

Inquiry into Discrimination and Bullying in Tasmanian Schools

9 September 2024

Government Administration Committee A

Via email: assemblygaa@parliament.tas.gov.au

Dear Committee

The Australian Association of Christian Schools (AACS) thanks the Committee for the opportunity to provide a late submission in response to the Inquiry into Discrimination and Bullying in Tasmanian Schools.

The AACS represents over a hundred schools and more than 44,000 students from a variety of backgrounds, cultures and denominations in every state and territory across Australia. Our schools were established by parents out of a desire to see their children grow up in a teaching and learning environment where they could be nurtured in the Christian faith. Our parents make a deliberate choice, and a financial commitment, to place their children in a school 'community of faith' that teaches and models a Biblical worldview. In Tasmania our member schools include:

- Calvin Christian School
- Channel Christian School
- Circular Head Christian School
- Devonport Christian School
- Emmanuel Christian School
- Launceston Christian School
- Launceston John Calvin School
- Leighland Christian School, Burnie Campus
- Leighland Christian School, Ulverstone Campus
- Newstead Christian School
- Northern Christian School

The AACCS is concerned by the report by the Australian Council for Educational Research (ACER) which revealed that Australian students' exposure to bullying behaviours was higher than the OECD average and that students in Tasmania reported greater levels of bullying behaviours than students in all jurisdictions, in particular:

- More Tasmanian students than students in any other jurisdiction reported that *other students made fun of me*, that *I got hit or pushed around by other students*, and that *other students spread nasty rumours about me*.
- More Tasmanian students than Victorian, Northern Territory and New South Wales students reported that *other students left me out of things on purpose*.
- More Tasmanian students than students in all jurisdictions except Western Australia reported *other students took away or destroyed things that belonged to me*.¹

Through this inquiry, we hope the Committee will be able to uncover the underlying reasons why bullying is occurring in higher incidences in Tasmanian schools and provide some helpful recommendations based on evidence of best practice in preventing and responding to bullying. Provided below are our responses to the Terms of Reference of the Inquiry.

Response to Terms of Reference

- (a) inquire into and report upon direct and indirect discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff;**
- (b) inquire into and report upon the measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff;**

¹ PISA 2022: Reporting Australia's results. Volume II Student and school characteristics, p. 60. Available at: <https://research.acer.edu.au/cgi/viewcontent.cgi?article=1058&context=ozpisa> (Accessed: 09 September 2024).

At the outset, it is important to define bullying and harassment. Bullying is when someone, or a group of people, who are more powerful than the victim, repeatedly and deliberately upset or hurt that person or damage their property, reputation or social acceptance. This “power” may be derived from numbers, age, size, status, position or other reasons. In contrast, harassment is bullying that is perpetuated by someone who is not more powerful than the victim.

Bullying can take many forms: physical, verbal, physical, social or cyber bullying. The causes of bullying are varied and complex. Intolerance or fear of the unknown can cause people to bully those who are different in some way—whether it's their physical appearance, their family background, racial heritage, religion or other personal attribute. Bullies often want to assert dominance by intimidating or humiliating others, especially those perceived as weaker or different. Bullying can be fuelled by peer pressure, family influences or simply ignorance. Children may bully others because they do not understand the impact of their actions on others. Bullies often struggle with their own insecurities and may bully others to gain a false sense of superiority or to deflect attention away from their own vulnerabilities.

There are many distressing behaviours are *not* examples of bullying even though they are unpleasant and may require intervention and management by school leaders. For example:

- Conflict which involves an argument or disagreement between people where there is not a power imbalance;
- Social rejection or disliking a person is not bullying unless it involves deliberate and repeated attempts to cause distress, exclude or create dislike by others;
- Single acts of verbal abuse or physical aggression;
- Nastiness or physical aggression that is directed towards many different people;
- Holding a subordinate accountable for fulfilling their duties.

Christian schools have anti-bullying and harassment policies that are consistent with the organisational integrity of each school and designed from Biblical foundations and principles. These policies outline clear procedures for reporting and addressing instances of bullying or harassment and ensure that all

students and staff are aware of their rights and responsibilities. Christian schools take proactive efforts to inform their students, staff and parents of their responsibilities and are taught how to identify instances, reporting procedures and supports available. Students are also exposed to workshops, productions and programs that promote resilience, life and social skills, assertiveness, conflict resolution and problem solving.

(c) examine the obligations and duties of Tasmanian schools under the Anti Discrimination Act 1998 and other relevant statutes and policies in regard to students and staff;

The *Anti-Discrimination Act 1998 (TAS)* plays a central role in ensuring that all individuals, including students and staff in educational institutions, are treated fairly and equitably. For Tasmanian schools, this legislation places important obligations on how they operate and interact with their communities. Schools must ensure they are compliant with this Act, along with other relevant statutes and policies.

Section 51(2) of the Act provides a limited exemption for religious educational institutions, including Christian schools. These exemptions apply in relation to employment in an educational institution that is or is to be conducted in accordance with the tenets, beliefs, teachings, principles or practices of a particular religion if the discrimination is ‘in order to enable, or better enable, the educational institution to be conducted in accordance with those tenets, beliefs, teachings, principles or practices.’ Under these exemptions, Christian schools may prioritise students from Christian families or with Christian beliefs, however, they cannot exclude or discriminate against students based on protected characteristics such as race, disability or sexual orientation. Christian schools may also give preference to hiring staff who share and uphold the religious values of the school. However, these exemptions do not provide blanket protection against all forms of discrimination and schools are expected to demonstrate that their policies and actions are justified based on their religious beliefs.

Along with the *Anti-Discrimination Act 1998 (TAS)*, Tasmanian Christian Schools must also be aware of and comply with other relevant state and commonwealth legislation including:

- *Education Act 2016 (Tas)* - under this Act, the Non-government Schools Registration Board is responsible for monitoring the compliance of non-government schools with the Registration Standards. For a non-government school to be registered, the Standards require that each school have certain policies and procedures developed and fully implemented, including one or more policies relating to: student welfare, child protection, student privacy, bullying of students, harassment of students and the maintenance of appropriate relationships between staff and students.
- *Disability Discrimination Act 1992 (Cth)* - requires all schools to support students with disability and make reasonable adjustments to which allow students with disability to participate and learn on the same basis as students without disability; and prevent harassment and victimisation of students with disability.
- *Fair Work Act 2009 (Cth)* - provides that 'adverse action' on the grounds of 'race, colour, sex, sexual orientation, breastfeeding, gender identity, intersex status, age, physical or mental disability, marital status, family or carer's responsibilities, subjection to family and domestic violence, pregnancy, religion, political opinion, national extraction or social origin. (s351(1)). Section 351(2)(c) provides an exemption from these particular grounds for 'an institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed' where employment is terminated 'in good faith to avoid injury to the religious susceptibilities of adherents of that religion or creed'.

(d) examine and recommend what efforts are being made and should be made towards meeting those obligations by Tasmanian schools in regard to students and staff;

Christian schools are subject to regular audits and inspections by the Non-Government Schools Registration Board to ensure compliance with the Education Act. They must demonstrate that their policies, teaching standards, and student support services align with the law.

(e) examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff;

AACS believes the current legislative and policy framework addressing discrimination and bullying are sufficient and do not recommend adding a further regulatory burden to school leaders.

Christian schools seek to prevent discrimination and bullying by creating positive communities for staff and students that are modelled on a Christ-like attitude of love. In the Words of Jesus Christ, our Lord: "So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets" (Matthew 7:12-14 NIV). Growing and maintaining positive staff and student relationships are a high priority and provide a good foundation for preventing bullying. When incidences occur, Christian schools have clear anti-bullying policies in place to deal with these issues. Christian schools seek to respond to incidences of bullying and discrimination through modelling repentance and forgiveness to maintain and restore positive relationships within our school communities.

(f) determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace safety and career development;

AACS asked our Christian school teachers, staff and parents to share their experience of how our schools create a safe, caring and loving environment for our children. Over 50 emails were sent to the Committee sharing positive stories about our schools. Provided below are a sample of these emails:

I am a Principal of a small Christian school in Tasmania, and over 80% of our enrolment enquiries come from families who have children who have experienced some form of bullying. At our school, we promote and follow the 'Golden Rule'. - treat others as you want to be treated, this respectful and kind way of approaching each other has resulted in a caring culture for students, staff and families.

Rosemary

I am the chaplain of a Christian school and in these past five years I have spoken with students and parents who share that an important aspect of enrolling in our school is that it serves the need of providing a safe, caring space to learn and grow. Lorna

I hear of so many instances where parents are removing their children from the public education system and entering the private Christian schooling system due to the extreme bullying and violence happening in our public schools. Christian schools provide peace and comfort of mind for parents knowing that their children have the opportunity to learn and grow by educators and staff who have a genuine interest in the best interests of every child in their schools and will do everything in their power to allow their children to feel safe and supported in a positive environment. Venetia

I have sent all my 5 children to a Christian school and all 17 grandchildren are attending or have attended a Christian School and I am thankful that these schools have been a safe space for all my children and grandchildren to learn and grow. Christian schools strive to be communities of care and compassion because we strive to follow the example of Jesus. In my experience they work hard to address bullying and have a strong culture of care and compassion for all students. The local Christian School of which I am a Board Member, have strong bullying policies to address these issues. Mike

For one of my children, my eldest daughter, who married a black African refugee and have 5 children, there have been numerous comments in the broader community, some misguided, some racist, some ignorant, but all quite hurtful about the colour of her children's skin, even though she has a fair complexion and long blonde hair. In the school setting where they attend, there has been a marked difference in how the multiculturalism is accepted, celebrated and is inclusive. We are thankful that these schools has been proactive in ensuring all children are treated with dignity and respect. Unfortunately situations do occur when other children and even parents can be insensitive and uncaring. What has been good is the intentionality of the teachers, the leadership and the other students and parents to support the students, regardless of their race, religion or gender differences and address this directly as a community of care. We have seen growth in acceptance of all members of

the community and it continues to be a place where more parents are choosing to send their children as a result of this positive difference and influence. Lucella

I am well aware of the bullying that can occur in school communities. I am thankful that my own son was in a Christian community and the response of the school was to deal with the issue with care and compassion in a Biblical framework that allowed the boys to experience consequences and forgiveness. It took time but their relationship was restored and in later years could even be said to be a friendship. Natalie

I am also a teacher and have worked in Christian Schools for the past 8 years. In that time, I have seen countless children join my classrooms who have shocking and heartbreaking stories to tell of their experiences of bullying coming from other schools. By the time their parents have exhausted their efforts in getting any action from their previous school, a lot of damage has been done and we have to pick up the pieces. The students thankfully are usually grateful and relieved that they can just learn here. Melissa

I am a 77-year-old teacher working in a Christian school. I have 56 year of teaching experience in state, catholic, and private schools. I sent my children and they have sent my grandchildren to a Christian school, and I am thankful that their schools been a safe space for them to learn and grow. I am currently teaching online with students who are school refusers, the majority of them having been bullied because they are different on some way. I work daily with students severely damaged by bullying. Richard

At school, as a parent I am meeting many other like minded parents, but also even more non Christian parents who send their children to a Christian school because they appreciate what the school provides in a caring and loving environment, a morally good environment that teaches kids to care about others and put others first. Shaun

I sent my children to a Christian school and I am thankful that it was a safe space for my children to learn and grow. Also our grandchildren have been blessed to be part of beautiful caring communities in their Christian schooling. My 11 year old grandson says that his parents, church family and teachers are his support base with great influence. When issues arise at school he trusts his teacher to address the issue with love and grace, with positive outcomes because of the love of Jesus in her life. She is kind, compassionate and caring and speaks to both sides of the problem. Bron

(g) ensure appropriate public consultation is conducted on all matters;

AACS hopes the Committee will take note of the many submissions from Christian school parents whose children have had a positive experience of love, care and compassion in our schools. We urge the Committee not be unduly influenced by lobby groups or members of parliament who are intolerant of Christian beliefs and would attempt to change the law to restrict freedom of speech and religion in Tasmania.

Thank you for the opportunity to provide a submission to this public consultation. AACS would welcome the opportunity to expand upon these answers the in person at the next Public Hearing.

Yours faithfully



Vanessa Cheng
Executive Officer
Australaian Association of Christian Schools

