

Members of the Committee
Inquiry into Discrimination and Bullying in Tasmanian Schools
Parliament of Tasmania
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Via email only: assemblygaa@parliament.tas.gov.au

To the Members of the Committee

I thank the Members of this Committee for their participation in what is an important Inquiry into matters affecting students and staff within Tasmania's education system. I also thank the Committee for the opportunity to provide this submission.

As background, I provide this submission as a former student of a Tasmanian faith-based school, a member of the LGBTQIA+ community, and a practising Christian.

I was baptised within the Uniting Church of Australia in 1997. My faith has been tested in my life, namely during the period in which I was enrolled as a student of a faith-based school, however, I remain a practising and faithful observer of Christianity.

I was a student of [REDACTED] from 2010 until 2015, from year 7 until my graduation upon completing year 12 studies. The latter part of my time at [REDACTED] included a period of heightened campaigning by the Archdiocese of Hobart against proposals to legislate marriage equality by Australia's federal parliament.

My combined experience as a former student of a faith-based school, a member of the LGBTQIA+ community, and a practising Christian, I believe, may provide a beneficial insight to the Committee within the scope of the Inquiry's Terms of Reference.

In providing this submission, I reiterate that I welcome this Inquiry and reject assertions that have been made by others in the media and via other platforms that this Inquiry is politically motivated to the extent that it ignores concerns of discrimination and bullying in its true sense, to instead focus on the intersection of values being taught in our education system, with the teachings of certain faith-based schools and organisations.

Given my experience, my submission will focus on the benefits and issues I experienced as a faith-based school student.

From the outset of this submission, I would like to state clearly that I thoroughly enjoyed and appreciated the education I received from [REDACTED]. It is a wonderful school with a strong community culture. It works hard to see its students excel and its staff are amongst the most dedicated in the Australian education sector. However, this does not mean that issues of direct and indirect discrimination do not exist within the Catholic education system.

My submission, for ease of clarity, will be set out within some of the Committee's Terms of Reference.

Direct and Indirect Discrimination, prohibited conduct, unequal and disadvantageous treatment, bullying and harassment in Tasmanian schools in regard to students and staff.

From my experience within the Tasmanian education system, I believe that direct and indirect discrimination does occur. This was certainly the case in my experience as a student in a faith-based school.

In my time as a student of a faith-based school, I did notice instances in which discrimination, by way of inferences against student and staff equality did occur. As I have stated, my time in a faith-based school coincided with growing campaigns by both the Catholic Church and the Equality Movement ahead of what became the 2017 marriage equality plebiscite.

During this time, awkward conversations were had and often muted in classes, as teachers tried to walk the balance between the Church's conservative rhetoric regarding the definition and sanctity of marriage, and that of the values of modern Australia and certainly many students and staff within the school. I recall when students raised progressive issues, such as marriage equality, some teacher became unenthusiastic, unsupportive, and attempted to sideline ongoing conversation of this nature.

This in itself raised issues of discrimination and led to bullying within the school because it created a stigma around LGBTQIA+ issues. It is because of this unwelcoming environment, the fact that homosexuality became a taboo issue in this time, that I was unable to confront and express my sexuality as a teenager. The psychological impact of this led to immense feelings of shame, self-hatred, a deepening depression, and suicidal thoughts.

Speeches made in the school often reflected conservative Christian values which also placed a segregated metaphorical barrier around students and staff, and created division within the school. At the 2015 End of Year Mass, students of my grade plotted a walkout should the Archbishop use his annual Homily as an opportunity to preach hatred towards LGBTQIA+ students and litigate the Church's argument against marriage equality. Fortunately, he did not. However, in 2016 it was brought to my attention that the Homily featured a litigation of the view that people were created by God for one reason – to create a family unit. This was incredibly offensive and discriminatory to a plethora of staff and students in the school. This was offensive for LGBTQIA+ people, people who did not come from a traditional family dynamic, people whose family members had died or were otherwise absent from their lives, people who were unable to naturally conceive children, etc. This is an example of where discrimination does creep into our education system. Students do not have the luxury of being able to ignore these comments, walk out, or not participate. When matters like these are discussed at mandatory school gatherings, students are forced to listen and observe what is discriminatory language.

I refuse to allege that the Church deliberately impacted my mental health or that of other staff and students. Nor do I allege a deliberate creation of discrimination. Furthermore, I do accept that the Church has the right to provide interpretations of the Bible and elicit teachings of faith to students within their institutions. However, there is a clear issue when the intersection of faith-based expression does create a negative impact upon sections of a school's population. This is a delicate matter but one which must be addressed not just by government, but also by faith-based institutions and school communities. Ideally, this issue would be addressed in a broad, good-faith conversation between stakeholders, but at a minimum it must be addressed within individual schools.

Discrimination in teachings leading to stigma. Stigma leads to bullying. Bullying leads to poor outcomes for Tasmanian students. Regardless of desire, sensitivity is needed in the views that are being espoused by any person upon that of a young person or worker to provide them with a safe and fair learning space and workspace.

What is currently being ignored by the purveyors of conservative faith-based ideologies, is that their teachings may amount to the direct issue that is being addressed by this committee; discrimination and bullying which may be either direct or indirect.

These issues must be addressed and cannot simply be rejected as thoughts of political ideology, because it is these issues which create further damage for staff and students with regard to discrimination and harassment.

Measures necessary to prevent and remedy discrimination and bullying in Tasmanian schools in regard to students and staff.

The *Anti-Discrimination Act 1998* leads our nation in best practice to prevent bullying, harassment, and unfair treatment in our society. It is integral that Tasmania maintains this tradition of leading the way in protecting its people from adverse behaviour. To this end, I make two recommendations to the Committee.

The first, is that the Committee recommends that the *Anti-Discrimination Act 1998* is maintained in a manner which upholds the values of the current legislation and resistance is had to amendments which would leave discrimination law in Tasmania worse off. These means, that amendments which could be proposed allowing discrimination based on faith, such as the right for staff within a faith-based school to be selected based on their sexuality or gender identity, is rejected. Proposals which feign discrimination protection, but cause discrimination in our community cannot be permitted to take hold within our legislation.

Secondly, I believe that the Committee, within the scope of this Inquiry, recommends a review of the *Anti-Discrimination Act 1998*, to ensure that the Act remains fit for purpose, and adequately provides protection for Tasmanians in a modern context. The current Act is in its 26th year and as such, would greatly benefit from a review. This review, with the principle in mind that the Act can only be amended to provide further discrimination protection, not reverse it, will ensure that Tasmania maintains its status as having the best Anti-Discrimination Act in the country.

Examine the obligations and duties of Tasmanian schools in regard to students and staff.

Whilst I oppose the notion that a government could or would prescribe the scope of faith teaching provided by faith-based schools to their students, I do believe that it is integral to the quality and viability of the Tasmanian education system that dog whistling is dismissed for what it is when it comes to allegations by the Christian Right that they are being prohibited from providing the teachings of their faith to students. This is false. My experience in a faith-based school reveals that faith-based organisations can teach what they wish regarding their faith tenet, provided that their workforce is willing to engage.

What I do believe is integral and more at risk within the conversation of teaching is the rights of workers and students to work and learn in a safe environment that accepts them and does not

demonise them through faith teachings. An emphasis must be placed upon the moral and legal obligation for safe workplaces and learning spaces.

I do not accept that student should be subjected to hateful views simply because they are a student of a particular school. In most instances, students lack the free will to study elsewhere or take other measures to protect themselves from hateful preaching. To this end, the Committee must explore the intersection between freedom to express faith and the rights of students whose government is a secular organisation that expects fair treatment of its people.

A balance must exist between the ability for faith-based organisations to teach their views, with limitations being applied that prevents negative impacts being imposed upon children. When we teach that being gay is bad according to God, then the obvious outcome is that young people may feel they have a licence to attack, belittle, bully, and discriminate against gay students.

Examine what other legislative or policy reforms may be required to address discrimination and bullying in regard to students and staff.

I suggest to the Committee that instances of bullying, harassment, and other negative behaviour against staff and students in Tasmania's Education System may not be accurately recorded.

As a student in a faith-based school, I did at times experience bullying and harassing behaviour based on, at the time, the assumption of my sexuality as being other than heterosexual. However, I never reported instances such as this to members of staff in the school due to a feeling of shame and a resulting inability to voice thoughts regarding my sexuality. I believe that this could also be the situation for many students in schools, especially faith-based schools, which would mean that any data on bullying that exists could be severely understated.

For the same reason, complaints by staff in their education career may also be restricted by this stigma or fear of repercussion if a complaint was made based on their personal attributes, in reference to faith-based teachings on sexuality and gender. As such, I believe the Committee must consider evidence that suggests low incident reporting of discrimination, bullying, and harassment within the education system may not be due to a lack of occurrences, but rather a lack of desire to assume risk in formalising a complaint.

Assuming the above assertion proves correct, this Committee must encourage further protections, education, and the ability for students and staff alike to safely lodge complaints of bullying and harassment. As a State, we must ensure that those at risk of experiencing impactful, poor behaviour are protected, not further harmed, by organisational responses to complaints.

Determine the impact of discrimination and bullying on student participation, retention and educational outcomes, and on staff recruitment, retention, workplace, safety and career development.

I don't believe the impact of bullying, harassment, and discrimination against a member of staff or a student can be understated. As I have previously stated in my submission, I considered suicide as a young teenager because I felt my sexuality could not be accepted and was wrong, based on the faith-based education I was receiving.

My grades at school were generally good, however, I greatly believe that my performance in school was directly and greatly impacted by the internal battle I was having regarding my sexuality, and the shame I felt that prevented me from speaking with others about my experience.

In the same vein, I believe that staff would experience similar impacts to their mental health and wellbeing, which would naturally affect their ability to teach. If people are feeling victimised, hated, belittled, or otherwise bullied or harassed in their workplace, it is not contentious to expect their work outputs to be lesser than if they were being treated fairly and with respect. To this end, the issue we are discussing here is not simply one of a social nature, but it has clear productivity outcomes in both an educational and workforce sense.

Concluding Remarks

My core request of this Committee is that it rejects outright any arguments or recommendations that would increase the scope, ability, or potential power of faith-based institutions to directly or indirectly discriminate against, harass, bully, or otherwise bring harm to staff and students. The core tenants of Christianity are of universal love, acceptance, and being. It is unconscionable that members of my faith would seek to use the scripture to advance hate speech and division over love and unity. Within the context of the Tasmanian education system, this kind of jargonistic behaviour cannot be accepted in any form.

I am a Christian; I observe many of the tenants of Christianity. However, I refuse to use my faith as a weapon against minority groups to wage a war of discrimination and division. The impetus of my submission is to place the argument to prevent other persons of faith and associated organisations from likewise using their faith as a convenient excuse to sow seeds of discrimination and deflect criticism for actions and activities that have occurred, and continue to occur, within Tasmania's education system.

I respect and believe intrinsically in the right for faith-based organisations to educate their belief systems within their educational institutions. However, I reject outright the act of doing this as a quasi-method to engage in discrimination and spread division at the expense of minority groups within the institution at large.

I again thank the Committee for the time it has taken in considering not only my submission and the views contained within it, but also those of all other individuals, groups, and organisations who have taken the time to make a submission on this important matter.

I attached to this submission a series of recommendations to the Committee.

Yours sincerely



Ben Dudman

Former faith-based school student

Attachment: Recommendations to the Inquiry.

Recommendations to the Committee.

Recommendation 1: The Committee respects the strength of the *Anti-Discrimination Act 1998* and rejects any attempts to water-down, weaken, or remove protections within the Act or create amendments which would provide further loopholes or opportunities for faith-based discrimination under the Act.

Recommendation 2: The Committee rejects amendments to the *Anti-Discrimination Act 1998* which would provide further exemptions based on religious belief to discriminate, directly or indirectly, against any person regardless of their sexuality, age, gender identity, or any other trait that is inherent to their person.

Recommendation 3: The Committee acknowledges the importance of faith-based schools in providing quality education in Tasmania.

Recommendation 4: The Committee rejects any arguments that permit direct or indirect discrimination, bullying, harassment, or victimisation of staff or students within the Tasmanian Education System based on teachings or principles of faith-based organisations.

Recommendation 5: The Committee acknowledges that Tasmania is comprised of many faiths and religions, including people who observe no religion, and that, while faith is an important tenant of society, secularism is an important tenants of good government and governance.

Recommendation 6: The Committee consider evidence that suggests low incident reporting of discrimination, bullying, and harassment within the education system may not be due to a lack of occurrences, but rather a lack of desire to assume risk in formalising a complaint.

Recommendation 7: Considering Recommendation 6, the Committee provides advice to the Parliament which may improve the way complaints of discrimination, harassment, and bullying can be made by staff and students in Tasmania's education system.

Recommendation 8: A Review of the *Anti-Discrimination Act 1998* is conducted to ensure the Act is fit for purpose and providing adequate discrimination protection for Tasmanians in a modern context.

Recommendation 9: Workplace professional development and education regarding inclusivity and LGBTQIA+ awareness become a compulsory component of the teaching profession. Note: Equality issues can be addressed and taught within the scope of faith-based education – cf. the inclusive education courses of the Edmund Rice Centre.