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**THE HOUSE OF ASSEMBLY GOVERNMENT ADMINISTRATION COMMITTEE A
MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE, HOBART, ON
WEDNESDAY 28 JANUARY 2026.**

INQUIRY INTO DISCRIMINATION AND BULLYING IN TASMANIAN SCHOOLS.

The committee met at 10.24 a.m.

CHAIR (Mr Mitchell) - I apologise for the delay in starting today. We've had a quick private meeting and some technical issues.

Welcome to today's hearing of the Government Administration Committee A Inquiry into Discrimination and Bullying in Tasmanian Schools. Please each of you state your name and the capacity in which you are appearing before the committee.

Mr CROOME - Rodney Croome, spokesperson for Equality Tasmania.

Mr PECL - Leon Pecl. I'm giving evidence.

Ms COURTNEY - Amilie Courtney, activist for transgender rights and students in the Catholic education system.

CHAIR - Thank you all for that. Can I confirm that you have received and read the guide sent to you by the committee secretary?

Witnesses - Yes.

CHAIR - Thank you. This hearing is covered by parliamentary privilege, allowing individuals to speak with freedom without fear of being sued or questioned in any court or place out of parliament. This protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside the parliamentary proceedings. This hearing is public. The public and media may be present. Should you wish aspects of your evidence to be heard in private, you must make this request to the committee at the time.

I'll introduce the members of the committee. I'm Brian Mitchell. I'm the Chair of the committee. To my left -

Ms JOHNSTON - Hello, I'm Kristie Johnston, Independent member for Clark.

Mr BAYLEY - Vica Bayley, Greens member for Clark.

Ms BURNET - Helen Burnet, Deputy Chair.

CHAIR - Online we have Anita Dow, who will take part today. However, through technical issues she can't see us unfortunately. Well, probably fortunately if she doesn't have to look at me.

Ms DOW - Hi, it's Anita from Braddon.

Mr CROOME - I should have added Rodney from Braddon, too. Hi Anita.

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Mr RODNEY PETER CROOME, POLICY OFFICER, EQUALITY TASMANIA, Ms AMILIE KATE COURTNEY, AND LEON NICOLAI PECL, WERE CALLED, TOOK THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - I'll read this as well. We recognise that during these hearings we may discuss highly sensitive matters that may have deeply impacted the lives of Tasmanians. This may be a trigger for individuals listening to or participating in these proceedings. I'd encourage anyone impacted by the content matter during this hearing to contact services and supports such as Tasmanian Lifeline on 1800 98 44 34, Kids Helpline on 1800 55 1800 or Beyond Blue on 1300 22 4636.

Do any of you wish to make a short opening statement?

Mr CROOME - Yes, briefly to provide context.

We appreciate the opportunity to be able to present evidence to the inquiry. It's been almost a year since the last appearance that I and others made in February last year. Since then, there have been significant developments in this area. It's pleasing that the committee is taking more evidence. There's been a change of Archbishop in the Catholic education system and the head of Catholic Education Tasmania. We hope, given the difficulties that arose at the last hearing, that that may mean a change in the ethos in the Catholic education system.

Certainly it means that some people who previously didn't feel able to speak feel able now. That includes Amilie, who's here with us, and Sam, I think, who's joining us on Teams.

The other thing to note is that since last year's hearing we put in a supplementary submission that deals with some of the points that were raised in the hearings, particularly by faith-based education system leaders. I'd urge committee members to consider that submission. It addresses some of the issues that were raised, including issues of religious doctrine, the wishes of parents who send their children to faith-based schools and, in particular, the issue of whether federal or state anti-discrimination law applies to faith-based schools. There's much more evidence that we've provided in regard to those points in that submission.

I think Equality Tasmania felt that it was important for lived experience voices to be heard today, so I'd like to give most of the time today to Amilie, to Leon and to Sam to talk about their experiences of discrimination in Tasmanian faith-based schools.

Which of the two of you would like to start?

CHAIR - Before we get to Amilie or Leon, I'll note for the record that we've been joined by Sam Johnstone, who's also going to be appearing today. I need to swear him in. Sam, if you're there, I need to ask you to state your name, your title and any organisation you're representing, if applicable.

Mr JOHNSTONE - Hello, my name is Samuel Peter Johnstone and I am representing myself. It's not applicable for the organisation that I belong to at this point in time.

Mr SAMUEL PETER JOHNSTONE WAS CALLED, TOOK THE STATUTORY DECLARATION AND WAS EXAMINED via MICROSOFT TEAMS

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Mr CROOME - I think Sam is at professional development today and if he's able to speak first, that might help him with his timetable.

CHAIR - Sam, you've got the floor if you'd like to give your evidence now?

Mr JOHNSTONE - Thank you. I want to begin by saying this is not easy to speak about, but it matters.

During a period of extreme personal hardship, including marital breakdown, I continued working as a deputy principal within Catholic Education Tasmania. At the same time, I was a practising Catholic, deeply involved in my parish, present in the life of the Church and committed to raising my children within the faith community I had served for years. While struggling profoundly on a human and family level, I remained committed to my students, my staff and my vocation.

During that time, I relied on a close, supportive relationship with a colleague. That support was critical to my wellbeing while I tried to hold myself together and continue leading responsibly.

Acting with honesty and integrity, I proactively disclosed that relationship to the then principal because I believed transparency was not only expected but required of someone in my role. That disclosure became the catalyst for everything that followed.

From that point on the focus shifted. It was no longer about my professional conduct, my leadership or my years of service. It became about my personal life or how it was perceived. I was judged not on behaviour but on relationship and marital status, not on evidence but on assumption, not with care but with process and power. There was no finding of professional wrongdoing. There was no evidence-based assessment of misconduct, yet I was stood down from my position.

I was treated as though I was morally compromised and had been involved in criminal-type behaviour at a time when I was already deeply vulnerable and needed support and care. At that point the discrimination became explicit. I was told I could not continue as a leader and even a teacher in my school, nor could I teach in any other Catholic Education Tasmania school. That was not based on professional competence, conduct or substantiated finding of wrongdoing. It was a blanket exclusion from my profession.

When I attempted to negotiate alternatives, the only options presented were significantly diminished non-teaching or ancillary roles - roles that bore no resemblance to my qualifications, experience or vocation as an educator and leader.

I'm a registered teacher and respectfully not ancillary staff. To be told that I could no longer teach while being offered lesser non-educational positions was deeply degrading and profoundly discriminatory. It amounted to a constructive inclusion from my profession based not on performance but on personal circumstance.

Under the Tasmanian anti-discrimination law, it includes treating a person less favourably or imposing conditions that have effected disadvantage on them because of personal attributes including relationship and marital status, particularly where such treatment is

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unnecessary, disproportionate, unrelated to the inherent requirements of the role. What I experienced met that threshold. I didn't receive compassion. I experienced isolation. Instead of pastoral care, I experienced removal. Instead of understanding, I experienced removal. Instead of understanding, I experienced silence.

What made it even more devastating is the impact on my family. At this very same time this was unfolding, my son was about to start year 7 at the same school - the school where I'd been a student as well as my father, and where I was serving as deputy principal.

The transition should have been a moment of pride and belonging for our family. Instead, it became the source of deep pain. My son had to walk around the community each day while his father was abruptly removed with no explanation and no care; no consideration for the impact on him and us as a family. There's no pastoral support or no acknowledgement of the harm being caused and no understanding shown then or since. This remains incredibly hard, and it still is.

My faith did not waver. I remain present in the Church, committed to the values and grounded in the community that shaped me, yet those who did not know me or my faith judge me anyway.

I was not just removed from the role: I was removed from my, and a, community. Many staff and students were affected deeply as I had been a main point of support for many students who were vulnerable, staff who relied on stability, and families who trusted my leadership. That support was taken away without warning, without communication, without the care of the ripple effect this would cause. It should never have happened this way.

I want to be very clear about this: I fought hard to retain my position, not out of pride, but because I knew, and still know, that I was the right person for the role. I had the experience, the trust of the community and commitment required to lead well even in difficult circumstances. I did not walk away. I was pushed out. The cost of that decision was not borne by only me. It was borne by my family, my students, my colleagues in the wider school community.

What this inquiry must understand is this: I did what systems say they want leaders to do. I disclosed early, I was transparent and acted in good faith, and for that I was punished. The message this sends is dangerous - that honesty is risky, that vulnerability is a liability, and that disclosure can cost you everything.

I was placed under immense pressure to resign. I was told this process could drag on for years and destroy me financially and the toll on my family would be unbearable.

On the advice of people supporting me, I signed a non-disclosure agreement - not because it was right but because I simply could not survive what was continuing to be done to us. That agreement explicitly states no professional criminal wrongdoing occurred. Instead, I was deemed unable to be a leader at that stage in my life. It's not a finding, it's a judgment. It's discriminatory.

I lost my role, I lost my vocation, I lost my community when I needed all of them the most. Despite the severity of what occurred, there has been no accountability for those who made these decisions while I continued to carry the consequences.

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This is not just my story. I tell it for the ones who will suffer at the hands of discriminatory-type behaviour and who don't have a voice and have been silenced as they live in fear to not be their true selves for fear of repercussions. Other leaders know it throughout the system and have been too scared to share their opinions as they too fear for their positions. It shows how power unchecked, discretion and religious exemptions can strip compassion from decision-making and leave families and communities devastated. If this can happen to someone who is honest, faithful, capable and committed, it can happen to anyone.

Lastly, I disclosed a close supportive relationship during the hardest period of my life and that honesty cost me my career, my community and deeply harmed my family. I should still be in my role, completing my job and should have the support I needed in the hardest time in my life. I was not afforded a drop of care. The story can be a catalyst for change and I know that this discrimination cannot continue to be accepted anymore. It's time they put their hand up and change before it's too late.

Thanks.

CHAIR - Sam, thank you. Before we get on to Amilie and Leon, I'm going to acknowledge that you are time constrained and I'm going to invite any members of the committee who wish to ask you any questions to do so now. Kristie?

Ms JOHNSTON - Thank you, Chair. Thank you, Sam, for sharing that deeply personal story with us. I'm sorry that you've had that experience.

You've outlined what you say has been discrimination based on marital and relationship status, which is a protected attribute under the *Anti-Discrimination Act [1998]*, and you outlined that it's cost you your job, your community - and it's a very difficult time.

Can you articulate when this occurred and how it has been resolved? You mentioned that you've signed a non-disclosure agreement. Did you have conversations with anyone at Catholic Education or the Archbishop directly about this? You are no longer in Catholic Education, I understand.

Mr JOHNSTONE - No, I was stood down on 26 September 2024 and then I was trying to fight against that for just under 12 months of isolation. It was mainly through lawyers in the end. I didn't speak. I had one meeting with Catholic Education. I did not hear from a person from Catholic Ed[ucation]. That was September [2024].

But my last correspondence with anyone from Catholic Education was in December. I had eight months, say, of lawyer correspondence where I had to engage a lawyer as well - costing me thousands of dollars and lots of hardship.

I resigned in August of 2025. Once it was accepted by Anti-Discrimination [the Office of the Anti-Discrimination Commissioner] - we had the meeting and once it was spelled out to me what it looks like moving forward, I decided with my people around me that day that it was best. I didn't have it in me to keep going any longer, so I just decided to resign that day.

I did meet with the new Archbishop.

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Ms JOHNSTONE - What was their response?

Mr JOHNSTONE - It was along the lines of that if my living arrangements aren't aligned with Catholic teaching, then it was not going to be able to move forward with any solutions. That was pretty much the line around where the support was going to come from there, even though I did seek for things to be resolved and for me to be listened to and supported with a number of things I said around what I'd like to have got out of it.

Mr BAYLEY - Thanks, Sam, for sharing this story. It is really revealing.

For the purposes of absolute clarity, we've heard evidence in this committee from a number of different people in relation to discriminatory practices by Catholic Education Tasmania based on gender identity or their sexual preferences and the like. Can you be abundantly clear about your circumstance in this instance? I heard you at the start say your marriage broke down and then you were subsequently in, I guess would you call it, a de facto relationship? Was that a heterosexual de facto relationship or?

Mr JOHNSTONE - I hadn't started a full relationship. I had a very close relationship at that stage, borne out of support from what I was going through. Yes, heterosexual. Male-female. My marriage - my then wife - and then that was a very early relationship in the sense of it hadn't flourished to anything romantic at that stage. It was borne of full support for my circumstance. We were spending time together around that due to the other things I was dealing with and I was with a number of different people in my community, to be honest.

Mr BAYLEY - To be clear, in terms of Catholic Education Tasmania's position, was it the breakdown of your marriage that was the so-called problem that they were identifying in terms of inconsistency with faith-based teachings, and in their mind, with your ability to be a leader in the school? Was it the breakdown of your marriage or was it a new relationship?

Mr JOHNSTONE - A new relationship. In the end that's what they were led to believe that I'd started and I was seeing another person. That didn't line up with the annulment not happening with my previous marriage. I couldn't be a leader in Catholic Education.

Mr BAYLEY - One last one from me. Can you outline a little bit more about your conversation with the new Catholic Archbishop? What did you feel going into that conversation? Did you feel like you had hoped there would be a new approach or a clean slate? What exactly was reflected back to you by the Archbishop?

Mr JOHNSTONE - Frankly, with the outgoing Archbishop and the stance that was taken, I went into the meeting thinking this could be a chance for some actual eyes on my story and a chance for some change around understanding and compassion, at least, in knowing what my actual story was about and what I was going through personally on the humanistic element, and the dignity of me as a person, in the way I was stood down without any full clarification with me or meeting with me to get clarity on any of this sort of stuff.

There was not one fact on anything that I was stood down over in that moment, and that's what I was laying out to him pretty barely. In a nutshell, in a roundabout conversation, he was nice and welcoming and apologised on behalf of the Church, but the bottom line was unless my living arrangements and whatever else I wanted to do at that stage - this is nearly 12 months down the track, mind you - and by that stage, yes, my things had changed personally for me

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and I wasn't going to be bound to my living a different life over 12 months of suffering by myself.

Ms BURNET - Thanks Sam, I appreciate what you've told us and it's such a deeply personal scenario for you. I have two questions. You, as a teacher, you're obviously passionate about teaching. How do you think that has impacted the people whom you are there to show examples to, and on your family? My second question is what would you like to see from this committee in what could be tackled to change situations.

Mr JOHNSTONE - The impact on myself and the community and the people that were in the college was profound. I have been teaching in that community for a long time. I went to the college, my father went to the college, I had a deep connection with the college and the students and the families. In my role as a pastoral support leader, it was profound. I had students stop in the middle of the street, who didn't know where I went, in tears asking where I was. Nothing was explained and there were no supports put in place for these kids or staff that I was navigating through some really, really difficult times, as well as my own stuff, and I continue to do that. It was just taken away.

Then my family, as I mentioned, my son starting in grade 7, the confusion of what has happened with his mum and dad, separation and all these things and then trying to explain these things to a guy starting in grade 7 - that was his first year of school as a home-schooled student throughout primary school, that that's happened. That's kind of something that probably as a 13-year-old boy now, it's impactful, but then, as he gets into adulthood, who knows what the effects are going to be like. That was always our dream that I'd be in a school with my kids as they started school. That's been profound.

CHAIR - Mr Johnstone, I'm aware that we're getting ahead on time. If you wouldn't mind just addressing the Deputy Chair's second part of the question, what would you like to see happen out of this committee process in terms of a practical outcome?

Mr JOHNSTONE - For me, it's understanding that people shouldn't live in fear around these types of things, whether it be young males or females who are either heterosexual, homosexual, gender fluid or whatever it is they're dealing with, or their marital status does change - leaders, people in these places feel safe to live their life.

I am a very specific, religious man who's Catholic, who goes to church every Sunday, who receives the sacrament, who understands all of this and then lots of these things were brought upon me without any surety or clarity in coaching and teaching and compassion. From this, I think people need to be able to feel safe, that leaders - and in my role, that I took more seriously than any other role, and more proud to do this role - that they feel safe and they feel that there's an arm-around approach as opposed to a punitive, out the door - if that can change for one person out there, then telling my story, I think, and for you guys as well to hopefully be able to do something for safety of people in that regard would be amazing.

CHAIR - Thank you for your evidence. Of course, you're invited to stay online if you wish, but we will move on to other witnesses.

We're going to hear from Amilie Courtney. I will note that we did start late. I'm proposing this committee extend to at least 11.25 a.m. because that will give the full hour. Then I will take advice from the committee as to whether you wish any further extension.

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Amilie, we're in your hands.

Ms COURTNEY - I'd like to begin by stating that I'm here with the consent of my parents and their full support.

Thank you, Chair, and members of the committee. My name is Amilie Courtney. I'm 17 years old and I'm a transgender girl. I'm currently year 12 at Saint Patrick's College in Launceston, a school operated by Catholic Education Tasmania, a school which I have attended since year 7.

I want to start by saying I'm not here to attack religion. I'm not here to attack individual teachers. I'm here because systems and policies are hurting children, and I am one of those children.

Since the age of 12, I've had to navigate an education system that treats my existence as a problem to be managed rather than a person to be supported. The impact of this is not abstract; it is daily, practical and exhausting. I want to explain what that looks like in real terms.

For a long time, I was not able to use the girls' bathrooms. I was required to use staff or disabled toilets. That meant every time I needed to go to the bathroom, I had to leave the normal student spaces and visibly separate myself from everyone else. Halfway through year 8, I was finally able to use the girls' bathrooms, but only if the toilet had a fully solid door rather than a normal cubicle door and only if the walls were fully solid. No other student is subject to this rule. It sent a clear message that I'm different, that my presence is considered a risk. In fact, I quote, 'I may have a threatening presence to other students.'

On days when we had physical education, students were expected to change into their sports uniforms at school. I'm not allowed to use the girls' change rooms, even though they have cubicles. There is no unisex change room, so I'm instead forced to wear my sports uniform for the entire day. This removes my ability to choose how I present myself and draws questions and attention that is extremely personal.

Another constant battle is my name. When I started year 7, my birth name appeared on the roll. After raising it, the school changed it to show my preferred name in brackets next to my old name. That meant teachers could still see and often used the wrong name. Eventually, it was finally replaced on the roll, but even then, report cards and other documents still come home under my dead name.

Is it okay with the Chair if I present documents?

CHAIR - Yes.

Ms COURTNEY - This is a document of results for my hospitality course in 2025.

CHAIR - I will take that and we will put that into the -

Mr BAYLEY - Could you tell us about it?

CHAIR - Yes, just explain what it is, Amilie.

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Ms COURTNEY - If you look at the document, it states my name given at birth. This is not my current legal name and it does not fit with my preferred name.

CHAIR - To state clearly for the record, you've changed your name legally to Amilie, yes?

Ms COURTNEY - Yes.

CHAIR - I'm not sure what the process is in terms of us.

Ms JOHNSTON - That's an original.

CHAIR - I don't want to take the original.

Ms COURTNEY - If you're able to copy - I was going to photocopy it, but it was an early morning drive down.

This might sound small, but being forced to repeatedly see and explain a name that does not represent you is deeply distressing.

Bullying has been a serious and ongoing example. In year 9, one of the boys started deliberately using my old name to mock me in front of others. I'm going to directly quote, even though using a dead name can be distressing for some transgender people, including myself. One student stood up and told the other students in the class, 'Call him Oliver. That's his real name.' They kept yelling, 'Oliver, Oliver, Oliver' at me until I left the area in tears. I reported it and I was told the boys were given the punishment of 'a stern talking to'. That was it. No meaningful consequences. A few days later, I was required to spend two hours on a bus trip with these same students. No-one checked if I was safe. No safety plan was put in place. Nothing.

School camps are supposed to be about friendship, teamwork and building confidence, but for me they were about isolation. Normally, students were placed into small groups of the same gender and shared tents and responsibilities. Because I'm transgender and therefore considered a risk, I'm not allowed to be in any group. I'm placed alone in my own tent and expected to manage everything by myself. At the campsite, the boys would have one side of the paddock, the girls would have the other and I would be in a tent about 100 metres away. They created a third separate area so while everyone was forming friendships and memories, I was physically and socially separated.

I was also excluded from athletics carnivals because the school claimed I had a physical advantage. This is medically incorrect. Despite this, I'm not allowed to compete at all, though the offer was given that if I really wanted, I could compete in the boys' events. That is not something I feel safe, nor comfortable doing. The result is that I am effectively banned from a major part of school life.

When you put all this together, the message is very clear: I'm not seen as a normal student. I'm a problem to be managed, separated and restricted. I follow the rules, I show up, I do the work, I try to keep my head down and still I am treated as if my existence is something that needs special containment. This does real harm. It affects how safe you feel. It affects how you

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see yourself. It affects whether school is a place where you feel like you belong, or a place where you've just got to survive.

I'm not asking for special treatment, I'm asking for equal treatment. I'm asking to be allowed to go to the bathroom, to get changed, to go on camps, to be able to be called my name in a way that I feel proud of the same way that other students are. No child should have to trade their dignity for an education. No child should be isolated to make adults feel more comfortable. No child should grow up learning that who they are is a problem.

Thank you, Chair, and members of the committee.

CHAIR - Thank you, Amilie, for your evidence. Before we move on to members, I've got a couple of questions about your name. Your name now legally is Amilie. What's the reason the school has given to you and/or your parents as to why it won't update its records to reflect your legal name?

Ms COURTNEY - It's too difficult to do on the systems.

CHAIR - That's it?

Ms COURTNEY - That's it. They said I needed to bring a new birth certificate in with my preferred name, which I ended up doing. At the beginning of this year, I went through the process of changing my legal name and even then documents still come home with my birth name - though the envelopes have my preferred name on them.

CHAIR - What recommendation would you like to see this committee make in relation to that specific matter?

Ms COURTNEY - That students should be able to have a preferred name on their documents that the school should use on all formal documents and any documentation.

CHAIR - Thank you. I will throw it to the committee.

Ms BURNET - Thank you very much for your submission and having it on the public record. Was there any approach by teachers or the school to accommodate that transition and change for you?

Ms COURTNEY - The school has attempted to be really inclusive. When I first enrolled it was under the Archbishop - two Archbishops ago - who said to the school that they should try to make me feel included. Though at the start of my grade 7 journey, the Archbishop changed to Julian Porteous, whose basic words to the school were to keep me in line and keep me quiet.

While the school tries to accommodate, they also have to fit the rules. I was informed in grade 8 that I was the last transgender student and the last student to be enrolled under a preferred name at St Patrick's College. I don't know whether that has changed; I still believe that's the same case.

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Ms BURNET - I don't understand this preferred name. I understand your story, but many people have preferred names and go by different names that are on their role. How does that make you feel?

Ms COURTNEY - Do you mean people who fit with their gender who've had -

Ms BURNET - Not necessarily, just nicknames or other names? It's not a problem, is it, usually?

Ms COURTNEY - They just put those names in brackets and they will have the full name there, which is easy for those people who feel comfortable with a name.

Mr BAYLEY - Thank you, Amilie, I commend your courage in coming before us publicly, noting your submission from a couple of years ago that was in camera. Congratulations and thank you for that. You mentioned a quote in relation to your access to the female toilets and female change rooms. Someone said that you may have a 'threatening presence'. Is there any other reason why someone would say that? Had you been before the principal for threatening behaviour or any other behavioural-related issues before or do you put it down purely to your gender identity?

Ms COURTNEY - The only incident I could think of that would be a behaviour-based incident would be when I was experiencing bullying through the school and I went to report it and I was told because I didn't have any evidence of such bullying occurring, they could not do any action on it. Then it just so happened that while I was recording something for class, the bullying occurred there. When I took that recording, I was then given an internal suspension because I'd recorded students without consent and those students who had bullied got no punishment. I wouldn't see why that would affect me using the female bathrooms.

Mr BAYLEY - When you heard that comment in the context of your gender identity and your gender -

Ms COURTNEY - That as a transgender person, I would be a threat. Yes.

Mr BAYLEY - How does that make you feel? What does that do to your desire to actually attend school?

Ms COURTNEY - First, from using the school's disabled toilet, it ended up implementing an idea from every time I go to the bathroom and seeing the disabled sign that there was something wrong with me. I had to work hard to remove that idea and that's something I'm still working on. Even now, even though I'm able to use the bathrooms, I still rarely do, which is something that's common among transgender students that often leads to UTIs and other such things because they hold from going to the toilets for full days because they don't feel safe.

Mr BAYLEY - It's created a range of different impacts on you, your schooling and success?

Ms COURTNEY - Yes.

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Ms JOHNSTON - Thanks, Amilie, for sharing your story, it's a really deeply personal one, and I want to appreciate that you've come along today to do that. I recognise that you've been on quite a journey of advocacy, particularly over the last few years.

You gave us some quotes that are really quite powerful. I think you said that you were 'a problem to be managed, not a person to be supported'. You talked about 'education being something you should belong, not survive', and that you had to 'trade your dignity for education'. This inquiry is looking into the impact of discrimination in education settings in schools in Tasmania. How has that impacted on your education journey? You're a bright young woman. How has that impacted on you in terms of being able to actually get the education to which you are entitled [to] and is your right?

Ms COURTNEY - Often I would miss out on classes due to vicious bullying, leading to strong emotional breakdown through hatred.

Is it okay if I give some direct quotes? I'm going to give them word for word.

Quotes being said to me such as: 'I bet you failed No Nut November, you faggot', 'Stay away from the tranny, you might catch his AIDS'.

These are vicious and directed to intentionally hurt, and when I've gone to staff they've shut me down.

When I've said I want something to be done, I even took it to the head of Catholic Education Tasmania (CET), who at the time was Gerard Gaskin, and the statement given to me was that if I don't like the way I'm being treated at the school, I can leave, and if I tell anyone how I don't like the way I'm being treated at the school, then I will leave.

Ms JOHNSTON - That was a response from Mr Gaskin at the time?

Ms COURTNEY - It was a threat that I would lose my enrolment. Then, when somehow they caught wind that I was giving testimony, as a private, anonymous written testimony, it was said, 'If you speak out anymore, it'd be a shame because your enrolment would be under review and so would your siblings'.

Ms JOHNSTON – So that was a direct threat. You've outlined sort of two issues that the committee is looking at: discrimination in terms of the conduct, the treatment around bathrooms and all those kind of things, participation in school camps. You've also talked about bullying and the impact of bullying, and you seem to have outlined a difference of experience of bullying of yourself to those of other students. Your example of those students who you filmed bullying you, you were sanctioned for the filming, not the students for the bullying. Have you experienced a difference in the bullying tolerance threshold of the school because of the discrimination?

Ms COURTNEY - Yes. The school says they have a zero-tolerance policy for bullying. One such example would be last year: there was an incident between another student who I had reported for illegal behaviour and that student then - I go to the library as a safe space because it's the only place where they've got - the school is heavily monitored on surveillance, but the library's got the most surveillance - it's one of the only places I feel safe and comfortable at school. The student then approached me in the library in the bookshelves and started grabbing

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hardcover books and throwing them at my head. I was given an internal suspension for provoking this student. The student wasn't given any consequence that I know of. I think the student may or may not have had to have a detention.

Ms JOHNSTON - It's a very different policy -

Ms COURTNEY - Yes.

Ms JOHNSTON – applied for zero tolerance and bullying because its not necessarily seen as bullying. Is that what you're feeling?

Ms COURTNEY - Yes. Justified bullying.

Ms JOHNSTON - Do you think that that would occur if the student was bullying you for any other attribute? Let's say, for instance, from a different multicultural community or anything like that. Is it specifically because trans is an attribute or do you feel that it's any kind of bullying of difference that they allow?

Ms COURTNEY - I think the zero tolerance for bullying policy is not enforced properly. I think it is even worse for students who don't fit the status quo, especially gender nonconforming and non-heterosexual students.

Ms JOHNSTON - Thank you. Thanks for sharing.

CHAIR - Thank you, Ms Johnston. Just going to ask that we just go in camera for one moment and just go off air. Thank you.

The committee suspended at 11.05 a.m. to go in camera.

The in camera session ended at 11.05 a.m.

PUBLIC SESSION RESUMED

CHAIR - If you could state on the public record that you would like that evidence to be made public.

Ms COURTNEY - I wish for evidence that I made as an anonymous submission to be made public. I am happy to resubmit if need be so you can get this correct one.

CHAIR - Thank you. We have the submission, so we will take that now to be made public. I think submissions have closed, so in terms of updating, I'm not sure that that's now possible, but we have the submission and we will get a copy of your record of results that you've asked to go on the public record. We will make sure that's copied as well.

Any other further questions from any members? Anita Dow, do you have any questions for Amilie?

Ms DOW - The only question that I was going to ask you, Amilie - and thank you very much for presenting to our committee and apologies that I'm not there in person - was whether

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your experience has made you question whether you wanted to continue participating in Catholic education?

Ms COURTNEY - The only reason that I've stayed at the school is because I know of at least 12 other students who have been afraid to come out at the school for the risk of bullying or hatred. There was no-one there for me; no other student there for me, so I had to take it all on the chin. By having these students who can't be properly identified with themselves due to the policies the CET has put in place, the only reason I've stayed is to protect them and to make sure that they don't have to go through the vicious hatred and bullying that I went through.

CHAIR - Thank you. Before we go to Mr Bayley, who has another question, I have one as well - two parts.

What would you like to see happen, Amilie, to ensure that trans kids can have a full education life at Catholic schools? We have the systemic issue to do with the institution itself - the Catholic education institution. What would you like to see be the practical steps that are changed to make sure trans kids can have a full education life?

Then in terms of the bullying that's experienced at the hands of other students, what would you like to see - what practical steps would you like to see happen there? What changes need to be made to have that stamped out?

Ms COURTNEY - In terms of making schools safer for transgender students: most schools already have the architecture to be able to just turn their separate toilets into unisex toilets, especially if they're single cubicle rooms. I see no need for them to be individually gendered. That would allow access without fear and it removes any idea that Catholic Education has of there being a risk to other students if they're all unisex.

Using preferred names, as I've previously stated, using preferred gender documentation, unisex change rooms, all things that can be easily put in place. The Department for Education, Children and Young People has policies on how to include gender diverse students and I think we should see those policies implemented in all Tasmanian schools, rather than just government-run schools.

Mr BAYLEY - One last question. You're obviously really active within the trans community and more broadly. You touched on it in your previous answer to Ms Dow, but how widespread is this? You said about 12 students in your school, but are you aware more broadly of this being a ubiquitous problem in schools and in Catholic Education Tasmania schools?

Also, through that network, have you also met people who have been really well supported by their school, who are really comfortable and content with their journey and the way the school has managed their transition and/or their identity?

Ms COURTNEY - I have never met someone who's finished through to grade 12 at a Catholic Education school who's left saying 'I felt extremely supported as being a transgender or gender diverse person' because that's not possible. The policies are in place to make sure these people don't feel accepted.

CHAIR - Thank you. Very patient, Leon, with your introductory statement. We will hear from you.

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Mr PECL - My name is Leon Pecl, and I went to Mount Carmel College from kindergarten to year 8 through the years 2009 to 2019. Though I have since transitioned gender and am male, for my school years I identified and presented as a young gay woman.

My school was Roman Catholic and preached traditional values from a young age. There was an official no bullying policy, and it was outlined in the school rules in a book that every student was given that we were not allowed to be homophobic to each other. It was written in the no bullying policy: no transphobia, no homophobia.

I'm sorry, is this -

CHAIR - Just come back. They are very powerful microphones.

Mr PECL - Oh my goodness, I'm so sorry.

CHAIR - That's alright.

Mr PECL - In reality, this was never enforced. LGBT[QIA+] students face daily bullying, ostracism, harassment and hostility from their peers, often with staff clearly witnessing it happen. I clearly recall an incident in maths class where I was being loudly interrogated by a fellow student about my sexual orientation. She repeated invasive, vulgar and sexually explicit questions that no 14-year-old should be expected to answer at all, let alone in front of their entire class. This happened a metre and a half from our teacher who continued grading work at her desk as though nothing had occurred and this was 'typical'.

Incidents like this were commonplace and not limited to only me. Not all staff, but the majority of staff, ignored loud and explicit homophobia and transphobia. Reporting homophobic bullying did more harm than help, as a lot of the staff did not care and all it ever did was, in their mind, confirm that you were gay and that that was a problem.

This meant that every friendship you had was under constant scrutiny and suspicion. My childhood friends and I were banned from physical contact such as hugging or holding hands, all at an age where I think that is quite developmentally normal for young girls to do. Other girls were, of course, allowed to engage in these friendly behaviours and were allowed to form and keep close friendships without suspicion because they were heterosexual. If a queer person had any friends, it was suspicious. On several occasions, my friends and I were physically separated by teachers, whilst other students were, of course, not.

Another incident that comes to mind was in year 8 school camp, when we were pulled out of our tents in the evening to do an unscheduled activity that had not been on our detailed itinerary and was not mentioned to anyone beforehand. We were taken to the beach, asked to sit down and think about our relationship with Jesus and God in the dark, in silence, alone for about 30 to 45 minutes. We were randomly sorted into groups. My friends and I were coincidentally sorted into the same group and separated. At the time, we didn't think that was too strange, but several years later we were told that other students went to the teachers and told them that we were having sex in our tent - that my two friends and I were doing that. Nothing of course happened because we were 14, and all we did in the tent was go to sleep like everyone else. No teacher ever spoke to us about it, ever asked if it were true, asked if we were okay, and no parents were notified. I think that is a concerning response.

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In the classroom, anything LGBT related was considered a taboo topic, something that many teachers refused to engage with, and you could sometimes get reprimanded for bringing it up.

No queer Tasmanian that I have ever spoken to, and I have been to quite a lot of queer events, reports having had a good experience at a Catholic school. It is an environment that enables and sometimes even encourages hostility toward queerness. You are not able to go to school, learn, make friends like any other student. Queer identity was a weight on your shoulders and a mark against your character. Growing up gay, it meant being labelled as a sexual deviant and a sexual threat before you even developed sexual thoughts or even fully understood what sex was. Queer men were considered disgusting and queer women inherently dangerous. All young Australians should have the right to be educated in a safe environment and go to school with security of knowing that real action will be taken against discrimination.

Thank you for your time.

Ms BURNET - Thanks, Leon. That's a very powerful testimony. What would you like to see - it's probably quite evident - if you had your time again?

Mr PECL - Real action. I would like to see real action taken against bullying - all bullying in general, of course. There was very severe homophobic and transphobic bullying at my school. I was not the only student who experienced this; many, many students did. No action was ever taken. In fact, often when you reported the homophobic bullying, the teachers would then take you out of class, tell you that you're 'acting too masculine', 'you need to walk like a girl', 'your hair is too short', and that 'you're making yourself a target'. Essentially, they made the only option to just be in the closet. I don't think that that is an appropriate thing.

Ms BURNET - Just on your peers and that kind of guidance that they might have: how do you see that that could change? Is it the system or upbringing - how do you see it?

Mr PECL - It's the system, but there are a lot of little things that help enable the system as well. I think that a lot of elements contributed to making it an unsafe environment for queerness. One would have been: you're told marriage is only between a man and a woman, and if you ask questions about that, you're shut down. Then, when an entire class gets to witness homophobia and teachers do nothing, they learn that it is okay to bully gay people and that this is how we should treat them - which not only is immoral but also, personally, I think doesn't align with the Catholic faith in what they preach about love and respect.

Teachers doing something about homophobic bullying, I think, would probably be a big impact. Also not ignoring the existence of queerness, not acting as though that is something that can't be mentioned, that it has to be swept under the rug. It should be okay.

Ms JOHNSTON - Thank you, Leon, for sharing, again, another deeply personal and really powerful story. You talked about the bullying, and you outlined some discriminatory practice, I believe, in terms of separating students according to friendship groups and not being able to have friends, whereas other students weren't separated. They're clearly discriminatory practices. Do you feel that those kind of practices by the teaching staff or leadership at the school then reinforced the bullying that occurs? Can you perhaps talk a bit more about how that discrimination leads to bullying and reinforces that?

Mr PECL - Definitely, because how are you meant to make friends when every time that you do, teachers will pull you apart, say that you can't talk to each other, cannot keep sitting next to each other, not being able to have those close friendships. How are you then meant to go on and have friendships with other people? It's unreasonable. It really only marks you out as 'different' and as 'dangerous' because, of course, everyone involved is very young. You see all the teachers are essentially sending the message that this person is 'different' and that you need to stay away from them. That led to a lot of quite severe ostracism, and it often increased the bullying.

Ms JOHNSTON - Then of course, the response to the bullying reinforces the bullying. The requirement, or the way the teachers responded by separating again further, because it just is a cycle you go through.

Mr PECL - Yes. I also remember that any student who mentioned queerness, who could have brought it up in class and said, 'What about this thing?', they would also face a lot of backlash. Even if a student was heterosexual and just had an inquiry, they would feel too scared to speak out about anything because that honestly puts a target on your back as well. It really enforces a lot of social isolation and is part of the main reason why I left the school, and my younger sibling had to as well.

Ms JOHNSTON - Thanks for sharing.

Mr BAYLEY - Just a quick question. You opened by saying, effectively, that the school had a possibly an appropriate policy when it came to bullying, they just didn't implement it, and the approach to dealing with the issues that were being raised. Did you ever formally raise, or did you ever have a conversation where you pointed to the policy and had a conversation about the behaviours and said, 'Why won't you do anything about this?'

Mr PECL - I did. I remember it.

Mr BAYLEY - What was the response?

Mr PECL - Basically, just to go back into the closet. I know I wasn't the only student who brought - we had school planners with the school rules there: no homophobia, no transphobia. We brought it up to the teachers, we pointed at it, and we said, 'We're experiencing a lot of homophobic bullying, can you please do something about it?' Their response was, essentially, 'Well, we can't control what the other students do, and it's not our fault that you don't fit in'. We were told to modify our behaviour and gender presentation to fit in with everyone else, and that this bullying was just, essentially, a natural consequence of our own actions.

Mr BAYLEY - I think I can fully understand how that makes you feel socially and how you fit in. What about academically? A big chunk of school is also academic results. Can you outline how it made you feel when it came to the actual academic side of school and your dedication, diligence, performance, et cetera?

Mr PECL - Well, in terms of actual schoolwork, it was very difficult to even get the will to go to school when you would face these people yelling these things about - can I say something vulgar, just as a quote? 'Do you think about girls when you touch yourself?', 'Do

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you scissor other girls?' That, in the middle of your classroom - you can't do your schoolwork to that, it's impossible. I wouldn't want to go to school. I really struggled to focus because you're so hypervigilant about what's going on around you, like, am I going to face anything right now? You wouldn't want to show up at all.

It's also that I couldn't really participate in any sports as well because people didn't really want to play contact sports with a gay person. I was quite sporty in primary school, but as I got into high school and started presenting myself as a queer person, I could not engage in team sports activities.

CHAIR - Thank you. Mr Croome, do you have a statement you wish to give? I think we're happy to continue.

Mr CROOME - Well, to be honest, it's been difficult to sit here and listen to what Sam, Amilie and Leon have said. Although I'm much older than all of them, still, it's taking me back to my school experience, which was similar in some respects.

I'm pleased to be able to say that the state school system that I went through has improved significantly over the last 10 to 20 years. I think there's a reason why you haven't really been presented with as nearly as much evidence about discrimination and bullying in state schools. That's not to say it doesn't happen. Of course, it happens, but measures have been undertaken by the Department for Education, Children and Young People, I think Amilie mentioned this, policies and measures to try to counter that. They haven't eliminated all discrimination and bullying, but they certainly have improved things.

The reason I mention that is that it shows that positive change is possible. We've seen positive change in the state system in Tasmania with leadership from successive Education ministers and secretaries of the department, and with full awareness of obligations under the *Anti-Discrimination Act [1998]*. I've had the privilege to be involved in that as the acting chair of the department's LGBTIQA+ Education Reference Group. I've seen that real change is possible.

Despite feeling quite glum after the evidence that we've heard, still underneath that is my firm belief that it's possible to make a difference and that young people coming into the system and new teachers coming into the Catholic system shouldn't have to go through, and don't have to go through, what Sam, Amilie and Leon have gone through. There are many different elements to that change, of course.

Like I said, in my involvement in the state education system, I've seen the importance of training for teachers, for classroom programs about the adverse impact of discrimination and bullying, about better policies, and about better laws. All of that is involved in making change.

Fundamental to all of that is the last point about the law. If the law is respected, then that is a strong foundation for building all those other initiatives that create change and create safer schools. The problem it seems we've had, in terms of the Catholic system in Tasmania, is lack of respect for the law - the state law. That was an issue that came up prominently in the hearing on 14 February last year [2025]. Unfortunately, from the evidence given by Sam Johnstone today, it seems to continue to be an issue and that is very disappointing. Very disappointing.

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I'd like to see this committee recommend that the state law is respected and that the state law forms a solid foundation for other initiatives of positive change. As someone who was involved in putting in place the *Anti-Discrimination Act [1998]*- 300 million years ago, that's what it feels like - I can see the positive impact it's had across Tasmanian society, including in education and I'm deeply disappointed that it's not allowed to have that positive impact in the Catholic education system.

If the Archbishop, or the new head of Catholic Education Tasmania, can appear and explain what their position is, I think that would be helpful. It's important that we get it from the horse's mouth, so to speak, and not second hand as we got it from Sam - although Sam's evidence was quite compelling. If they can explain if they adhere to the *Anti-Discrimination Act [1998]*; if not, why not; and what their position is, I think that would help all of us understand where we stand. If they can bring themselves to adhere to that Act it will be a solid foundation for real change so that teachers and students in the future don't have to go through what we've heard today. That's it. Adherence to the law is critical.

CHAIR - Thank you. Are you aware of any Catholic education jurisdictions outside of Tasmania that are approaching the issues that Amilie, Leon and Sam have raised, that are doing it in a way that you'd like to see happen in Tasmania?

Mr CROOME - Yes, I think there are also schools in Tasmania which are doing that - schools in Tasmania and in other states that are within the Edmund Rice tradition of Catholic education - and I know that there are a couple of Catholic schools in Tasmania that are within that tradition and not under Catholic Education Tasmania - they seem to be approaching this very sensibly and to good effect. One school is -

Ms JOHNSTON - Dominic College.

Mr CROOME - Dominic, thank you. There's another school as well that I can't recall the name of right now. Yes, Dominic College is one. Another one within the same tradition that I'm familiar with is St Joseph's College in Geelong. I'm familiar with that because it was actually the place that developed the Pride and Prejudice program, which is a program for grade 8 and 9 students looking at prejudice and discrimination against LGBTIQA+ people and the negative impacts that has. That program was rolled out to some Tasmanian Catholic schools under Archbishop Doyle, to great effect. There are positive programs within the Catholic tradition and which draw on the Catholic theology, that I think Leon has mentioned, of respect, inclusion and treating others as we would want to be treated ourselves.

CHAIR - I'm hesitant to invite speculation, but what is it then that you think is preventing Tasmania's Catholic education system from adopting some of these measures?

Ms COURTNEY - A system of homophobia and transphobia in the CET. A systemic issue throughout them that has allowed this to continue.

Mr PECL - Could I add something to that? I also think that having whether or not you can be LGBT[QIA+] in the Catholic education system depend on the current person who's in charge of the church is not appropriate because that is essentially jeopardising everyone's safety, jobs and people's education. It really just leaves things up in the air for change - that just isn't appropriate.

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Mr CROOME - Yes, that's right. From the previous Archbishop and the head of the Catholic Education Tasmania, we often heard that the kind of programs, or the kind of culture that we would prefer, an inclusive one, was somehow 'new, postmodern and woke'. Yet, it's the culture of exclusion and discrimination that in fact is new in Tasmania. Under Archbishop Doyle, I mentioned before, there were anti-homophobia programs in Tasmanian schools. Under the previous head of Catholic Education Tasmania, Trish Hindmarsh, there was work with the state department on ensuring that the programs and resources were shared, and that schools were as inclusive as possible.

I recall meeting some young students from St Virgil's, I think, this was probably 15 years ago or more. I asked them where they went - they were young gay students - I said, 'Where did you go to college?' and they said where, and I said, 'How has that been?' expecting a negative response. They said, 'It's been quite good.' I said 'Why?' and they said, 'The *Anti-Discrimination Act [1998]*' That was their first response because they understood that the *Anti-Discrimination Act* applied to them and their school, and their school was adopting programs that were supportive of them.

It's not like we're asking for anything new. What we're talking about are systems, programs, cultures and policies that are already in place in many Catholic school communities and have been in place in Tasmania in the past.

Ms JOHNSTON - I want to explore that a bit more. Leon, I think you hit the nail on the head where if you have to rely on people or personalities or culture to have rights implemented, then you have a problem. That's why we have laws in our country.

Mr PECL - Our teachers could just choose to not follow the no tolerance on homophobic bullying. If a child is allowed to be bullied is dependent on who is in charge, that is not good.

Ms JOHNSTON - That's problematic. I suppose my question to any of you - perhaps you, Rodney - is that we do have laws, we have the *Anti-Discrimination Act [1998]*, but we heard quite clearly from the former Archbishop last year [2025] that they didn't believe that law applied to them and that's this particular scenario. What do we need to do to strengthen our anti-discrimination laws? I'm sure the legislators at the time - I wasn't there, but Rodney you were there - intended it to apply all the time to everyone, that that was the basis of anti-discrimination laws. What do we need to do to try to strengthen those laws, or to put a process and a structure around the implementation and enforcement of those laws to ensure that they do apply and we're not reliant on personalities or culture to treat people equally and fairly?

Ms COURTNEY - I'd just like to state, with the support of Rodney - was it 2024? I made an application to the *Anti-Discrimination Act [1998]* with you, and I saw no outcome from it. I don't know what occurred after it, but there was no outcome.

Ms JOHNSTON - Perhaps - I won't put words in your mouth, Amilie - but strengthening complaint processes, resourcing, that kind of thing? Is that perhaps what you'd like to see so that you can actually take an enforcement action with anti-discrimination matters?

Ms COURTNEY - Yes.

Ms JOHNSTON - Yes. That might be something you'd like to see recommended?

Ms COURTNEY - Yes.

CHAIR - I think that's called a Dorothy Dixer.

Mr BAYLEY - Obviously 14 February last year [2025] was quite well publicised, the [then] Archbishop and Catholic Education Tasmania's discriminatory practices got a couple of media stories. As an advocate in the community, what was the response? What did you hear from others across the community about that and in the wake of that revelation being aired so clearly?

Mr CROOME - Well, for those LGBTQIA+ people and our allies who aren't in the Catholic education system, it was shock because that Act has been there for more than a generation. How can someone suddenly say that the law doesn't apply to them? For people within the Catholic system, it was no surprise at all, sadly.

One of the strong responses that I got from people within the LGBTQIA+ community was, well, there must be some way that it can be enforced. Can't the Anti-Discrimination Commissioner enforce this? Can't the Non-Government Schools Registration Board enforce this? Can't Parliament or the Premier enforce it? In the last 12 months, we've seen the answer to that question repeatedly been no.

CHAIR - Can't, or won't? The reason I interject - is there an issue for those three things that you mentioned: the Premier, the Non-Government Board and the Anti-Discrimination Commissioner? Are they choosing not to enforce or is there some other institutional impediment to them being involved?

Mr CROOME - They're choosing.

CHAIR - Okay, thank you. I just wanted to clear that up.

Mr CROOME - If my memory serves me correctly, in response to a question from Ms Johnston, the Premier actually said that the state Act should apply in Parliament - he said in Question Time that the state Act should apply.

The issue is that the [then] Archbishop and the [then] head of Catholic Education, Dr Gaskin, complicated the matter by saying, 'Well, there's an exemption in federal law in the *Sex Discrimination Act* [Cth 1984] which allows us to discriminate, and we believe that that law overrides the state law'. There's no precedent for that. There's no decision that's been made about that. If there is a constitutional question, the High Court hasn't ruled on that. So, until that happens, surely state law applies, particularly given, as we discussed in February last year [2025], that the *Sex Discrimination Act* [Cth 1984] - the federal and state discrimination law is clearly designed to sit side by side, not with one overriding the other.

The *Sex Discrimination Act* [Cth 1984] actually says that, in clause 10, nothing in this act is intended to - I can't remember the verb - something like 'nullify' the provisions of a state act. It actually says that. Given that, why would we think that our state law suddenly doesn't have any effect? Of course, it's still there until the High Court or someone else says otherwise.

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The uncertainty was sown about the validity of our state law, and that seems to have percolated through institutions that aren't sure now whether they can act - even though, certainly in my mind and the minds of others, including Sarah Bolt, the former Anti-Discrimination Commissioner, and of Robin Banks, the former, former Anti-Discrimination Commissioner, all agree that the state law holds.

CHAIR - Thank you. I think we will have to leave it there. Can you get one last bit in, Amilie?

Ms COURTNEY - On the day that evidence was given here, I remember that day I had multiple students, who were closeted, come to me crying saying they didn't feel safe and that they were scared that no-one actually cared that they were there.

CHAIR - Thank you. I think we're going to leave it there. Thank you, all of you -

Mr CROOME - Brian, can I just -

CHAIR - Okay, one last bit.

Mr CROOME - I did mention before the views of the Anti-Discrimination Commissioners. I just wanted to note that this is also the view of the Australian Law Reform Commission. In its inquiry into this issue, which was put out last year at the behest of the federal government:

... if a state or territory law provides greater protection from discrimination than the Commonwealth *Sex Discrimination Act* (for example, because it has a more restrictive exception for religious educational institutions ...) religious educational institutions in that state or territory must comply with the more restrictive state or territory law.

Is there a greater authority on which law should apply than the Australian Law Reform Commission? The only authority would be the High Court and it hasn't been asked this matter.

Again, when it's so clear that our state law is valid and continues to apply, how can we be in a situation where there's uncertainty about this, where it hasn't been enforced and an institution that receives millions of taxpayer dollars a year and is responsible for the education of thousands of students and the employment of hundreds of teachers can just say 'No, not us'? I don't understand how that's possible.

CHAIR - Thank you, all of you, for your evidence today. Thank you for your appearance.

What you've said to us here today is protected by parliamentary privilege. It is very important I state this: once you leave the table you need to be aware that privilege does not attach to comments you may make to anyone, including the media, even if you are just repeating what you've just said to us. Do you understand that?

WITNESSES - Yes.

CHAIR - I'm getting nods from everybody. Thank you. We will stop the broadcast there and this hearing is done.

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The witnesses withdrew.

The committee adjourned at 11.42 a.m.