

REPORT OF PROCEEDINGS BEFORE

GENERAL PURPOSE STANDING COMMITTEE No. 2

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

At Sydney on Friday 24 February 2012

CORRECTED PROOF

The Committee met at 9.30 a.m.

PRESENT

The Hon. M. A. Ficarra (Chair)

The Hon. D. Clarke

The Hon. G. J. Donnelly

The Hon. P. Green

Dr J. Kaye

The Hon. S. Mitchell

The Hon. S. Moselmane

Reverend The Hon. F. J. Nile

CHAIR: Welcome to the first public hearing of the General Purpose Standing Committee No. 2 inquiry into the Education Amendment (Ethics Classes Repeal) Bill 2011. I acknowledge the Gadigal people of the Eora nation who are the traditional custodians of this land. I also pay respects to their elders past and present and extend our respect to any Aboriginal persons present.

The terms of reference for this inquiry require us to look at the objectives, curriculum, implementation and effectiveness of ethics classes in New South Wales State schools and to consider whether the legislative changes allowing ethics classes in government schools should be reversed. Today we will hear from a range of stakeholders who will provide us with their views on these issues, including: Parents4Ethics; Primary Ethics, the current provider of ethics classes in New South Wales State schools; Dr Bernadette Tobin from the Plunkett Centre for Ethics at the Australian Catholic University; Reverend Dr Michael Jensen of Moore College; and Dr Stephen Fyson. The Committee will hold further public hearings of this inquiry on Monday 27 February and Monday 12 March 2012.

Copies of the Committee's broadcasting guidelines are available on the table at the door. In accordance with guidelines, members of the media may film or record Committee members and witnesses. However, people in the public gallery should not be the primary focus of any filming or photographs. I remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. Witnesses and members and their staff are advised that any messages should be delivered through the attendants or the Committee clerks. Committee hearings are not intended to provide a forum for people to make adverse reflections about others. The protection afforded to Committee witnesses under parliamentary privilege should not be abused during these hearings. I therefore request that witnesses focus on the issues raised by the terms of reference and avoid naming individuals. The Committee has agreed that any questions taken on notice by witnesses should be answered within 21 days of the date on which the questions are forwarded to them. I remind everyone to please turn off their mobile phones for the duration of the hearing.

DAVID HILL, Parent and member of Parents4Ethics, and

TARA THOMAS, Parent and founding volunteer of Parents4Ethics, and

CATHERINE SUTTLE, Founding volunteer of Parents4Ethics, and

MARIE PERFREMENT, Parent and founding volunteer of Parents4Ethics, and

RUSSELL WYATT, Parent and founding volunteer of Parents4Ethics, affirmed and examined:

CHAIR: Welcome. Do you want to make an opening statement?

Mr HILL: Yes, very briefly. Parents4Ethics was formed by volunteer parents who felt that our kids and a lot of other kids were being discriminated against because they were forced largely to sit idle waiting for other children to finish scripture. Ethics has provided, we think, a very meaningful and valuable alternative. I want to make a couple of comments specifically about the Committee's terms of reference and how our submission relates to it. The first term of reference is the inquiry into the stated objectives, curriculum, implementation, effectiveness and other related matters pertaining to the current operation of special education and ethics being conducted in State schools. We have absolutely no difficulty with the idea of there being scrutiny of the ethics classes.

I note that very usefully appearing after us are the very competent Primary Ethics people with whom you will, no doubt, go through the detail with them. We commend to the Committee that an independent assessment has already been made at the behest of the New South Wales Government barely a year ago in October 2010 by Dr Sue Knight of the University of South Australia which concluded that the ethics classes that were then being trialled were successful, the course was effective and the content appropriate. While we welcome this scrutiny of the ethics course we have said in our submission that we are concerned at the discrimination in that of all the courses that are being offered during the prescribed time in schools for scripture you have decided only to scrutinise the content of the ethics courses. We would ask in the interests of fairness and consistency that you look at the content—you can look at ours but look at the others as well. The New South Wales Parliament has never—

The Hon. GREG DONNELLY: Point of order: Can I just clarify something? We are being told that we are to consider the terms of reference. We did not determine the terms of reference. The terms of reference were determined by the Legislative Council.

CHAIR: I uphold the point of order. We are guided only by our terms of reference. If you wish to make a further submission to any of the members that is a separate issue.

Mr HILL: I simply make the point on behalf of Parents4Ethics that we think this Committee lacks credibility if it is only going to look at ethics and not look at what is happening in the rest of the—

CHAIR: Is that your opening statement?

Mr HILL: That is in relation to that item in the terms of reference. In relation to your second term of reference about whether the Education Amendment (Ethics Classes) Act 2010 should be repealed, we are strongly opposed to that proposal because by any measure the ethics courses have been an outstanding success. We know that at the time the legislation was introduced 130 parents and citizens associations voted in support of the ethics classes and, to our knowledge, there was no opposition. The public polling on this suggests that 92 per cent of the community supports ethics and there is virtually no meaningful opposition. We noticed last night even in the submissions to your inquiry that over 80 per cent of them are in support of the ethics classes, and we note that the major churches have made statements either supporting the ethics classes or at least withdrawing any opposition. The law currently protects parents to send their kids to scripture if they wish, to send their kids to ethics if they wish or to opt out of all of it if they wish, and we are opposed to this Committee recommending that you take that right away from parents.

CHAIR: Thank you for that statement but let us not pre-empt the outcomes of the Committee. I will lead off with a couple of questions and then pass to my colleagues. On the last page of your submission at the last dot point you ask that the ethics class volunteers not be singled out for a State-supported annual celebration

and that celebration acknowledgement should extend at least to ethics class volunteers and preferably to all public school volunteers. I thought that was a good suggestion. Could you expand upon the background of that?

Ms SUTTLE: I am the ethics class coordinator at Randwick Public School. Our principal, as I think I have mentioned in the submission, organises an annual celebration of all volunteers within the school, and I think there are about 200 people who come along to that celebration. I think it is divisive and entirely wrong to single out a particular group for celebration and acknowledgement, particularly to single out special religious education [SRE] and not ethics—we are on the same program. But Adrian Piccoli's press release says that he has "committed to providing an annual celebration of special religious education to recognise the efforts of SRE teachers who have provided long years of service", and I think that is appalling.

CHAIR: You would like to have your ethics volunteers as part of that as well?

Ms SUTTLE: Yes, ethics or no celebration—just leave it to the schools—or celebrate all volunteers. Why not?

CHAIR: You want equity?

Ms SUTTLE: Yes, equity and fairness.

CHAIR: Can I just have some feedback? Some of the submissions have asked for specifying a minimum time for either the ethics class or the special education in ethics [SEE] or the SRE. What do you feel about that? Do you feel that the legislation as it stands at the moment safeguards an amount of time being allocated for either religious instruction or ethics instruction?

Mr HILL: It is an issue that we have not addressed as a group but my feeling would be that we are certainly not advocating any change to the allocated times.

CHAIR: So you are not concerned that there is not a prescribed time?

Mr HILL: No.

Ms PERFREMENT: There is a maximum time, is there not?

CHAIR: I understand that some of the submissions have asked for an amendment to the Education Act to call for a minimum time. What percentage of schools at the moment would not be getting an ethics tutorial?

Mr HILL: That would be a question you should address to the education department. There are no comprehensive figures on what happens in all the schools on scripture; the scriptures offered vary from school to school and it is largely dependent on the local religious groups providing teachers for the scripture instruction. So virtually every school is different from the others.

CHAIR: What about the ethics courses? Is there a minimum and maximum time? What sort of time is there?

Mr HILL: It fits the time that the school has allocated for scripture.

CHAIR: So there is not any minimum time allocated for the ethics classes?

Mr HILL: Not to our knowledge.

Ms SUTTLE: A maximum of one hour is my understanding at the moment, but I think there is a call for a minimum period to be 30 minutes.

CHAIR: Many of the submissions have called for us to review that a minimum period be allocated so that it cannot be trivialised, either ethics or scripture.

Ms THOMAS: We are fairly happy with the status quo. My understanding is that it is up to one hour; most schools are half an hour. We think that is a very good amount of time and we support the current legislation. We do not see the need to change it.

Ms SUTTLE: The current policy allows that SRE classes can take place over an extended period; for example, a couple of days in the term. That is part of the current guideline. So it can take place over a kind of extended period rather than a weekly period. It is kind of flexible at the moment but, as I said, I understand that Reverend Nile is calling for a minimum period.

CHAIR: Not only Reverend the Hon. Fred Nile but other submissions that we have had. There are also calls for future proposed syllabuses for special education in ethics to be made available for discussion ahead of time. What would your opinion be on that?

Mr HILL: I did not understand the question.

CHAIR: I am talking about future ethics syllabuses being made available ahead of time so that people can examine them and perhaps calm the discussion because of their high quality. People have complained that they did not have enough time to find out what was in the syllabus.

Ms SUTTLE: Who are "people"?

CHAIR: Constituents.

Ms SUTTLE: In submissions?

CHAIR: We all have constituents.

Mr HILL: Is this something that you would apply to all courses being run at scripture times at school, or will only the ethics classes be required to do it?

CHAIR: I am asking you about ethics. If you do not have a comment, you can simply say so.

Mr HILL: I do not think it is reasonable.

CHAIR: Do not question me. I am asking you a question. Do you have a point of view?

Dr JOHN KAYE: Point of order: The witness is perfectly entitled to seek clarification of your question, which I also found quite confusing. It is unfair—

CHAIR: No, he was questioning me about my point.

Dr JOHN KAYE: No, he asked you about who was asking. You said that "people" were saying something and he asked who. That is a reasonable question.

CHAIR: I have a right to ask a question.

Mr HILL: I do not think it is fair. I think it is discriminatory to impose conditions on ethics courses that you are not imposing on all of the other scripture classes.

CHAIR: So that is your answer to my question about circulating the syllabus ahead of time for public viewing and discussion?

Mr HILL: Correct.

Ms SUTTLE: Coming back to the point David made at the beginning about the scrutiny of ethics versus SRE classes, research from Macquarie University provides evidence that teachers in some schools have noted that children were threatened, for example, with burning in hell if they did not believe in Jesus. There are several other quotes like that, yet the content of SRE classes is not up for inquiry and you are not suggesting that SRE contents should be up for discussion in advance of its—

CHAIR: It is not part of our terms of reference.

Ms SUTTLE: No. I understand that, but it responds to the question you are asking.

The Hon. DAVID CLARKE: Ms Suttle, have you heard of Professor Peter Singer?

Ms SUTTLE: Yes.

The Hon. DAVID CLARKE: Do you have a positive or negative view of him, or no view at all?

Ms SUTTLE: I have read one book by him and I have heard him speak.

Dr JOHN KAYE: Point of order: If the witness wishes to answer she can, but surely the views of a witness about a particular moral philosopher are not relevant to what goes on in a classroom as it relates to our terms of reference. This is getting extremely McCarthyist in its approach.

The Hon. DAVID CLARKE: To the point of order: We do not need to be told by Dr John Kaye what questions we will and will not ask. If he is talking about McCarthyist, it is McCarthyist to try to control in the detailed way he is attempting the questions that we are putting. I would like to hear the response from Ms Suttle rather than the oxygen in this place being sucked up by Dr John Kaye taking these trivial points of order.

The Hon. SHAOQUETT MOSELMANE: To the point of order: I would like to hear the parents. This is an opportunity for the parents, not for us to take points of order and so forth.

CHAIR: Yes. If you do not wish to answer the question simply say so.

The Hon. DAVID CLARKE: Do you have a positive view or a negative view—keeping in mind that time is running against us?

Ms SUTTLE: As I said, I do not know much about him, so I would rather not answer that question.

The Hon. DAVID CLARKE: Right. But you are aware that he is a major figure in the world of ethics, are you not?

Ms SUTTLE: Yes.

The Hon. DAVID CLARKE: And you are aware that he is the laureate professor at the Centre for Applied Philosophy and Public Ethics at Melbourne University. Are you aware of that?

Ms SUTTLE: I thought he was at Princeton.

The Hon. DAVID CLARKE: He is there now. Are you aware that he has in the past written, and may still write, the ethics article for *Encyclopaedia Britannica*?

Ms SUTTLE: No, I was not aware of that.

The Hon. DAVID CLARKE: If you are not aware of his views, you are aware that he has justified sexual relations between humans and animals. Are you aware of that?

Ms SUTTLE: No.

The Hon. DAVID CLARKE: But you would be concerned, would you not?

Ms SUTTLE: I am not going to answer that part of the question.

The Hon. DAVID CLARKE: You will not answer whether you are concerned about someone advocating relations between—

Dr JOHN KAYE: Point of order: This is badgering the witness. It is outrageous behaviour.

The Hon. DAVID CLARKE: I am asking the questions.

CHAIR: Questions must be civil and if witnesses do not wish to answer them they are not required to do so.

The Hon. DAVID CLARKE: So you do not wish to answer that question?

Ms SUTTLE: No. I would be happy to talk to you over a coffee or something like that later, but I do not wish to answer it.

The Hon. DAVID CLARKE: Unfortunately, we do not run this over a coffee.

Ms SUTTLE: I know.

The Hon. DAVID CLARKE: This is evidence.

Ms SUTTLE: But if you are interested I will talk with you later.

The Hon. DAVID CLARKE: All right, but I want to talk about things now. Are you aware of his views about euthanising disabled children?

Ms SUTTLE: Is that really relevant?

The Hon. DAVID CLARKE: I am here to ask questions, with great respect.

The Hon. SHAOQUETT MOSELMANE: Yes, but that is not in the terms of reference.

CHAIR: Order! Can we please keep within the terms of reference, otherwise we will not get positive outcomes.

The Hon. DAVID CLARKE: I will be coming to that. Are you aware that he is known for those views?

Ms SUTTLE: I am aware that he is known for some views, but I do not know whether he is known for those particular views.

The Hon. DAVID CLARKE: You would be aware of some of this because you have put on your website comments made by Reverend the Hon. Fred Nile when he referred to Nazi aspects of some of these people like Professor Singer.

The Hon. SHAOQUETT MOSELMANE: Point of order: The Hon. David Clarke is attacking the witness.

The Hon. DAVID CLARKE: No, I am not.

The Hon. SHAOQUETT MOSELMANE: He should ask the witness questions that would benefit all of us rather than attack her.

CHAIR: Time is running out.

The Hon. DAVID CLARKE: That is right.

CHAIR: Let us keep to the terms of reference.

The Hon. DAVID CLARKE: That is right. Are you aware that Professor Singer is known for those views, or are you not aware of that?

Ms SUTTLE: Which views?

The Hon. DAVID CLARKE: That in certain instances it is okay to euthanise disabled children. Are you not aware of any of this?

Ms SUTTLE: I do not think it is really relevant as everyone has been trying to tell you, so I would rather not answer that question.

The Hon. DAVID CLARKE: Okay. You would understand that parents are concerned that in a course on ethics these sorts of matters may be raised by your volunteers. Would you understand it in that context?

Ms SUTTLE: I do not think those sorts of issues are raised in ethics classes.

CHAIR: That is the answer?

Ms SUTTLE: I think you should talk to Primary Ethics about the content.

The Hon. DAVID CLARKE: And you would be very concerned if those issues were raised?

Ms SUTTLE: I am not going to answer that question; I am sorry.

The Hon. DAVID CLARKE: So you will not answer that you would be concerned—

Dr JOHN KAYE: This is appalling.

The Hon. SHAOQUETT MOSELMANE: Point of order: They are all leading questions.

CHAIR: Members cannot ask individual witnesses for their personal viewpoints. They are here representing Parents4Ethics.

Mr HILL: Thank you, Madam Chair.

CHAIR: I remind all members to stick with the terms of reference.

The Hon. DAVID CLARKE: Can I ask you this question: Are you the coordinator of volunteers in this course?

Ms SUTTLE: Yes.

The Hon. DAVID CLARKE: Are you aware whether any of them are members of the Humanist Society?

Ms SUTTLE: No.

The Hon. DAVID CLARKE: You are not aware, but they may be or may not be?

Ms SUTTLE: No, they have never said they are.

Dr JOHN KAYE: What about the Communist Party?

The Hon. DAVID CLARKE: Point of order: Dr John Kaye wants to be questioner or inquisitor of other members of this committee.

CHAIR: Order!

The Hon. DAVID CLARKE: So you are not aware?

Ms SUTTLE: No.

The Hon. DAVID CLARKE: Are you aware that members of the Humanist Society regard Professor Singer very highly—they have a portrait of him?

Ms SUTTLE: I do not have an association with the Humanist Society and I do not know that.

The Hon. SHAOQUETT MOSELMANE: I welcome you here this morning and I am interested in hearing your views. I had the experience as a child of not attending religious education classes. I was made to sit outside and sometimes I had to pick up rubbish and do the cleaning, or I would play. I lost the opportunity to learn for that hour. What motivated you and 1,000 others to pick up this issue of ethics classes?

Ms THOMAS: I became involved because like most parents I was absolutely flabbergasted and angry that my children were watching videos on a Monday morning during scripture class. They were prohibited by law or departmental policy from participating in any meaningful learning at all. I soon learnt that there were many children in that position. We are not talking only about those children who are of no faith; we are talking about a significant number at my school whose parents are of faith but classes in that faith are not offered at the local primary school. Because of that, Parents4Ethics evolved and we unequivocally supported the trial. We realised that this policy needed to be amended to end the discrimination, and it was.

The Hon. SHAOQUETT MOSELMANE: Why has it taken such a long time for a group of parents to come forward and suggest such a thing when SRE has been in existence for decades, perhaps 100 years?

Ms THOMAS: This has been going on for a very long time.

The Hon. SHAOQUETT MOSELMANE: For a century.

Ms THOMAS: Well, the ethics push has been going on for a long time. There was the St James Ethics Centre, and the Parents and Citizens Federation have been doing it for something like nine or 10 years. We have come in during the pilot because we needed to form a forum where parents could communicate with each other, support each other from other schools. We provided a website with communication and a meeting point for parents. That is why we evolved, and to support the St James Ethics Centre and the Parents and Citizens Federation in their push for the change of policy.

The Hon. SHAOQUETT MOSELMANE: In your view what would be the consequences if the Committee recommended that ethics classes be repealed?

Mr HILL: You would be flying in the face of not only overwhelming parent support for ethics but, more importantly, I find it staggering that I am sitting here being part of a group that is arguing about parents' right to decide for their children in the face of some members of the Committee who believe the Government should be telling us and changing the law to deny us as parents the right to choose what is appropriate instruction for our children. If you consider repealing this provision, which is tantamount to outlawing ethics classes because that would be the intent of the amendment, you would be meeting ferocious opposition from parents right across the State. Because we come here confidently in the knowledge that we represent the overwhelming views of parents of children in State schools in New South Wales.

The Hon. SHAOQUETT MOSELMANE: You say in your submission that there is only a small but vocal group that is active against this. Can you say who that group is?

Mr HILL: This Committee would not be convened if it was not at the behest of the Reverend Fred Nile. We all know that.

The Hon. SHAOQUETT MOSELMANE: But was there anybody else outside of—

CHAIR: Order! I remind all witnesses not to make any personal imputations.

Mr HILL: I mentioned in the introductory comments that the *Sydney Morning Herald* has run a number of polls on this. On 4 August 2010 they ran a poll and 92 per cent of the public supported ethics classes; only 8 per cent were opposed. To our knowledge up until the time the legislation was passed 130 parents and citizens associations all passed motions supporting the introduction of ethics. And to our knowledge, most significantly, no school opposed it. I mentioned that the submissions to this Committee are running over 80 per cent in favour of ethics. We note that the major churches now publicly support the ethics classes.

Bryan Cowling of the Anglican Education Commission said, "I am comfortable with the current arrangements and so is the Anglican Church." He went on to say about the content of the ethics courses, "It is good educational stuff." A spokesman for the Catholic Church—because they had been opposed to the introduction of the ethics trials—subsequently said, "We do not propose any change to the arrangement." They

can live with it. We cannot find any significant opposition in the community to the ethics classes as they are now being run.

The Hon. GREG DONNELLY: Thank you for coming along today to provide the opportunity for us to ask some questions. Your submission was pretty detailed and I am trying to reconcile two aspects of it. On page 2 of the submission under "Evidence of Support for Ethics Classes" there is a part that says:

That the NSW Federation of P&C Associations call upon the New South Wales Minister for Education to amend the policy of the Department of Education and Training to allow secular ethics classes to operate as a complement to Special Religious Education in all New South Wales public schools.

That is from that organisation. Just to be clear, is it fair to say that that statement reflects the position of your organisation?

Ms THOMAS: Yes. Firstly, I took that motion to the annual Parents and Citizens Federation meeting, so, yes, it does.

The Hon. GREG DONNELLY: I want to compare that to another quote on that page. I think this is where there is a bit of tension. I emphasise in that quote the words "as a complement". There is a complementariness there that you endorse. In the first full paragraph it says:

A parent whose child was about to start school commented: "I had a Christian upbringing myself, but I strongly believe that it should not be part of the secular school system and I am amazed that this hasn't been questioned and remedied in the past in this state."

Then it goes on. On a fair reading the part of the sentence that says it should not be part of the secular school system could be read to mean that Christian teaching through special religious education [SRE] should be expunged or extinguished from presentation inside public schools. I think therein lies part of the issue. There is a bit of a contrast in a statement about the complementariness versus what could be seen to be a pretty hardline position. I think this is giving potential grief to people concerned about the ongoing existence of SRE inside schools.

Mr HILL: Mr Donnelly, we are all aware of a large number of people who believe that in the secular State school system there is no room for any of this: If you want your kids to be instructed in religion, take them to church on Sunday. We, however, are not advocating that. We support the current system where time is allocated for scripture, ethics or opting out, and the right of parents to choose. For example, my son a couple of terms ago went to Greek Orthodox scripture because my wife is from that church; he was keen to go and she was keen for him to go and she exercised her choice. We defend the right of parents to send their children to scripture and we would want those parents to support us in our decision to send our kids to ethics. So I think that clarifies our position. We are not advocating the change or the abolition of the current arrangements whereby time is allocated for kids to go to scripture or to ethics.

The Hon. GREG DONNELLY: Can I put it to you that the incorporation of a statement like that from a parent who presumably is a member of your organisation is a pretty definitive statement and it creates confusion.

Mr HILL: I take your point and probably in retrospect we would have been better leaving it out. What we were trying to do, as you can see in that part of the submission, was we were trying to give you a sample of the views of our members. We now have nearly 2,000 parents who have registered on Mr Wyatt's website and they are engaged very actively expressing their views about this, and this happens to be one of them. In view of what you have said, yes, it probably would have been more prudent to leave that out if it has led to confusion. But let me make it clear: We are not advocating any change to the current scripture arrangements or the rights of parents to send their children to the scripture lessons of their course.

The Hon. GREG DONNELLY: On the next page of your submission is the heading "Negligence of SRE and Discrimination Against Ethics Classes". You may have addressed this already in one sense but I would like it reconfirmed. In the fourth line you say:

Shamefully, however, the SRE program has existed since the 19th century as part of the State education system without any review by the Department of Education.

Once again, can I put it to you that the use of the word "shamefully" can be seen to perhaps be provocative in terms of trying to advance your argument about the bona fides of retaining ethics classes in New South Wales? It can be seen as attacking?

Mr HILL: Maybe again, Mr Donnelly, it was an imprudent word in the submission but it has to be taken in the context that here you are, scrutinising the content of the ethics courses and for a hundred years Parliament has never bothered with what is happening in scripture classes. And as Catherine pointed out this morning, a report from Macquarie University—a study into the courses—found that in some of those scripture classes little children were being told they would burn in hell if they did not believe in Jesus. And we think it is shameful that Parliament is inquiring into the ethics classes and not bothering to inquire into that. But, it was not intended to be inflammatory, we probably would have been better to take the word out.

Dr JOHN KAYE: I begin by thanking you and, through you, the thousand and more parents and citizens who volunteer to teach ethics in classes. We all have constituents, as the Chair said. I have a lot of them too and I get incredibly positive feedback about your work and the impact it is having on the children, which is after all what this is about. You represent a thousand people who are in schools teaching ethics, and you would have your ear to the ground. Can you tell us if you have any evidence whatsoever that the provision of secular ethics has in any way undermined the viability of the teaching of special religious education in any school at any stage?

Mr HILL: No, we do not have any evidence—that is the short answer. I know that there are some parents—and this would I am sure worry some of the churches but it is a fact—a close friend of mine who has a son in the same class as my son, and who is a lifelong Anglican and was originally opposed to the introduction of ethics, now proposes that his son spend a term in the ethics class. He says it is good for the kid to be exposed to different ideas and I thought we would all welcome that. But it has not daunted his commitment to the Anglican faith. It is very difficult incidentally. You have to apply formally in writing to withdraw your children from scripture and then apply for them to go into an ethics class and there have to be available spots in the ethics classes as well.

Dr JOHN KAYE: Thank you. I take you to the issue of moral relativism, which is really becoming poster boy for the enemies—the unethical enemies—of secular ethics. Can you comment on, firstly, why it is that your organisation, along with Primary Ethics, rejects the teaching of moral relativism and can you tell us how you can make sure that moral relativism is not taught in your classes?

Mr HILL: That is a question you very usefully ask but after us, and for a longer allocated time, you are talking to Primary Ethics. We have total confidence in the St James Ethics Centre and Primary Ethics and that is a question for them, since they are responsible for the design and content.

Dr JOHN KAYE: I ask this then: Are you confident that moral relativism is not being taught as part of the syllabus in the classes run by any of the thousand volunteers in your organisation?

Mr HILL: It is outside our competence. It is a question you really have to address to the people who design and conduct the courses.

Ms SUTTLE: Dr Kaye, I add to that, our organisation does not represent the teachers, it represents parents. So we do not have such knowledge of what is actually addressed by those individual teachers.

Dr JOHN KAYE: Thank you, I will take your advice and put that question to St James Ethics. You spoke before about the outstanding successes of secular ethics and you would see this from a parent's perspective. Can you outline for the Committee what those successes have been?

Mr HILL: There are no aggregate figures from the education department but the fact that we started with a trial of ten classes in ten primary schools and now the growth has been quite exponential, I know of schools, including my son's school, where they had a waiting list because they were waiting for trained teachers. So just the growth in use of ethics classes by parents is an indication to me of its popularity and success and, in terms of the content, I attach a lot of weight to the independent study commissioned by the New South Wales Government by Sue Knight.

Dr JOHN KAYE: My question is more to anecdotal evidence relating to success, in terms of the impacts on individual children. You all have children who are going to the ethics classes. Can you comment on the impact that those classes are having on your children?

Ms SUTTLE: I can comment from Randwick school's perspective, as the coordinator there. We had one child who I have mentioned in the submission who wrote to the *Sydney Morning Herald* and that was not prompted by anybody. His mother and father told us that it was completely his own idea and his own writing because he was so worried and appalled that the issue of ethics classes was being questioned.

Dr JOHN KAYE: When you look at your own children and the discussions you have with them, are you seeing a greater sophistication in the way they approach issues of right and wrong, justice and injustice?

Mr HILL: I can talk about my son.

Dr JOHN KAYE: That is what I want you to do.

Mr HILL: I think we have all got this problem with our kids, when you ask them what they did at school and what they did in ethics—"Not much"—the universal answer of a primary school kid. But, when pressed on it he said, "Oh, it's good, we discuss what's right and wrong." I think that is terrific.

Dr JOHN KAYE: Are you seeing behavioural changes in your children as a result of that course?

Mr HILL: No, he is 10 going on being a teenager.

Dr JOHN KAYE: I go to the issue which you have raised a couple of times about this current inquiry and our review of secular ethics and the observation that was made that Special Religious Education [SRE] has been operating since 1880 without any independent review. Are you advocating for a situation where, for example, there is a regular review, perhaps a four-yearly independent review, of both Special Education Ethics [SEE] and SRE on an equal footing?

Mr HILL: No, we are not advocating a mechanism. The current guidelines to the schools is quite explicit, that the education department has no involvement in the content of scripture, what is being taught in those classes. All we are saying is what's good for the goose is good for the gander. If you are going to scrutinise the contents of the ethics courses then, in the interests of fairness and consistency, you should be scrutinising what is happening in others. I mentioned the study by Dr Cathy Byrne from Macquarie University.

Dr JOHN KAYE: Whose evidence we will be taking later, you should know.

Mr HILL: Terrific. Then I need not go into it, but as a parent I would be enormously concerned about some of the things that she reports are being taught in scripture lessons. But no, we are not advocating that the Parliament, after a hundred-odd years, starts scrutinising scripture. It is only if you are scrutinising us, we are saying that, in the interests of fairness and consistency, you do it to the others as well.

The Hon. PAUL GREEN: I just want to say that it is very exciting, Mr Hill, that your son actually articulates at least something about his class—mine tend to grunt. I have six children—just to let you know where the experience is—and I understand very much, as a parent, how important it is that our kids get the right foundations in their life. And that may differ for different people, I appreciate that. I do acknowledge the Hon. Greg Donnelly's comments about the issues and I am happy, Mr Hill, that you have also acknowledged that maybe it was not the wisest terminology in some of that writing—the "shamefully" and stuff like that—so I acknowledge that. I acknowledge also that Manning Clark in his great book *A Short History of Australia* notes that back in the 1840s where the churches were having a bit of a biff and did take on education, they were wise enough to say, "We will also make our provision for SRE", basically.

Acknowledging that, I think it is very wise in education, certainly, that we have a holistic approach and a spiritual component—many of us believe we have a spiritual component—and that it is ministered to, in some shape or form. I acknowledge also that the Hon. Shaoquett Moselmane expressed his thoughts on life outside those classes. We can never condone a situation in which someone is put outside a class, and we do not condone that situation. My testimony in terms of my experience with special religious education [SRE] is that I cannot say that I remember every lesson either, and I cannot say whether I was put outside for other reasons.

Dr JOHN KAYE: You certainly were!

CHAIR: Or you are not willing to say.

The Hon. PAUL GREEN: But I will say that, having a tumultuous childhood, special religious education [SRE] was very important to me and extremely significant in my eventually turning over a new leaf in my life, and getting a grip on life. I do see it as extremely important, and that is not to take away from anything that the parents are trying to do here. In noting that, I just want you to know the importance of it. I am glad also to acknowledge Mr Hill's comment—that you are in no way hoping to abolish special religious education.

Mr HILL: Correct.

The Hon. PAUL GREEN: That is a significant point. The third thing I would like to draw attention to is that Mr Hill mentioned about the churches having a soft approach on this. I think that is probably endorsing that we are not pre-empting the outcomes of this inquiry and that it is, as I have just said, just making sure that everything is on track in terms of what we are all hoping for in our kids. In saying all that, can I ask you to build a time line for me of how this came about and how the Government—I think it was Nathan Rees—came to a place where this model was announced, and where we are up to?

Ms THOMAS: I am drawing on my memory from a couple of years ago because we kind of let it all lie when the legislation went through.

The Hon. PAUL GREEN: Sorry.

Ms THOMAS: But, as I said, I think it was a gentleman from Batemans Bay, as the story goes—but I might be incorrect—who brought his concerns to the Parents and Citizens [P and C] Federation. Over the years they have had a lot of concern. I believe you will be speaking to them, so they will be the ones who really have the history tied up. They approached, or they formed eventually, the St James Ethics Centre and they came up with a course that was approved through the previous Government to be trialled through 10 schools across New South Wales. That was done with outstanding success, we think.

We have been talking about feedback, and we got a lot of feedback on that from parents and children. Parents were saying that they could not believe how dynamic the dinner table discussions were after an ethics class, when people were discussing an issue, and the kids were realising that, yes, life does have rights and wrongs but there are also shades of grey. The kids loved it, the parents loved it; it was overwhelmingly successful. Dr Sue Knight did a very positive report, then the legislation was changed, and it was rolled out by Verity Firth.

The Hon. PAUL GREEN: Can I just ask about that? On your website it says that Dr Sue Knight is the lead author of the Primary Ethics curriculum. That is what it actually says—that she is the lead author of the Primary Ethics curriculum.

Ms THOMAS: On our website?

The Hon. PAUL GREEN: I am sorry, on the Primary Ethics website.

Ms THOMAS: Okay. You will have to ask Primary Ethics.

The Hon. PAUL GREEN: I know. My point is that she wrote the curriculum, but she has also written the report. Can you clarify that?

Mr HILL: No. I think what is on the Primary Ethics website is obviously, Mr Green, a question for them. I am unaware of that. My only knowledge and our only knowledge of the doctor is the report that was commissioned by the New South Wales Government and published in October 2010, which the Government described as the independent assessment of the ethics trials.

Ms THOMAS: And I believe that was written by Phil Cam. The original pilot program, I believe, was written by Phil Cam.

The Hon. PAUL GREEN: Right.

Mr HILL: You can clarify that with Primary Ethics after us.

The Hon. PAUL GREEN: Yes, that will be great. We have been talking about year 5 students. I had a quick look at the curriculum, but I would have liked to have had a deeper look. Given your experience, can you tell me whether you think all the children have the capabilities to absorb some of the teaching? Some of it is quite deep.

Ms SUTTLE: I have seen the ethics classes in action a little bit, as a coordinator. They certainly seem to. Yes, they certainly seem to. Some of them in the groups sit more quietly than others, but certainly they seem to be participating in discussion, and they certainly seem to be thinking about the issues that are introduced, yes.

CHAIR: Thank you very much for your time, the submission you prepared, and the time taken to attend.

Mr HILL: Madam Chair, thank you for giving us the time to come and explain our position. We appreciate it very, very much.

(The witnesses withdrew)

(Short adjournment)

TERESA RUSSELL, General Manager, Schools, Primary Ethics, and

SUE KNIGHT, Curriculum Consultant, Primary Ethics, and

LEITH BROOKE, Executive General Manager, Primary Ethics, affirmed and examined:

SIMON LONGSTAFF, Executive Director, St James Ethics Centre, sworn and examined:

CHAIR: Do you wish to make an opening statement?

Dr LONGSTAFF: I think Leith will, thank you.

CHAIR: It is not obligatory.

Ms BROOKE: Firstly, thank you for inviting us to meet with you today to represent Primary Ethics. We are a non-profit organisation that is completely funded by a private sector support. We have two employees and 470 volunteers. We are led by a board of directors who offer their time and expertise free of charge. We were founded by St James Ethics Centre in response to the New South Wales Parliament's legislation to add to the right of children in this State to attend classes in special religious education a corresponding right to attend a secular ethics class during the time set aside for such activities. The primary ethics goal is to provide children with a lifelong capacity to make ethical judgements and to act reasonably. The first ethics class was held at Ferncourt Public School in February 2011. We are now teaching around 4,400 students in 166 schools across the State.

In the 14 months since our establishment we have created the foundations of an organisation that can grow to provide ethics as an option to an estimated 100,000 New South Wales primary school children and their families. This will require a volunteer workforce of 4,300. We have developed a curriculum framework covering the seven years from kindergarten to year 6 and are in the process of developing teaching materials to support the 83 topics in our curriculum. We have 12 volunteer managers who manage the recruitment function, supported by a customised online volunteer management system. We have 15 expert trainers who have designed and developed the training function, including an online learning platform. We have demonstrated support of the general public and would particularly like to acknowledge our wonderful volunteers, the parents of the children we teach, and will teach, and the philanthropic organisations and corporate sponsors who have so generously supported us to date. But most pleasing of all, and the reason that we are here, is that after just one year we have already taken thousands of New South Wales children for 30 to 45 minutes each week and given them something meaningful to do with their time. We are happy to answer questions that the inquiry may ask of us.

CHAIR: I begin by asking about the recruitment of your volunteers. Will you give us a rundown as to where they come from and their backgrounds?

Ms RUSSELL: I look after the recruitment and training of the volunteers. Our volunteers come from two areas: they are parents who want to get ethics started in their schools or they are people who have an interest in ethics or philosophy who think this is a fabulous idea and want to get involved in the program. In the first lot of training that we ran in February last year we had a volunteer who came down from Alstonville in the north, another up from Batemans Bay in the south, and we have had someone drive up from Wagga Wagga to attend training. So we have got people from all over the State of varying ages and they come from all walks of life. Many of our volunteers have one degree, an astonishing number have several or PhDs. So they are quite highly educated themselves in a range of areas. The last time I checked the youngest we had was 24 and the oldest 75.

CHAIR: Where teaching tools have been requested, have there been any formal requests on behalf of any of the churches providing the special religious education [SRE] classes?

Dr LONGSTAFF: Yes.

Ms BROOKE: As a policy we make our curriculum and the teaching materials freely available to any SRE provider on the basis that they will be used in the SRE lessons. So far we have provided them to—sorry, just bear with me.

Ms RUSSELL: Can I answer, quickly?

Ms BROOKE: Yes.

Ms RUSSELL: The Anglican Church, the Uniting Church, Buddhists—which I think is the Buddhists Council of Australia—and last week the Baptist Church of New South Wales also asked.

CHAIR: Do they formally make a request in writing?

Ms RUSSELL: They request in writing on their letterhead. We reply and send them the materials. The ones that asked early last year, we sent them the initial materials and we continue to send them the new material as it is written.

Dr LONGSTAFF: If I could just add to that? When those materials are provided they are provided for their unfettered use. For example, some of the lesson material would be best shaped for their own environment to add scriptural references, whatever their tradition, to bring their own theological perspective to bear. They are at liberty to do that. There is no limit on what they do. The only thing we ask them to do—and there is a kind of prudence in this—is when people do receive them that they undertake only to use them for the SRE classes. That is because all of this has been developed in New South Wales with a much larger context: the debate about whether or not to introduce it, the creation of volunteers, having adequate training and all the rest. So although the curriculum framework itself is a generally public document, the actual lessons themselves are provided with an agreement from the other side that they will only use it for this purpose, so that it is not suddenly being used outside of the context within which it was developed.

CHAIR: Do they have to sign?

Dr LONGSTAFF: They formally enter into an agreement that they will use the material for that purpose.

CHAIR: Are remote and regional students accessing any of your online tools, because I know you are developing the online system?

Ms BROOKE: The online tools are for teacher training at this stage, and in 2014 we hope to roll out an online classroom option for children in small schools or regional schools that we cannot create a classroom for.

Ms RUSSELL: However, there are some schools in regional Australia where there are face-to-face classes being held, in quite a few schools.

CHAIR: You state as one of your measurement systems that face-to-face classes are established for 83 per cent of students, 800 schools, and you wish to progressively increase the number of schools and classes until you reach 800 of the largest. You did quote your outreach now. What are you on now?

Ms BROOKE: One hundred and sixty-six schools and 4,500 students. Four and a half thousand students only in years 5 and 6. When we roll out down to kindergarten that will increase those numbers in that school system.

CHAIR: In what time frame do you think you will reach that? It is a pretty onerous objective.

Ms BROOKE: By 2017 is our estimated time of being fully operational.

The Hon. SARAH MITCHELL: I want to go a little further into the discussion about regional schools. Do you know, in terms of a breakdown of the 144, how many would be outside metropolitan areas, or is that something you could provide on notice potentially?

Ms RUSSELL: It is something I could provide on notice but I understand the Department of Education has done a breakdown. We are a staff of two so we do not have the time. There is a map on our website—that is not completely up-to-date but it was up-to-date in November last year—and that has a little flag for every school that has started. So you can look at that and see, and it is true to say that most of our classes are running in the Sydney metropolitan area, Newcastle and Wollongong, wherever the population is. It is pretty much a reflection of where the classes are being held.

The Hon. SARAH MITCHELL: You mentioned potentially the capacity to use your online tools in the future. That is something that you are obviously quite committed to working towards so that you have that equal access, whether the students are in regional or metropolitan areas.

Ms BROOKE: Absolutely.

Ms RUSSELL: Just on the point of why we are only going to 800 schools when there are 1,600-plus schools in New South Wales is a lot of the schools are very small and you need to actually have enough children in a class to sit down and develop this community of inquiry and you cannot do that with one or two children who opt out of religion in a lot of these small schools. So at the moment—we have been going for 14 months—we are going to the schools where we have volunteers and where there is enough people to make a class.

Dr LONGSTAFF: As you point out in the question, the online tools are remarkable. You think about all the schools in an area involved and the opportunity for collaborative learning. As it is also, as was said before, for developing the skills of teachers where you can post—I mean, the best schools are now recording model lessons and you can analyse what is happening and generally in education the advancements which the technology are offering. In fact, I think if you look at the NBN and the investment in it one of the truly wonderful things that might come from that will be an equality of education and collaborative learning for everybody across the curriculum, including this area.

Ms BROOKE: In terms of access we are seeking specific funding to get from private sources to implement a disadvantaged schools policy as well so that we can actively teach in those schools.

The Hon. SARAH MITCHELL: I turn quickly now to the training of your teachers. I know you talk about it on I think it is page 10 of your submission. If I were to come to you with an appropriate background in ethics and I tick the boxes, what would be the process that an individual goes through, that I would go through, for example, if I wanted to become a teacher through your program, just in simple terms for the benefit of the Committee?

Ms RUSSELL: First of all, to come to us you will have gone onto our website and read the position description about what is required to be an ethics teacher. You will have filled in an online form at www.primaryethics.com.au. If any of you want to volunteer, we would love to have you, if you have the time. Time is a big thing. So the procedure then is that if you have applied in a school where the program has already started there will be an ethics coordinator, who is a volunteer, and that volunteer will get an email generated by an online human resource information system and that email will say you have someone who has applied. So that ethics coordinator will look at your CV, which you have uploaded, and your paragraph about why you want to become an ethics teacher, and will decide whether or not they would like to interview you. To date we have not rejected anyone without meeting them. So unless there is some incredible reason, you will get an interview.

There is an interview template so we ask questions during the interview around specific issues about background, about attitude to experience with kids and teaching and learning, interest in ethics, attitude to religion, and the attitude to religion is one of the things we actually interview for is if there is any hostility towards religions. We actually reject people on that ground because there is no room for that in any school, let alone our organisation. The interview will conclude, we will see your photo ID et cetera. If you are still keen to go ahead after we have talked to you and told you all about the training and everything that you have to do, the ethics coordinator will ask their volunteers manager, who are like, call them regional managers who look after different areas, and they will online send their recommendation to recruit you or not.

The volunteers manager reviews that application online and if there are any questions about it they will discuss it with the ethics coordinator. Some people's CVs and interview notes just jump off the page and you go, "They'll be fantastic" and others you go, "We'll have a chat about that". So it is up to the volunteers managers to do that, and they reject or approve someone. The applicant is notified that they can continue down the recruitment process and they then have to undergo—we have a check list of things that need to be done. One of them is we do a police check on all of our people who are going to be ethics coordinators or ethics teachers. We will have seen their photo ID. They have to sign a Working With Children Student Volunteer declaration and that has to be uploaded onto our human resource information system, known as our volunteers management system.

They have to read the Primary Ethics Guidelines for volunteers, and they have to sign and have witnessed an ethics teacher engagement form, which is a form that says that they will teach the curriculum in the way that it was written and that they do not have any criminal history. It is whatever the legal requirement is for that. They then do an online course called Shining a Light on Child Protection. It takes between two and four hours to complete, and that is the child protection section of our training. They have to book in and attend face-to-face training, a two-day training course. That is either two consecutive days or possibly two days in consecutive weeks and have performed well in that. Sorry, prior to getting to that they have to do an online introductory course and then they do the two-day training course and then they meet with their ethics coordinator and the principal, get allocated a class and turn up.

The Hon. SARAH MITCHELL: So it is fair to say it is a very extensive process that they have to go through in order to do—

Ms RUSSELL: We think it is a very thorough process. Some applicants find it onerous but we do not care because we think it is really important to screen people who are going to be working for us and who will be impacting the lives of children.

The Hon. SARAH MITCHELL: I have two quick questions. The first relates to your key performance indicators that you talk about on page 11 of your report, particularly in relation to the high level of parent and child satisfaction and you say that surveys will be conducted to measure parent and children's levels of engagement and satisfaction. Is that something you plan to do or something that you are doing at the moment?

Ms BROOKE: We have already carried out some informal surveys and we have got over 200 responses to that. The surveys showed very positive results but we would like to engage with universities and experts in the research field to develop formal measurement approaches. For what it is worth, 97 per cent of those parents say they want their children to return to ethics.

The Hon. SARAH MITCHELL: That certainly came through from the previous witnesses from Parents4Ethics as well. I am sure some of my colleagues will go into more detail about the curriculum, but having only just received it this morning—I look forward to looking through it further—and understanding the reasons we have it only today, you talk in your submission about the approval process for the curriculum. Could you tell us a little about how the content of your curriculum is approved and whether it is meeting the objectives you are setting out to achieve?

Dr LONGSTAFF: Generally, the drafting process goes through. Sue Knight can talk more about that. There is a primary ethics process and a board curriculum subcommittee reviews it. It is looking to see that it is appropriate in our view for the balance of different perspectives that we wish to ensure are there. You would have seen that. We have various philosophical conditions being explored in the course of the material that is developed. There is a refinement process to make sure that it is taken and presented in a way best suited for the teachers and students. And, of course, there is the additional age-appropriateness test, which is provided by the department and makes comment about those things. The material can be adjusted according to that. By the time it is finally released it has gone through quite an extensive review process.

The Hon. DAVID CLARKE: Dr Longstaff, you come here today as someone who is widely and highly regarded as an expert in the field of ethics.

Dr LONGSTAFF: Thank you.

The Hon. DAVID CLARKE: You would have heard the evidence of previous witnesses today?

Dr LONGSTAFF: Yes.

The Hon. DAVID CLARKE: You would have heard said by a couple of those witnesses that they had concerns about some of the things that are taught in religion classes?

Dr LONGSTAFF: Yes.

The Hon. DAVID CLARKE: They referred a couple of times to the teaching to young children of people going to a burning hell and so forth. Obviously, everybody would be concerned about that. You also

heard me raise the issue of Professor Singer. I am sure I would be right in saying that you would find very obnoxious the sorts of views that he has put forward in some areas? You would be aware of them?

Dr LONGSTAFF: Yes, absolutely.

The Hon. DAVID CLARKE: So you agree with me and you are not afraid to say—

Dr LONGSTAFF: I am not at all afraid to talk about it. No, I am happy. I know his work and I know the man and I think he is mistaken in a number of ways.

The Hon. DAVID CLARKE: That is right.

Dr LONGSTAFF: But that happens in philosophy.

The Hon. DAVID CLARKE: That is right, so you are quite prepared to go on the record?

Dr JOHN KAYE: It happens in politics too.

Dr LONGSTAFF: I am.

The Hon. DAVID CLARKE: You are not saying "I prefer not to comment"; you are very clear on that?

Dr LONGSTAFF: No. I am very happy to answer any question you have.

The Hon. DAVID CLARKE: He is a major figure in the world of ethics and, therefore, just as we heard previous witnesses express their concerns about what might be taught in religion classes, you would be able to understand that there would be a concern to ensure that the obnoxious views of people like Professor Singer were not being taught in ethics classes? You have designed a course to ensure that those sorts of views do not come in, but you understand the concerns of people that those views would not be taught in these ethics classes?

Dr LONGSTAFF: Yes. To be specific about it, the general approach we take, I think all of us in this space, whether we are teaching special religious education or ethics classes, we have a proven and proper regard for the welfare of the children who come in and we would make every effort to ensure that the views being taught by the teachers in those classes are not some idiosyncratic expression of their own opinion, where they just say, "Well, I can come in and say whatever I want to say." Instead, they are in line with the framework that has been developed. If you have someone teaching SRE, you want them to operate within the religious tradition. For example, if somebody was teaching Christian ethics, you would not want them at that point to be advocating positively, if you like, for a Buddhist or Islamic perspective. You would say, "No, you've signed up to teach Christian SRE. You should do that." In the same way if you come in to teach ethics classes, you are not there to say whatever you want. You have to operate within the curriculum.

As Ms Russell mentioned, one thing you commit to do as an ethics teacher is to be bound by the framework. To anticipate where the question might go, if a person had a lifelong commitment to the philosophy of Peter Singer, they had read everything he had written and had adopted wholeheartedly every view he ever expressed—I should say in his defence, his views have evolved over time—then could you come along and say, "Well, today I've decided to roll up my sleeves and go the full Peter Singer line"? No, you could not because that would be to breach the contract you have with primary ethics to teach within the curriculum, which has been developed.

The Hon. DAVID CLARKE: So you understand very clearly, quite obviously from what you are saying, concerns people might have about that just the same as previous witnesses had concerns about what is being taught in religious classes?

Dr LONGSTAFF: Or anything else that was being driven by an intention, whatever its basis, to fall outside the parameters that have been used to inform the creation of that curriculum.

The Hon. DAVID CLARKE: I quote from an ethics article in *Funk and Wagnall's New Encyclopedia*, a very populist encyclopedia that talks about good conduct for which ethics aims. It states, "Depending on the

social setting, the authority invoked for good conduct is (1) the will of God; (2) the pattern of nature; (3) the rule of reason." You could accept that statement in general terms?

Dr LONGSTAFF: Yes. I think when we look at the definitions of ethics, even those that appear in august volumes like that, there is still room for some debate about what constitutes the differences. But generally, if you look in the traditions that have occurred, particularly in the western tradition with which I am most familiar, not exclusively, you will find that those are generally taken to be the sources.

The Hon. DAVID CLARKE: So that is not an unreasonable statement and the social setting in which we find ourselves in Australia is one where the great majority adhere to some type of religious belief, according to the Census?

Dr LONGSTAFF: Yes. I am not sure exactly how the figures fall.

The Hon. GREG DONNELLY: Thank you for attending today and providing us with the opportunity to ask you some questions in regard to your submission. It is a very good submission and it was good to be able to read through it. The attachments of the interlocutory discussion between you and Gerard Gleeson over the whole debate about ethics was very useful and helped me frame my thinking as I read through the issues. If I could return to what might be seen as the first principle issues and try to clarify it. In the distinction between the teaching of ethics and the teaching of morals, part of the reason for opposition, as I discern—people who oppose it can speak for themselves—is that what might be discussed and considered in classes could be seen to lead to examples of the way in which young children should behave or act in their lives. Unlike a science, social studies or maths class where the education curricula is internalised, the concern of many parents about this particular issue is that it can inform and lead to behaviour of people. In the same way it could be argued that SRE could direct behaviour, so could this. Is the distinction made with young people about ethical and moral decisions or is that, with respect, deemed to be too complex a matter at that early stage of their lives and is left for consideration perhaps at a later point?

Dr LONGSTAFF: I might ask Sue Knight to speak about this. Do you want to have a crack at this first? I can go first if you want or do you want to begin, in terms of the complications? There are a couple of different elements to your question.

The Hon. GREG DONNELLY: Yes.

Dr LONGSTAFF: One is the difference between ethics and morality, which I am happy to speak to. The second is about what you are intending to do in the model we employ where the way it is taught has considerable ethical substance in itself. And then there is the third element, which is, is it possible for children of the age, which is one of the questions that Gerry Gleeson raised as following on from Aristotle, for children to actually engage in this education. Maybe if you start with that?

Dr KNIGHT: There is a popular misconception that pre-adolescent children cannot reason at a high level and are not really capable of making sophisticated distinctions.

The Hon. GREG DONNELLY: Choices?

Dr KNIGHT: Yes. That comes from Piaget and his work in the first part of the twentieth century. I can say quite confidently that while psychologists still respect the work he did, in the time since he did that work they have shown quite conclusively that he was wrong, that invariant stage theory that he proposed is false. He made a mistake in that he did not distinguish reasoning skills from a knowledge base, and once those distinctions are made and once children have a knowledge base they can reason within that area of knowledge. There has been a lot of work done over the last 20 or 30 years which shows that once they have that knowledge base—we are talking about four-year-old children—they can reason syllogistically and engage in deductive reasoning.

The Hon. GREG DONNELLY: Thank you. The question was: Is the distinction made in the teaching of the children about the difference between moral and ethics? Is the distinction explicitly discussed?

Dr LONGSTAFF: If we mean by the same thing the distinction in that ethics—a purely moral code which emerges in response to the question "What ought one to do?"—can be taught as something which is to be applied without reflection but simply as a matter of day-to-day application or habit, whereas ethics by its very

definition, at least in the Greek tradition going back to Socrates, is about an examined life; it is about reflective practice. Everything about this program is to encourage that kind of reflective practice within a range of different modes, some of which Mr Clarke referred to; for example, issues to do with duty, issues to do with virtue, issues to do with consequences, which are three of the traditions which are there. We want the children not merely to be told something with which we might all agree—a statement that stealing is wrong. It is a very problematic issue then to say, "What do you do?" I gave one example in the document about what you say to the person whose children are starving and they find fruit rotting in an orchard of a person who has as much to eat as they want. If the person takes that fruit is it stealing and is that wrong? That is a problem. People like John Locke say no, you have no property in an unusable surplus. There are debates about this. You want them to have a basic understanding of these things and within the tradition of reflective practice, which itself requires moral courage, responsible engagement, honesty, respect for others—all of these substantive notions—to be then thinking about why they believe the things they do.

The Hon. GREG DONNELLY: Thank you for that. I appreciate that point well made in your submission about the framework, which is essentially a psychotic framework which underpins the teaching that has been developed. I refer to your summary of curriculum for year 3 that is appended to the Primary Ethics submission. I am happy for Dr Longstaff to share in this discussion. It is a little provocative but I put this to you: I refer to the "diversity and tolerance" heading in term 3. Let us assume a bright young child wanted to challenge the discussion and stretch the limits of it and the issue of cannibalism was raised and there was a discussion going on about diverse cultures, practice and history, and talking about diversity and accepting customs, practice and traditions. What if the child piped up and said, "What's wrong with cannibalism? I have read history and found this stuff searching on the net." In the context of the discussion that is being led—as I understand it they are non-directive discussions that the volunteers are taking—obviously that would stimulate some discussion within the group. How would that be tackled as an issue? You have this juxtaposition of an absolute position that a number of us would take, that killing another human being is wrong, versus the issue of cultural diversity.

Dr LONGSTAFF: Cannibalism and killing are not the same thing. The eating of the body of another human being, which is cannibalism, does not require you to have killed them. They could have died.

The Hon. GREG DONNELLY: I know.

Dr LONGSTAFF: Just to make it clear, if the debate on cannibalism became a debate about whether it is ever right to murder then I do not think in that situation people would be saying, "Are there any circumstances in which you would eat the flesh of another person like they did on the Andes?" That would be a different kind of conversation.

The Hon. GREG DONNELLY: I am not trying to be clever. I am trying to delve into the profound nuances and levels and layers of complexity that some of these issues can bring about. If there is a discussion going on and a young kid pipes up and talks about cannibalism, how is that managed in a class?

Dr KNIGHT: It is not quite true that the discussion is undirected.

The Hon. GREG DONNELLY: I said "non-directed".

Dr KNIGHT: Okay, it is not true either that it is non-directed.

The Hon. GREG DONNELLY: I apologise. What is it then?

Dr KNIGHT: The teacher has an understanding of various arguments which have been put throughout the history of philosophy on such issues. One of the roles of the teacher is to draw children's attention to those arguments, not by writing them on the board and saying, "Copy them down", but when the child raises a point like that the teacher thinks, "Ah, here's a chance. I can ask a question which will make the child think about this argument." That is what the teacher does through her questioning. We call it asking substantive questions, not saying, "This is the case", but questions which draw the child's attention to a substantive point that has been made by a philosopher in the past in terms of the particular example that is being used.

The Hon. GREG DONNELLY: In that case if it ever arose in a discussion it would not lead to the teacher, the volunteer, actually saying that cannibalism is killing and something that we, society generally, do not accept?

Dr KNIGHT: The teacher would ask the question of the three-year-old: "What has to happen for someone to be a cannibal?" The child would say, "He has to kill someone." The teacher would then say, "Is there anything wrong with that?" or probably a more sophisticated question than that. It is a chance for children to see not just that cannibalism is wrong but why it is wrong.

Dr LONGSTAFF: If the point of the question is, "Could a child at the end of the conversation walk out thinking killing someone so you can eat them might be okay", the answer would be no. They would have a sufficient suite of reasons to understand that.

The Hon. GREG DONNELLY: Would they be told it is wrong by the volunteer?

Dr LONGSTAFF: I think they would have reached that conclusion by the context within which it is being done. If you had a more sophisticated conversation, say, at a later period where they are asking what should those people have done on the Andes—I have met one of these guys who ate the rugby team in order to survive and knew they were engaging in cannibalism—it is a different kind of conversation. It was the result of accident and a matter of survival.

The Hon. SHAOQUETT MOSELMANE: In relation to comments made earlier by Parents4Ethics, they moved a motion in 2010 at the NSW Federation of Parents and Citizens Associations conference calling on the Education Department to amend the policy and allow secular ethics classes to operate as a complement to Special Religious Education [SRE]. Do you see that as a complement to SRE—

Dr LONGSTAFF: Absolutely.

The Hon. SHAOQUETT MOSELMANE: —or is there clash?

Dr LONGSTAFF: It is a complement. It is almost 10 years ago that parents first raised this. As I mentioned in the Ethics Centre submission, these parents were not anti-religion, there were people there who were of quite strong faith whose faith group could not offer special religious education [SRE]. There were those of quite strong faith who simply wanted to have their children educated in their faith in a context other than the school and there were those who were indifferent to religion. It is quite a broad church, if I can use that term. What they said was: We know that within SRE lots of things are being taught some of which is to do with ethics and about how you answer these questions. We do not want our children to have the theological components that belong to a particular faith within that context but we do want to know if it is possible to have those things around the ethical questions being explored so that part of what is being done is meaningfully offered to our children who are not attending SRE. That is why it is a complement. You have both groups looking at ethical questions and SRE does a lot more than that just that. In that sense it is complementary. Certainly the St James Ethics Centre's position has been, from the start—in every blog, interview and conversation—that this is not about dislodging the place of SRE, it is simply about providing a meaningful option for those who do not go.

The Hon. SHAOQUETT MOSELMANE: The reason I ask that question is because when I read your submission on page 14, for example, you seem to be comparing yourself as the "thinking" as opposed to the "unthinking". I refer to the first paragraph where you state: "Forming an unthinking moral opinion" and "blindly accepting moral authority"—

Dr LONGSTAFF: Blind acceptance of authority.

The Hon. SHAOQUETT MOSELMANE: And that philosophical ethics encourages students to use their reasoning. You seem to be putting yourself as the thinking, which is the ethics, and the unthinking which is a religion. Is there a clash?

Dr LONGSTAFF: No, not necessarily. You can see an exchange that I had with Gerry Gleeson, who is a Catholic priest: plenty of people within the religious tradition are thoughtful and reflective. But it is also possible within those traditions to have an argument put that you do it simply as a matter of obedience without any necessary reflection. That is a tradition that people can work within. What you find in ethics is it does not allow for that possibility. At its very essence it is about that notion of an examined life. How we come to have that capacity, as I said in my exchange with Father Gleeson, you can have a religious explanation of that if you want. It is a "this world" kind of fact about the human condition. Do you wish to add anything?

Dr KNIGHT: Yes. I think it is not just a religious view which can blindly appeal to authority; it is all sorts of other things. You can appeal to the authority of law unquestioningly as well. I was thinking about this yesterday and I remembered that the first school in South Australia to bring in a philosophical ethics was a Jesuit school.

The Hon. SHAOQUETT MOSELMANE: If a child says to a teacher, "My parents believe in God and I believe in Jesus and to what do you think, sir?", how will that teacher respond?

Dr LONGSTAFF: They are entirely welcome to say that.

The Hon. SHAOQUETT MOSELMANE: What would be the response of the teacher who is teaching ethics when a child says, "I believe in Jesus and my parents teach me that there is the existence of God"?

Dr LONGSTAFF: It certainly would not be to attack that statement. You would be looking to see how is that being applied within the context of an open discussion in relation to the lesson at hand. It is not as if these lessons have been set up so they exclude a religious world view. There will be people who bring precisely that kind of thinking to bear in the course of their discussions and they are entirely welcome to do so providing that they do not then say, "And no one else can have any other view about this argument. It is settled." And now I am going to shut you down. They have to be open to the same kind of discussion where somebody says, "I belong to a different religion and we do not have that view", or they want to question it. It is not about excluding it: It is simply about not privileging that to the exclusion of all other views.

Dr KNIGHT: Can I add, I do not think the belief or non-belief in God is the issue, it is what other ethical beliefs that leads to.

The Hon. SHAOQUETT MOSELMANE: I was interested in what the response would be from the teacher teaching kids of a religious background in an ethics class.

Dr LONGSTAFF: Entirely welcome.

The Hon. SHAOQUETT MOSELMANE: Given that our Australian community is multicultural, is your curriculum translated into different languages that access other communities that may be interested—Arabic and Chinese for example—in having their children enter this course? Secondly, why has there been a large increase in the number of volunteers to your group?

Dr LONGSTAFF: As to the translation, that is not a prospect at the moment because we do not have the resources to do it. I have been involved with translation before and it is a notoriously difficult thing. You have to have double translations to get it perfectly correct. If the means were available and there was a demand from communities there is no reason in principle not to do it, just as other forms of education material are brought into other languages for easy access. Do you want to answer why you think there has been an increase in volunteers?

Ms RUSSELL: Every time this issue hits the papers we get a blip in volunteering - it goes up. Or, any time it comes up as an issue in a school you will get people who volunteer in that school to get ethics classes started. People are invariably highly motivated to get the ethics class started in their schools.

The Hon. SHAOQUETT MOSELMANE: The rumour is that ethics is alternate to special religious education [SRE]. I know you said it is not a clash, it is complementary. Is it an alternative and if it was recommended that the one hour class be reduced to 45 minutes what would be your response?

Dr LONGSTAFF: It is not an alternative. It has only ever been an alternative to doing nothing. The first choice the parents make is whether or not they are going to SRE or not, and if they do not that then they have a second line choice about whether they do nothing or whether they do ethics classes. Its content is complementary in the way I described before. As to the time, we have not sought to change that. There is a good faith element in that, that schools make reasonable time. It has to be educationally valuable. If somebody in the school thought they were to game the system by saying up to one hour means five minutes that would be so against the spirit of the thing I think there would be a proper degree of outrage across the community whatever was being offered. You need to engage with children—what do you think Dr Knight—a minimum of 30 minutes?

Dr KNIGHT: Yes. I prefer 45.

Dr LONGSTAFF: Yes, 45 minutes is the better amount of time. I do not know what the special religious education [SRE] people find, as to whether they struggle with 30 minutes or less, it is probably quite hard for them given the complexities of the issues they are dealing with.

Ms RUSSELL: Can I clarify to this Committee that although the legislation says up to one hour is devoted in each school to SRE in a week, in practice that invariably means 30 minutes for kindergarten to year two and then 30 minutes for years three to six in a primary school. That is solely driven by the fact that there are not enough volunteers to run a one hour class. The religions will tell you that. There are a lot of scripture teachers as well as ethics teachers who would love to have more than 30 minutes with the kids but in practice they get 30 minutes. As long as it is 30 practical minutes and not 10 minutes of kids dawdling in, that is also the spirit of the law being upheld.

The Hon. PAUL GREEN: Just in regard to the Hon. Sarah Mitchell's question: Can the Committee be provided with a copy of the survey distributed to parents and the results? That can be taken on notice.

Ms BROOKE: Yes.

The Hon. PAUL GREEN: In terms of the primary ethics submission 156, page 17—we covered this with the previous witnesses—churches and faith-based groups to date—Anglican, Baptist, Buddhist and the Uniting churches—have requested to receive the lessons. Was that the lessons or the curriculum? The web site refers to where primary ethics state they will provide curriculum to New South Wales faith groups. What has been provided to faith groups when you talk about that?

Ms BROOKE: To clarify, the curriculum is on the web site already. The teaching materials are what we have given you today.

The Hon. PAUL GREEN: They get the full package?

Ms BROOKE: Absolutely.

The Hon. PAUL GREEN: Dr Knight, I note your report and I also note on the website of Primary Ethics that the curriculum author is yourself.

Dr KNIGHT: That is right.

The Hon. PAUL GREEN: Full credit to the curriculum writers: it is very interesting writing. Did you write the curriculum and then report it?

Dr LONGSTAFF: Maybe if I were to explain.

Dr KNIGHT: That sounds bad.

Dr LONGSTAFF: It is fair question. What happened in the history of it is that when the trial was commissioned for 10 weeks in 10 schools the Department of Education sought and appointed without any reference to us or anyone else Dr Knight to conduct an independent evaluation of a curriculum which she had no hand in developing.

Dr KNIGHT: No.

Dr LONGSTAFF: It had been developed by Professor Philip Cam and then it was implemented on that basis. Dr Knight then wrote a report. The report was published. It was not entirely complimentary of what we had been doing. It said largely good but Dr Knight can speak to this herself but there were things as you might reasonably expect which could be subject to improvement. That was then taken on board and when we then came to look at "How do we get a curriculum which the department itself had identified a leading expert to evaluate?" Given the quality of the insight into what was being attempted, and Dr Knight's own reputation, we felt for the next phase when we build out the whole thing, let us go to an acknowledge independent expert and bring them on board. There was not any conflict in that process.

The Hon. PAUL GREEN: The committee received this curriculum today which is extremely disappointing because I was looking forward to scrutinising and understanding it. Are you opposed to the ethics course being given its own allocation of time in the teaching curriculum?

Dr LONGSTAFF: Yes, the reason for that is to do with the question of justice which gave rise to it.

The Hon. PAUL GREEN: Not at the same time—

Dr LONGSTAFF: I think you said at a time other than when SRE is being offered. The issue was never about trying to fill a deficit in terms of what was taught in the schools because a lot of good work is already being done within the school curriculum as part of mainstream education. This extends on that good work. Rather, the problem that this started with was that there were, for many decades, children being apart during the period when SRE was being held, engaging in, in you like—it was not a complete waste of time but it was not meaningful activity of the kind that was being offered, even remotely of the kind that was being offered to those in SRE.

If you were to take ethics classes and say "We will find another period of up to an one hour a week which does not occur at the same time SRE does" then you go back to the problem you started with which is a group of children whose parents have made a conscientious decision, who are sitting there engaged in non-meaningful activity once more. The better thing to do in our view and in our submission to the Committee, and it has always been the argument from the beginning, was to say "Let's find those things which are of benefit within SRE to children which everybody could have access to without the more disputed theological elements which different faith groups and different types of people would disapprove that and provide that for all." Then to ensure that no student in New South Wales is disadvantaged, make sure that if there is any—and maybe people of faith do not see any—value in the ethics classes at least give it to them, let them be able to adjust it, and to the extent that it is of value, incorporate it into their material so they can enrich what they are doing.

In that way you have got every child in the State meaningfully engaged. I would have thought of all the things that might be done actually to underwrite the long-term viability of SRE in our schools is to ensure that every parent and every student finds a meaning in that time. What happens is, if you have a separate time, all of a sudden you go back to the problem and people will say "Let us scrap the whole approach".

Reverend the Hon. FRED NILE: Thank you for your cooperation with the inquiry, I appreciate it very much. You mentioned that some of the churches have asked for the curriculum. Is that for the purpose of using it or to evaluate it? I understand that some churches were concerned about the content and asked for copies? Are they evaluating or using the curriculum?

Dr LONGSTAFF: Logically they probably have to do both. They are not required to use it willy-nilly just because it has been written and they have asked for it. You may want to ask them, but I think the logic of it would be that they would say, "Let's have a look at it. Let's see if there is anything in it of value for us and then to the extent that it is value for us, amend it as we think to bring our own perspective from faith to bear upon it. We will or will not use those parts." We have not put a pre-condition upon them as to how they use it or whether they use it, simply that they do not use for purposes other than within the educative activity of SRE.

Reverend the Hon. FRED NILE: I understood that some churches are evaluating it and not using it.

Dr LONGSTAFF: They might look at it and say "It is not for us" which is obviously the evaluative process they would have to go through.

Reverend the Hon. FRED NILE: They are evaluating whether it is suitable to be taught in ethics courses in the schools?

Dr LONGSTAFF: I do not think any of the faith groups have sought to set themselves up as an independent, kind of, agency to determine what would be taught in ethics classes. I cannot imagine the Catholic Church, for example, looking at the Anglican curriculum and saying, "We would like to see whether or not the Anglicans are allowed to teach that. I do not think that is what they are doing because that would be taking a step too far.

Reverend the Hon. FRED NILE: In answer to an earlier question Ms Brooke said that the curriculum is on the website. The curriculum is not on the website.

Ms BROOKE: I am happy to send you the link.

Reverend the Hon. FRED NILE: No, it is not on the website. There is the curriculum framework.

Ms BROOKE: That is what we define as the curriculum. We have given a copy of the teaching materials to your colleague, the Hon. Paul Green.

Dr LONGSTAFF: The distinction is between the curriculum which is a framework, and the teaching materials, the lessons.

Reverend the Hon. FRED NILE: The curriculum framework is on the website.

Dr LONGSTAFF: Yes, that is the curriculum as opposed to the teaching materials.

Ms BROOKE: May I clarify that the materials you have represent only terms one and two for year 6, and terms three and four for year 5. When we have fully developed the teaching materials to accompany the curriculum you can imagine will be very high.

Dr LONGSTAFF: You have everything that is developed.

Reverend the Hon. FRED NILE: But these documents are not on the website.

Dr LONGSTAFF: Just to go back to explain that Reverend the Hon. Fred Nile. The reason for that is that we have been cautious not simply to take all of the lessons lock, stock and barrel and just dump them onto the website because then they would be available to be used in a context beyond that which we could adequately control. I think Ms Russell gave a pretty extensive account of the care that we take in terms of the selection of teachers and the understanding and the way it has been presented and things. Just to put up there would be, I think, irresponsible. What we do is for those that are thinking about using it, like the faith groups, they get all of that other material. They get more than just what happens to be on the website. You can speak to, say, Mr Cowling from the Anglican Education Commission and others who get the full lot as it is developed.

CHAIR: For the knowledge of members, individual members will give back their copy today, but a master copy will be kept by the Secretariat and all members are entitled to peruse it ad nauseam. We are not trying to keep it secret.

Ms BROOKE: We also provide these lessons for the Department of Education.

Reverend the Hon. FRED NILE: Dr Knight and Dr Longstaff, has any thought been given to changing the name of the course in view of Dr Knight's statement in her report that it is really a course in philosophical ethics or a morally philosophy based course? Some parents think the children are being taught in ethics what is right and what is wrong, that is, a moral ethical code.

Dr KNIGHT: It is not up to me to change the name of a course. I do not know of any move to do that.

Ms RUSSELL: We attempted to call it "philosophical ethics" but the Department of Education said that we could not and it was called by it "special education in ethics" to reflect that it was on at the same time as special religious education. We submitted that we were teaching a course of philosophical ethics and that was changed by the department.

Dr JOHN KAYE: I apologise for having to duck out, so if any of the questions I ask have been asked already please tell me. The first question I want to ask is about the issue of moral relativism, which has, in many senses, become the poster boy of the unethical enemies of ethics teaching in schools. In your submissions you go to great lengths to say that you do not teach moral relativism. Can you explain why you reject moral relativism?

Dr LONGSTAFF: There may be moral relativists somewhere in the room, but if they are I would argue that their position is fundamentally incoherent. To say that it is absolutely true that nothing is true or it is

absolutely the case that nothing is wrong—and that is the crudest form of it—is contradictory. But I think that where those claims have been made in different forms—some more extreme than others—it has been based on a fundamental misunderstanding of what ethics is about and this notion of an examined life. I know I keep coming back to this but the claim that the unexamined life is not worth living is an absolute claim and it is a claim about the kind of being that all of us in this room participate in—human being as opposed to ant being or fish being. What is distinctive of that is that we have a capacity to transcend instinct and desire and to make conscious ethical choices.

There may be a lion crawling across a veldt looking at an impala and saying to itself, "Gosh I'm hungry but what about its children?" but I do not think so. I think the lion is just going to kill the impala and eat it. Whereas I do know that as we are sitting here now there will be human beings all across this planet who without being observed, without being restrained in any way will have a strong instinct or a desire to do something and they will not, simply because they believe it to be wrong—that will be the only restraining factor. What Socrates was trying to get at when he says the unexamined life is not worth living is that to not look at what you do, to not ask that core question of ethics "What is one to do?" is not to live the fully human life. That is not a relative position; anybody hearing me speak about this most surely recognise that this is an absolute claim, and this notion informed so many of the great perditions.

Look at Thomas Aquinas, the angelic doctor: one of the greatest teachings of the Catholic Church is that nothing has superiority over the dictates of a well informed conscience. Think about it. That does not tell you what any particular conscience will decide—in that sense you would say consciences can disagree, as they do, and there are centuries of this—but if you act against your conscience it is wrong.

Dr JOHN KAYE: Dr Longstaff, in response to questions put to you by the Hon. Greg Donnelly you were being invited to look at situations where there was, I use the expression in its colloquial form, moral ambiguity or ethical ambiguity. You draw a strong distinction between the people who you are putting into classrooms teaching moral relativism and the idea of inquiry to assess and respond to those situations where there is ambiguity.

Dr LONGSTAFF: Absolutely, because the nature of the ambiguity that arises is real. It is a genuinely, in my view, mysterious element of the human condition that we have this capacity to transcend instinct and desire and yet we are required to exercise that capacity when there are genuinely difficult choices to be made, where you really are being tested to the limit. Tell the truth? Yes, we say you should tell the truth. Do not cause harm to other people? Yes, you should be compassionate. What happens when you know that if you tell someone the truth you are going to hurt them? In my exchange with Gerry Gleeson, the point about Abraham and Isaac is that it only matters in the *Bible* because it is a genuine choice, that there is a real dilemma that Abraham has at that point. It does not have to be as grand an example as that; this is part of our condition and developing the resilience of a person to deal with that, to have a framework or frameworks upon which to draw, to have the moral courage to do these things, which is why, as you flesh out what it means, it is not just a statement about an examined life; there are all sorts of very substantive elements that come from that around things like moral courage, which mean you get a fully fleshed sense of what it is to live an ethical life.

Dr JOHN KAYE: Thank you, that is an interesting answer. You would utterly reject the suggestion that teaching people ethics in the way that Dr Knight has designed, in both the framework of the curriculum and the materials that we have seen this morning, goes anywhere near encouraging a moral relativistic view of the world?

Dr LONGSTAFF: To the extent that it is based on the application of reason it is inconsistent with relativism.

Dr JOHN KAYE: Can I go to the next set of accusations about special education ethics [SEE]? The accusation has been that it competes with SRE and therefore draws students away. In the first instance, do you have any evidence that that is not true?

Dr LONGSTAFF: Firstly, as a matter of principle it is not true that it competes in that sense, and it has never been designed to compete, and great care has been taken, as I say, to have that complementary area. Whether or not all of the children who once attended scripture or SRE still will attend or whether some have moved across to ethics classes, I am not exactly sure of the figures, but my gut reaction would be that there would be some who were attending SRE not because they had a strong commitment to doing so but because it was better than the alternative of doing nothing—who may have been, if you like, imperfectly committed and

who now have made a different choice. There might be others who were just experimenting a bit—a bit like some people even in the SRE world would go to Jewish scripture one year, Buddhist the next or Catholic the year after.

Ms RUSSELL: All those numbers are kept individually at schools. We have no visibility at all where people come from when they come to ethics classes. All that we know is that it is available to children whose parents have opted them out of scripture. On the point about people moving their children around, I am a parent as well and I know that in my kids' school parents move their kids between faiths to give them a sort of comparative religion experience. Also, kids go where their friends go. So there are children in Greek Orthodox who just go there because the child of Greek parents goes there, so they stay with their friends.

Dr JOHN KAYE: There is an absolute commitment from primary ethics that there are no adverse remarks made about any religious belief or anybody who holds a religious belief or anybody who attends, for whatever reason, an SRE class?

Ms RUSSELL: Absolutely. It is part of our recruitment process and it is very clear through the training.

Dr JOHN KAYE: You do it as an import. Is there any quality control of SEE as it is delivered? I know that schools do not do this anymore but is there any inspection process?

Ms RUSSELL: Yes. We do not call them inspectors; we call them mentors. We have only just started that. You have to understand, we have only been going for 14 months; we started a year and two weeks ago.

Dr LONGSTAFF: With no resources.

Dr JOHN KAYE: And you have done a remarkable job, given you have gone from a flat start of 10 classes to what you are doing now.

Ms RUSSELL: The 10 classes were stopped. It was a standing start of zero from 1 December 2010.

Dr JOHN KAYE: I interrupted you. So you have mentors?

Ms RUSSELL: We have a small number of people who started a few months ago. We have started using them as mentors and they will go into the classrooms. The aim is to have each teacher visited and observed in class once a year. At the moment they are most likely being used where people are having some issues and they want some help in the classroom, which is often around—in fact, almost 100 per cent around—behaviour management and not about actually how to teach the curriculum.

Dr JOHN KAYE: Do you do anything to assess behavioural change in children as a result of attending SEE classes? Is that on your horizon?

Ms RUSSELL: We have not done it to date. We have talked about it, but given the small number of resources that we have at the moment it is just impossible for us to do at the moment. But it is something that we would like to do.

Ms BROOKE: And we would like to do that in partnership with the university.

Dr JOHN KAYE: So it is something that you are interested in doing—finding resources to assess the behavioural changes in children. Also, I guess, the mental health benefits. There is evidence internationally that the teaching of reflective ethics improves mental health outcomes.

Dr LONGSTAFF: It is the enrolment in things to do with meaning more generally which helps.

Dr JOHN KAYE: Can I take you to the issue of external scrutiny of courses? I would never ever put it to you that something should happen to SEE that does not happen to SRE, but do you see a case for a regular review? The point has been made that SRE has operated for 132 years so far in the current context, that is, as legislated by the Public Instruction Act and now the Education Act, without any external scrutiny. With these volunteer-run courses in general in schools do you see a case for a regular review—a four-year review or a 10-year review?

Dr LONGSTAFF: This is not a tit-for-tat review for one and not—

Dr JOHN KAYE: No, that is not where I was going.

Dr LONGSTAFF: I know. I want to start where I think you might be. As a responsible society, when people come into our schools and work with our children, do we want to have a general view about the appropriateness and quality of what is done?

Dr JOHN KAYE: Yes.

Dr LONGSTAFF: I would say yes. As parents and citizens in this State we should do that. I would apply that as a general principle to what is done. So, if I can speak on the issues around ethics classes, to the extent that we are guests in the school dealing with students, we should expect people to ask whether it is appropriate in terms of the age, is it done with proper competence and care, is there equity of access and so on. I would simply say that if that is a prudent position of principle to take as a matter of public policy, it should be applied consistently.

Dr JOHN KAYE: I address my question to you, Dr Knight. You have already answered it, but I want it clear on the record. I understand that at the time at which you conducted the review of the trial you had no contractual or financial relationship with either Primary Ethics, which did not exist at that time, or the St James Ethics Centre.

Dr KNIGHT: No, I certainly did not. My only contact with the members of the St James Ethics Centre during the pilot was when I was over here interviewing people in order to write the report.

Dr JOHN KAYE: Prior to that you had no contact?

Dr KNIGHT: No, absolutely not.

Dr JOHN KAYE: And, between meeting them here when you were reviewing the report, the finalisation of the report and its submission to the then Department of Education and Training, you had no contact with the St James Ethics Centre or anyone else involved in the trial.

Dr KNIGHT: No. I phoned Teresa Russell a few times to check details just as I phoned other people who made submissions.

Dr JOHN KAYE: And you had no idea at that time that you would end up in this chair being cross-examined by a bloke about these matters?

Dr KNIGHT: No, because Primary Ethics had a curriculum writer at that stage.

Dr JOHN KAYE: You obviously represent the SEE teachers. Are you getting feedback that they were insulted by the Minister's decision to create an SRE celebration day that excluded them?

Ms RUSSELL: I certainly received a few emails from people asking when ours would be announced. I do not know that insulted—

Dr LONGSTAFF: It was more a wry inquiry.

Ms RUSSELL: Yes. Actually, it was an unhopeful inquiry.

Dr JOHN KAYE: You would be looking for that to be rectified either by inclusion of SEE or a separate celebration day.

Dr LONGSTAFF: Again, it is not about taking something away. As the Parents4Ethics representatives said, the people who teach SRE are drawn from the wide community. They are good people who give a huge amount of their time to do things which they believe in and which are genuinely important to be done. We have always supported its maintenance. It just a question that if we are going to celebrate volunteers perhaps it should

be a more inclusive thing. Within a society that wants to bind itself together we should find ways to do that rather than even inadvertently create grounds for division.

The Hon. PAUL GREEN: Thank you for that information. How much government funding have you received during the pre-pilot, pilot and trial stages and with the current development of the curriculum? I heard you say that you need more resources.

Dr LONGSTAFF: We get nothing.

The Hon. PAUL GREEN: Can you clarify where your funding is coming from? I also heard you say that third parties are assisting. Who are they and what are they giving?

Ms BROOKE: St James Ethics Centre has provided some seed funding, and that is supported by individual philanthropists. The Vincent Fairfax Family Foundation has very generously supported our first year of operation. We also receive ad hoc donations from volunteers, but none more than \$1,000.

Dr LONGSTAFF: We receive no government funding. We do not expect it because that would be to treat us differentially. It cannot be provided to faith groups because that would breach the secular divide. We do not expect any government funding. What we do hope is that Primary Ethics will enjoy the same tax status as the faith groups. If we did, we would automatically receive deductible gift recipient status for donations. Primary Ethics cannot get that automatically; it has to be specially listed. An application has been made to the Commonwealth to grant that status. Otherwise, most of the sources of funding, which comes from the private sector, cannot provide it under the existing rules. It is critical that that be addressed by the Commonwealth.

The Hon. PAUL GREEN: That is why we acknowledge the input of volunteers. It is unbelievable.

Dr LONGSTAFF: Yes. This would not have happened without volunteers.

Ms RUSSELL: We have also had very generous support from corporations and people with incredible skills. In the area that I look after an organisation called Janison has donated its online learning platform.

Dr LONGSTAFF: It is support in kind rather than financial support.

Ms BROOKE: And our website.

Ms RUSSELL: We have accommodation in the city thanks to a company.

Ms BROOKE: We receive about 70,000 worth of in-kind support.

The Hon. GREG DONNELLY: I want to get something clear in my mind about the way classes are managed. What happens if a young child presses on with wanting to know whether something is right or wrong? I get the impression that the issue is pushed back down. In other words, it is not taken to the level of discussion or making a value judgement about right or wrong but, rather, pushed back down to the children to reflect and think about the hypothetical scenario or the issues raised. What happens if there is this desire to push and to decide whether something is right or wrong? Is the issue ultimately addressed if it is pushed to that point in the classes?

Dr LONGSTAFF: One of the things you might consider—and this is open to all members of the Parliament or just the members of this Committee—is visiting some ethics classes. Of course, it would be better if you did not all turn up in a bus together. You could see what happens. We would just have to ensure that the schools are warned and you do not turn up in a mob and there are more of you than there are kids.

Reverend the Hon. FRED NILE: We would like to see a class in operation.

Ms RUSSELL: You would be very welcome.

The Hon. GREG DONNELLY: I am just curious.

Dr KNIGHT: If the topic is stealing, the aim is not to have kids think that it is all too complex and no-one could ever make up their mind whether stealing is right or wrong. The aim is for children to make up their

mind, but only after they have reflected on the arguments that have been raised throughout the history of philosophy suggesting that we look at particular circumstances, people's duties to each other or what makes a virtuous person in relation to that topic.

The Hon. GREG DONNELLY: And the children synthesise that and come up with their own decision.

Dr KNIGHT: Indeed, they do. I can point to a great deal of research to show they do that, even at the age of four.

The Hon. GREG DONNELLY: Are you putting as evidence that a young child is capable of synthesising the best of philosophical discourse down the millennia and come to a considered decision?

Dr KNIGHT: Obviously not in the way that you would find in a text book. But the child is certainly capable of recognising that circumstances may make a difference.

The Hon. GREG DONNELLY: This is a four-year-old?

Dr KNIGHT: Yes, there is a lot of work on four-year-olds because that is when they start kindergarten. Internationally there is a lot of research. It is amazing what they found. Children of that age can distinguish between questions of moral right and wrong and conventions like what side of the road you drive on, table manners and so on. They recognise that it depends on the context. They are relative—chopsticks rather than knives and forks. They recognise that questions of right and wrong do not depend on context in the same sort of way. They recognise that breaking a moral rule is a far more serious matter than breaking a conventional rule. I mean, it is incredible actually.

The Hon. GREG DONNELLY: You are saying that they can synthesise all of that and then come up with a considered decision?

Dr KNIGHT: That is indeed right.

The Hon. SHAOQUETT MOSELMANE: I understand that there is real growth in the number of classes and that is indicative of the parents—

Dr LONGSTAFF: Growth in demand, yes.

The Hon. SHAOQUETT MOSELMANE: Growth in demand. That is particularly indicative of the number of parents who have opted into these ethics classes, 25 per cent. I know you have only started one year or so ago, but I wonder whether there are surveys of these children as to how their attitudes have changed or what they think of the classes? Is there something that you can point to showing that there is a positive outcome as a result of these ethics classes?

Dr LONGSTAFF: The first thing is that what evidence there is is not of the highest kind of order in terms of research. That is where I think Ms Brooke has spoken of partnerships and things like that with universities.

Ms BROOKE: It is a small representative group.

The Hon. SHAOQUETT MOSELMANE: Are you putting a plan together for the future?

Ms BROOKE: Yes. We operate for the children so we definitely want to hear how the children are responding. They are our primary audience. We understand that incredible caution needs to be exercised when assessing any results, so we would like to partner with the university to get that. Whether it is done through face-to-face interviews with the children or through observation, we are not sure where we are going to go but it is a priority for this year to look at ways to do that. I would like to add with the parent survey that it is an informal survey of a small sample, not necessarily representative. So we would like to get support in developing that too.

Ms RUSSELL: Can I just correct the record. There are not 25 per cent of children going to ethics classes in New South Wales. There are approximately 25 per cent of people who opt out of scripture classes in

New South Wales and then it is offered as an option to children. In some schools half have taken it up. It is not compulsory and there is still an opportunity in any school for a child to be in the non-scripture class with supervision.

CHAIR: So we probably should ask the Department of Education what percentage of students are not in special religious education [SRE] or special education ethics [SEE] classes and what their guidelines are for their activities during those times.

Ms RUSSELL: I think you will find that the education department does not hold central information about that. We had trouble with this years ago trying to work out how many kids there were. We found that we would actually have to go to each school and that the principals hold that information for their school only and there is no central record of what percentage opt out.

CHAIR: That is very good feedback. We probably were not aware of that. In the mentoring that goes on for these ethics teachers there is probably a certain dropout of perhaps volunteers who cannot commit once they realise the full load that is required either in training or delivery. What feedback is there on that? Or perhaps others mentors have been in the classes and said perhaps that this not working and have been removed? Has there been any incidence of that?

Ms RUSSELL: To date there has been no incidence of any person being removed. In fact the mentor's role is to coach and to improve; it is not to actually be the school inspector. If it comes to a point where they have done a certain amount of coaching and they feel that that person should not be teaching ethics classes, that will then be referred to me to deal with and that certainly has not happened.

In respect to the first part of your question, the mentors go and watch a class and mostly what they have seen have been problems with behaviour management. So they have been coaching the people about how to manage poor behaviour in a class. The places where the mentors have been, it has always been a success.

Dr LONGSTAFF: It is probably worth mentioning too that there is a very high retention rate of volunteers. We do not have a lot of turnover so far.

Ms RUSSELL: So far. But as with all volunteer organisations, people's circumstances change. Often it is relating to a parent who had part-time work or no work has gone into full-time work and they cannot do the hours at that school.

CHAIR: This question is not directed solely at ethics teachers; I also direct it at scripture teachers. If you had a parent that perhaps was not happy with the feedback that they were getting from their children as to what was being taught in a particular class, how is that handled? What are the guidelines?

Ms RUSSELL: The process we have got in place is that the complaint would be handed in the first instance to the ethics coordinator at the school, who is one of our volunteers. They would sort of investigate the complaint and discuss it with the parent. If they were not able to settle the matter they would refer it up to me.

Dr LONGSTAFF: But in general complaints are not a bad thing. They can provide you with intelligence about things you can improve. Organisations often do better because they take seriously the complaints and they refine what they are doing. So you take them seriously and you would look at what you might do to improve it if there was an issue. If it was a complaint that based on fair assessment was not reasonable, the parent always of course maintains their option not to have their child attend.

CHAIR: And the teacher would feel able to pass it on if it is something they cannot handle or do not know how to handle? They would feel free in pushing it up the line?

Dr LONGSTAFF: Absolutely.

Ms RUSSELL: I think they would be delighted to push it up the line.

The Hon. DAVID CLARKE: Dr Longstaff, I want to refer to the submission of Dr Jensen from Moore College and give you the opportunity to comment on something that he says. Speaking about the debate that has taken place on this issue he says:

This unnecessarily acrimonious debate was not helped by the unwillingness of those proposing the SEE program to offer their syllabuses to scrutiny and public comment. The syllabuses were not revealed until the very last moment. It was very unclear to many people what was meant by "ethics".

I would like to give you the opportunity to briefly comment on that, if you wish.

Dr LONGSTAFF: I think Dr Michael Jensen makes a reasonable point in the sense that it probably did contribute to misunderstanding. It was not possible—part of it was to do with the practical difficulties of developing these things. Part of what happened was, if you go back to the very beginning of the trial there were drafts that were provided on a confidential basis for consultation in various quarters which were then being leaked. We never found out by whom or to what end, but it meant that even the most tentative frameworks were starting to be used as if they were the basis upon which things were going on. Of course once that rabbit was running it was very hard to pull back and say, "Actually no, that was just an early thing. Let's have a look at the real issue."

In terms of presenting material, it takes time to develop these materials. There is also, as I said, that principled position we have taken in terms of not just putting this out everywhere where it can be used outside of the context within which it needs properly to be managed. So you are really balancing here the benefit of everybody saying, "Look at this, it's actually okay, it isn't quite the thing that we feared", versus having a prudent degree of control. I wish some of that acrimony had not been there and we might have done things differently and if had not been leaked there would not have been misunderstanding. We think now where the material is being developed methodically, where it is provided for those who might use it and they can make, as Reverend Nile was saying, an informed evaluation as to whether it is for them or not, that that actually takes some of the risk out of the system.

CHAIR: I thank you all for taking the time on the two very lengthy submissions that have given us a lot of insight. I also thank you for the time that you have taken today and the manner in which you have approached this inquiry.

(The witnesses withdrew)

(Short adjournment)

BERNADETTE TOBIN, Director, Plunkett Centre for Ethics and Associate Professor and Reader, Australian Catholic University, sworn and examined:

Dr TOBIN: I am not representing anyone, I am here because I was invited. But I have said in my submission that I am also a member of the Sydney Archdiocesan and Catholic Schools Board. I think my greatest claim to fame is that I am the Editor of *Bioethics Outlook* in which discussions between Dr Longstaff and Dr Gleeson were printed.

CHAIR: You have made just a few remarks. Do you want to make an opening statement?

Dr TOBIN: I would be happy to—just for two minutes. In my submission I have said I do not support the repeal of the amendment which authorised the classes. Have I got all the negatives in that right?

CHAIR: Yes.

Dr TOBIN: The other preliminary thing I should say is that in my submission I do not distinguish between ethics and morals in the way that Dr Longstaff does. I have no problem about making that kind of distinction, but that is not how I use those terms in my submission. I think it is important to point that out. I think that we all have an interest in the young people of our community growing into ethically mature people. I think the discussion is about how that happens and, in particular, what is the role of the study of ethics in a young person's development towards moral maturity. Here I differ, I think quite substantially, with the underlying ideas in these special education classes. And I do it not of my own thinking, but it comes out of Aristotle.

Here is the key difference. Aristotle says that development towards moral maturity comes in stages. Moral maturity involves knowledge and understanding, it involves a range of emotional responses, and it involves a certain capacities of the will—to stick to doing the right thing, even when that is very hard to do, for example. So it is cognitive, it is affective, it is conative: They are the dimensions of moral maturity. The question is: How do people develop towards that stage? What Aristotle says is that the first stage has to be what he calls habituation. First, young people need to learn what is right and what is wrong, and they need to learn that there is stealing lying and cheating on the one hand, and generosity and fairness on the other hand.

They need to learn wrong and right in such a way that they would be pained to do the wrong thing. It is not just a matter of knowledge, but a matter of the heart too. They would be pained to do the wrong thing. They would be ashamed of themselves if they stole or lied or cheated or bullied. They know the pleasures of generosity, fairness and compassion. Here is the key claim: It is only when you have learnt to behave well in that complex kind of way that you are well placed to do the kind of study that the course in ethics consists in. It is only when you already have a terrible distaste, such that you would be ashamed to steal, that you are well placed to think about the difficult cases, such as the example that Dr Longstaff gave this morning. Here is an example where it looks like stealing may be, well, the thing to do.

Aristotle's point is that unless you have already got the knowledge and the emotional responsiveness to be utterly ashamed, pained, by stealing, it is only when you have got that kind of background that you are well placed to think about the difficult cases, and you are well placed to think about the why, the reasons—all those wonderful things are going to go on in that class. And I think they are wonderful things. Now, the problem is that if you do them before, if you encourage children to think in those ways before they have got that first stage, that background, you run the risk of teaching them to be sceptical about right and wrong. You run the risk of teaching them to think that, well, maybe stealing is wrong, but the way to work out whether it would be wrong in a particular case is to look at the likely consequences.

So there is a range of serious risks that you run if you do this, if you engage in this wonderful reasoning and reflection, when kids are not ready for it. That is really the main point that I want to get across. I can illustrate it by reference to my reservation about some of the parts of the curriculum. I have the framework that Dr Longstaff sent me.

CHAIR: In commencing the line of questioning, could I ask you to expand upon what you have in front of you as an example?

Dr JOHN KAYE: I am sorry, we are not clear on what she has in front of her, Chair.

Dr TOBIN: I have the curriculum framework, which I imagine you have too.

Dr JOHN KAYE: Okay. We have that as an appendix to the Primary Ethics submission.

Dr TOBIN: Can I take you, just as an example, to year 5, stage 3.1, term 3, topic 1, "Stealing is illegal." Is it also morally wrong? Then if you would not mind, could I then just take you to the page before—year 4, term 1, topic 2, "Lying and truth telling", I have the same reservation about that one. If you go to the page before, year 3, term 3, topic 2, "Breaking a promise: Using personal and societal examples, students will discuss issues around the rights and wrongs of breaking promises." They are three examples of truly important discussions—questions that a morally mature person will have reflected on. My point is that the reflection will not go well unless the person so reflecting already knows that she ought keep her promise, and knows it not just as a matter of knowledge, knows it as a matter of heart. She is motivated to keep her promise; she will be pained to break her promise; then she is well placed to have that discussion—the same with lying, the same with stealing.

CHAIR: What would you recommend to be able to handle those issues, or perhaps those discussions? Do you believe that when children are too young, it is difficult for them really to engage in those discussions that will lead to the outcome that we are expecting? Is it too much to expect them to do that?

Dr TOBIN: My point is not a point about what children are capable of, in one sense. Dr Knight—I think that was that the name of the lady sitting here—said the research now shows that very young children are capable of thinking in these ways. I do not doubt that. It is not a psychological point. This is a point about the nature of ethics, about the nature of moral development and moral maturity. Until someone knows that stealing is wrong, she is not well-placed to think about particularly tragic, difficult, cases, because if you do not have a really deep, deep knowledge and understanding and feeling about the wrongness of stealing, you will not see the problem. It will not be a problem. It will be just an imaginative exercise.

Aristotle's point was that young people are not the right people to be studying ethics. You need to have built up these motivational resources, the knowledge of right and wrong, and then you are well placed to think about it and to think about the point, the goal, the purpose of avoiding wrongdoing and doing what is right. My point is that it is not mere cleverness—kids are very clever, and bright kids will love discussions like this. I am not saying discussions like this are a bad thing but I am saying that they will only go well with this prior background.

CHAIR: To achieve better outcomes, to make improvements or fine tuning what would you recommend as changes to the teaching tools or curriculum framework?

Dr TOBIN: That is a very hard question for me to answer given what I have just said, which is that I think this kind of study of ethics is likely to have very undesirable consequences. I do not think there is relativism infecting the framework. I do not think there is individual subjectivism—what I feel is right is right for me, what you feel is right is right for you so there is nothing to discuss—infecting the framework. I think there is a really nice appreciation that it is truly reasoning that is involved and that each of us can make moral mistakes.

The Hon. DAVID CLARKE: Would an age of understanding be a way to approach it where those concerns you have in mind can be properly understood by students?

Dr TOBIN: I do not really know how to answer that question. Some people acquire the motivational habits to do what is right and avoid what is wrong younger than do others. It is not just a matter of age, it is a matter of your—let me use the word—"upbringing". It might ring the wrong bells, but it is a matter of your upbringing. So if you are brought up in a family where they are just scrupulous about the wrongness of stealing and I am brought up in a family where it is not a big thing, you have got to get on, you are going to be ready to have these discussions about the difficult cases in a way that I may never be unless something happens to me to change my whole framework. The key stuff—the learning of right and wrong—starts very early indeed.

CHAIR: Given that these ethics classes were started to address the needs of those children not attending Scripture—and perhaps their parents—because those children were undirected in the quality of activities they were doing while Scripture was being taught, do you think this at least is a primary attempt that

may possibly have some good outcomes that can be measured down the track? Do you think it is better than allowing them to fiddle in the library, play in the playground or waste time?

Dr TOBIN: I think it is a well-motivated initiative. As I say, I am not arguing for it to go. I would like to see it have more emphasis on conveying, strengthening, reinforcing children's sense of right and wrong than it seems to have at the moment. Now I am not so sure because I have only got the framework. I think on balance there is too much emphasis on difficult cases, dilemmas, complexities and questions about whether it really would be stealing in this case or not. I think there is too much emphasis on all of that, at the cost of making sure that the sense of right and wrong that every normal human being has gets encouraged, reinforced, sharpened up, precisified and corrected. I would have more balance towards that.

Reverend the Hon. FRED NILE: Is not the course, then, philosophical relativism? That nothing is right or wrong.

Dr TOBIN: I do not make that criticism of the course because as I understand the course that is not what it is saying. My understanding of the course is that it is assuming the wrongness of lying, cheating and stealing and then it is going, too quickly in my view, to difficult cases where judgement is called for and there is ambiguity and even possibly tragedy. I do not think it is saying there is no right and wrong at all. My criticism is that there is not enough emphasis on bringing out children's innate sense, their readiness to appreciate right and wrong.

Reverend the Hon. FRED NILE: I thought the purpose of the course was not to teach what is right and what is wrong. That was stated when the course was produced as the purpose of the course.

Dr TOBIN: That is not my understanding of it. Listening to Dr Longstaff this morning, he made a distinction between learning something unreflectively and learning something reflectively, and he called the former morals and the latter ethics. Now, my view is that the best way to foster children's ability to see that lying, cheating, bullying and stealing are wrong is, first up, in a largely non-reflective kind of way. That is Aristotle's point: You have got to start non-reflectively. You have got to start by praising them, then criticising and making it clear that certain kinds of conduct are not pleasing to their parents. Now the transition has got to be from not stealing because I will get into trouble, to not stealing because I know it is wrong, because I would be ashamed. But I take it that that was what Dr Longstaff meant; they want to start by putting the emphasis on the reflection. I think the reflection is absolutely critical. That you are talking to your children and your students as you are encouraging this sense of right and wrong. You are talking to them and you are explaining it as you are going but in the beginning at least it will come in non-reflective ways.

Reverend the Hon. FRED NILE: It depends again really on the grassroots level of the teacher and the training the teacher has. If the teacher has been trained that he or she is not to teach children what is right and what is wrong, he or she is not to express an opinion on what is right and what is wrong, that is exactly what you are criticising, which seems to me to be a criticism of the ethics course itself.

Dr TOBIN: No, I am not criticising it for that reason. I am criticising it because I think it brings in the difficult cases, the dilemmas, the perplexities, the ambiguities too early and too prominently.

Reverend the Hon. FRED NILE: That is what it does though; it starts right at primary school with the smallest children?

Dr TOBIN: I think I have made my criticism of the course, at least in this regard.

Reverend the Hon. FRED NILE: Your criticism is very good. I have no question about what you are saying. It seems to me the logical conclusion is—and I think you said it yourself—it has undesirable consequences. You said you had no reservations about the course itself.

Dr TOBIN: I say it runs the risk of undesirable consequences, scepticism or utilitarianism—

Reverend the Hon. FRED NILE: That is what we are concerned about.

Dr TOBIN: You would probably know if you have read the correspondence between Dr Longstaff and Dr Gleeson, that many of my views are reflected by those of Dr Gleeson.

The Hon. SHAOQUETT MOSELMANE: I have a question that arose in my mind. You have referred a number of times to Aristotle and a number of other speakers and a lot of the correspondence is to do with Aristotle, Locke, Socrates and so forth. Is there too much emphasis on western philosophy? In teaching ethics and morality do you look at eastern philosophers and their view, given the multicultural nature of Australia? Do you keep that in mind and how do you do that? Do the ethics teachers have that capacity?

Dr TOBIN: You have to remember I was invited to address this Committee and I am not a primary school teacher and the people I teach are people doing university courses. When teaching ethics to university students, one of the things that I often have to do is to point out what religious traditions and other ethical traditions have in common. This morning I was reading an article in the *New York Times* about paired kidney donation. This is this arrangement whereby perfectly healthy people can agree to give one of their kidneys to someone who needs it but their kidney may not be suitable for the person to whom they want to give it so it will be passed on to somebody else, and there is a whole arrangement whereby there is a chain of giving. One of the people interviewed said that her relative got the kidney and it was 60 days later when she had to keep her commitment to give one of her healthy kidneys to some complete stranger. And she said yes, it did cross her mind to break her promise and she said, "But you know what? I am Buddhist. I believe in karma so I didn't". So there is a particular religious tradition explaining why breaking a promise is something we ought not to do. That explanation is not very different from the explanation you will find in Christianity, the explanation you will find in Judaism and the explanation that you will find in the Greeks. I do not want to whitewash all differences—of course, there are—but there are great commonalities too.

The Hon. SHAOQUETT MOSELMANE: I am sure there are a lot of Arabic philosophers, for example. I am just referring to that as another example. My point is that do those teachers, from your knowledge or experience, when they are teaching they mainly confine it to the philosophies of these individuals such as Locke and Socrates and Aristotle, or from your experience do they go beyond that?

Dr TOBIN: I truly do not know these people. I heard Dr Longstaff say this morning that individual teachers may well draw on religious tradition to explain an idea here or there but that is all I know, what I heard this morning.

The Hon. SHAOQUETT MOSELMANE: In your submission on page 1, the second last paragraph, you say the ethos of the school is important but parents, the first educators, are critical. Do you see a value of parents being involved in determining the curriculum and whether that has been the case in the current curriculum that is before us?

Dr TOBIN: No. I think that parents are the first educators and what they do is absolutely critical. You can see that if you go to any area of the curriculum. If parents involve their children in thinking mathematically from a very young age, that child will have an advantage that a child from a family where they do not go for it will not have. You can follow that through every area of the curriculum. My point is the very earliest habits that are instilled in the child are absolutely critical. But as for a pedagogical teaching of the reflection about ethics, then I would really want to draw on the knowledge and understanding of people who know a bit about moral philosophy than people who know a bit about teaching.

The Hon. GREG DONNELLY: I take you to the curriculum framework document which you have referred to, to perhaps help me work my way through my questions that I want to direct to you. I make this preliminary comment. One of the things that I have struggled with in understanding fully the implications of the classes that we have been discussing today—and I raised it with the previous witnesses—is this distinction or overlap between the moral and the ethic and how we engage in some fulsome discussion with the young people in these classes on those matters for which these courses are conducted. I take you to the document and specifically Year 5 (stage 3.1), Topic 1, Term 4 "Killing animals for food: Is it morally right to eat animals?"

Dr JOHN KAYE: Where was that again?

The Hon. GREG DONNELLY: Year 5 (stage 3.1), Term 4, "Killing animals for food: Is it morally right to eat animals?" Give that you have not had the opportunity to attend these classes or examine in full detail the primary materials used in these classes, do you think the use of the word "moral" there would be better served by in fact using the word "ethical" for the purpose of that discussion or it does not matter if you are actually having such a discussion with a group of young school children about this issue, about whether it is appropriate or not to eat animals?

Dr TOBIN: I start by saying that my version of the framework does not have that particular case in it but I did hear the question: Is it morally right to eat animals? I must have an earlier version of the framework. Let me tell you what I think about the terms "moral" and "ethical". One is from the Latin *mōrālis* and one from the Greek *ēthika*. Originally they meant roughly the same thing. Nowadays every book that you open on the matter will give you a different way of distinguishing the two. There is no authentic distinction between ethics and morals. People stipulate a difference. A good teacher at a university level will say, "Now, I'm going to use the word 'moral' in this sense and I'm going to use the word 'ethical' in that sense." That is what Dr Longstaff did this morning. He did not quite do it but he said, "By moral I mean unreflected. You have just absorbed it unreflectively. By ethical I mean you have reflected about it." I do not think anything important hangs on the difference. I have used ethical and moral here and there. Sometimes when I am speaking people have reactions to the word "moral" that make me just back off using it a bit because I can see it is distracting. So I do not think anything hangs on it.

Dr JOHN KAYE: First I acknowledge some of the work you have done across a range of medical and ethical issues. I have read some of your work. I have not necessarily agreed with your conclusion but I have been impressed by the quality of your argument. But—there is always a "but" when somebody says that—your arguments are generally philosophical in nature. That is to say they generally rely on the chain of reasoning that comes and in this case you are going back to Aristotle in your argument about what is appropriate for a child and what is an appropriate way to develop the sort of behaviours and the sort of reasoning that we want in a child. Earlier today we heard from Sue Knight. I know you have education qualifications, but Dr Sue Knight who is more by way of an educationalist and ethicist, talked about the psychological and educational psychological evidence that points strongly towards the capacity for children to make moral or ethical reasoning determinations earlier. Your inquiry into this syllabus seems to be based much more on the analysis of the philosophical understandings of knowledge and reasoning than it is on the psychological evidence of what kids can and cannot do. Is that a fair statement?

Dr TOBIN: That is a good question to ask me because if that is what I seem to be saying or doing, then I have not got it across properly. I have no doubt that the kinds of studies to which Dr Knight referred have been conducted and have shown what she said. Kids love playing with imaginary circumstances and I have no doubt that they can think in the ways she said this morning that they could. I have got no doubt about that. My point is about the shape of moral maturity; the kind of person a morally mature person is; where you want to get. My point is that if you do too much of the thinking that goes to the tricky circumstances too early, kids can do it. But it runs the risk of informally teaching them there is no right answer.

Dr JOHN KAYE: Do you have evidence of that phenomenon of kids being asked too early to make moral inquiries before they have developed the habit of right thinking and doing? Do you have empirical evidence? Are there studies that say, "Oh, these kids become cynical" or are you relaying on Aristotle's assertion that was made 2,352 years ago?

Dr TOBIN: Let me make two points.

The Hon. GREG DONNELLY: It is called the Wisdom of the Ages, John.

Dr TOBIN: Let me make two points and I will try to remember that I want to make two points. One is that I have taught for a very long time. I have taught at university level and year after year terrific young people come in and tell you quite confidently that there is no such thing as right and wrong; that it is just how you feel and how this and that society acts. They tell you that not knowing that those two things contradict each other. Then they tell you very confidently that if you go in to think about a tricky case of stealing, well, you just work out the consequences of doing the stealing. They do not know that that contradicts what they have said to you. I know firsthand the results of kids not getting a good moral development.

Can I give you an example? You know how with the lying case you go to the tricky cases and kids will always bring up the one about the Nazi knocking at your door and you are indeed hiding a Jewish family. The philosopher Raimond Gaita recalls the Dutch woman who did so hide a Jewish family for a long time and it became increasingly dangerous for her. It came to the point where it was so dangerous that she had to tell them that she could no longer hide them. With a very heavy heart she gave them her warmest clothes and food for the journey and farewelled them and off they went in the night. Decades later she said, "What I can't forgive Hitler for is what he turned me into."

That seems to me to illustrate what I am saying: that there is a woman whose motivational resources, her way of thinking, feeling and acting, were so against what she ultimately did that decades later she cannot forgive herself for it and she cannot forgive Hitler for having fostered that in her. Can I just bring it back to the point? I think that is an illustration of what I mean. I hear lots of discussions with young people, even people at universities, who want to go to difficult examples like that and then quickly conclude there is no such thing as right and wrong: you cannot say lying is wrong, you just cannot. Whereas my view is that if you have been brought up to be ashamed of yourself for lying, then you are well placed to think about the really difficult cases.

Dr JOHN KAYE: I guess my point is that I have not seen the empirical evidence that suggests that doing the sorts of things the ethics class does with kids at that age will reduce their capacity or create the moral scepticism that you allege it causes. You have not yet pointed me to a study that says that is the case.

Dr TOBIN: No, but the point I am making is not an empirical point.

Dr JOHN KAYE: No, it relies on a philosophical inquiry.

Dr TOBIN: It relies on a view of moral maturity and then on a view of moral development towards moral maturity. It is not an empirical point.

Dr JOHN KAYE: I would love to continue this conversation, but time has concluded.

CHAIR: Dr Tobin, thank you for taking the time to make a very learned submission and for appearing today. It has shed light on the way we approach this inquiry.

Dr TOBIN: Thank you very much for the invitation.

(The witness withdrew)

MICHAEL JENSEN, Lecturer, Doctrine and Church History, Moore College, affirmed and examined:

CHAIR: I welcome Reverend Dr Michael Jensen, who is a lecturer in Doctrine and Church History at Moore College. Thank you for attending and for making your submission, which has been enlightening. Before we proceed to questions, would you care to make an opening statement?

Dr JENSEN: My doctoral studies are in theological ethics at the University of Oxford and I teach at Moore College. I also contributed to the debate that raged in 2009-10. I gather that is why I have been asked to make some comments on a number of opinion pieces. My submission is very straightforward really. I am not in favour of repealing the 2010 amendment to the Education Act at this time. The debate that occurred over 2009 and 2010 was characterised by misunderstanding and an unwanted and unfortunate level of acrimony, defensiveness and aggressiveness from both sides. I thought that was something that should be avoided in the future at all costs for the wellbeing of our community as religious and non-religious people in Australia. However, I favour the securing of the SRE/SEE slot in schools. I think they are an immensely valuable slot.

We are very fortunate in New South Wales to have this almost unique opportunity. I favour the securing of that slot by introducing a minimum time into the Act, which at the moment only states a maximum time. Technically a school could give five or 10 minutes, or even 3½ minutes if they wanted, and that goes for both Special Religious Education [SRE] and Special Education in Ethics [SEE]. Assurances should be given to SRE providers that their slot is not under threat because a lot of the rhetoric sounded as if the slot was going to be dispensed with and that ethics was a Trojan horse—from public figures, media figures and some of the people advocating most strongly for the ethics program.

Another unfortunate thing that occurred was that the syllabuses were kept concealed from the public so there was no opportunity to discuss the syllabuses ahead of time. I just heard the learned doctor make her comments and that kind of discussion on the actual content of the course should have been possible in public ahead of time. Having said that, what is good for the goose is good for the gander and likewise I am in favour of making the same requirements of SRE providers. Their material should be subject to public discussion and scrutiny. I welcome that, in fact. I welcome the opportunity for there to be greater scrutiny and a high level of training and teaching on both sides of the fence.

Some questions still remain. It is still unclear whether it will be possible for another group to make a pitch for the use of the time. Why does it have to be merely ethics? Could a group saying that they are interested in a particular philosophy make a pitch for the time? Why is it ethics or why was ethics particularly chosen? Lastly, it remains unclear whether another ethics provider, for instance, could tender for the opportunity to use that slot. Those questions need to be answered. Why does St James have the monopoly over the slot?

The Hon. SARAH MITCHELL: I have a couple of questions that relate to your summary and what you have just told us. The first is clarification for my perspective. When you talk about a minimum slot in your summary you say the Education Act should be amended to specify a minimum time for SRE. Then on page 5 in point 10 you say what you have just said. Am I right in thinking you believe there should be a minimum time for both the SRE and the SEE component, not just SRE?

Dr JENSEN: That is right.

The Hon. SARAH MITCHELL: My second question relates to the fourth point in your summary, and you mentioned it in your opening statement as well, about having the syllabus available ahead of time for public discussion. Who do you envisage should be able to participate or have a copy of that? I know the Primary Ethics members who were here this morning talked about how some of the church groups have got all the teaching materials. My question relates to parents. Do you think that if the syllabuses for both SRE and SEE were available parents might be able to make more informed choices? Is that part of your reasoning?

Dr JENSEN: Yes, absolutely. They could make more informed choices. The debate was characterised by unclarity, so people do not know what ethics is as the previous speaker indicated. As Dr Longstaff himself admits, there has been great confusion about the words "morality" and "ethics". Likewise with SRE, I think I would welcome that level of openness of the program.

The Hon. SARAH MITCHELL: Also, following on from that, to have both of the syllabuses available would open it up to a bit more peer review. Is that also something you would like to see?

Dr JENSEN: Yes, that is correct—the kind of public discussion that we are able to have. I think stern questions should be put to the ethics program and they should be heard. We should be able to do that. Because we did not know, there was an awful lot of alarm in the community and the religious communities and that was very unfortunate.

The Hon. DAVID CLARKE: Dr Jensen, I think you were here for the evidence of Dr Tobin.

Dr JENSEN: Just at the end.

The Hon. DAVID CLARKE: Okay. As I understood it, the thrust of what she was saying was that by its very nature ethics refers to right and wrong. Just by chance, the very first dictionary I picked up before I came in here defines ethics as being the study and philosophy of human conduct with emphasis on the determination of right and wrong. That being the case, her point of view was that there needs to be an emphasis on right and wrong in the early stages in a very clear way so that children can fully handle the moral dilemmas, the grey areas, the tricky cases that come up. For instance, one was given today about whether it is right or wrong to take an unused apple from someone's private property; another was the cannibalism that occurred with those Andean plane victims. She is concerned that they are getting into these moral dilemmas, these grey areas, before there is a stronger understanding of right and wrong, which at the end of the day is the very basis of what ethics is about. What would your comment be on that point of view?

Dr JENSEN: Any kind of scrutiny that you want to put on the ethics course has to be put back on the scripture courses. We would have to answer the same kinds of questions and not everyone would be satisfied with the answers. The reality is with the way the ethics program is working and is intended to work is that it is designed to help children develop their moral reasoning and not give them substantial answers. Of course, they will bring in substantial answers that they have got from the models of their parents and the models of their teachers. This will not be done in a vacuum. It will be done by volunteer teachers who will inevitably put their own spin on things. However, as a Christian I am unconcerned, in a sense, about prompting children to reason ethically in this way because I personally think the beginnings of this kind of prompting lead to further inquiry and invite a theological answer. I know not everyone will agree with that, but it is interesting that Alain de Botton, the activist philosopher recently arrived in Australia, is looking nostalgically over the fence at the religious world view because he sees that in developing a view of the good life a theological answer is being begged by the questions being raised.

The Hon. DAVID CLARKE: In an article on ethics in one of the encyclopaedias it talks about good conduct and the end result of ethics and says, "Depending upon the social setting, the authority invoked for good conduct is (1) the will of God, (2) the pattern of nature, or (3) the rule of reason." Keeping in mind our social setting is one where the great majority of people have a religious foundation for their moral values, from various religious faith traditions but all more or less coming to the same thing, and your comment about why it is left up to one body to determine this study course from beginning to end, are you suggesting, in view of the Australian social setting, that those who are ethical scholars with a religious background should be incorporated for their contribution to any ethics course?

Dr JENSEN: There is a whole bunch of things in that.

The Hon. DAVID CLARKE: Yes, but it is all leading to one specific thing.

Dr JENSEN: Inevitably what you will end up doing is appealing not merely to unalloyed reason. If you invite ethical inquiry you inevitably appeal not merely to a kind of unalloyed quasi-scientific reason, you will be appealing to the great traditions of human thought. Where will you look for those? I am willing to jump in and get the discussion going if people want to do that and take that track.

The Hon. DAVID CLARKE: You were saying you can look for additional sources apart from the St James Ethics Centre, which has at this stage a monopoly of this whole area.

Dr JENSEN: I am not following you there.

The Hon. DAVID CLARKE: You made the point of why others should not tender for this course?

Dr JENSEN: Yes.

The Hon. DAVID CLARKE: At the moment why should it be the St James Ethics Centre?

Dr JENSEN: Yes.

The Hon. DAVID CLARKE: In the social setting of Australia where the great majority claim in the census to have a religious faith tradition are you suggesting that ethicist scholars with a religious background within a religious framework should also be considered for their contribution to a course?

Dr JENSEN: If they wanted to. That would be an interesting thought—if a group of religious schools wanted to get together and provide an alternative ethics course. However, the obvious answer is they do have access to the special religious education [SRE]. I meant at a pragmatic level. If someone wanted to open the "Martin Place Ethics Centre" and provide a syllabus why is that not allowed? That is my question. It is a rather banal answer to a deep question.

The Hon. SHAOQUETT MOSELMANE: I would like to go through some of the points you have mentioned in your submission but also in your introduction. In summary on page two, first dot point, you say: "My opinion is that there is no need to repeal the 2010 amendment to the Education Act at this time." What do you mean by that? Do you foresee it should be amended at a future time?

Dr JENSEN: I meant I would not necessarily have been in favour of the change in the first place but now the change is here and there has been some experience of the ethics course I think it is an inopportune time to change it. I do not see any great need to change it. If we were concerned about the provision of ethics we will have to wait and see. At some level they are experimenting—by Dr Longstaff's own admission. It could be down the track that they are unable to staff the courses. That is what I can foresee happening. I think it will be very difficult for them to staff with adequate volunteers the courses that are offered.

The Hon. SHAOQUETT MOSELMANE: That is not saying that there is a move down the track from various sectors to move to change the amendment?

Dr JENSEN: No.

The Hon. SHAOQUETT MOSELMANE: Point 11, your concluding point, you state: "As much reassurance should be given to providers of SRE as practically possible that there is no move to obliterate the provision of SRE."

Dr JENSEN: Yes.

The Hon. SHAOQUETT MOSELMANE: Are you fearful that SRE could be obliterated down the track?

Dr JENSEN: Within my community this was an enormous fear, that what has occurred in the last two years was a move to get rid of the provision for SRE entirely. If you listen to talk-back radio and very strong advocates such as David Hill, the kind of rhetoric they were using sounded as if they were saying that scripture has no place. They were not saying we want an alternative for the kids who do not want to do scripture; they were saying very strongly "scripture has no place." That over-heated, and unnecessarily over-heated, rhetoric led to some of the unnecessarily defensive reactions.

CHAIR: This morning in his sworn evidence Mr Hill has refuted that suggestion and made clear that it was not to replace scripture.

Dr JENSEN: Again, evidence from parents and citizens' [P&C] meetings—many clergy are on the P&Cs—and there was a real campaign from the parents and citizens and it was very strident and there was a lot of unnecessary heat in this debate.

Dr JOHN KAYE: Do you mean the Federation of Parents and Citizens' Associations of New South Wales or the local parents and citizens associations?

Dr JENSEN: Local parents and citizens associations being instructed by the Federation of Parents and Citizens' Associations, being faxed motions that they were to put.

Dr JOHN KAYE: To get rid of SRE?

Dr JENSEN: To put very strongly forward—

Dr JOHN KAYE: Not true.

Dr JENSEN: Well said. That is not to get rid of SRE, but the rhetoric that came along with it, at local Parents and Citizens' meetings, was often SRE has no place.

The Hon. SHAOQUETT MOSELMANE: In relation to the issue I raised whether you are fearful, given the fact that only 25 per cent have opted out of SRE but not opted into ethics, as we heard earlier. I thought the 25 per cent had opted into ethics. That reality has not translated into the fear that you may have had.

Dr JENSEN: No. My public statements were in order to calm people's fears.

The Hon. SHAOQUETT MOSELMANE: Your submission talks about ethics as the Trojan horse against SRE. Is that still your view? You say that others have been pushing for that and I note that on page three. Do you still fear that ethics is a Trojan horse against SRE?

Dr JENSEN: Let me clarify. This is my observation of the rhetoric from both sides, that there seemed to be some on the Parents and Citizens' Associations side who were saying this seems an opportunity to get rid of SRE entirely. This is not Dr Longstaff's view, and I know him personally so I was able to clarify that. This was the reaction. This was how it was received. This is not my view. I do not think that the school for ethical education [SEE] was designed as a Trojan horse. It is my observation of how people have received it.

The Hon. GREG DONNELLY: I want to put a couple of contrasting things to you and invite you to respond to them. Earlier today we had the benefit of witnesses from the St James Ethics Centre. You may not have been here to hear their evidence but you may have read their submissions. Dr Simon Longstaff and Primary Ethics, which is the organisation which is associated with, but different from, the St James Ethics Centre which has been involved in the development of the framework and the curriculum.

Dr JENSEN: Yes.

The Hon. GREG DONNELLY: It is clear from what they had to say today that with respect to the way in which the classes would be conducted, the ethics classes, the key way in which they would go about engaging with the young people, students, was to be facilitative with them in discussions over ethical/moral questions—depending on how you defined these—but not be definitive in asserting a position of what is right and wrong. Essentially, I do not use this in a pejorative way, avoid that issue of right and wrong but rather discuss the issues. The effect of that, of discussing the issues and leaving it at that and not being prescriptive about right and wrong was very clearly, in my mind, explained as their key way of operating the ethics classes. In your evidence you use the phrase: a concern that volunteers will put their own spin on things. It was in your oral testimony.

Dr JENSEN: It was not a concern it was an observation.

The Hon. GREG DONNELLY: It was a concern. I am wondering what the basis of your concern is and putting that up against what is the asserted position that there will not be this position of being definitive but rather facilitative in discussions about ethical issues?

Dr JENSEN: I am not concerned. I think inevitably you will model your own ethos as you teach, that is what teachers do, and that is what good teachers do. I think you are inviting inquiry. It is not my place to defend the SEE and their content, which is their job. But inevitably it will not be merely neutral at that level, I think.

The Hon. GREG DONNELLY: I guess that is what I am pressing you on to get a clear understanding of your position. Are you asserting that it is really not possible to conduct ethics classes as provided for in the legislation without, in fact, being definitive about moral and ethical issues, right and wrong, is that what you are saying?

Dr JENSEN: I am saying it at two levels. First of all, it is possible to kind of lead people through a chain of reasoning and help them to come to conclusions which they can rightly call their own but at the same, and also to kind of not then project your own view, or dogmatically state that your own view is the definitive one, but it would be impossible not to at least give some kind of indication of your humanity even as a presence in the classroom. It is a more subtle point than either or.

The Hon. GREG DONNELLY: Would you distinguish that, say, from teaching young students about the temperature of the boiling point of water in a science class in that you have a position on what the boiling temperature of water is but in that sense a scientific reality versus this discourse being engaged in ethics classes that is open to a range of views? Do you make that distinction?

Dr JENSEN: The trouble is the analogies are so far apart that it is hard to find a point of comparison. Even the person who teaches science communicates something of themselves when doing so; that is all I am saying.

The Hon. PAUL GREEN: You referred to the parents and citizens representatives who may have a view to see the opportunity of getting rid of SRE. Do you have any documents that may substantiate your comments or was it anecdotal evidence?

Dr JENSEN: No, I do not have any documents with me. I think it was listening to the talk-back radio and letters to the paper et cetera. It would be very easy to find, I would have thought. That is not to say it is representative of what the parents and citizens officially said, which is not that at all.

The Hon. PAUL GREEN: I note also in point 9 of your submission it states, "all things stand, the legislation hastily introduced by the outgoing Labor Government in 2010". Why did you make that statement? Why do you think it was hastily introduced?

Dr JENSEN: It seemed like the process of discussion which had got going, and there had been sometime for the public debate to die down, it seemed like, in my view, there was an element of opportunism in getting in before they were about to not have the chance in government, which is their entitlement, I guess, too. That is all I meant. I thought there is plenty to talk about here, and we could have had.

Reverend the Hon. FRED NILE: You are correct when you say it was hastily introduced. There has been some discussion that the Australian Labor Party and The Greens assumed that after the election, even though the Coalition would win the election without a doubt, they would control the upper House to stop the repeal of the ethics course bill. Are you aware of that?

Dr JENSEN: No.

Reverend the Hon. FRED NILE: That was the strategy.

Dr JENSEN: Politics is about strategy, so that is their capacity.

Reverend the Hon. FRED NILE: In your submission at point 5 you criticise the ethics course and say that Dr Longstaff uses the term "ethics" in a quite narrow technical sense to mean the process of moral reasoning. You say people on the street would expect it to be more a course on what is right and what is wrong. If the course has no absolutes, has no God, would you define the ethics course then as a course in secular humanism?

Dr JENSEN: No.

Reverend the Hon. FRED NILE: It is a philosophical view?

Dr JENSEN: No, because I think that is different from what Dr Longstaff means and what I think he has attempted to roll-out here. What they are trying to do is not ideological. The term "secular humanism" refers to an ideology. It is a substantive—you might use the word "thick" view of what is right—

Dr JOHN KAYE: Thick?

Dr JENSEN: Thick as opposed to thin.

Dr JOHN KAYE: Philosophically thick, not dumb?

Dr JENSEN: That is right.

Reverend the Hon. FRED NILE: There are no absolutes in secular humanism.

Dr JENSEN: No, there is a version of secular humanism which has very strong absolutes. I would argue against or with or to those absolutes or argue where they come from. Secular humanism is an ideology. I think Dr Longstaff's course, and the course that they are trying not to give an ideology, they are trying to help people in a technique, in a way of reasoning. It is a verb, not a noun, I think that is the difference here. I think you could adapt a course for use with a Christian ethic. You could certainly dovetail those two. I think that is one of the problems here is that the Christian community understood the ethics course as promoting a philosophy whereas it is not the intention of the ethics course to do, I do not think.

Reverend the Hon. FRED NILE: That would get down to the grassroots as to what a particular teacher does?

Dr JENSEN: Certainly, but we trust our teachers with all the different backgrounds, ideologies and beliefs, or none that they have, in the classroom as well in public education.

Reverend the Hon. FRED NILE: I do not think the school teaches them.

Dr JENSEN: I know, that is true.

Reverend the Hon. FRED NILE: Ethics course volunteers.

Dr JENSEN: That is true but we put trust in the hands of teachers in all kinds of different capacities with all kinds of different beliefs. As parents we seek to help our children critically digest what they have learnt from their teachers of whatever perspective. I suppose that is both the benefit and the bane of public education.

Reverend the Hon. FRED NILE: They are not qualified teachers.

Dr JOHN KAYE: Thank you for some very interesting evidence. I thought your evidence was very well argued. I refer to clause 3 in your written evidence. "The syllabuses were not revealed until the very last moment". I appreciate that you used the expression "goose and gander". At what point were you talking about?

Dr JENSEN: The first time I lay eyes on a syllabus it was not actually for public distribution, it had fallen off the back of a truck, as it were. It was before the trial had started.

Dr JOHN KAYE: You were concerned that at the time of the trial which, if I am correct was in 100 schools, you had not seen the syllabus?

Dr JENSEN: I am sorry, my sense of sequence of events is not clear in my head, but before the trial went ahead, and even right up to the beginning of the trial, it seemed to me that we were having a public debate about a course we did not actually have in front of us. Dr Longstaff admits that is not long enough—

Dr JOHN KAYE: But to be absolutely fair, my recollection of that was at the time of the trial which was in 10 schools, I had been part of the debate that had been raging for four years at that time. I think you had probably been there for longer. That debate had rages before I became a member of Parliament. It was not as if that debate came from nowhere.

Dr JENSEN: Why had the syllabuses not been produced beforehand?

Dr JOHN KAYE: Would it not be fair, Dr Jensen, to say that you would not produce a syllabus until you knew it was going to happen and we did not know the trial was going to happen until fairly late in the event. You might know more than me but my recollection of the events were that we were not told by the office of the Minister that it was going to happen until quite late in that debate.

Dr JENSEN: No, not at all. I think it is entirely fair, given the importance of this for public education in New South Wales, that this new proposal be put forward in the public hands for public discussion. It would have taken some heat out of the discussion.

Dr JOHN KAYE: When a new religious provider is approved for SRE, is it the practise that the syllabus and the substance of what is to be taught in that new provider's courses to be put in the public domain?

Dr JENSEN: My understanding is that that is the practise. Dr Cowling who will speak to you on Monday, and who is present here, will have better information on exactly what happens. I would welcome the putting in the public domain of syllabuses.

Dr JOHN KAYE: I appreciate you said this, because it was what I understood was going on in some Christian communities—in a small number of Christian communities—that the debate over secular ethics was a Trojan horse, as you put it in your report, for an attack on SRE. At any stage during that debate did you point out the absurdity of that argument? If you were interested in getting rid of SRE the last thing you would do is take all the heat out of it by providing an alternative.

Dr JENSEN: Yes, I did.

Dr JOHN KAYE: You did point that out to people?

Dr JENSEN: I did privately and publicly, yes.

Dr JOHN KAYE: So you pointed out that it was an absurd argument—

Dr JENSEN: The word "absurd" was not what I used. I said that in the end I believe this can secure the place of SRE because having introduced SEE people are not going to turn around and get rid of it, I would have thought. That was my view. I also believe that the church has this place as a privilege not a right and should negotiate appropriately.

Dr JOHN KAYE: You posit the idea that there should be a minimum time. You are quite right, the Act specifies one hour per teaching week as the maximum but does not specify a minimum time. That always, in practice, becomes one period a week. You are aware, I presume, that various schools have different sized periods?

Dr JENSEN: Yes.

Dr JOHN KAYE: And you would be aware that specifying a minimum time that was greater than a single period for a school would have quite substantial consequences for a curriculum schedule—and I should declare my interest in this: my partner is a public school teacher and she has grave concerns about timetables; she is involved in the timetabling process.

Dr JENSEN: Having been a school teacher myself I would be interested to find a school with a less than half an hour period, a 27-minute period. Of course, in high schools where the division of lessons is much stronger what ordinarily happens is that scripture is given an afternoon or a morning a term.

Dr JOHN KAYE: The Act specifies it as a number of hours per year which is equal to the number of teaching weeks as a maximum. You would specify it as a minimum number of hours per year, is that correct?

Dr JENSEN: That would be a good way to go. That might be a better way than half an hour a week. That might be more workable given your concern about timetabling.

CHAIR: Thank you Reverend Dr Jensen for your very valuable insights to the Committee.

(The witness withdrew)

STEPHEN FYSON, appearing as an individual, sworn and examined:

CHAIR: Thank you for your written submission and thank you for appearing today on short notice.

Dr FYSON: I am presenting here as an individual, an individual who has worked with young people for almost 35 years now, and I am interested in the theme of hope. I currently work in a special school. I have responsibility for two programs: one program is for young people who are the rejects of mainstream education; the other program is a program for teenage mothers and pregnant teenagers. My submission is very short and even listening to the people before me the point I am making is that if we do not conceptualise what is happening here properly it will be another step towards young people not being able to talk about the deep-meaning questions of life in a way that is helpful for them as a whole person and for their education generally.

There is all kinds of literature being written at the moment—and I heard the question before about rising cynicism. Drs Twenge and Campbell on *The Narcissism Epidemic* is an interesting read on that. I have been involved in psychology for over 30 years and I know that in Australian psychology we simply do not ask the questions to take us to the metaphysical level in our research. I went to the St James Ethics Centre website and their overview I think clarifies, just in the simple reading of the overview, some of the issues being spoken about today. What we have been talking about is morals and ethics and religions. They present as metaphysics—I have a copy of it here—and they say "This is where SRE lives. It is the deepest-meaning questions of life and therefore how do we live?" I think they have correctly placed themselves as a moral reasoning process program next up the line.

I think it is possible—even for young people and families who have not decided what their, what I would call, confessional stance is—to introduce to them the links between deepest faith and hope and meaning as a basis for the question, "How then shall we live?" My other concern—and I do not want to overstate this because I am grateful that this is being discussed; it is a good debate and it is a debate which we should have had—that those who are not going to SRE, where is the input for hope and purpose in their life within the education systems? I think it is a terrific debate. But the first aim which is given on the St James Ethics Centre website is that it is a secular complement, but their own diagram shows that it is not a complement at all; it is something less than a complement.

I have the privilege of going to India once a year and helping in village-based schools for the outcasts, and I am often there in discussions, because I work in faith-based schools, about "How do we talk to our neighbour about whether or not we should eat meat, because they are Hindu and we are not?" I have had the privilege of learning how to teach a framework where I can share my commitment, but with impartiality, and invite them to test their deepest meanings. I believe it is possible. I believe the opportunity that we have in this State is to say to young people: test out the deepest questions; look at what hope is. Let us not reduce love, forgiveness and grace that we need in human civil society to a process of moral reasoning alone. That sits on something. I contend that even a simple reading and a straightforward reading of the St James Ethics Centre explains that. I think we can do even better than that, and that is my simple proposition.

The Hon. MARIE FICARRA: Given the great bulk of children who are participating in the ethics classes, and some possibly even switching over from the SRE to the SEE, and they will probably bounce backwards and forwards—I know of children who do and parents who think it is good—do you believe that it is worthwhile to have something there but you are saying that it can be improved upon?

Dr FYSON: Yes, very much.

The Hon. MARIE FICARRA: In what way?

Dr FYSON: I have not had an opportunity to delve deeply into the syllabus but my understanding of the SEE program is that that could actually be one strand of what is offered to families and their children who do not have a confessional stance. I think, and I do not mean this in a harsh way, that they are actually being cheated by saying that SEE is an equivalent to SRE. Even the St James Ethics Centre website does not support that, and I think we can do better. Studies of religion teachers have been doing this now for over a decade in this State, where they are taught to teach how to present the link from any source. What do we think about basic questions of life and existence? Who are we as people? What is our ultimate hope in life? What is the basis of love?

We can demonstrate the links between what I call our hope and faith stance to then how we determine what is right and wrong. I think our teachers at the top end are used to doing this. I am a Christian person and when I teach it I say to my young people, "This is where I am coming from, but I am going to describe it from the bottom up. I am going to show you why my faith informs my belief in right and wrong, what that does to my logic and reasoning and therefore why I choose to act in a certain way." Those processes are highly teachable even to very young people. However, the emphasis with young children of course is giving them the message that humans can find hope. I would contend that that is deeper than SEE.

The Hon. DAVID CLARKE: Are you suggesting that in some way there might be others who could contribute to the ethics course?

Dr FYSON: Most definitely.

The Hon. DAVID CLARKE: So it would not be a monopolistic situation as it is now. Is that something that might address your concerns?

Dr FYSON: Yes. I think that for the ethics course to be a genuine secular complement, which is how it is described, they need to stand against other things. Young people could have a moral reasoning ethics person come in, as in SEE, and then compare what they say to a Buddhist, Christian, Jewish or Muslim perspective. It is possible to teach this stuff without using indoctrinaire approaches. Emeritus Professor Hill in Western Australia worked collaboratively with educational bodies from different backgrounds. He used the language of different levels of values. There is research on that program in Western Australia. What he called ultimate values took us to what the St James people called metaphysics. I agree with that. There are metaphysical questions: Are we simply physical beings or are we not? Are there unseen realities of life? Is love more than biochemistry? The correct technical term is metaphysics. They are ultimately deep hope questions and what in our society we call faith questions. So a range of points of view can be put personally or by someone who is prepared to say, "This is my commitment, but let me show you what other people believe as well." That is called committed impartiality and I think that is possible.

The Hon. SARAH MITCHELL: Point (b) of the terms of reference is a blunt statement asking whether the Education Amendment (Ethics) Act should be repealed. What do you think about that?

Dr FYSON: I think it should be because it is not doing what it is purporting to do. It is not an equivalent replacement to SRE. Again, I go back to the St James website. It is one step up from that. If it were equivalent, there would be a comparative SRE not ethics one step along.

The Hon. SARAH MITCHELL: Would your recommendation come back to comparative religion and ethics being a strand within that? That is also a phrase you have in capitals in your submission.

Dr FYSON: I hope that did not sound like I was shouting.

The Hon. SARAH MITCHELL: No. Would you prefer to have a comparative religion course?

Dr FYSON: Yes.

The Hon. SARAH MITCHELL: Do you think that would be just as efficient as what is occurring now?

Dr FYSON: I have a young lady at my school who has scars up and down her arms. Our school is the first place where she has felt safe enough to wear short-sleeved shirts and to say that is how hopeless her life is. I agree with Dr Tobin that Aristotle has lots of insights about what is more humane or less humane. If you want evidence, go to sociology literature rather than psychology literature. I have studied both. Again I say, Australian psychology does not even ask these questions often enough. You will not find it here; you will find it in other places such as Europe and America. I think it is cheapening the journey of her life to say, "Congratulations! You are now doing better moral reasoning." That young woman is looking for hope. She sits with me, with other staff and the chaplain to pursue those questions and to establish why she self harmed.

I believe that the language I am using is the language that young people are aching to hear. Dr Tacey from La Trobe University is saying that at the university level; that is, that we reduce Patrick White and try to study literature without a spiritual understanding. That is the state we have reached. The St James Ethics Centre

understands that as demonstrated by the addition of "Other KLAs" in its bar graph. These things inform every subject. Dr Tacey has been mapping young people who are saying that it is not good enough that we cannot even discuss this stuff in our universities.

The Hon. SARAH MITCHELL: The first witnesses who appeared before the Committee this morning were representatives of Parents4Ethics. They talked about the right of parents to elect for their children to participate in ethics education rather than religious education. If we were to have a comparative religion course as the only alternative, where would that place parents who do not want their children to have any religious instruction? I am concerned about the fact that the choice might be limited for them.

Dr FYSON: As someone who has been in school leadership for a long time I believe that these are discussions that we should have with parents when we are introducing and explaining something.

The Hon. SARAH MITCHELL: Okay.

Dr FYSON: To do it by fiat will be harsh on someone. I believe it needs to be done in conversation with parents and the emphasis and the flavour may well be and should shaped by the local community.

The Hon. SHAOQUETT MOSELMANE: In the first paragraph of your submission you say the current ethics trial being conducted in New South Wales will move education in this State to a more shallow level. What do you mean by that?

Dr FYSON: I mean that education can be defined differently in the same way that ethics and morals can be defined differently. My reading of New South Wales State syllabus documents over 30 years suggests that we increasingly give lip service to what I call the unseen realities of life and reduce education to the instruction of knowledge and information skills. What I am talking about is something more basic to liberal arts education. We can reduce learning to "do you know this information" and "do you have these skills". Special religious education is the only place where we get to say in a focused way, "What does it mean to be a human being?" An alert teacher will incorporate that in his or her discipline teaching, but it is not protected very well.

One can compare version one of the religion syllabus to version three. There are trends and patterns of what emphasis is protected. There is a debate now about the Australian National Curriculum. Is it taking us to straight information and skills—what we call attitudes within syllabus documents? On what basis do we determine what is right and wrong in our attitudes? Education can be a wonderful safe place, such as in the little school that I run, where people living in immense pain can safely and deeply ask those questions as a basis to get on with what to do with the information and skills they learn. I think that if we equate moral reasoning processes with the search for meaning, we will be taking yet another step towards the shallow end of what education is about.

The Hon. SHAOQUETT MOSELMANE: From what I have heard and read, their reasoning is based on deep philosophical backgrounds. It seems to be a complete clash of views to apply the word "shallow" to a very reasoned historical perspective of humanity, values, morals and ethics.

Dr FYSON: Again I take you to their own flowchart.

CHAIR: Is it possible to table that? I know it is available on the website.

Dr FYSON: Certainly. I agree that philosophy is deep, but then one needs to talk about the philosophy of philosophy—how do I know that I know that I know? That is the kind of language that philosophers use. What I am saying is, yes, there is deepness there but even within philosophy itself the question rages about rationality and the universe. What is the source of how we can even do politics, reasoning, logic? As Dr Jensen said, that begs at times theological questions, the nature of spirituality. Are we simply physiology on legs, for those us with legs, or is there unseen reality of life? That is philosophy wrestling with the bigger questions within which it even sits. That is what I am suggesting.

The Hon. SHAOQUETT MOSELMANE: You are saying that ethics is a replacement for SRE, but you have been here for a little while and you have heard other witnesses say it is not and they do not put it as an alternate to SRE. They have made that point in their submissions and in their statements today. How do you come to that conclusion when they are telling us it is not the case?

Dr FYSON: Because it is optional so that, in that technical sense, makes it. However, what I am saying is in the ideas behind it it is not an equivalent. I will use that. It is not a forced option or alternative, but conceptually it is not an equivalent.

The Hon. SHAOQUETT MOSELMANE: That is true. It is not an equivalent. It is different teaching.

Dr FYSON: But what I am saying is that lack of equivalence makes it more shallow. Again I refer to their own bar chart.

The Hon. GREG DONNELLY: Thank you for coming along today to speak to your submission. In terms of the document that has been tabled which is from the website—this is the first time I have seen it—it seems to me that there may well be on your part a misinterpretation of the table on the page. It seems to me on reading that table that it is actually not listing things in priority from higher to lower but it is horizontal. There is no priority per se. If you look at SRE, which is the scripture classes, you have got, as they explain it, metaphysical discussion and ways of living ethically. Then with the ethics classes there is no explicit consideration of metaphysical matters. They are actually sitting side by side; they are not listing one above the other. That seems to be at odds with the way in which you seem to interpret the ethic classes.

Dr FYSON: Why are they in the order that they are in? I think if you read the paragraphs above then that clarifies it. They quote I think it is the Rawlinson Committee, they note the importance of what they have labelled metaphysics and then they make the statement that morals and values can be taught without religion. They are admitting in their own description there is—I am not saying a higher or a lower, I am talking about a deeper and a more shallow. The language in the table is consistent with that interpretation, as is their first aim below the table.

The Hon. GREG DONNELLY: Can you explain the definition of the term "confessional stance" which you have used? What do you mean by that?

Dr FYSON: What I mean is it is when people say: I am a Christian and I am letting you know that that is how I am teaching this stuff. I am not going to shove it down your throat, I am not going to force the soul of anybody but I am actually letting you know where I stand. I have made a metaphysical—if you like, in this language—commitment and I am making explicit my metaphysical commitment. Again in the work of Dr Hill, he says that in faith communities they need to give young people the opportunity to be critical about those stated commitments and then in State-run schools it is actually more humane for teachers to admit where they are coming from, lay options on the table and let the young people test it out.

The Hon. GREG DONNELLY: You would be aware that the SRE teaching is conducted by volunteers and with respect to the ethics classes they are essentially delivered on a voluntary basis. In terms of other models that you might have in mind that would sit perhaps beside these two, who would in fact be providing that training and education?

Dr FYSON: I do not have a pat answer to that. I think that is up to the creativity of the communities involved. Again, I have been around education too long to believe that these answers come out of a formula. I think parameters to keep children safe are important and then local communities need to be creative in how they answer those things. I think there needs to be parameters about safety and care but, again, a local community—I will give you an example. I spoke once with a lady who is a principal of a Seventh Day Adventist school. A local imam—a Muslim leader—sent his children to her school. When she asked him why he did that, he said, "Because the way you teach is closest to my deepest belief than what I can get in the alternatives in this district." That is what I am talking about in terms of parents looking at these questions and testing them out and having conversations. I think it would be better for us to open up that discussion and learn ways of having this discussion at those deeper levels.

Reverend the Hon. FRED NILE: Thank you for coming in today and sharing with us your thoughts. You have said in your submission that the current ethics program is a program in social consensus decision-making or decision processes. What is the value of that process? Does it have any value?

Dr FYSON: I agree with the concerns of the person two speakers ago. I am sorry, I only heard her this morning.

CHAIR: Dr Bernadette Tobin.

Dr FYSON: I agree, as she said, that without an explicit discussion of the need for an "other", if I use the generic sense, for Christians it is God—unless that is part of the conversation I agree that sociological history and community-based psychological research can increase the danger of cynicism and narcissism within society. Again that is why I think the works of Dr Twenge and Dr Campbell are informative of this. They are talking about the data they are collecting in America where young people can say this is how I decide right and wrong, but they are not grounded in something greater than themselves. I believe the history of humanity shows us that if we are not grounded in something bigger than ourselves we are at risk. If that is not a transcendent being it becomes, I believe, an ideology.

If you are interested in reading this I encourage you to read both Christopher Hitchens and then his brother Peter Hitchens. Christopher Hitchens, as we know, is one of the colleagues of Richard Dawkins. His brother Peter wrote a book to engage with Christopher's arguments of these very things. He challenged his brother to explain elements of Russia and China to him on the basis of his metaphysics. So that debate is out there on both sides of the camp. All I am saying is I think in a gentle way, in a kind way, in the reality of us being a multi-faith society, we can do better than this.

Reverend the Hon. FRED NILE: The course, as you know, starts at kindergarten. Do you feel that the course in fact could do some harm to children's development?

Dr FYSON: You have only got to go to Erikson. Look at Erikson who is a developmental psychologist and the legion of research that has come around his theorising. He was a psychologist but he did not back away from the concept of virtue. He said in young children if they do not establish hope and trust then there are all kinds of dysfunction—and I see it every day when I go to my school—in our young people. That is worse case scenario. I do not want to label everybody unfairly or say that everyone who is teaching this is intending that, but I believe, yes, there is enough stuff out there to say there is genuine risk. If you teach how to think right without a basis of hope—I have had the privilege of sitting down and simply reading story to young people for decades.

Look at what is happening in their faces—that is more than physiology; that is more than reductionist moral reasoning processes. It is the journey of life and humanity to say: What is here? Why am I here? What is the purpose of it? They do not articulate at that level but they resonate with it at that level. You can watch a child and see if you are reading to them what one theorist called "twaddle" or something engaging their heart and mind. That is what I am saying. I would hate to see ethics become something which is not engaging heart and mind. But as soon as I use the word "heart" I am introducing something which goes beyond a moral reasoning process. It is the context in which that sits and that is why the St James website accurately puts metaphysics where it belongs, at the deepest level.

Dr JOHN KAYE: Dr Fyson, I do not seek to investigate your own personal beliefs but I ask you this: Do you accept that there are people who live fulfilled lives on the basis of not having faith? Do you accept there are people who can have hope that is not founded in faith? Do you accept that there are people who can have trust which is not founded in faith?

Dr FYSON: You have asked three questions. Let me take the middle one about hope. Everybody has hope in something. Their faith may not consciously involve recognition of a transcendent "other", but everybody, if they are a functioning being, puts their hope in something. A humanist will put their faith, their hope, in something. You can go to the Humanist Manifesto and read it and it is a clear articulation. That is a faith statement. So your question begs the definitions of those terms.

Dr JOHN KAYE: The terms that you have used quite extensively in your evidence, they clearly have meaning to you and are valid for you—and I think I understand their meaning—but you have not answered my first question: Do you believe that people can live fulfilled lives and have lives that function, without faith?

Dr FYSON: I was answering that. That would engage us in the discussion of what we mean by "fulfilled lives".

Dr JOHN KAYE: You have given evidence to the Committee today that you think there is something wrong with the SEE course on the basis that it is not based on faith or it does not create an education in faith.

Dr FYSON: That it does not create an educational opportunity to explore the basis of fulfilment, faith and hope.

Dr JOHN KAYE: My question is: Do we deduce from that statement that if you do not provide an education that explores faith, then lives will be dysfunctional?

Dr FYSON: There is an increased risk, definitely. Again, I think there is literature to demonstrate that.

Dr JOHN KAYE: So you think that people who do not have faith and who raise their children without faith have an increased risk of children who are going to be not functional?

Dr FYSON: Again, you have misinterpreted my explanation of faith. Everybody has faith and hope in something, whether it is an environmental stance or whether it is an ideology. They will use faith at the metaphysical level.

The Hon. DAVID CLARKE: But there are people who can live fulfilled lives even though they do not have a faith base.

Dr FYSON: I am saying that everybody has a faith base.

Dr JOHN KAYE: That argument is really interesting and one that has dogged me since I became an atheist at the age of 15. It is an interesting argument but let us confine faith to a belief beyond the observable. Is that a reasonable definition?

The Hon. DAVID CLARKE: Without a belief in a supreme being.

Dr JOHN KAYE: No, I don't want to go that far, you are taking it somewhere else.

Dr FYSON: You are asking what I mean by it and I explained it; you have just given your explanation of it. I am saying this is a metaphysical discussion which our young people are not being afforded the opportunity to grow into.

Dr JOHN KAYE: Let me go somewhere else in your evidence. You talked about SEE not being an equivalent to SRE.

Dr FYSON: Yes.

Dr JOHN KAYE: You would have a fairly strong understanding of the differences in the theology of Catholicism and the theology of Protestantism.

Dr FYSON: Yes.

Dr JOHN KAYE: Would you see that an education founded in the theology of Catholicism as being equivalent to an education founded in the theologies of Protestantism?

Dr FYSON: It depends on the context and on what you are looking for as outcomes to judge equivalents. What we are discussing here, I believe, is again the level at which material is presented. All I am saying is that SEE, as I understand it and I apologise if I have misread it, but on a plain reading of what is on the website, it is not even claiming to be an equivalent. I am not projecting this onto it through my interpretation. It is not even claiming to be an equivalent. But that was the intention of the original Education Act—an opportunity for this discussion of humanity.

Dr JOHN KAYE: When you say this was the intention of the original Education Act are you talking about the Public Instruction Act 1880?

Dr FYSON: Yes.

Dr JOHN KAYE: What are you saying was the intention of inserting the equivalent of one hour a week maximum into the Act?

Dr FYSON: Two things: It was an antidote against sectarian fighting amongst the denominations but also it was a call to not let go of that which makes us human.

Dr JOHN KAYE: What do you base that view on?

Dr FYSON: Just my reading of the history of the society and culture of the time.

(The witness withdrew)

(The Committee adjourned at 1.55 p.m.)