their children, which despite the best endeavours of the school had not diminished. That is one reason you are aware of for parents removing their children from schools—both government and nongovernment.

**Dr HARDING:** Most definitely, and it is probably an increasing issue.

**The Hon. DAVID CLARKE:** You were asked by the Hon. Trevor Khan about the Christian core of what you are doing, which is shown on your website. I suppose that that degree of religious structure is basically the same as that provided by any Christian nongovernment school. That would be the case; there is not much difference.

**Dr HARDING:** No. It is the same as what is taught in Christian schools.

**The Hon. CATHERINE CUSACK:** In your submission you are calling for an independent association to do the regulation. Do you have any thoughts on what that association would be like? Would it be like a board of people; and if so, how would that actually operate?

**Dr HARDING:** I was very interested in 1994, I think it was, with the set-up in Tasmania of THEAC (Tasmanian Home Education Advisory Council). Certainly, that model is helpful. But there are elements of other States' regulatory regimes on home schooling that I think home schoolers would be very grateful for. So it would be interesting to do a study of the various States' regulatory attributes, and pick what suits the State and the home schoolers.

**The Hon. CATHERINE CUSACK:** I guess one of the challenges is that there is such a disparate group of people in the sector.

**Dr HARDING:** Sure.

**The Hon. CATHERINE CUSACK:** If you had an authority, you would need to make sure everybody registered and complied, to have confidence in it. But then, is there one authority that everybody would recognise? That seems to me to be one of the challenges.

**Dr HARDING:** Certainly, THEAC has had an increasing number of registrations. I think that of all the regulatory bodies in the nation theirs is the most successful percentage-wise, and I think that is because of the collegiality that they have with home educators. It is under the Minister but it is independent from a schooling body; also, they do employ experienced, knowledgeable home educators as well as other educators.

**The Hon. CATHERINE CUSACK:** Have you ever been supporting a family that was just absolutely hopeless at educating their children? And what did you do about that?

**Dr HARDING:** When you are dealing with large groups you have a bell curve, so that there are those who are at the edges and the majority are in the middle. But, to clarify your question, we in Australian Christian Homeschooling do not educate families or people who are not doing a great job. Where we find that there is a problem we will get to them and we will advise and assist them. Often we found re-diagnosis of academic levels and the other issue, which relates more to special needs education, not just the levels but also the rate of learning and work return, et cetera. So the answer is yes; but, yes, you do find people who are struggling.

**CHAIR:** Thank you, Dr Harding. You have 21 days to answer if you have taken some any questions on notice. The secretariat will assist you if that is the case. Otherwise, thank you once again for your evidence. It will be incredibly helpful in understanding the issues of New South Wales home schooling.

**Dr HARDING:** Thank you very much.

**(The witness withdrew)**

**(Evidence continued in camera)**

**(Luncheon adjournment)**

**ESTHER LACOB**A, Member, Home Education Association [HEA], sworn and examined, and

**CHRIS KROGH**, Member, Home Education Association,

**VIVIENNE FOX**, Member, Home Education Association, and

**KATHERINE WATSON**, Member, Home Education Association, affirmed and examined:

**CHAIR:** Would anyone like to make an opening statement?

**Mr KROGH:** We each will make a brief statement.

**Ms LACOB**A: My name is Esther Lacoba. I became a member of the HEA in 2002, and again volunteering for them in 2004. I would like to comment on three issues in my opening statement. Firstly, three days after the publication of the 2013 information pack the HEA had received 33 emails and 15 social media responses to it. We compiled a report several weeks later documenting 70 email responses and 15 responses on social media. Further communication continued to arrive after we completed that report. Secondly, the HEA has seen and testified that those who choose not to register do so after much angst and deliberation. Unregistered home educators are committed to providing quality education for their children. The ability to home educate is in no way related to registration status.

Thirdly, the Board of Studies, Teaching and Education Standards NSW [BOSTES] is correct in saying they consulted widely with all of the New South Wales community regarding the implementation of the Australian curriculum but at no time do we believe that they consulted widely with home educators regarding the so-called minor changes to the 2013 information pack. While BOSTES asserts that these changes are minor, we openly declare that there are many changes of wording that have far-reaching consequences for home educators in New South Wales. Thank you.

**Ms FOX:** My name is Vivienne Fox. I have five children who have never been to school. My older children have gone on to university and my eldest graduated from university at the age of 18 and has been employed in his field since graduation. I have home educated for over 15 years. As an experienced home educator for many years I have volunteered my time as part of the support services the HEA provides. This has involved helping and supporting parents with the practice of home education, resourcing them to provide a good quality education to meet their child's needs. During that time when parents knew what to do it enabled them to meet registration requirements.

In the last two years the assistance required has changed dramatically. Rather than understanding the practice of home education, what parents now need is support to understand the registration process. This change started with differences in authorised persons' approaches to registration and was consolidated in the publication of the 2013 information pack. This document is not user-friendly. It is convoluted and describes an inflexible approach. Providing support to home educators has become a process of helping parents understand what is required and to jump through the hoops of the registration system. Adding to this already difficult situation, the questions and answers document, which purports to provide clarification for parents, has been added to many times in the last year and directly contradicts the information pack.

This bureaucratic minefield is the everyday experience of the parents who choose home education for whatever reason and does not improve the quality of the education they provide to their children. I have been part of the HEA's lobby for change because I have sat with and helped many parents who have been distressed by the registration process. I would like to draw the Committee's attention to case study 3 on page 201 of the HEA's submission. This shows a capable, engaged home education applicant who was already providing quality educational experiences to the child in her care. In her own words the process made her worried and fearful, as she says:

Even though I am determined to home educate, as it's the only solution for this little girl, the registration process has made me feel worried and fearful. I have stayed up some nights, worrying about the home interview and whether I have covered all the requirements to satisfy registration.

I have more to say which I have written in this document I wish to table addressing some issues raised in Friday's hearing and providing a copy of the 2013 information package, a document showing the changes between the 2011 and the 2013 information packages, the question and answers document from the Board of Studies website, a document showing the inconsistencies between the question and answers and the 2013 information package, which it claims to clarify. Thank you.

**Ms WATSON:** My name is Katie Watson. I would just like to draw the Committee's attention to some process issues. The various information packs have the status of guidelines but are being applied as though they are regulations and implemented in a rigid way which fetters the discretion of the decision-makers. As Committee members would be well aware, regulations are subject to a process and to parliamentary scrutiny. This procedural issue is a source of many of the recent troubles. If the guidelines—the information pack—were either treated as guidelines or given parliamentary oversight perhaps we would not be here today.

I specifically note that the High Court of Australia has expressly warned against the danger of treating guidelines inflexibly, for example, stating in *Green v Daniels* "if the decision-maker provides inflexible instructions as to how the discretion is to be exercised in every case, he or she acts unlawfully and decisions made in compliance with such instructions may be vitiated." The High Court has also applied this principle as recently as 2003 stating "Unthinking, inflexible administration can be an instrument of oppression and abuse of power, taking the decision-maker outside the purpose for which the power was granted".

Another procedural issue is the BOSTES refusal to give written reasons for decisions. This leaves the system open to perceived issues of bias and inconsistency. These procedural issues have developed into a situation of us and them which is detrimental to home educators, detrimental to authorised persons going about their job and most importantly detrimental to the educational quality delivered to children. We suggest that a supportive system of monitoring and registration would not only experience greater engagement but would also overcome these procedural issues.

**Mr KROGH:** I have two parts to my opening statement. One is a very brief opening statement and the second is an issue I would like read into the record coming out of Friday's discussion and witnesses but I will come to that in a second. The Home Education Association is a national, not-for-profit, member-funded, volunteer association supporting home educators. A fundamental objective of the association is to respect and represent the diversity of philosophies and educational methods of home educating families. It is from this perspective that we present to the Committee today.

We start from the position that schooling and education are fundamentally different things. While the former invites a sense of structure and institution the latter attends to learning in all its forms, be it formalised and teacher led or informal and student led. While schooling and education are not mutually exclusive, neither does one naturally equate to the other. We are here with full respect for schools, teachers and the work that many, many people do to make the system function. Schools are the educational choice of most, are positive and effective for many and are the way that the majority of parents fulfil their legislative responsibility for their children's education.

We are not here to dismiss or run down institution-based schooling but to present the circumstances and needs of home educators in New South Wales. We present to the Committee the perspective that any registration system that is implemented should be based on a thorough understanding of home education, must respect parents' educational choices and must approach home educators as partners in system design and system implementation. To achieve this kind of system, approaches such as co-design and co-construction are more likely to lead to positive outcomes for all parties. We have come to this point today because of consequential changes in registration approach.

In response to the BOSTES statement that there have been no significant changes I offer one small example. A sentence acknowledging diversity of educational approaches was present in the 2011 information package for home education and was removed in the publication of the 2013 package. In the 2011 package the statement was:

As with other forms of education there is no single approach to home schooling. Some home educators have a structured approach that is based on a set timetable and formal instruction. Others prefer an approach that is less formal and responds to the child's developing interests and needs.

But that statement is not present in the current information package. The HEA welcomes this inquiry and the opportunity for home educators to be heard to dispel myths, for the issues that we face and the achievements that we make to see the light of day. There are many submissions that are very powerful; stories of amazing achievements, submissions from articulate children; some sad and frustrating experiences. We are hopeful of a greatly improved system as a result of your willingness to listen and the work that so many people have undertaken. That is my statement.

**CHAIR:** Thank you very much.

**Mr KROGH:** If I may read one issue into the record that I think is quite significant coming out of Friday. It relates to child protection.

**The Hon. ADAM SEARLE:** This is dealt with in your submission though, is it not?

**Mr KROGH:** No.

**CHAIR:** This is something you have heard and you want to respond to?

**Mr KROGH:** It is, and it has had a material consequence.

**CHAIR:** Let me just say that one of the major issues we have been hearing about is child protection so I would be happy to hear if you have some sort of comment on the feedback we have already had on Friday in regards to child protection issues.

**Mr KROGH:** Okay, yes. During Friday's testimony a discussion took place regarding exchange of information and child protection reporting—and this was during the Board of Studies, Teaching and Education Standards testimony. From this it was suggested that there were 346 reports to Community Services of home educating families or home educating applicants, that is, reports of risk of harm to Community Services; that is what the discussion went to and a suggestion that I think it might have been around 15 per cent of home educating families.

**The Hon. TREVOR KHAN:** That was a disputed figure.

**Mr KROGH:** Sure, absolutely.

**Dr JOHN KAYE:** That was a figure that I deposited and then withdrew when it was explained to me.

**Mr KROGH:** Yes, sure, but there were 346 reports. That discussion involved a serious confusion of terms, that is, that exchange of information equates to a child protection report. This error has had serious negative consequences for home education; that is, on Friday 5 September it was reported in the *Sydney Morning Herald*:

The committee heard that 346 children who had registered or had applied for registration in home schooling had their information exchanged with the child protection agency.

That is not correct. As very few people in the community understand the difference between information exchange and risk of significant harm and as it was stated that this information was exchanged with the child protection agency it is reasonable to expect that people will think that 346 children being or applying to be home educated were reported to community services. I have more to say but what I will quickly say is this; information exchange does not need to reach the threshold of risk of significant harm.

Information exchange does not go through the processes of risk of significant harm and the Board of Studies material did actually say that information was exchanged with the Department of Education and Communities, it was not exchanged with Family and Community Services. Data provided by BoSTES, which I have in front of me and I can table and would like to table, shows since 2010 there have been fewer than 17 reports. The approximate figure, the best they can gather from the data they have got, is that there will have been fewer than 17 reports to Family and Community Services.

**The Hon. ADAM SEARLE:** I move receipt of that report.

**Mr KROGH:** I table the correspondence.

**CHAIR:** There has been anxiety and fear for some individuals having to fill out the 2013 package. That is the evidence. Can you tell me if your organisation met with the Minister to work through these issues and if so what was the outcome of that meeting?

**Mr KROGH:** I was present during that meeting. It happened here in Parliament on 30 October. We have some correspondence relating to it. The Minister was present for about 10 minutes.

**The Hon. CATHERINE CUSACK:** Which year?

**Mr KROGH:** 30 October 2013. The Minister was present for 10 minutes of that meeting. The Minister had requested David Murphy, from what was then BoSTES, to attend that meeting, which put us in quite a difficult position considering that the Home Education Association [HEA] was raising significant issues with regard to some of the communication with Mr Murphy and some of the correspondence from the board. We did meet for 10 minutes. The Minister described that in subsequent correspondence as a "productive" meeting. The HEA, in conversation with its members and other members of Parliament, disputes that assessment of the meeting.

**CHAIR:** I note there are a number of issues you have with the registration process. Do you know of existing models that will help the Committee?

**Ms FOX:** There are different registration processes in every State. The most successful registration process currently exists in Tasmania. What happens there is that there is a board whereby home educators and other education people report directly to the Minister. The people who meet with home educators to discuss their program and register them for home education are themselves long-term experienced home educators. They understand the process. They also provide support with producing the documentation and the plan that the parents are providing. They are actually helping and assisting parents in understanding home education itself as well as understanding the registration process.

At the moment all that support in New South Wales is provided on a volunteer basis by people like me and other home educators. It is not built into the system. If you decide that you need to home educate your child you look up the Board of Studies website, you Google, whatever you do, and you find the Board of Studies information package. If you look at that information package it is extremely hard to understand. It is very hard to understand. If you have looked at that you would go, "Where do I start?" And then you would go, "How do I do this? How do I get my child registered for home education? What do I do?" One thing I do is if someone contacts me before the authorised person has come to visit them I will meet with them for several hours, I will talk to them about how home education works.

I will help them provide a document that links with the Board of Studies syllabus and I will talk to them about the different things in the community that we do such as the writing classes and drama, all the different things we have that they can pick and choose from and how they can use the things that are already in their life. I will help them to produce a document and sit with them while the authorised person is there. The authorised person is coming in to tick the boxes, they do not provide any support. Whereas in Tasmania the authorised person, they might be called moderators, come in and say, "This is how you go about home education. You create a plan of what you are going to do. These are the sorts of thing you can put into your plan, these are the resources that are available to you and we can lend you resources." There is a resource library. There is support built in and people enjoy that process and find it helpful.

**CHAIR:** It would be helpful if there was a one-stop shop for home education people in New South Wales?

**Ms FOX:** If support was built into the system it would be a completely different scenario.

**Dr JOHN KAYE:** Ms Fox, would you accept that some home schooling parents in New South Wales would see that as interference in how they home school?

**Mr KROGH:** If I might answer that following that comment. The HEA represents a diverse membership and within that diverse membership there are some diverse views. The HEA's submission is very clear in terms of recommendations.

**Dr JOHN KAYE:** If we did that and accepted that recommendation and the Government worked to that, would we not end up in a situation where we were back here with some parents saying to us that is interference in how we home school?

**Ms FOX:** At the moment there are authorised persons involved in the registration process who go into people's homes and want to see a certain amount of material but they do not actually provide any support whatsoever. If they say, "You are missing a timetable", they will not go, "I will help you to develop a timetable. A timetable should look like this." They should not do that. According to the Board of Studies they must not provide any support. Whereas what the Tasmanian system does, it says, "You might want to timetable yourself." There might be people who would but then there are people who do not like the authorised person coming into their house.

**Dr JOHN KAYE:** Your recommendation (2) (a) on page 20 of the HEA submission states:

(2) The HEA further recommends that, if BoSTES continues to have any role in home education:

(a) a representative of home educators be appointed to the BoSTES:

You would be aware that there are 750,000 children in Government education in New South Wales and the parents of those children have two representatives on the board, one representative per 375,000 students. There are 3,300 registered home schooled students in New South Wales, so you would have one representative for 3,300 and one for 375,000. Do you see that as creating inequity in representation on the board?

**Mr KROGH:** Home educators would not be represented on the board as parents. We would be representative on the board as educators. As educators in whose educational practices the Board of Studies has a significant influence. It would not be proportional to a constituency of parents.

**Dr JOHN KAYE:** The NSW Teachers Federation, which represents 60,000 educators in New South Wales, has one representative on the board. Do you see inequity between your representation of one person per 3,300 and one person per 60,000?

**Ms LACOBIA:** What the HEA would see as an inequity is that the Education Act provides for private schooling, public schooling and home education, so you have two-thirds of that represented on the Board of Studies but no home educators represented on it at all and it is seen as a viable way of educating.

**Dr JOHN KAYE:** That is a deeply unweighted statement?

**Ms LACOBIA:** Yes, it is deeply unweighted but what we are trying to say is that we are an unheard group that is poorly understood.

**Dr JOHN KAYE:** Recommendation (3) (a) states:

(a) part-time school with part-time home education at the discretion of school principals:

Some of you were in the room yesterday when the Department of Education pointed out—

**The Hon. TREVOR KHAN:** Doubtful they were in the room yesterday.

**Dr JOHN KAYE:** You are quite right. It says a lot about the weekend I had. Can we reboot that question and say on Friday you would have heard the Department of Education raise significant issues associated with child protection and child identification where you have children who are part-time in the school. Do you continue to push your recommendation (3) (a)?

**Mr KROGH:** I did not observe that piece of evidence.

**CHAIR:** Order! Let the witness answer the question.

**Mr KROGH:** I did not hear it. Would you provide further detail?

**Dr JOHN KAYE:** Their concern was that when a child turns up at school teachers will not know who they are. Teachers know who children are because they teach them and they are part of the regular system. In

the case of part-time children, for truancy purposes, it would be difficult to address whether they should have been there when they are not there?

**Mr KROGH:** If I might provide a case study from the Central Coast. At the principal's discretion there has been an arrangement made with a home educating student who is really interested in some engagement with the school. That was possible and has presented no concerns to the school. In addition I think other States around the country, including Victoria, allow part-time home education attendance at school.

**Ms FOX:** What was implied on Friday was that the child would just be turning up randomly. That does not equate to part-time enrolment in the school. If they were part-time enrolled in a school there would be days they are expected to turn up. Students have, for example, been in a school part-time—

**The Hon. TREVOR KHAN:** For a particular course?

**Ms FOX:** —in the morning and they would go home and do other stuff in the afternoon or they might turn up on a single day and do those particular subjects. Part-time enrolment implies that they are enrolled in the school for part of the five days of the week.

**The Hon. TREVOR KHAN:** In a structured way?

**Ms FOX:** In a structured way, it is not just randomly turning up.

**The Hon. ADAM SEARLE:** One of the things I have been trying to get my head around is what are the outputs in home schooling? We do not have very much hard data. There are a lot of assertions from the home schooling sector, if I can use that term, about the positive things that come from it and there are a number of assertions and there are even some small samples and case studies of the kind you provide at page 36 and following of your submission. But they are not representative and they do not tell us anything about what is happening in New South Wales.

In the various school settings there is what I would call ongoing accountability. Teachers are accountable to pupils, parents, to the head of the school and the Department of Education and there is that ongoing scrutiny. Apart from the intermittent registration process, and your members have had some complaints about that processes, essentially there does not appear to be any quality assurance or auditing of the plans upon which registration is granted, whether they are carried into effect or what the educational outcomes are for the home schooled children. I find that, as a policy maker and legislator, profoundly disturbing. We have no data for something that has been regulated in this State for a quarter of a century?

**Mr KROGH:** There are many areas in which there are gaps of understanding and knowledge in relation to home education. I do not know if this goes directly to your concern but I think the measures would need to be very particular to home education as well.

**The Hon. ADAM SEARLE:** I guess that was my question. We know the measures in the school systems but I personally think there should be accountability measures for home schooling. If that was the case what should those measures be?

**Mr KROGH:** In my opening statement I suggested a process of co-design. I would suggest a similar kind of process in order to answer those kinds of questions. Home education may not fit the scope and sequence of a school setting with the benchmarks, et cetera. There should be purpose-built or fit-for-purpose assessment models.

**The Hon. ADAM SEARLE:** For example, looking at Ms Fox's submission—

**Mr KROGH:** Is this the Home Education Association's [HEA] submission?

**The Hon. ADAM SEARLE:** No, I am looking at Ms Fox's submission now.

**Mr KROGH:** We are here as the HEA.

**The Hon. ADAM SEARLE:** Then I will say a number of persons who have made submissions have expressed some concern about the requirement to adhere to the New South Wales syllabus. As I understand it,

while that is certainly a requirement, parents who home school their children are not required to only teach the syllabus but they must teach the syllabus. That is, it is a benchmark. But there seem to be a number of submissions that have suggested that somehow this is restrictive and limiting and creating harmful impacts on educating their children. It seems to me as a parent that if you are making rules for society generally they have to be across the board. Obviously in the home schooling situation how people meet those standards is largely left to the parents but should not the community require certain minimum standards of the home schooling sector?

**Mr KROGH:** A kind of question in all of that a second ago was around the standards and processes and syllabus and the ways that we engage with it. The opening statement identified that in the 2011 information pack there was a statement about diversity and different approaches to education. Having that removed from the 2013 pack created a circumstance where that way of engaging with the syllabus was changed and became quite different for home educating parents.

**The Hon. ADAM SEARLE:** What has not changed is that there has been always been a requirement to teach the syllabus. That is my understanding. Are you saying that is factually incorrect and that home schooling parents have been allowed to not teach the syllabus?

**Ms WATSON:** Certainly up until and including the 2011 information package the requirement was to teach the minimum curriculum but at that time the minimum curriculum was defined as essentially the six key learning areas plus some additional requirements about Australian content, art and music. In that sense there was a big difference between the minimum curriculum and the complete Board of Studies syllabus. I will not go into the detail because of the time, but in the submission you will see that we have looked at when that change was made about making the Board of Studies syllabus part of that minimum requirement.

We would certainly say that not only is it impractical and counterproductive to make that a requirement of home education but also it does not appear to have been the legislative intent. You can also see that from the fact that the legislation was changed I think in 2004 and yet it was only in 2013 that it started to be implemented as a requirement. I think that has been perhaps even a misunderstanding of how things have worked. There is a significant amount of detail regarding that development in our submission that I do not need to double up on here.

**The Hon. ADAM SEARLE:** Having said that, there is nothing wrong in principle, is there, with the educational authorities requiring minimum standards from the home schooling sector in terms of what is being taught to children who are not in a school setting?

**Ms WATSON:** It would depend on exactly how you defined minimum standards because obviously there is a variety. There is a variety within schools and there is a variety within the home education community. The problem with implementing a syllabus which was expressly designed for an institutional school setting in a non-institutional individualised education setting is that you have, which you need to have in a school setting, a presumption of a lock-step progression. You have things broken down into bite-sized chunks because they often have to be implemented by different teachers across the same group. There are a variety of considerations which the syllabus needs to address for a school context.

That context is not appropriate to home education. It can actually be limiting where you have a student who, to deliver educational quality, would require to be permitted to develop further in one area and perhaps less fast in another area. That is not always in the silos of subjects. It is not as easy as to say that you can accelerate them in maths. When you are delivering a tailored education program to the needs of an individual child that can actually be hampered by the kind of detail that is provided in the syllabus.

Certainly a requirement for things like key learning areas, for generic requirements as you are saying, I do not think there are many people who would have a problem with that. I am certainly not saying no-one has a problem with it but there would not be many people who have a problem with that. The issue that we find to be counterproductive is the minute detail which is required of a school system but which is not helpful in a home education context.

**The Hon. HELEN WESTWOOD:** We heard from some other home schoolers that they had problems with the 2011 information package as well as the 2013 package. Do your members have concerns about the 2011 package as well and, if so, what are they?

**Ms LACOB:** Over the years as a long-term home educator we have seen a gradual tightening. When we saw the 2013 information pack the Home Education Association was so unhappy with it that the best thing we could come up with at the time was to immediately revert to 2011 for us to then be able to work together with the Board of Studies so we could have a much more appropriate information pack. Is that answering the question for you?

**The Hon. HELEN WESTWOOD:** Yes. As I said, I thought originally that there were concerns with the 2013 package and the changes. We have heard since that a number of home schoolers had concerns about the 2011 package.

**Ms LACOB:** We have seen a gradual tightening. We can table a document for you on notice that outlines how the information pack has changed since the first implementation of an information pack. You will see that gradually over the years it has become tighter and tighter until I think the 2013 information pack became the breaking point.

**The Hon. HELEN WESTWOOD:** Ms Fox, I think you raised the issue of having more resourcing and support in the way that some other home schooling systems do in Australia. Would it overcome some of the problems that home schoolers have with the information package if you had some resourcing or support to meet the more detailed requirements or tougher guidelines?

**Ms FOX:** I think it is dependent on the understanding of home education. Intrinsic to that whole thing is having people who are home educators helping develop any kind of support system and being involved intrinsically in it. The problem has happened because home educators have never been consulted. Well, they have been consulted minimally if at all and in recent years they have not been consulted at all or even told about policies which affect us. It is very important that home educators are involved in the process of developing policies that affect home educators because we are the ones who understand the home education system.

**The Hon. DAVID CLARKE:** Mr Krogh, you spoke about a bureaucratic minefield for home educators. A lot of that could be resolved if there was a consultative advisory body, could it not?

**Mr KROGH:** It was Ms Fox who mentioned the bureaucratic minefield. I think it goes back to the last question and the notion of a co-design process. If the Board of Studies, Teaching and Educational Standards [BOSTES] were to take the submissions and decide this is what the support should look like my guess is it would miss the mark. If it were a co-design with home educators closely involved it would come closer to meeting the mark.

**The Hon. DAVID CLARKE:** Dr Kaye spoke about the unfairness of having two representatives for hundreds of thousands of students and one for 3,000 or 4,000 students. Of course, that would not arise if there was a separate body for home educators that dealt purely with home education. You would not be impeding on what happened with the hundreds of thousands who are represented by two representatives.

**Mr KROGH:** I think we would entirely agree. My only question would be if BOSTES or the board continues to design and implement the syllabus by which we have to adhere. It is at that point that it probably makes a difference.

**The Hon. DAVID CLARKE:** These are things that you would take into account as part of being part of an advisory consultative body.

**Mr KROGH:** Certainly.

**The Hon. DAVID CLARKE:** You have spoken of the successful Tasmanian model. A couple of people have mentioned Victoria as a success. Do you agree there is something to be learnt from the Victorian situation?

**Ms WATSON:** I do think there is something to be learned from the Victorian situation in that there is an inherent respect for home educating parents and there is not, as I mentioned earlier, the us-and-them adversarial system. I think there are some issues in the Victorian system in that it is based on a statement of intent and so there is still the possibility for home educators to later be required to meet an unknown standard of what they have been doing. Having some process where you can register and be moderated or whatever it is would mean that at least people know what standard they are going to be held to. The concern with the Victorian

system would be the possibility that later down the track somebody could come in and ask you to measure up to a standard that you were never aware would exist. There are benefits and hindrances there.

**The Hon. DAVID CLARKE:** It was stated that BOSTES gave no reasons for decisions and this was an area of concern. Do you believe if reasons were given the system would operate more effectively?

**Ms WATSON:** I think it is possible that the system would be improved. I will just clarify that BOSTES gives reasons for decisions when they reject an application. I think the information is in the submission about the increase in short registration periods. That is where instead of rejecting an application it will be recommended that a period of three or six months of registration is given and there is no right to reasons and no right to appeal. In fact, the Home Education Association has specifically requested that BOSTES provide written reasons both for transparency of the process and also so that those individuals might know what they need to improve. The problem we have had is that some people are then told reasons verbally which BOSTES will later deny. Some of those reasons are things which are and should be irrelevant to the decision process.

**The Hon. DAVID CLARKE:** You spoke of the 2011 information pack giving a statement of diversity that was missing in 2013. Have there been any practical ramifications or consequences that have flowed from it being dropped?

**Mr KROGH:** We have a submission in front of us. We have received a whole range of material both as the HEA and presented to this inquiry in terms of the flow-on effects of that.

**The Hon. DAVID CLARKE:** So the answer is a most definite yes?

**Ms WATSON:** It is symptomatic.

**Mr KROGH:** Yes.

**The Hon. CATHERINE CUSACK:** I wanted to ask a couple of questions about the information and data request that you received from the board. I note that it was sent to Anne Keenan, who is the director of school registration and accreditation. Is that the contact that you have in the board?

**Mr KROGH:** I do not have the paper in front of me but what I can tell you is the Authorised Persons Handbook identifies that if a report of risk of harm needs to be made it needs to be made through the person in that position.

**The Hon. CATHERINE CUSACK:** The school registration and accreditation person?

**Mr KROGH:** Yes. So I made direct contact with her being in that position in order to request that data and information.

**The Hon. CATHERINE CUSACK:** It is really strange.

**Ms FOX:** Anne Keenan was here on Friday morning. They have responsibility both for accreditation of non-government schools and for registration of home schooling, so that is very similar.

**The Hon. CATHERINE CUSACK:** I can see they are two different ends of the education scale. That seems inappropriate.

**Ms FOX:** It is together in BOSTES.

**The Hon. CATHERINE CUSACK:** Secondly, the forms that you fill out have a question on them about whether the child is a State ward. New South Wales has not used that terminology for more than a decade.

**Mr KROGH:** We certainly were not involved in the design of the form.

**The Hon. CATHERINE CUSACK:** You would imagine that if the Department of Community Services had been involved it would have pointed that out.

**Mr KROGH:** It would have referred to a child or young person in out-of-home care.

**Ms FOX:** That same form also asks if there are court orders. If so, they ask whether both parents agree. If they do not, they say the child should be in school. However, the Department of Education and Communities has a policy that if both parents do not agree then the preference of the parent with whom the child lives prevails.

**The Hon. CATHERINE CUSACK:** The custodial parent?

**Ms FOX:** Yes.

**Ms WATSON:** Until such time as the Family Court becomes involved.

**Ms FOX:** It is treated differently.

**The Hon. CATHERINE CUSACK:** I note that the 346 children you referred to is a cumulative figure over five years.

**Mr KROGH:** Yes.

**The Hon. CATHERINE CUSACK:** I have not come across the term "exchanges of information". Are you familiar with that term and can you tell me what it means?

**Mr KROGH:** From both a personal and professional position I wrote a separate submission to the inquiry addressing a whole range of issues.

**The Hon. TREVOR KHAN:** I am not being critical, but it arrived only this morning.

**Mr KROGH:** I would be more than happy to take questions on that at any point. Exchange of information became possible under the amendments to the Children and Young Persons (Care and Protection) Act as a consequence of the Justice Wood report. It essentially means that where one group—it could be a community group, a nongovernment organisation, NSW Health or the NSW Police Force—has a concern about the safety, welfare or wellbeing of a young person or child it can make contact with another body to make inquiries about that child or young person. It is also in a position to say, "We have recently had contact. Are you aware of that young person or child? We are willing to share information you with. We have some, but they do not necessarily reach the threshold of risk of significant harm."

**The Hon. TREVOR KHAN:** My general impression is that all the groups that have given evidence appear to represent, dare I say, white, middle-class Europeans. Is that impression correct?

**Mr KROGH:** We know of and have tried to contact a group that represents indigenous and Aboriginal home educators. The 2011 information pack also had contact details for a group of Muslim home educators. That body existed, but its contact details were removed from 2013 information pack. No, it is not just white, Anglo-Saxon middle-class parents.

**The Hon. TREVOR KHAN:** Given the diversity of our communities, and specifically our immigrant communities, what standards do we apply, for instance, with regard to the English language? Proficiency in English would be a basic requirement in our society. Would we anticipate requiring that a child have a particular level of competency in English?

**Mr KROGH:** We said earlier that the key learning areas [KLA] are perhaps a relevant minimum and they would cover that. It is up to members of the Parliament to make that kind of decision as you move from a question of English language through to questions of culture and so on. Beyond the absolute bare minimum, you start to encroach upon the several human rights conventions, to which Australia is a signatory.

**The Hon. CATHERINE CUSACK:** At the moment they would not get registration, would they?

**Mr KROGH:** Under the current system it would make sense that they would not be registered.

**The Hon. CATHERINE CUSACK:** They would not be registered because they could not be certified as competent to do home schooling if they could not speak English.

**Mr KROGH:** We will provide a case study that goes to the heart of a parent's competence to educate. This issue has come up a number of times.

**The Hon. TREVOR KHAN:** It has.

**The Hon. ADAM SEARLE:** It is a central theme.

**The Hon. TREVOR KHAN:** It is fundamental. It is plain that all of you and the other witnesses who have appeared before the Committee are competent. However, there is no assurance that that is always the case.

**Mr KROGH:** This case study speaks volumes to that question. The underlying question is how you measure that. I will provide the briefest details and then present the rest of the information on notice.

**CHAIR:** You can provide some headlines and then provide the detail on notice.

**Mr KROGH:** A seven-year-old child was removed from school.

**Ms FOX:** He had been to six different schools.

**Mr KROGH:** He was reflecting a trauma, he was not engaging and he was not literate. His abilities were way behind his year level. He was removed from school to be home educated. This young boy has now progressed from being two to three years behind his year level in certain subjects to being at least two years ahead. He is about to have a book published.

**Ms FOX:** He is now 10.

**Mr KROGH:** His mother was illiterate when she removed him from school. Her passion and commitment to him and to learning carried them both through. It has got him to that point and she now has a new skill.

**The Hon. TREVOR KHAN:** You work in the child welfare area and I did as a lawyer. While I accept that as an anecdote, my general experience of a traumatised child who has changed school many times is that that outcome would be the exception rather than the rule.

**Mr KROGH:** What measures are used in those assessments? That is particularly important in terms of education neglect. That was not a topic to which Justice Wood turned his attention in respect of home education. There is absolutely no indication that he attended to the question of home schooling in developing an education neglect notion. What are the measures not of attending school but that education is being neglected, and what measures and processes are used to assess the parent's capabilities?

**The Hon. TREVOR KHAN:** Perhaps you can take that on notice.

**Mr KROGH:** We will more than happily be part of the co-design process.

**The Hon. TREVOR KHAN:** I am inviting you to give the Committee a hint rather than it making a recommendation that you be part of the co-design.

**Ms FOX:** The vast majority of parents, not only home-educating parents, are very keen to facilitate their children's education. It is enshrined in the Education Act that parents are responsible for their children's education. As parents we determine what will best provide for our children's education. The vast majority of parents enrol their children in school, find them a soccer or netball club, arrange for piano lessons and so on. Home-educating parents tailor their educational program to their children. They do not simply pour all their knowledge into their child; they seek out whatever is best suited to their children's education.

**The Hon. TREVOR KHAN:** When I practised family law I constantly heard parents say that they were doing the best by their child, but in many cases they were completely opposed to each other.

**Mr KROGH:** The HEA acknowledges that that is a small minority.

**CHAIR:** I appreciate that there are different views and experiences. That is the world in which we live. Thank you for appearing before the Committee today. I note that you have undertaken to provide some information on notice. You have 21 days to provide that information. The secretariat will be more than happy to speak to you about that. Thank you for your commitment to home education and everything you do in that area.

**(The witnesses withdrew)**

**GUY TEBBUTT**, Home schooling Parent, affirmed and examined:

**CHAIR:** Do you wish to make an opening statement?

**Mr TEBBUTT:** Yes. I would like to reinforce some of the main points in my written submission. I recommend that a higher level of recognition be given to home-educated students by tertiary institutions. I recommend that some government funding and financial assistance be provided to home-educating families. It is my firm belief that the current New South Wales home education registration process should remain as it is. The current regulation strikes a good balance. Financial aid, syllabus support and assistance with teaching methods are important ways in which support for home-educating families can be increased. Making room for home-education representatives on the Board of Studies, Teaching and Educational Standards would be a great way to ensure that the voice of home educators is heard at a regulatory level.

I sent an email to my local home-educating group asking them for input about what I should raise at this hearing. I received the following response from one home-educating mother:

There about 10-15 families in our home school group. Six of the families have removed one or more kids from school because of negative social experiences, including bullying, physical and sexual assault and peer pressure. School is not always positive for all children. In all of the cases mentioned, the schools failed to resolve the issues.

Our group has eight children (that I know of) with hidden disabilities including high functioning autism, dyslexia, and dyspraxia. Six of these kids attended school and left with significant educational gaps and emotional trauma.

Home schooling costs our family about \$50,000 per year in lost income (after accounting for tax and work-related expenses).

I am very concerned that TAFE courses are being wound back, particularly the tertiary preparation certificate which provides a good university entrance pathway for home schooled kids who have struggled in mainstream schooling. There should be pathways for home schooled teens to enrolled co-enrol at TAFE before they turn 17, and their parents shouldn't have to go into debt so that they can. After all, these kids receive NO funding from either state or federal governments for their education.

It would be helpful if the BoSTES could provide a curriculum training day each year for each stage. Each subject and it's requirements could be presented and home schooling parents could be invited to attend. This would make sure we understood the requirements and the education speak, would provide a great way for parents with similar age children to meet, and open up more constructive and collegiate relationships between parents and APs.

I have found no change in the registration process since the release of the new package. I find all of the curriculum documents helpful, barring the English syllabus, which I find vague, wordy and full of jargon.

Her final comment is:

I did no more work for our last registration for years 7 & 8 than I would have before beginning our school year. I found the visit from the AP helpful and positive. I appreciate having an experienced educator look over our past work and our plans to ensure that we are on the right track. This is important, and I want to get it right. It is also good for our teenaged son to know that there is someone else interested in his education.

That concludes my opening.

**CHAIR:** Mr Tebbutt, at the bottom of page 4 of your submission you talk about the financial cost. No-one has really made comment on this point as much as you have there. You say, referring to information gained from the website that you have noted there:

Based on these figures, home educated families are missing out on between \$3,300 to \$13,600 of funding per student. The government invests billions into schools, but \$0 into home education, except for the costs of legislation and regulation.

Would you be of a view that if you have to jump hurdles to meet the mandated curriculum, then it would be fair that government also funds the opportunity for you to achieve that mandated curriculum?

**Mr TEBBUTT:** I do believe so, yes. If the government does require hoop jumping, then I believe the government should be investing into those educators, because those home educators are relieving the State of those expenses during their general school system. Since my submission, I have downloaded some more stats from a government body that indicate that it is approximately \$13,000 to \$15,000 per student.

**CHAIR:** My understanding is that it would be around that, and that is a public student in year 6 and lower, I think.

**Mr TEBBUTT:** I have got the details here.

**CHAIR:** And that is not a special needs child, is it?

**Mr TEBBUTT:** No. This is just an everyday child. Based on those figures, for me as a father of four children, that basically means that the people who live next door and have four children get approximately \$60,000 more per year invested into their children than I get invested into my children.

**CHAIR:** How would you see such costs being allocated, if they could, to help home educators meet the criteria that so many are asking of them?

**Mr TEBBUTT:** That is a very difficult question to answer.

**CHAIR:** Would it be through vouchers, or would it be through—

**The Hon. TREVOR KHAN:** Is that where we are going? Is it within the terms of reference of this inquiry to be examining vouchers?

**CHAIR:** No. I am merely making a comment on Mr Tebbutt's submission regarding financial costs.

**The Hon. TREVOR KHAN:** You might be, but I am wondering how that falls within our terms of reference, Chair.

**CHAIR:** Well, I will stop there on that.

**Mr TEBBUTT:** Thank you. It was a very difficult question to answer anyway.

**CHAIR:** I am sure everyone is very interested in that, because I think it is one of the inequities of the whole matter.

**The Hon. TREVOR KHAN:** I think I saw a West Wing on the same sort of matter.

**The Hon. ADAM SEARLE:** That had a happy ending as I recall.

**CHAIR:** You talk about tertiary institutions. One of the concerns we have found for home schoolers is the transition from 16 years onwards. You recommend that a higher level of recognition should be given to the home educated student in tertiary institutions. I would have thought that they would have been able automatically, on the same merits as everyone else, to meet those requirements.

**Mr TEBBUTT:** Generally, the tertiary institutions are streamlined to accept students from schools. A perfect example was in Dr Kaye's comment earlier, about the weighting of what is fair and what is unfair. Dr Kaye, I gather, was implying that because there are only 3,000 or 3,500 registered home educators in New South Wales, that they in some way matter less than the other hundreds of thousands of school students.

**Dr JOHN KAYE:** I have to object to that. You are putting words in my mouth which are not correct at all. I would ask you to withdraw that.

**Mr TEBBUTT:** I withdraw that. That was the impression that I had. It is quite common out there in our society that the small minorities tend to get overlooked; and in the education system, the universities commonly accept people with an ATAR and other recognised forms of measurement. However, many universities and TAFEs tend to be very unfamiliar with the home educating community, and ways in which home educated children can get into tertiary studies. There seems to be a lack of education, I would guess, amongst those tertiary institutions.

**CHAIR:** But are you suggesting there is a missing link between the two—because I guess a person going from a public school into TAFE still has to apply, on my understanding, like everyone else if they are going to engage in a course. Are you suggesting that that bridge is not there for a home educated student?

**Mr TEBBUTT:** There certainly has been in the past a lack of bridging. I believe that, with some of the recent changes to the school leaving age, et cetera, things have changed a little bit. But, in general, I think it is still quite difficult for a home educated child to get into those tertiary studies.

**CHAIR:** You mention at page 8 of your submission:

*There are approximately 3500 registered home educators in NSW. This means that we fielded a complaint rate of less than 1 in 175 home educators (less than .006 % of NSW home educators). I consider this to be an exceptionally low rate of complaint and I think that based on this, the current APs [authorised persons] are doing an all-round good job, in what can sometimes be difficult circumstances.*

Do you want to comment on what you say there?

**Mr TEBBUTT:** Yes. Firstly, that .006 per cent is incorrect; that was a typographical error. It is 0.6 per cent. I put this together late at night, and I apologise for that error. But I think even 0.6 per cent is quite a low complaint rate. Should I continue?

**Dr JOHN KAYE:** Mr Tebbutt, can I take you to the statement you make at the bottom of page 6 of your submission:

*It is my firm belief that the current NSW home education registration process should remain as it is.*

Could I be clear here? First of all, let me ask you this. Do you have any difficulties with the requirement to fulfil the board's minimum syllabuses?

**Mr TEBBUTT:** No, I do not. But I would also like to indicate to the Committee that I am a self-employed businessman and I am fairly comfortable with working my way round bureaucratic institutions. In fairness to many other people, there are a significant number of people who do find that more difficult than I do.

**Dr JOHN KAYE:** Do you do the home education in your household?

**Mr TEBBUTT:** I do some of it.

**Dr JOHN KAYE:** It is shared with your partner, is it?

**Mr TEBBUTT:** It is shared with my wife. When we commenced home educating I took full responsibility for approximately 12 to 18 months. At that time I had previously sold my business, so I had a lot of spare time on my hands and I took on the role to start with. Since then, I have started a business again and I have less time, so my wife has taken over most of it.

**Dr JOHN KAYE:** The inquiry has had a lot of evidence that people are unhappy with the registration process. What do you say to those people?

**Mr TEBBUTT:** Can I ask what sort of things they have said they are unhappy about?

**Dr JOHN KAYE:** That is a reasonable proposition. Some have said that it is unnecessarily restrictive, and some have said that the board's syllabuses impede education.

**Mr TEBBUTT:** I think it was Mr Searle who commented before that the syllabus is minimum requirement, and that is the way we look at syllabus. Myself and my wife look at it as minimum requirement, and we do teach our kids things that are over and above the minimum requirement. And all I could really say to other people is to be aware that, from my understanding, syllabus is just a minimum requirement and that other things can be taught over and above that requirement.

**Dr JOHN KAYE:** Did the changes that occurred to the information package in 2011 and 2013 change what you needed to do at all?

**Mr TEBBUTT:** They did change our application slightly; and the change that we made was that we began making reference to the Australian curriculum outcomes, rather than to the key learning areas, on which we had done our previous applications.

**Dr JOHN KAYE:** But it was not particularly onerous that you had to make that transition.

**Mr TEBBUTT:** It certainly was a little bit more onerous; but I did not find it extensively onerous, no.

**Dr JOHN KAYE:** You have four children in home schooling at the moment. Is that correct?

**Mr TEBBUTT:** Correct.

**Dr JOHN KAYE:** How many hours does the registration process take you?

**Mr TEBBUTT:** I would estimate about 15 to 20 hours.

**Dr JOHN KAYE:** The information requirements of recording information about progress, and so on, do you find that onerous, Mr Tebbutt?

**Mr TEBBUTT:** No, I do not. But again, I would like to make it clear that I am very comfortable with bureaucratic institutions, and I am quite comfortable looking at a confusing document, going through it and working it out.

**Dr JOHN KAYE:** So that, regardless of how well or poorly the document is written—and I take on board what you are saying—with respect to that document and the requirements of reporting and of keeping records on what your children are doing, do you find any of that at all onerous?

**Mr TEBBUTT:** I personally do not, no.

**Dr JOHN KAYE:** Do you find it helpful?

**Mr TEBBUTT:** Not particularly, no. I would have to say no, it is not helpful.

**Dr JOHN KAYE:** But you do it, and it is not a particular impost on your time?

**Mr TEBBUTT:** That is correct.

**Dr JOHN KAYE:** Can I take you to your statement—and I think the Chair took you there, but I am coming from a slightly different angle—at the bottom of page 4 of your submission, where you talk about missing out on \$3,300 to \$13,600 per student.

**Mr TEBBUTT:** Yes.

**Dr JOHN KAYE:** Your argument for some amount of money, or resource equivalent to that amount of money, being made available to students who are being home schooled, as I understand it, is on the basis that parents pay taxes but they do not get any benefit of that. Is that a correct way of summarising what you had to say?

**Mr TEBBUTT:** Sorry. Could you rephrase that?

**Dr JOHN KAYE:** Very briefly, can you explain to me how you get to the idea that home-educated families should get some access to State funding?

**Mr TEBBUTT:** Because my understanding is that the New South Wales Education Act makes reference to home schooling as a legitimate form of education. So, whilst the Education Act refers to home education as a legitimate form of education, and in the same document there is reference to schools being a legitimate form of education, whilst they are both legislated and approved in the same document then I fail to see why children who attend schools should have more favourable rewards or investment than home schooled children.

**Dr JOHN KAYE:** From a budget bottom line perspective, would you accept that home education is extremely expensive per student?

**Mr TEBBUTT:** Yes, it is.

**Dr JOHN KAYE:** Yes, very expensive for a State budget, but particularly from a Federal budget bottom line point of view because we forego tax revenue when a parent leaves the work force to educate a child. You would accept that that is an expensive outcome for the Federal government.

**Mr TEBBUTT:** I am not very well versed in finances and economics at a Federal level. But I guess, from what you are saying, yes, there would be some taxes lost.

**Dr JOHN KAYE:** Thank you.

**The Hon. HELEN WESTWOOD:** Thanks, Mr Tebbutt, for joining us this afternoon. Can I go back to an issue that the Hon. Paul Green raised earlier with you: your recommendation that a higher level of recognition be given by tertiary institutions to home-educated students. I am wondering how you think that could be done.

**Mr TEBBUTT:** I think it would be quite simple for the government to set up a testing system specifically for home educated students, and the results of that testing could very well be relayed and given to those tertiary institutions. So, for example, the average school student goes to school and does the Higher School Certificate or the International Baccalaureate, and those results are easily transferred and given to a tertiary institution. I could see no reason why a government could not set up a body specifically for home educated students to sit those exams, get their results and hand those on to a tertiary institution. That would resolve a lot of issues.

**The Hon. HELEN WESTWOOD:** I understand they cannot take the Higher School Certificate. But if students were able to access that, do you see any impediment to doing that, if it was available to home educated students?

**The Hon. TREVOR KHAN:** That is the Higher School Certificate?

**The Hon. HELEN WESTWOOD:** Yes.

**Mr TEBBUTT:** I could see no impediment at all, as long as it is freely available to those students. As long as they can attend there, sit there exams under appropriate conditions, monitored by appropriate people, then I can see no reason at all why that would inhibit anybody.

**The Hon. HELEN WESTWOOD:** Just on the idea of a testing system, do you see it as only appropriate for students wanting to continue their education through tertiary institutions? So do you think it could happen at other stages during the home schooling? Do you think that would be appropriate or not, or even helpful?

**Mr TEBBUTT:** I could see no real benefit to the long-term education of the child. However, I guess it could be beneficial for parents. Yet, in saying that, home educated children and parents currently do have access to the NAPLAN testing and also to other independent assessments, such as the, I forget what it is called, ICAS exams that University of New South Wales puts out. My children participate in those. We use that as a guide for how our children are progressing.

**The Hon. ADAM SEARLE:** My question is about secondary education. From your evidence to the Hon. Helen Westwood I understood that you personally have no objection to home schooled children having access to the HSC. Although it is not perfect, the HSC at least is a benchmark of certain educational attainments. What about the proposition that home schooling students should in fact be required to sit the HSC? Would that not be of assistance in simplifying access to post-secondary education as well as giving those children some kind of benchmark as to their attainments at that time?

**Mr TEBBUTT:** When you say required to sit, do you mean unconditionally required to sit that or do you mean at some level of reward or something along those lines?

**The Hon. ADAM SEARLE:** I was thinking more as a requirement of home schooling actually?

**Mr TEBBUTT:** No.

**The Hon. ADAM SEARLE:** Should not home schooling lead to an HSC qualification?

**Mr TEBBUTT:** No. I myself did not sit the HSC and I went through a school. It is not mandatory for schoolchildren to sit the HSC, so I think it would be—

**The Hon. ADAM SEARLE:** So you would have no objection to the same requirements as for school students?

**Mr TEBBUTT:** Yes, because as far as I am aware the HSC is not a requirement.

**The Hon. DAVID CLARKE:** I think your submission is good and concise in summary of the case for home educators.

**Mr TEBBUTT:** Thank you.

**The Hon. DAVID CLARKE:** It is to the point and puts them very clearly and concisely. It also was valid to raise the issue of vouchers because one of the terms of reference for this inquiry relates to financial costs. That certainly comes within it. You can take this question on notice. Would you like to get back to us on other ways you think home educators might be financially assisted? I understand how the voucher system works, but you might want to put some thought to other ways?

**Mr TEBBUTT:** Yes I would love to get back to you on those.

**The Hon. DAVID CLARKE:** You have listed all the reasons parents home educate. I cannot think of any that are not included in that list. Taking the one of bullying, from your experience do you find that bullying is one of the major factors influencing people taking their children out of schools and home educating, despite the good intentions of government and non-government schools? Have you found that from your experience?

**Mr TEBBUTT:** From my personal discussions with people and discussions over the phone during my role at HEA I would say yes, bullying is a fairly prevalent factor.

**The Hon. DAVID CLARKE:** What would you say are the two main factors that would lead people to take their children out of public schooling? Or would you say you really cannot choose?

**Mr TEBBUTT:** I would say it is probably fairly close. I would say the two most common reasons, my understanding would be, bullying and dissatisfaction with the school system generally, academically and from a perspective of parent involvement. I think many parents feel that the school system is letting their children down.

**The Hon. DAVID CLARKE:** What about the issue of children with special needs? Do you think that is another major reason?

**Mr TEBBUTT:** I would say that runs a close third. I would say that would be the next most common reason.

**The Hon. DAVID CLARKE:** If you could take on notice that question about other means of financial assisting home educators?

**Mr TEBBUTT:** Will do.

**The Hon. DAVID CLARKE:** I would be interested in seeing what you have to say about that.

**The Hon. TREVOR KHAN:** Having had four children either going or gone through the system—

**Dr JOHN KAYE:** Or the non-system.

**The Hon. TREVOR KHAN:** Or non-system, can you tell me your experience with authorised persons?

**Mr TEBBUTT:** My experience with authorised persons has been very good. Our first registration—I probably should not mention names, should I?

**The Hon. TREVOR KHAN:** You could say x1, x2, whatever you like.

**Mr TEBBUTT:** For our first registration we had a gentleman who was a retired teacher. He was very helpful. He gave us a lot of good advice. When we first started we were quite, say, anal about the way we went about preparing for the registration. This gentleman waltzed in and pretty much summed up in a few sentences that he would expect that that would change over the next couple of years once we became more settled with our home educating style. He was very helpful, gave us links and information to various resources. But I would say that it is not necessarily the same experience everybody has.

**The Hon. TREVOR KHAN:** Of course.

**Mr TEBBUTT:** He re-registered us once or twice; very, very happy. Then our last registration we had a lady because that gentleman is now retired. The lady we had was pretty much just as helpful in my opinion.

**The Hon. TREVOR KHAN:** If we deal with the gentleman you first dealt with, I take it that in a sense he either assisted or guided you in that process of registration, is that right?

**Mr TEBBUTT:** No, not in the process of registration. He assisted and guided us with resources.

**The Hon. TREVOR KHAN:** Right. I am not trying to put words in your mouth. For how many kids did you get registered on that first occasion?

**Mr TEBBUTT:** Initially that was for two children. That was for my oldest daughter, who was equivalent to year five, and my second daughter, who was equivalent to year three. At the time we had a five-year-old girl, but you cannot register a child until they are six. So he came back about nine or 12 months later and then registered our third child.

**The Hon. TREVOR KHAN:** That probably answers my next question. After registration was effected, did you see the authorised person again before the next event of registration?

**Mr TEBBUTT:** No. The way it worked was that we registered our first two. He came for a follow-up to register our third and then we did not see anybody from the Board of Studies at the time for two years.

**The Hon. TREVOR KHAN:** And that was for the purposes of re-registration, was it?

**Mr TEBBUTT:** Correct.

**The Hon. TREVOR KHAN:** So apart from seeing the authorised person at the time of registration, this is not a person who is coming and knocking on your door every six months or so saying, "How are you going?"

**Mr TEBBUTT:** No, that is right. That is not what happened.

**The Hon. TREVOR KHAN:** When you come to re-register, is any assessment done by your authorised person as to whether you in any way met with the terms of the plan you presented when you sought registration in the first place?

**Mr TEBBUTT:** There was no outwardly obvious form of that, no.

**The Hon. TREVOR KHAN:** What is to stop a person, someone, either through themselves or hiring a budding university student who is able to assist them with doing the preparation of the plan, putting a plan together and then, in essence, wandering off with the kids into the bush for the next two years and doing nothing in terms of the education process?

**Mr TEBBUTT:** In general terms what would stop me from doing that—

**The Hon. TREVOR KHAN:** I know what would stop you; that is quite clear.

**Mr TEBBUTT:** I thought that was the question.

**The Hon. TREVOR KHAN:** Answer it as you like.

**Mr TEBBUTT:** In general terms I would say that we would not be doing that because we forgo an income in our household to home educate our children. We pay for all of their resources to partake in their education. We take responsibility for their education. If we fail in that endeavour, then that is on us forever as parents. It lives on our conscience for the rest of our lives. I think that is pretty powerful stuff as to why we would not do that.

**The Hon. TREVOR KHAN:** Let us take it as not an intentional act. Let us take it that with the best endeavour, having been registered, you were just hopeless at the job; kind, considerate and loving as a parent but not real good at the education routine. Where is the check that resolves that issue?

**Mr TEBBUTT:** Generally the check—I assume you are referring not to myself?

**The Hon. TREVOR KHAN:** No, I am not referring to you.

**Mr TEBBUTT:** The check is in that at the time of registration the AP assesses what the AP considers to be the level of competence of the parent or parents that are applying for home education, and that AP recommends a period of registration renewal or a period of follow-up. The APs have the ability to recommend that a parent or parents be checked upon after several months. They also have the ability to recommend the registration period. This has happened. I know of real cases where an AP has said, "Okay, well, we need to return to check up on this person in three months' time" or one month's time or six months' time. That is where the check lies.

**The Hon. TREVOR KHAN:** An invigorated AP or an invigorated system may reflect that in a sense the APs or BOSTES are doing their job?

**Mr TEBBUTT:** I do not quite get what you mean by invigorated.

**The Hon. TREVOR KHAN:** If indeed, as some of the evidence or submissions that have been put to us said, that given that periods of registration are, for instance, shortening or that there feels to be a degree of intrusiveness by the APs, that can be reflected by just keeping a check with what is happening with the kids?

**Mr TEBBUTT:** Yes, that explains it in many cases.

**The Hon. TREVOR KHAN:** I think you have answered the question regarding going to university in that maybe if the kids could sit the HSC that would help. What about kids going on to do a trade? You indicated that there is a problem with the TAFEs. Is there?

**Mr TEBBUTT:** The problem with TAFEs that I refer to is second-hand information that I received from speaking to other people who have had children go through TAFE. I myself am a tradesman. I have a couple of trades. I left school at year 10 and went and did a couple of trades.

**The Hon. TREVOR KHAN:** But when you did year 10 I assume you would have done your School Certificate and then headed off to TAFE?

**Mr TEBBUTT:** I did my School Certificate, which I think no longer exists, and went on to TAFE and enrolled.

**The Hon. TREVOR KHAN:** Now to get to year 10 and going off to do a trade—although most of them go on to year 11 now, do they not—you get some form of Certificate of Competency from school to present to the TAFE? Is that what you generally do?

**Mr TEBBUTT:** No. I believe that the trades are a different kettle of fish when compared to most TAFE courses because my understanding is—I have apprentices myself—that they cannot enrol in an apprenticeship at TAFE unless they have a letter of employment from a trade company employing them in that industry.

**The Hon. TREVOR KHAN:** That is one factor, but what about their educational standard? How is that determined?

**Mr TEBBUTT:** I do not believe that is measured at TAFE for an apprentice because when an apprentice has a job, it is the employer who gives the apprentice the job and then the TAFE I believe is bound to take the apprentices on. But when it comes to, for want of a better term, pre-study courses—when somebody goes to study something at TAFE when they are not enrolled in an apprenticeship—that is where I believe the difficulty comes in because, from my understanding, they need to have some sort of prerequisite certificate from the school.

**The Hon. TREVOR KHAN:** So for those kids you see the necessity of developing some form of testing that would allow them to go into the system, is that right?

**Mr TEBBUTT:** Yes, that is correct. On that question, like I was saying before, there would be no reason why there could not be an HSC testing. There would be no reason also why that same body or another body could not test for whatever requirement that TAFE course might have. They might need a minimum education to get into TAFE, which might not be the HSC. There would be no reason why a separate body could not do the same testing.

**The Hon. TREVOR KHAN:** You have been very helpful to me.

**The Hon. DAVID CLARKE:** You have your children in home schooling for an overall reason: because you really care for them?

**Mr TEBBUTT:** Yes.

**The Hon. DAVID CLARKE:** You want them to receive the very best education and you feel that this is the best way they will get that sort of education, that is the underlying reason, is it not?

**Mr TEBBUTT:** That is correct.

**CHAIR:** Thank you for your very considered answers. We appreciate you presenting today. It has been very helpful. If you have taken any questions on notice, you have 21 days to reply to them. The secretariat will help you if required. Committee members also may submit further questions. Once again, thank you for your presentation. It will be very helpful in our considerations of home schooling in New South Wales.

**Mr TEBBUTT:** Thank you.

**(The witness withdrew)**

**(Short adjournment)**

**REBECCA ENGLISH**, Lecturer, School of Curriculum, Faculty of Education, Queensland University of Technology, affirmed and examined:

**CHAIR:** Welcome. Do you have a brief opening statement that you would like to make?

**Dr ENGLISH:** I will just tell you a bit about myself. I am a researcher in education. I am from Queensland. I wrote my masters thesis in 2005 on school choice, as school choice is my area of interest. I looked at why people choose non-government schools. In 2012 I submitted my PhD thesis, and my PhD was conferred in 2013. I looked at why international students come to Australian schools. My postdoctoral work has been looking at why people choose to home school, and specifically looking at unschooling as I am quite interested in that cohort.

**CHAIR:** In your submission on page 2 under the heading "2.1 Outcomes of home education internationally and interstate", you talk about how internationally home-educated graduates outperform their conventionally-schooled peers in literacy, numeracy and cognition. Do you have any statistics for New South Wales or Australia?

**Dr ENGLISH:** No, not really. The research that looks at outcomes has mainly been based in the United States. But that does not mean it is any less valuable for us here in Australia.

**CHAIR:** The next point in your submission is about the financial costs of home education. You talk about how most families who home school their children are generally lower in terms of median and mean income measures than those families who school their children. What sort of median and mean income are you talking about?

**Dr ENGLISH:** This is anecdotal as well. I did not publish on this so I do not have anything backing this up. What I am saying is that when I interviewed the parents who agreed to be part of my study I found that they were generally more on struggle street than the rest of us because only one parent can work or both parents have to work part time.

**CHAIR:** At 2.5 in your submission you talk about findings on home education registration avoiders—I think we call them "unregistered". Could you elucidate that particular point?

**Dr ENGLISH:** I did not publish about this because, again, it was told to me in confidence. It was not part of my actual study. But parents did tell me that they were not registered. The reasons they were not registered I have listed there: the length and difficulty of the paperwork was overwhelming, they did not want to have inspectors enter their homes and judge them, and they did not see the link between the inspectors' criteria for what constitutes effective education and the way that they were teaching their children through unschooling or a natural learning approach. They had come from very negative experiences of schooling themselves. They did not trust institutionalised education, in particular schooling. They did not think they could write the document properly or they were frightened of actually having to do it, because it is quite honest.

**CHAIR:** At point 2.6 you talk about the comparison of home education types. I think we are fairly well aware of structured home education but one of the things that we are discovering in this inquiry is the unschooling side of things. Could you elaborate a bit on unschooling, or natural learning as I think it is also known as?

**Dr ENGLISH:** It is known by a number of different names. It was originally called unschooling by a guy called John Holt, who wrote a book with Pat Farenga. In the 2003 reference he defines it as allowing children as much freedom to learn in the world as their parents can comfortably bear. That is the actual definition of unschooling. Others call it other names. Carlo Ricci from Canada calls it natural learning. I think that is probably the preferred term, because unschooling sounds like—

**The Hon. ADAM SEARLE:** It sounds like not schooling.

**Dr ENGLISH:** Yes, it sounds like not schooling; and that is definitely not what natural learning families are doing.

**The Hon. ADAM SEARLE:** We will come back to that.

**Dr ENGLISH:** So that is really the problem with the term unschooling. I do not think you can think of it as being these people over here do this and those people over there do that. I see it as a spectrum, just like anything else. Even if people identify as natural learners, they will generally have some maths and English books that they work through with their kids as well. That is my experience from the families I met.

**CHAIR:** At point 3 on page 5 of your submission you talk about ways to reduce unregistered home educators. Could you take us through that, and then in particular talk about the practices in Queensland.

**Dr ENGLISH:** In Queensland, just like in New South Wales, everyone has direct to register. I think for the people I met who did not register—for example, those people who found the paperwork onerous or who did not necessarily feel comfortable in constructing what I would call a school discourse, a curriculum—having a model plan would really help. Having an officer who came and sat down with you and helped you to work it out would be really helpful. I think that would also fix some of the other problems that I identify at point 2.5. The fear of educational institutions would probably be at least a little mitigated. They would see inspectors differently because it would be a partnership between the education department and the family. I think that would be a way to do it. So I think if they provided more assistance and model plans, that would be good. Assuring families that they are not going to take a punitive or judgemental approach to their in-home visit would be helpful as well.

**CHAIR:** Do you think it would be unusual that stakeholders would not be invited to work out the curriculum and the requirements of the syllabus?

**Dr ENGLISH:** For someone like me who is trained as a teacher—I taught for seven years in State and private schools in Queensland and I now teach teachers—I would have no problem, I think, making a plan for home schooling if I wanted to home school my children. However, I think that if you do not speak that school discourse then it can be very difficult. Anecdotally, I see students come to me for their Diploma of Education program, which is a one-year program to become a teacher, and they really struggle with this concept of constructing a school discourse and interpreting what a syllabus is requiring you to do. Someone like me can probably pick up any syllabus and teach from it. If I did not have that background and experience, I think it would be very difficult.

**CHAIR:** Have you looked at the 2011-13 *Registration for Home Schooling in NSW—Information Package*?

**Dr ENGLISH:** No, I have not. I am not privy to that.

**CHAIR:** You said that you could pick up any syllabus and teach it—

**Dr ENGLISH:** That is the theory.

**CHAIR:** One of the things about authorised persons, and it is one thing this kid said, is that a good authorised person would be able to come in and see a parent who has not necessarily got it all together but who has the theme right and is able to deliver it competently. A good authorised person would be able to do that without just ticking boxes saying yes or no.

**Dr ENGLISH:** Is an authorised person someone who comes in and checks that you are on the right track? Are they a representative of the Board of Studies, Teaching and Educational Standards?

**CHAIR:** From the evidence that we have had, in New South Wales they are box tickers.

**The Hon. ADAM SEARLE:** Mr Chair, that is how parents become registered—the authorised person visits and assesses whether they should be registered.

**CHAIR:** I am sorry, I thought we had evidence earlier saying that they tick boxes they do not necessarily go outside of that—

**The Hon. ADAM SEARLE:** Those are some of the allegations.

**The Hon. TREVOR KHAN:** We might have heard evidence but I do not think you can present that as being actually what they are.

**CHAIR:** Sorry, let me clarify that then. Authorised persons are those who are allocated the process of ensuring that a person will be able to qualify for or be disqualified from registration.

**Dr ENGLISH:** Okay. I think if you set up a partnership between the family and the authorised person—and I gather there are a number of authorised persons in the State so there would be an authorised person allocated to each family, like a caseworker—then that would probably be helpful at the very beginning.

**CHAIR:** Caseworker is a good way of putting it. If they had that approach, it would probably be helpful.

**Dr ENGLISH:** Yes, I believe so.

**Dr JOHN KAYE:** Dr English, you talk about the financial costs associated with home schooling and you talk about home schoolers being more on struggle street, I think that was your expression.

**Dr ENGLISH:** Yes.

**Dr JOHN KAYE:** If you take out the loss of income, so if you look at households before they lose that income, where would they line up on the socio-economic status ladder?

**Dr ENGLISH:** Most of the people who I interviewed, so this is a cohort that self-selected, are highly educated people. All of them have at least a trade qualification. Most of them have bachelors degrees and a lot of them are teachers. So they would have been teachers, chefs and in those sorts of jobs in their past life.

**Dr JOHN KAYE:** So we are talking about a skilled workforce?

**Dr ENGLISH:** Absolutely. Yes, we are losing a significant proportion of the skilled workforce to people home schooling.

**Dr JOHN KAYE:** That is another matter. So you could say that home schoolers generally bring a fair amount of social capital?

**Dr ENGLISH:** I would argue that the cultural capital that they would bring to home schooling, and the social capital and the past financial capital, would be highly valued in the school system. They are the people who would traditionally have gone to a State school, been unhappy and then gone onto a private school.

**Dr JOHN KAYE:** I have a question about the issue of quality control in home schooling. I think you said you have taught in government and non-government schools.

**Dr ENGLISH:** Yes, I have, in Queensland.

**Dr JOHN KAYE:** So you would be aware of the lengths that the State and some non-government school systems go to to ensure quality control.

**Dr ENGLISH:** Yes.

**Dr JOHN KAYE:** There is no real equivalent in home schooling, is there?

**Dr ENGLISH:** No, but I am not entirely sure that at the schools I taught in there was a whole lot of quality going on. I am really sorry but I taught in very tough schools where a lot of people were kind of shafted.

**CHAIR:** Could you elucidate on that?

**Dr ENGLISH:** In Queensland there is a points system. I taught in a tough school where the points were really high even though you were driving distance from Brisbane. Some people there had managed to be there for a very long time. I would like to make a point about this. I think the problem with teaching generally and this idea of education is that we can somehow measure its effectiveness. I am not entirely sure that it is one

of those jobs for which effectiveness can appropriately be measured. I may not like the way teacher A teaches his or her class; but then teacher A probably does not like the way I teach my class either. So it is very nebulous kind of idea.

**Dr JOHN KAYE:** This is a debate you should have with Julia Gillard. Leaving that aside, I would like to take you to the issue that I am trying to get to—

**The Hon. TREVOR KHAN:** I do not think she is interested in that any more.

**Dr ENGLISH:** No, I do not think she is either, unfortunately. I have a bunch of students who would like to have the same debate.

**Dr JOHN KAYE:** With respect to this, in the school system there are at least some eyes on what happens in a classroom, is that correct?

**Dr ENGLISH:** No, not really. I do not necessarily 100 per cent agree with that—having had to front up to my Principal's office and make a statement to the police about a paedophile teacher at my school would suggest otherwise, and this was for stuff that he had done 20 years earlier. The checks and balances are there. I know what you are getting at and I am trying to agree with you in a way that says I do not necessarily think that we can ever catch out all the people who are not doing a very good job.

**Dr JOHN KAYE:** You said earlier on that the United States evidence is relevant to Australia.

**Dr ENGLISH:** I gather that you have a PhD. Are you a medical doctor?

**Dr JOHN KAYE:** No, I have a PhD.

**Dr ENGLISH:** Right. So we know what a literature review requires us to do.

**Dr JOHN KAYE:** Yes, a little bit. I vaguely recall having done one.

**Dr ENGLISH:** So do I, although I have tried to block it out. A literature review requires us to look at the evidence worldwide and then make a case about what is relevant for us. The evidence worldwide says, and this is from Dr Ray, who has done a lot of research in the field, that there are some excellent outcomes for home schooled students of 15 to 30 percentile points above their conventionally-schooled peers.

**Dr JOHN KAYE:** An earlier submission asserted that we should be careful in interpreting the American evidence because it happened in such a different educational environment to Australia. Have you heard that suggestion?

**Dr ENGLISH:** I look at the media and all I see is people comparing us to Singapore and Finland and I think, "Really?"

**Dr JOHN KAYE:** You have obviously talked to a lot of home schoolers. One area of interest to me is what is taught, particularly with respect to evolution versus creationism. This is a matter of valid public interest. Do you have any information on that?

**Dr ENGLISH:** I do not. Christian home schoolers are not my thing. I look at unschoolers and they vary rarely are the Christian families.

**Dr JOHN KAYE:** So unschoolers are not generally Christian?

**Dr ENGLISH:** Not in my experience, no. The Christians, in my experience, generally bought the syllabus documents from America and used those. The Christians I spoke to were definitely not unschoolers. I only spoke to two because I was looking for unschoolers.

**Dr JOHN KAYE:** Your key interest is unschooling?

**Dr ENGLISH:** I am interested in why somebody would make that choice for their child, yes.

**Dr JOHN KAYE:** Why would somebody make that choice for their child? Your PhD thesis in one line, thanks.

**Dr ENGLISH:** My PhD was not about that. That has been my post-doctoral work. I look at school choice but I was interested in why somebody would make that choice. For me it aligns very strongly with their parenting philosophy. This again reflects research that is coming out of the States. There is a guy called Peter Gray who does a lot of research around this. He emailed me recently and said he agreed very much with what I was saying. Basically, if you have a philosophy of being an attachment-type of parent—natural parent, gentle parent—approach, then unschooling seems to flow beautifully for you.

**Dr JOHN KAYE:** A number of submissions quote Paolo Freire, Vygotsky, and even a fairly disgraceful line in John Stuart Mill's writing about education.

**The Hon. ADAM SEARLE:** A bit out of date.

**CHAIR:** That was the early 1960s or 1970s.

**The Hon. TREVOR KHAN:** This is way above my head.

**Dr JOHN KAYE:** John Stuart Mill was not 1960s or 1970s. We will go there later in my philosophy class, which will run afterwards.

**Dr ENGLISH:** Maybe we can all enrol in Philosophy 101 because mine is not that good.

**Dr JOHN KAYE:** These are the kind of philosophical justifications—

**Dr ENGLISH:** This is the only research area that I or friends of mine have ever done, where I have gone into a house and they have said to me, "So tell me a little bit about what you have read while you are setting up." I mean, if you have not read John Hall, if you cannot quote a bit of Vygotsky, if you do not know who Freire is, if you do not know who Ricky is or a few of these other people, you find yourself in a situation where they will not talk to because you have not done adequate research.

**Dr JOHN KAYE:** These are people who are taking education and sociological research, largely the 1960s and 1970s—

**Dr ENGLISH:** A lot of it goes further on than that.

**Dr JOHN KAYE:** Vygotsky is later but Freire certainly is 1960s and 1970s, is he not, and it was research that was seen at the time as being associated with liberation theology and fairly radical left-wing research and applying it in a way that we would now call quite libertarian?

**Dr ENGLISH:** Yes, you could say that.

**The Hon. ADAM SEARLE:** One of the things that we have been struggling with are the outcomes of home schooling because most of the information is from the United States and there really is not any comparable Australian material.

**Dr ENGLISH:** If you would like to fund the Australian Research Council, I will do that with a bunch of friends tomorrow. Fantastic.

**The Hon. ADAM SEARLE:** It might need to be done at some point.

**Dr ENGLISH:** I agree.

**The Hon. ADAM SEARLE:** For an area of education that is permitted by law, there is no hard empirical data in this State about what happens or who participates.

**Dr ENGLISH:** No.

**The Hon. ADAM SEARLE:** From your perspective or from your experience, do have you an impression of how the cohort of parent participants breaks down? Are they largely religiously motivated, are they inspired by unschooling philosophies, for example?

**Dr ENGLISH:** I think it would depend on how you approach your segmentation of the group that you wanted to research. For me, I got in touch with a friend. My dog breeder, of all people, knew somebody who ran a home school collective on the North Coast of Queensland. She put me in touch with her. I said, "I am really interested in why people make this choice," and then I wound up on a Facebook group and, through Facebook, interviewed families who were willing to participate. I find that a lot of people are unwilling to participate in research, particularly those who have that unschool bent, mostly because they distrust formalised education. When I say, "Hi, I am Dr Rebecca English with a PhD from university," that is two fails against my name.

**The Hon. TREVOR KHAN:** Is that how you start your conversations?

**Dr ENGLISH:** Absolutely. I worked damn hard for that PhD, my friend. I am going to use that doctor everywhere. I send back mail—I am kidding; I do not.

**The Hon. ADAM SEARLE:** As entertaining as this is, it leads us back to this perspective—

**Dr ENGLISH:** Yes, it does. More research needs to be done in Australia, absolutely. That is the premise of your question and I am going to agree with you.

**The Hon. ADAM SEARLE:** My next area of interest is in unschooling. I do not pretend to be an expert in this area.

**Dr ENGLISH:** Neither do I, but here we go.

**The Hon. ADAM SEARLE:** Having read most of the submissions that have been made to this Committee and having had some personal interaction with this mode of schooling, my prejudice tells me it is not schooling. Please educate me a bit more about unschooling.

**Dr ENGLISH:** I wrote a piece for The Conversation. I do not know if you have seen The Conversation, where academics write publicly. I still, to this day, am one of the people with the highest number of comments below the line on that article. It inflames people because they really do not understand it. If we think about unschooling, what we are looking at is people who have children who are very interested in one thing and if it is done very well—and I think most families that I saw definitely did it amazingly well—they will allow their child as much time as they need to work on that thing. The person who runs the group that I wound up in has a son who started university at 16 doing computer programming because he had been so fanatically interested in computer programming. He had taught himself so much that he wound up getting into university because of the excellent level of work he was already doing. That is unschooling done very well.

**The Hon. ADAM SEARLE:** Looking at page 4 of your submission, you talk about children being encouraged to follow their interests and various forms of child-led parenting. Most parents know that children require some kind of structure.

**Dr ENGLISH:** Yes.

**The Hon. ADAM SEARLE:** Some kind of routine and they require boundaries.

**Dr ENGLISH:** Yes.

**The Hon. ADAM SEARLE:** All that I have read around unschooling and child-led parenting seems to be the reverse. It is not about saying, "You can focus on this thing that we are learning about and you can take as much time as you need on it." If it is allowing the children to set the agenda, there must be a risk of children missing out on learning important things if they are only focusing on the things that might occur to the child, for example.

**Dr ENGLISH:** Yes. I understand what you are saying. I am going to quote what I think my interview cohorts would say. It would be two responses. First, no-one is letting their kid run on the road, no-one is letting

their kid touch the hot plate. They are practising a general approach to parenting. Because they do not use rewards and do not use punishments does not mean there is no such thing as "no".

**The Hon. ADAM SEARLE:** No, but if they are deciding when they go to bed, when they watch television—

**CHAIR:** Order. I need you to clarify what you have just said.

**Dr ENGLISH:** The attachment parents are gentle parenting types. They generally do not use rewards and they do not use punishments with their children. Rather than putting them in a time out or giving them a smack when they do something, they will stop them and the child will cry because it has been told not to do it, and then they will have a conversation when the child calms down about why they were not allowed to run on the street, that kind of thing. There are still boundaries around it. That is why I did not see anybody who truly unschooled in the sense that they did not do any book learning. All of my parents did some math and some English and a bit of history with their children. I think the other aspect to that is radical unschooling is a very American idea. A woman called Dayna Martin is one of the gurus in this area and she very much identifies as a radical unschooler. None of the parents I spoke to would classify themselves as radical unschoolers.

**The Hon. ADAM SEARLE:** I am trying to get a handle on what is meant by the term as you understand it. From what I have seen in my own personal situation and from what I have read, there is this notion about children setting the agenda, deciding when they study, what they study, when they watch television, when they go to bed. None of those things would appear to me to be useful. Those things, to me, seem to be potentially dangerous for a child's development, based on my experience as a parent and from observing other children. Are you saying that is not what occurs in this country?

**Dr ENGLISH:** I could not say what occurs in every household in every country that identifies as an unschooler. The unschoolers that I saw—a child would say, "I am really interested in learning a musical instrument." So they would go along to a few practise classes. The child would be really interested piano, so they would fit all the other learning around piano. As many of us know, music is a mathematical knowledge. There are lots of numeracy conversations you could have. There are literacy conversations around that. It is really not much different to child-led approaches in democratic schools where the teacher sits down with the students and says, "What would you look like to learn this semester?" Then we map the curriculum back on to it. If we are smart, we can map the curriculum back on to what the children are doing; we can make links with the curriculum.

**The Hon. ADAM SEARLE:** In terms of developing a cohort of knowledge over a sustained period, what guards are there against children chopping and changing because something becomes a chore, or something becomes boring because you have to keep working at it? A lot of knowledge does not come instantly and, a lot of students—including, perhaps, many of us in this room—have had to work to attain some knowledge or some learning benchmarks. If you are allowed to chop and change simply because something becomes boring or you lose interest or it is hard, you can miss out on educational attainments. How does this unschooling theory of parenting and teaching guard against children just simply ditching things because it becomes dull or because it is hard work?

**Dr ENGLISH:** I am confident that my respondents would respond two-fold. First they would say, "How much from your own schooling do you actually remember?" Secondly, when I said, "What about missing out on algebra or calculus?" they always said to me, "Do you remember calculus or algebra? How often do you use it?" Well, I do not, that I know of. I think the other response—

**The Hon. TREVOR KHAN:** So we are better off not learning it in the first place?

**Dr ENGLISH:** This is not necessarily the case. The argument is there are people who need to learn it and maybe people who do not.

**The Hon. ADAM SEARLE:** Except, Dr English, it is not only about whether a particular subject is utilitarian.

**Dr ENGLISH:** No, I know that.

**The Hon. ADAM SEARLE:** The fact of learning different things is intrinsically useful for brain development, would you not agree?

**Dr ENGLISH:** Absolutely. The theory of unschooling suggests that if you—they look at a toddler and say, "Okay, you have this three-year-old who really wants to master X." My nine-month-old is trying to walk and despite falling on his bottom thousands of times, he just keeps trying. Their argument is that children who are left to their own devices are able to concentrate on one thing and they will be interested in doing that just one thing. They will drill down to the nitty-gritty in the same way that somebody who does a PhD focuses on one question and does that for 100,000 words.

**The Hon. ADAM SEARLE:** When children are learning about the work ethic and how to apply themselves to learn things, things that are difficult is a disincentive and you need to learn resilience and perseverance. I do not see how that is developed through everything I have read about unschooling. It seems to me that, in fact, it is potentially a recipe for disaster, unless you are dealing with significantly brighter than average pupils and their parents who will succeed in any system.

**Dr ENGLISH:** These parents would argue that the theory behind what they are doing is that they are able to commit to a task. All children learn to commit to a task. They argue against school learning because the bell rings every 45 minutes and it tells you: Don't work too hard on it, sweetheart, because you are going to leave and do the next class—after this is math, after this is English. That is the kind of philosophy that they have. So we have 45-minute lessons at school and you never really spend very long on anything. If do not want to do math, then you can quit at the end of term one and do business, if that is what you want to do. That is their argument on the back of that. I have asked that question.

**The Hon. ADAM SEARLE:** Thank you. None of that makes much sense to me, but I will think about it.

**The Hon. HELEN WESTWOOD:** Dr English, how many families were involved in your study?

**Dr ENGLISH:** Not many. About 20, I think.

**The Hon. HELEN WESTWOOD:** They were Queensland only families?

**Dr ENGLISH:** Yes.

**The Hon. HELEN WESTWOOD:** Do you know enough about the New South Wales system to know whether or not our processes and model is similar to the Queensland system?

**Dr ENGLISH:** I am confident it would be very similar to what we do. Everyone in Australia needs to register for home education.

**The Hon. HELEN WESTWOOD:** Some of the information we have received from witnesses has been about their difficulties with the registration process and there has been a debate about the current information kit. Have you heard of any of that?

**Dr ENGLISH:** I know from being on home school groups—because I keep my hand in the home school community to keep my research up—that people are unhappy with the registration requirements in New South Wales.

**The Hon. HELEN WESTWOOD:** You mentioned a home school child who at 16 was able to—

**Dr ENGLISH:** Get into university, yes.

**The Hon. HELEN WESTWOOD:** —enter university. How well do children who come from a home school environment, particularly children who have come from a natural learning environment, cope at university or in tertiary institutions? Has there been any follow-up of those students to know that?

**Dr ENGLISH:** Not so much, but the research we can draw on are the students who go to democratic or free schools, so the Sudbury type school or the Summerhill type school. Those children generally tend to outperform their peers at university. It is the same kind of approach. It is a free school; they are able to do

whatever they like. They do not have to go to class, so if they want to climb a tree that is how they are going to roll that day. Those students tend to do quite well. There is some research coming out of the States that says a college has chased down students who have been unschooled and natural learned because they are better able to manage their own time and learning.

**The Hon. HELEN WESTWOOD:** One issue raised with us is that home schooling parents feel that they do not really get enough support and resourcing from the Board of Studies, which is the appropriate authority here in New South Wales. In Queensland is there a role for someone within the department to provide resourcing and support to home schooling families?

**Dr ENGLISH:** I believe there probably is. In Queensland we do not actually have centralised exams in senior. The school tests the kids' work and that is how they get what we call their overall position, their final mark to get into university or their final mark at the end of school. What we do in Queensland in order to ensure that everybody across the board is doing the same thing is we sit down with a panel of teachers, so all of the teachers from Business Communication and Technologies [BCT] who are registered for the panel—I was a BCT teacher—and I would sit down with other business teachers in my district and we would look at what we were doing and we would say, "This is what an "A" looks like in my school and this is what an "A" looks like in your school" to make sure there is comparability across the board. I think that model could be adapted to work quite well with home school families. I understand that the negative of our Queensland system is that it is very expensive. It is a really expensive system but comparability is assured by people communicating with each other; teachers sitting down and saying, "This is what I am doing. This is what you are doing. We are comparable with each other."

**The Hon. HELEN WESTWOOD:** Would home schooled students have access to that testing?

**Dr ENGLISH:** No.

**The Hon. HELEN WESTWOOD:** They do not, the same as here in New South Wales?

**Dr ENGLISH:** The school gets a syllabus and we sit down and we write a work program off that syllabus and that is a contract between us and Education Queensland or whatever it is called now. We say, "This is what I am going to teach", based on that syllabus. I show I am meeting whatever hour requirements I am meant to meet and the different subject area requirements and then I sit down with a group of teachers in the grade 11 work, making sure I am establishing comparability across the way I am teaching and then in grade 12 I look for assessment tasks and ensure that I am comparable with other teachers in my field with assessment, and that is how we determine final grades.

**The Hon. ADAM SEARLE:** I just wanted to ask: expensive for whom?

**Dr ENGLISH:** It is expensive for the government.

**The Hon. DAVID CLARKE:** Dr English, you say research suggests that home education graduates outperform their conventional school peers in literacy, numeracy and so forth?

**Dr ENGLISH:** Yes.

**The Hon. DAVID CLARKE:** And you referred to Ray a couple of times?

**Dr ENGLISH:** Yes.

**The Hon. DAVID CLARKE:** Would you be able to take on notice and give us the details of where we could find this research?

**Dr ENGLISH:** Yes, sure. He actually runs a site—I can see it in front of me but I cannot actually make out the letters—the National Home Education Research something or other and he runs a journal called the *Home Education Researcher*.

**The Hon. DAVID CLARKE:** If you would like to take that on notice, but other researchers as well?

**Dr ENGLISH:** Yes.

**The Hon. DAVID CLARKE:** And also internationally, I know there are differences but there are also similarities with overseas?

**Dr ENGLISH:** Yes.

**The Hon. DAVID CLARKE:** Any research on this from the United States, internationally and is there any Australian research that you could bring to our attention?

**Dr ENGLISH:** Yes, I will have a look. I do not know that there is but I will have a look. My area is not in how they perform; my area is in what they achieve but I can certainly look for you and let you know.

**The Hon. DAVID CLARKE:** That would be of assistance to me.

**Dr ENGLISH:** Absolutely and you can support me when I do my ARC application looking at this.

**The Hon. DAVID CLARKE:** I do not know much about this but is there some similarity between unschooling and the Steiner schools?

**Dr ENGLISH:** Definitely not. No, Steiner has its own curriculum, like Montessori has its own curriculum. Unschooling is natural learning. It has much more in common with what we call democratic schools, so Sudbury Valley schools in the United States and the Summerhill schools in the United Kingdom.

**The Hon. DAVID CLARKE:** Could you take on notice and bring to our attention those schools—

**Dr ENGLISH:** There was actually a recent piece on the conversation about all of those so I can even send you those.

**Dr JOHN KAYE:** Written by yourself?

**Dr ENGLISH:** I wrote the democratic one but I did not write the Steiner one.

**The Hon. DAVID CLARKE:** The fact there are these schools suggests there is a bit more to this unschooling and rather than being a nebulous sort of thing that is just out there, it has some form and substance to it?

**Dr ENGLISH:** Yes. It has a theoretical underpinning, if that is what you mean?

**The Hon. DAVID CLARKE:** Yes, absolutely. Thank you very much for that. I find it most interesting. Have you done any study or observation on the effect of bullying as a reason for parents taking their children out of school?

**Dr ENGLISH:** It was one of the reasons that was mentioned definitely in the way that schools failed to handle bullying. So what I was saying before was that these parents traditionally would have said, "Okay, my kid is being bullied mercilessly as X, Y, Z State school. I am going to send them to the local Catholic school or the local independent school". Rather than doing that a lot of these parents may try the independent school, find it is the same thing, then end up home schooling or just go, "You know what; I am just going to go straight to home schooling."

**The Hon. DAVID CLARKE:** I have heard it suggested that it is something that public schools just need to fix and they just need more resources and need to concentrate on it, rather than parents taking their children out. Of course, parents cannot sit around year after year seeing their children bullied mercilessly. Despite the best endeavours of schools and teachers they see money poured into it but they see the relentless bullying of their children and they do not want their children to look back on their school years as a misery in their lives—

**Dr ENGLISH:** No.

**The Hon. DAVID CLARKE:** With some children even considering suicide and so forth. Do you feel that for some there is no other way but to home school because of this?

**Dr ENGLISH:** Certainly that is what the parents would think.

**The Hon. DAVID CLARKE:** And it is a major issue?

**Dr ENGLISH:** I believe so, yes. When I did my masters thesis, I was doing my dissertation defence and someone said to me, "Don't you think it is disgusting being at university, quite pro-public schooling, that people would stop going to public schools and send them to private schools; choose a private school because of issues like bullying or the school not addressing it properly." And my response was I think what we need to do is to understand that if we offer parents choices, and we do; in Australia we offer them far more choices than most other countries in the world—

**The Hon. TREVOR KHAN:** Including the United States?

**Dr ENGLISH:** Yes, including the United States. We offer them a suite of choices because we fund private schools here in a way that they do not anywhere else in the world so it is accessible for ordinary people to send their kids to a private school or to home school their kids in this case. Because we offer people choices it is incumbent on us as experts and as parliamentarians to understand why it is that people would then go and make that choice. We live in a market democracy; people are going to choose the option that suits them. If that means they have got to pay for it; by sending their kid to a private school they have to pay for it by dropping out of work for a few years, that is what they will do.

I think the key thing we have to really think about here is women's work. What is fascinating about home schooling is this idea of women's work. We take women who are highly educated and as a country we paid a lot of money for them to be highly educated; they paid a lot in tax but we spent a lot of money on them being educated and they drop out of the workforce for all these years and they home educate their children because they are so passionate about what is right for their children. Something is going wrong here.

**The Hon. TREVOR KHAN:** Is that right? Is it that something is going wrong—

**Dr ENGLISH:** Or is it that it is a perception that there is something going wrong, absolutely.

**The Hon. TREVOR KHAN:** That is right?

**Dr ENGLISH:** I would not wish to speculate either way. There is a perception the public schools are failing and I do not think you have to wait too many days to read a newspaper that will tell you that public schools are failing so I think we have opened up this can of worms here. For anyone who has ever been a teacher the first question they ask you is: Why would you want to do that? They look for the second head because you have chosen this bizarre career that nobody would want to do.

**The Hon. TREVOR KHAN:** Of being a teacher?

**Dr ENGLISH:** Yes.

**The Hon. TREVOR KHAN:** That is deciding to be a teacher, not deciding to be a teacher of a State school?

**Dr ENGLISH:** So I think if we have this negative attitude towards teaching, then what is the kind of conversation we are having around schools. We are having this conversation that schools are failing; schools are not very good. Then maybe parents in the community go, "Maybe schools really are failing. I am going to home school my kid because I have a science degree and therefore would do a better job."

**The Hon. TREVOR KHAN:** The fact that there is in some sectors of the community a dialogue going on that schools are failing does not actually mean that it is true?

**Dr ENGLISH:** Absolutely not.

**The Hon. TREVOR KHAN:** It simply means that there is a dialogue?

**Dr ENGLISH:** Absolutely.

**The Hon. TREVOR KHAN:** If we take the American experience, you can have politicians of various persuasions running an agenda which may actually strike a chord?

**Dr ENGLISH:** Absolutely.

**The Hon. TREVOR KHAN:** It actually does not mean the politician is telling the truth; it just means he is running his or her agenda?

**Dr ENGLISH:** Absolutely, but these agendas unfortunately become the way that people perceive—

**The Hon. TREVOR KHAN:** I accept that but it does not actually make the fact—

**The Hon. ADAM SEARLE:** It does not make it true?

**Dr ENGLISH:** Absolutely not. I would hope that for the seven years I was teaching I was an excellent person in that classroom for those kids that I taught. I certainly turned up every day and did my best to be the very best teacher I could be.

**CHAIR:** Given your years of experience, with a child who just does not fit the mould, who may have numerous issues, what is the process before that child gets expelled and what is the process after that child is expelled? Where does the child go from there?

**The Hon. TREVOR KHAN:** It depends on the jurisdiction.

**Dr ENGLISH:** It depends on the school, yes.

**CHAIR:** I am talking about Dr English's experience?

**Dr ENGLISH:** I used to teach at a Catholic school and we used to take all of the children that used to be kicked out of all the State schools in the area. At one time I had a student who used to call himself Mafioso, so we are getting the idea. Mafioso came three weeks into term two—that is always a sign—and I asked him why he had simply turned up in my class because he started my class with, "I f'ng hate computers, Miss. This is f'ng boring"—again not a good start. Mafioso slowly told me the reason he had come and the reason he had come to my school was because he had stabbed a girl at a train station so none of the State schools in the area would have him, so he came to us and then he proceeded to beat the next year's school captain about the head with a piece of four by two that he had meticulously hammered rusty nails into that he had collected from around the block of the manual arts area and that child then became a paramedic because he discovered the career of paramedics by being taken to hospital. That is just one anecdote—

**The Hon. TREVOR KHAN:** But that is so outside the experience that my children had in a State school—

**The Hon. HELEN WESTWOOD:** And mine.

**The Hon. TREVOR KHAN:** I become concerned by anecdotes of bad behaviour when my experience is that my children's school dealt very well with bullying and troublesome children.

**Dr ENGLISH:** Mafioso did not stick around. I am not going to lie. He was gone.

**CHAIR:** That was not my question. My question was on process. I wanted to know where a child goes once that child is expelled.

**Dr ENGLISH:** If a school like ours did not take Mafioso, he would have been not able to go to school. He may have been able to enrol in distance education, I am not sure. Each school has different processes. At the school where I taught we had a time-out room basically and it had some theoretical thing; we all had to do some course in it— I cannot remember now; it was a long time ago. When a child was acting up there were six questions you had to ask them and if the child continued to act up in that manner, you would say, "Okay, I am going to ask you the six questions again and if you continue to behave this way, that's it. You have to go to the responsible thinking classroom". There were also some automatics; they were called automatics and they were

things like swearing at a teacher, throwing something at a teacher, threatening another child; you then went to this responsible thinking classroom and you sat silently until you came up with a contract between you and the teacher to negotiate your way back into the person's room.

**CHAIR:** What about the child who is expelled? What happens to them?

**The Hon. TREVOR KHAN:** No, no. You cannot move straight to expulsion.

**Dr ENGLISH:** No, you cannot. There is a whole set of—

**The Hon. TREVOR KHAN:** There are a set of steps?

**Dr ENGLISH:** Exactly. If they continue to be—

**CHAIR:** No, Dr English has just gone through some steps.

**The Hon. TREVOR KHAN:** No, fairly, she could explain that there are a whole series of steps—

**Dr ENGLISH:** They are the steps that we took at our school. Once that child negotiated the way back in, if they continued to misbehave or they did not want to come out of the responsible thinking classroom, because they could just sit there and be quiet, then their parents would come in, and the school would have a discussion with the parents—

**The Hon. ADAM SEARLE:** Are we straying from the terms of reference?

**CHAIR:** I am just after a process.

**Dr ENGLISH:** And then after that they were expelled.

**The Hon. DAVID CLARKE:** How widespread is home schooling in the United States in comparison to Australia?

**Dr ENGLISH:** It is much more popular in the United States. It has got a much longer history.

**The Hon. DAVID CLARKE:** Proportionally?

**Dr ENGLISH:** I would have to find out what percentage for you. I do not think we will ever really know because over there people do not necessarily hold their hand up and go, "Hey, I'm home schooling."

**The Hon. DAVID CLARKE:** But the experience that you have found here in Australia is replicated in the United States?

**Dr ENGLISH:** From what I understand.

**The Hon. DAVID CLARKE:** As far as level of education?

**Dr ENGLISH:** Yes, although not necessarily because Ray's work suggests that even for those parents who did not finish school their kids do much better than they do in a public school but again public schools are different to the public schools we have here.

**The Hon. TREVOR KHAN:** Chair, as I have heard so much about bullying I am very hopeful that all the members of this Committee will be absolutely supportive of the full range of anti-bullying programs, including for our schools, as they are rolled out—

**The Hon. ADAM SEARLE:** Absolutely.

**The Hon. DAVID CLARKE:** Absolutely.

**The Hon. TREVOR KHAN:** I am pleased to hear that.

**The Hon. DAVID CLARKE:** Nothing is worse than bullying in school.

**Dr JOHN KAYE:** Did you expect it to be otherwise, Trevor?

**The Hon. TREVOR KHAN:** I wondered.

**CHAIR:** I thank Dr English for her presentation and her wide range of information. You have 21 days to provide the questions taken on notice. The staff will help you if necessary and members may have further questions. Thank you for being here and giving us your knowledge and history of home schooling.

**(The witness withdrew)**

**MICHAEL BREARLEY**, Consultant, Cardinal Newman Catechist Consultants, sworn and examined:

**CHAIR:** Mr Brearley, do you have an opening statement?

**Mr BREARLEY:** I have prepared four PowerPoint slides to focus the points and summarise the submission. Cardinal Newman Catechist Consultants started as a loose association of volunteers to assist families with education in regards to the faith. It is now a series of people who just assist with general support to families who are home schooling but not only in home schooling. I am the president of Cardinal Newman Faith Resources and in the business world I am a consultant engineer. I run my own consultancy business. I am a director of two engineering companies after many years of service as a senior officer in local government.

I would like to think of home schooling more as home tutoring because I see it as more about learning rather than teaching; not to take away from teaching, but it is certainly about learning primarily. It is a speciality that allows extra content, distinctive methods and noble aims. It is teaching school students in the home using one-on-one direct tuition, vertical streaming and peer mentoring, guided discovery using technology and career directed learning and preparation for tertiary education and the workforce. Of the many families I have come into contact with in home schooling these parents are nobly educating and forming well-balanced citizens who are the future taxpayers of our nation.

Some of the outcomes we have witnessed from home tutoring are self-motivated students and students who think and act with clarity and conviction. We have seen excellent contribution to the local community in a variety of volunteering roles such as the Rural Fire Service, the State Emergency Service, SRE education and teachers, just to name a few. We find that graduates from home schooling or home tutoring are in high demand with employers. They are well socialised and integrated children and become well-balanced adult citizens. Most importantly they form strong families and provide a stable social fabric for society.

With regard to the regulatory framework, Australia officially believes in God and is proud of its multicultural values of tolerance. Natural morality is the common ground for all legitimate religious curricula or syllabus. I believe that governments exist for the people, not vice versa. Governments are there to serve the people not for people to serve the governments. I see the role of governments as harmonising life in society for the common good. I would like to see guidelines to support educational diversity. Home schooling is a valid choice. The role of authorised persons should be a support role because some people have felt that they have been intimidated by some of the authorised persons. The role of an authorised person is to inspire and radiate good ideas and high ideals. They are my opening remarks.

**CHAIR:** Mr Brearley, several people have been concerned about the use of different terms such as "home schooling" and "home education" and you have mentioned "home tutoring." Do you not think it is important that we have one defined term? It certainly helps everyone to be on the one page?

**Mr BREARLEY:** I do respect the term "home schooling" is the term the Committee is using, and I support that term. I am drawing an aspect of home schooling out of that. I believe one of the reasons that people home school is to teach their children to think clearly and be exposed to various ideals and to be responsible adult citizens. It is more teaching children to learn. That is drawing out an aspect of home education without taking away from what home education is.

**CHAIR:** One of the issues is in the curriculum of teaching of evolution and creation. Is the teaching of creation in those terms an extracurricular activity or is it involved in that curriculum? I am trying to work out where it all fits?

**Mr BREARLEY:** Bringing it back a step to one of my earlier statements, I believe one of our roles is to educate children to think clearly. In other words, looking at the information before them so they can make good reasoned decisions and come to good conclusions about what they believe and how they become upstanding citizens as adults.

**CHAIR:** Have you seen the information pack from 2011 as opposed to 2013?

**Mr BREARLEY:** Yes.

**CHAIR:** Have you noted the differences in such a pack?

**Mr BREARLEY:** I believe the information pack of 2013 does have a lot more documentation requirements. Some of the parents I have spoken to feel it is onerous and it is taking them away from what their role is in trying to educate and get their children to learn.

**CHAIR:** Are they giving you any indication of how long it is taking to fill in the paperwork? We heard 15 to 20 hours today and we have heard 200 hours. Do you have any indication of how onerous or how quick it is? It was clarified that a person was familiar with bureaucratic stuff, so they felt they could fill it in quicker.

**The Hon. TREVOR KHAN:** You are not suggesting an answer, are you?

**CHAIR:** No. I am reflecting on a comment from an earlier witness. It will be in the transcript.

**The Hon. TREVOR KHAN:** I know but you are asking this witness.

**CHAIR:** These lawyers are helping me learn to question witnesses.

**The Hon. ADAM SEARLE:** Make sure you do not to lead the witness, chair.

**Dr JOHN KAYE:** Because you would never do that.

**The Hon. ADAM SEARLE:** Absolutely not, no.

**CHAIR:** Have any of the parents you deal with indicated how much time it is taking to fill out the 2013 pack?

**Mr BREARLEY:** Yes. The answers vary because it depends on the individual person. Some people feel comfortable with setting out criteria and outcomes and can do it in a reasonable time while other people feel very intimidated. That is a reflection of the diversity of people. To give you one answer, yes, I am aware of some people who have said 15 to 20 hours and I am aware of others who have taken 100 hours because they have not had a background in working in a bureaucracy as I have and do find it quite onerous.

**CHAIR:** In terms of trying to get a resolution to some of the concerns, anxiety and fears would you be of a view that maybe having an advisory council from home schooling would help the Minister understand those issues?

**Mr BREARLEY:** I think that would be a big help, yes.

**CHAIR:** Would you think a member of the BoSTES board should be someone who has experienced home schooling?

**Mr BREARLEY:** Yes, it can help but it depends on the availability and the competence of the people involved. It is a little hard to generalise and say person A would be a good role model in terms of being on the board. Certainly I believe that the board has a role in selecting people with predetermined criteria and these people must have a wealth of experience and have a good open mind in terms of the educational choices.

**Dr JOHN KAYE:** Mr Brearley, you are not the Reverend BJH Tierney who wrote the submission?

**Mr BREARLEY:** The submission was written by the Reverend BJH Tierney, yes.

**Dr JOHN KAYE:** Who are Cardinal Newman Catechist Consultants?

**Mr BREARLEY:** As I said in my introductory remarks, Cardinal Newman Catechist Consultants is a loose association of people who provide support to families.

**Dr JOHN KAYE:** It is not formally part of the Catholic church?

**Mr BREARLEY:** It is a loose association of people. People are members of the Catholic church because they are Catholic.

**Dr JOHN KAYE:** It is not formally affiliated with the Catholic church?

**Mr BREARLEY:** As I say it is a loose association.

**The Hon. TREVOR KHAN:** The answer, I think, is no.

**Dr JOHN KAYE:** You prepare resources for Catholics and others who are home schooling?

**Mr BREARLEY:** No, I do not prepare resources, neither do any of the members of the Cardinal Newman Catechist Consultants.

**Dr JOHN KAYE:** You provide advice?

**Mr BREARLEY:** We provide support to families.

**Dr JOHN KAYE:** What do you mean by support?

**Mr BREARLEY:** Tutoring may be required in certain cases. Someone may require assistance with mathematics or science and the author of this submission has a science degree and can provide that tuition and support. They are some of the practical ways that support can be given.

**The Hon. CATHERINE CUSACK:** Is that free or paid?

**Mr BREARLEY:** Absolutely free.

**Dr JOHN KAYE:** In your organisation's submission you raise the issue of sex education and the implication of what I read here is that some parents may be uncomfortable with the kind of sex education given in schools and would be more comfortable delivering that education at home?

**Mr BREARLEY:** Yes, very much so. We like children to be good clear thinkers and parents are well positioned to present the information in a way that the children are receptive to it and in a way that children can assimilate it in an interactive environment that enables them to make good decisions.

**Dr JOHN KAYE:** Would you accept that you just made a large generalisation?

**Mr BREARLEY:** I did expand on the question, yes.

**Dr JOHN KAYE:** Your statement was parents are in a good position?

**Mr BREARLEY:** Yes.

**Dr JOHN KAYE:** Would you accept that some parents are not in a good position to do that?

**Mr BREARLEY:** The experience I have had with the many people I have come into contact with that is overwhelmingly the case.

**Dr JOHN KAYE:** Overwhelmingly the case or always the case?

**Mr BREARLEY:** I will go a step further, always the case with the people I have come into contact with.

**Dr JOHN KAYE:** Do you believe it to be the case that every child who is home schooled by those parents is comfortable with sex education from their parents?

**Mr BREARLEY:** I am not in a position to speak for people I have not come into contact with, it would be a little hard to generalise.

**Dr JOHN KAYE:** Would you accept that there may be some students, some children, for whom there are matters they wish to discuss about sex and sexuality for whom they would find their parents the last place they want to turn?

**Mr BREARLEY:** There may be instances and there may be other family members that can assist with that and through the network of support people who hold similar values there is other assistance.

**Dr JOHN KAYE:** You would not accept there is a role for an outside person who is not part of the family or part of the normal support networks, somebody who has a degree of anonymity for them to talk to about matters relating to sex and sexuality?

**Mr BREARLEY:** I believe children should be made aware that is an option for them, but in the first instance it is the family members, other support people and other people who hold similar values that are the first point of contact to talk about these delicate matters.

**Dr JOHN KAYE:** While we are on delicate matters, what about the issue of drug education? Do you make comments in here or does your submission make comments about drug education?

**Mr BREARLEY:** It has not referred to it specifically. I put it into the area of morals. Again that is a matter where I believe the family is best placed to assist and inform the children and to allow them to make the right and good decision. There is extended family and other people if the children feel they need that support if they do not feel comfortable talking directly to their parents about it.

**Dr JOHN KAYE:** But do you accept that some parents and the family environment in general is so dissonant from the context in which children will find themselves when they leave the family that the experience base is just not there to prepare the children for what is going to happen next in terms of exposure, for example, to drugs?

**Mr BREARLEY:** Can I give a few case studies for examples. These are people I know who have been home educated and who have gone into the workforce into a trade. This was as an electrician. These particular people went into the workforce and they found it very confronting because there was sex, there was drugs, there was that type of culture, and the bullying, in the workforce. Certainly that is a fact of life which we have to educate and prepare our children for because that is the reality of life when they are in the workplace and what they are going to face.

As I said, home schooling is about preparing children to make the right choices and to be aware of that and to make good informed decisions. I have seen children in the trades confronted by those situations and, yes, they have to come home at the end of the day and work their way through it. Being able to prepare children for that situation is one of the great benefits and beauties of home schooling.

**The Hon. ADAM SEARLE:** You have described your organisation as a loose association. How many people are in the association?

**Mr BREARLEY:** There is Reverend B. J. H. Tierney of course as the priest director and a number of parents who provide support as required.

**The Hon. ADAM SEARLE:** How many?

**Mr BREARLEY:** It is a loose association. There are half a dozen or so.

**The Hon. ADAM SEARLE:** Does the submission drafted by the reverend have the approval of all of the other members in the loose association?

**Mr BREARLEY:** Yes.

**The Hon. ADAM SEARLE:** At the bottom of page 4 the notion of family is one limited to biology. That is a pretty limited and old-fashioned notion of family, is it not? It is not very much in keeping with the current social reality where there are blended families, adopted children and the like. This seems to be based entirely on blood relations only.

**Mr BREARLEY:** I know of many blended and adopted families who provide very loving and great environments and that in no way takes away from their situation.

**The Hon. ADAM SEARLE:** Absolutely. But this document of yours would seem to limit the notion of family to those who are biologically related only. It is a pretty austere and narrow definition, would you not agree?

**Mr BREARLEY:** I do not think that is the intention. The intention is to say that is the ideal member of family. Due to certain situations—

**The Hon. ADAM SEARLE:** The other forms of family are aberrant or a deviation, are they?

**Mr BREARLEY:** No, I did not say that.

**The Hon. ADAM SEARLE:** What are you saying?

**The Hon. CATHERINE CUSACK:** Are they less than ideal?

**Mr BREARLEY:** No, I did not say that either.

**The Hon. CATHERINE CUSACK:** You said that the biological families are the ideal families.

**Mr BREARLEY:** Yes.

**The Hon. CATHERINE CUSACK:** Does that mean that if you are adopted that is less than ideal?

**Mr BREARLEY:** No, I did not say that at all.

**The Hon. ADAM SEARLE:** You seem to be going from one misstatement to another. How exactly are we to understand what is written at the bottom of page 4? It seems to me to be saying that this is the family archetype and everything else that falls outside of it is somehow less than ideal. It seems to me that is not a very realistic view of society.

**Mr BREARLEY:** No, I have not said that.

**The Hon. ADAM SEARLE:** The author of this submission has and you have said that the members of your association approve of the submission. Therefore, what is in it is approved by you. If that is not correct please set us straight.

**Mr BREARLEY:** I have had contact with many people who are certainly from upright families. I have had contact with many other people as well who are from blended families and who are adopted children and in no way are they less because situations arise where they have not had the opportunity to be part of the traditional family model.

**The Hon. ADAM SEARLE:** There is a notion on page 6 of your submission about the Ten Commandments leading to a natural morality native to all human beings. My understanding of the Ten Commandments is that Moses had a devil of a time imposing them on his followers and there seemed to be a lot of backsliding. It did not seem to be very natural to me. What exactly is meant by this submission?

**Mr BREARLEY:** Again, I am not a philosopher or a theologian and I do not pretend to be. But the way I think of natural moral law, and those who are in theology or philosophy may beg to differ, is that people who have not been exposed to any education, such as in ancient tribes or whatever, certainly have a natural moral law that they are not going to kill each other. There is a natural moral good. That is what I mean by the natural moral law. There are certain natural moral virtues which are worthy of being upheld regardless of your culture and regardless of your background.

**The Hon. ADAM SEARLE:** That is not what your submission says but I will move on. I will start with the claims made in favour of home schooling that you started out with. I have no doubt that your evidence is honestly and genuinely given and arises from your own experience but there is no hard data about the total experience from the home schooling sector, is there? We do not have any reliable and factual information in particular in relation to New South Wales that we are able to base any conclusions on.

**Mr BREARLEY:** I would need to take that one on notice.

**The Hon. ADAM SEARLE:** Please do.

**The Hon. CATHERINE CUSACK:** Under the heading "Parental Competence" you say that today's parents have proven that they are well equipped to tutor basic content and attitudes for K to 10. But then you say that their experience and affection for their children motivates them to become home tutoring specialists for K to 12. Can you talk about what happens in years 11 and 12 and parental competence?

**Mr BREARLEY:** My experience with students who have been educated through 11 and 12 is that home schooling gives a great opportunity for the children to determine which career path they would like to follow and then for the parents to tailor make the education to that career path. I will give you another case study. I am aware of someone who from a very young age was determined that she was going to be a nurse. The parents gave her every opportunity to explore a number of different careers. When that girl came to year 11 and 12 they went through the open learning to pick the subjects that were going to assist her with her tertiary studies to take a nursing career. That person is a nurse in the workforce, loving every moment of it and a very good taxpayer. Year 11 and 12 has given the opportunity to form that and to be able to get the right assistance so that particular person can pursue the career which was their desire and their love.

**The Hon. CATHERINE CUSACK:** I apologise if I have missed something but what do you mean by open learning?

**Mr BREARLEY:** Some of the open learning education options which are available through Open Learning Australia and by doing online units and also attending university subjects where the opportunity arises. There is an opportunity to tailor make them towards the career that the child chooses.

**The Hon. CATHERINE CUSACK:** How does that form of learning lead to university entrance?

**Mr BREARLEY:** In my experience I know a number of people who have been able to gain entrance to universities by doing a number of undergraduate units in open learning and then by coming to the university with a portfolio and saying, "This is what I have done and this is what has been achieved. I do not fit within the normal path which you may be familiar with but here I am. I am very competent. Here is the work. Here are the recommendations. Would you consider me, please?"

**The Hon. CATHERINE CUSACK:** The universities have a special kind of door for those people to go through, is that right?

**Mr BREARLEY:** A number of universities have been very supportive, yes. Not all of them.

**The Hon. TREVOR KHAN:** At page 6 your submission says:

The NSW curriculum lists Learning Areas including Personal Development, Health, Physical Education. This includes intimate human relationships which are better taught individually by mother/father out of respect for a child's mental privacy and varying readiness: Physical, mental, psycho-social, moral and spiritual, because this is a religious matter.

Indeed, it has been to avoid false teaching and attitudes on this subject matter that a considerable number of parents choose home tutoring.

Are you able to enlighten as to what percentage of home schooling parents take their kids out of the normal schooling system because of PDHPE?

**Mr BREARLEY:** I would have to take that one notice. Sorry, I do not have any data in front of me.

**The Hon. TREVOR KHAN:** Are you able to tell me what are the false teachings and attitudes on the subject of, I take it, PDHPE that you or Reverend Tierney identify?

**Mr BREARLEY:** What are the false teachings? Again, that is a very difficult question for me to answer and I would like the opportunity to take it on notice and give a considered response if I could, please.

**The Hon. TREVOR KHAN:** All right. I take it you have not had the opportunity, for instance, to look at the work done by La Trobe University under the title of "Writing Themselves In"?

**Mr BREARLEY:** No, I have not seen that work.

**The Hon. TREVOR KHAN:** Those studies look at how same-sex attracted kids cope in our society and particularly in the school environment. There have been a number of those studies. They identify that one of the primary people that kids go to first to make a disclosure of their concerns about their sexuality, and often it is in the context of a concern, are their teachers. If those studies are correct and a lot of the time kids choose to go to their teachers to seek support how does that sit with your suggestion that this is a matter for mother and father to deal with?

**Mr BREARLEY:** Thanks for the question. You did say that the teachers were the primary or the main people they go to.

**The Hon. TREVOR KHAN:** No, I did not use the term primary. They are important.

**Mr BREARLEY:** That does not rule out other opportunities for children to speak about these issues where they may feel uncomfortable speaking to the parents. I am aware of a family where this has occurred. Someone has had—

**The Hon. TREVOR KHAN:** It happens quite often.

**Mr BREARLEY:** It happens quite often. It is not to say that this is an aberration in any way and I have not said that.

**The Hon. TREVOR KHAN:** No, and I did not suggest you had. I will come to another point, but go on.

**Mr BREARLEY:** But where children may not feel comfortable in speaking to the parents about those matters there are other mentors that they can speak to.

**The Hon. TREVOR KHAN:** But what you are putting under the heading "Education Relating to Sex" is that the best place to go is the mother and the father.

**Mr BREARLEY:** Yes.

**The Hon. TREVOR KHAN:** But if the kid does not want to talk about it with mum and dad—

**Mr BREARLEY:** As I have already said, there are other people who the child could approach.

**The Hon. TREVOR KHAN:** Other family members I think you said.

**Mr BREARLEY:** Maybe other family members, maybe other peers, or maybe other families with whom the people associate. In the case that comes to mind that is what happened. The particular child has related to other families they have been associated with and the support and consideration has been given through those avenues.

**The Hon. TREVOR KHAN:** I look forward to you taking it on notice and providing an answer as to what the false teachings and attitudes are.

**CHAIR:** Thank you for your evidence today. You have 21 days to provide the answers to questions on notice. The Secretariat is here to help you if you need it. Once again, thank you for your evidence.

**(The witness withdrew)**

**The Committee adjourned at 4.44 p.m.**