

Ensuring A Positive Future for Christian Schools

Freedom24 Conference

5 August 2024

Mark Spencer

FCA, FGIA, GAICD, B.Bus, M. Lab. Rel. & Law, Grad. Dip. Leg. Stud.

Director of Public Policy

Sex Discrimination Act 1984

Section 3:

The objects of this Act are—

- a) *to give effect to certain provisions of the Convention on the Elimination of All Forms of Discrimination Against Women;*
- b) *to eliminate, so far as is possible, discrimination against persons on the ground of sex, marital status or pregnancy in the areas of work, accommodation, education, the provision of goods, facilities and services, the disposal of land, the activities of clubs and the administration of Commonwealth laws and programs;*
- c) *to eliminate, so far as is possible, discrimination involving sexual harassment in the workplace and in educational institutions; and*
- d) *to promote recognition and acceptance within the community of the principle of the equality of men and women.*



PRODUCED BY SYDNEY UNIVERSITY FEMINISTS

**Hire him. He's got
great legs.**

Sex Discrimination Act 1984

Section 5 (1):

Discrimination occurs when —

“the discriminator treats the aggrieved person less favourably than, in circumstances that are the same or are not materially different, the discriminator treats or would treat a person of the opposite sex.”



Sex Discrimination Act 1984

No. 4 of 1984

Sex Discrimination Act 1984

Section 14 (2) (d):

“by subjecting the employee to any other detriment.”

Section 21 (2) (d):

“by subjecting the student to any other detriment.”



Sex Discrimination Act 1984

No. 4 of 1984

Sex Discrimination Act 1984

Section 38 exemptions:



Sex Discrimination Act 1984

No. 4 of 1984

“an educational institution that is conducted in accordance with the doctrines, tenets, beliefs or teachings of a particular religion or creed, if the first-mentioned person so discriminates in good faith in order to avoid injury to the religious susceptibilities of adherents of that religion or creed.”

Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013

Amended *Sex Discrimination Act 1984* to:

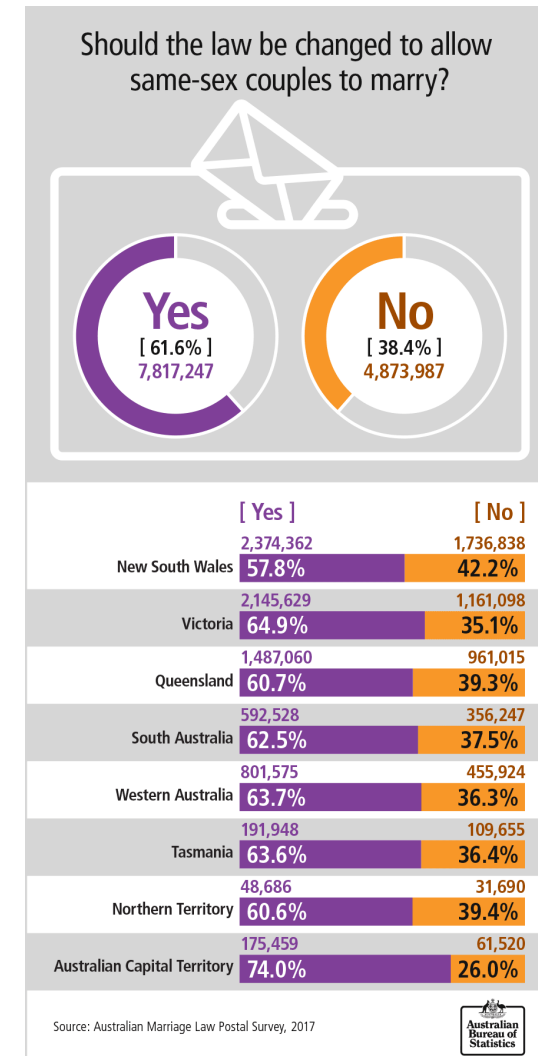
- Include protection for discrimination on the basis of sexual orientation, gender identity or intersex status
- Extend exemptions for actions in relation to sexual orientation and gender identity (not intersex status)
- Remove the definitions of “woman” and “man” from the Act



All the while activists were focussed ...

“Since the 2004 amendment to the *Marriage Act 1961* (Cth) which inserted the current definition of marriage, **23 bills** dealing with marriage equality or the recognition of overseas same-sex marriages have been introduced into the federal Parliament.”

[Source: [Chronology of same-sex marriage bills introduced into the federal parliament: a quick guide](#)]

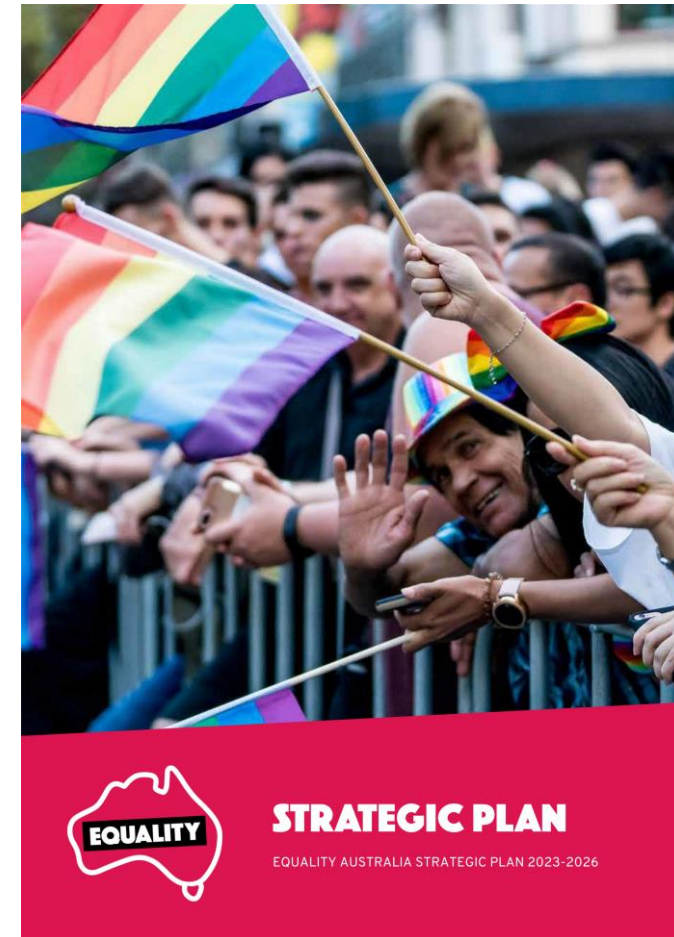


... then with that out of the way ...

“Key initiatives in 2024-2025 flowing from our strategic priorities include:

1. Protecting and strengthening legal protections from discrimination including **removing religious exemptions in federal and state discrimination laws**
2. Protecting and strengthening law and policies to **end conversion practices ...”**

[Source: [Equality Australia Strategic Plan 2023-2026](#)]



Wentworth By-Election / “Wong Bill”

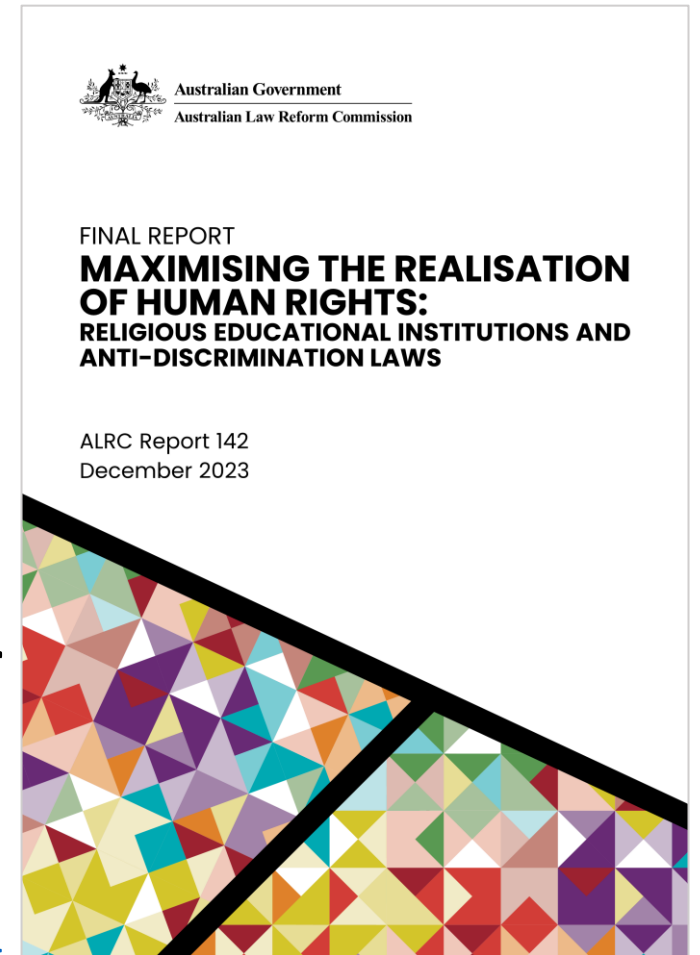
- Claims of expulsion of LGBTI students
- Debate shifted to ‘protecting gays kids’
- Battle of ‘principles’ vs emotional narratives
- Victimhood narrative shifted from physical to psychological



Australian Law Reform Commission Review

“Far from “maximising” human rights, the report (as expected by those who spoke to some of its researchers) would have the effect, if adopted, of seriously impairing the operation of faith-based schools around Australia.”

- Associate Professor Neil Foster



[Source: <https://lawandreligionaustralia.blog/2024/03/23/challenges-to-religious-freedom-conversion-practices-law-passed-alrc-report-released/>]

... but wait a minute ...

“ ... religious education institutions, despite the provisions of the Sex Discrimination Act or any other discrimination legislation, or any law, written or unwritten, Commonwealth or State, should be able to discriminate in favour of, or preference, on the basis of the person’s adherence to or belief in the genuinely held religion, beliefs or tenets of the religious education institution.”

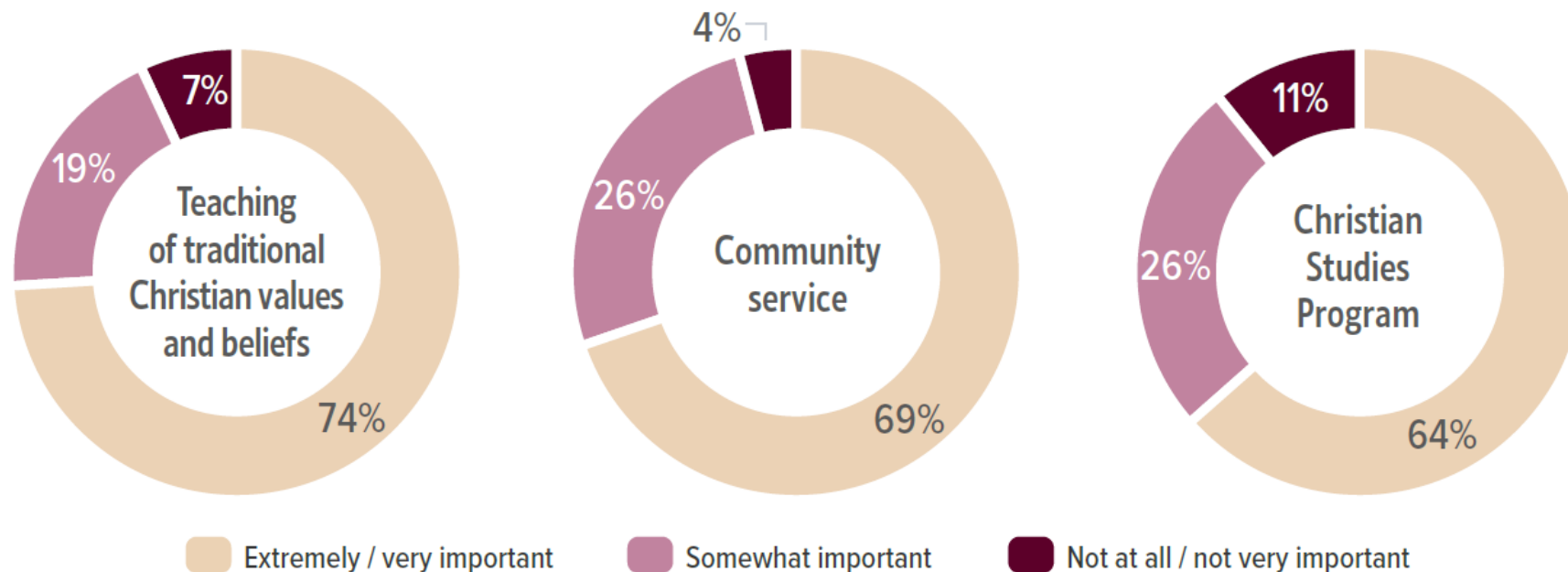


Justice Stephen Rothman
Notre Dame University School of Law Annual Religious Liberty
Conference, 12 April 2024

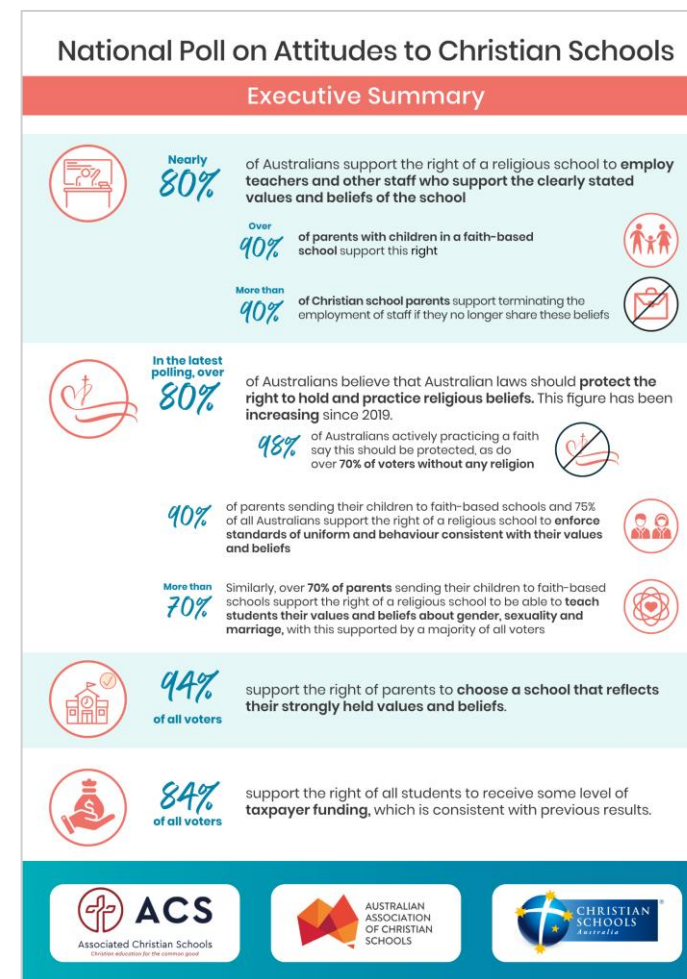
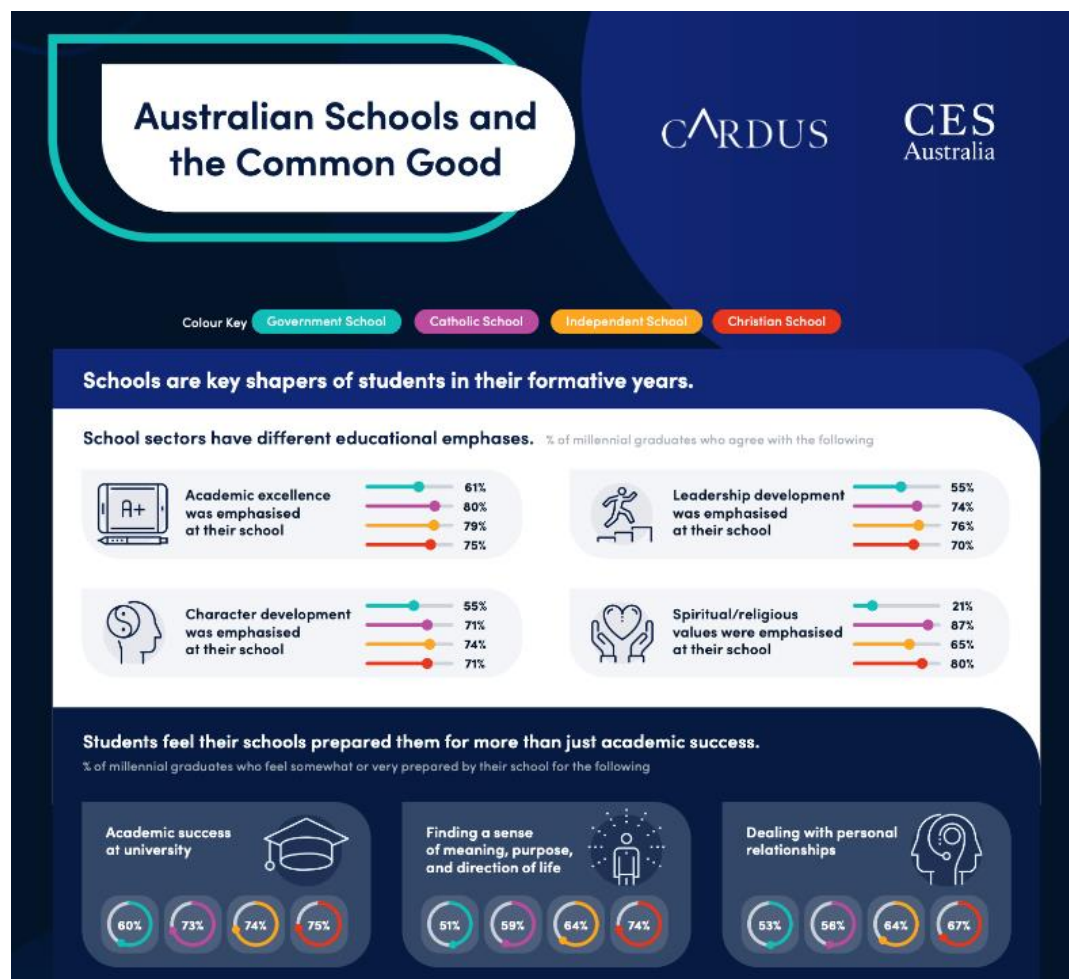
Enrolments in Christian schools are growing ...

Parents Pursue Christian Values and Beliefs

The dominant reason why parents are choosing Christian schools was for the distinctly Christian values and teaching, with 54% of parents selecting ‘values that align with my own’ as the primary determinant. When asked what practices should be most important at a Christian school, 74% of parents indicated teaching of traditional Christian values and beliefs was extremely, or very important.



As we provide a quality education, and the public supports us ...



FAITH IN OUR *future*

Brisbane
29 April 2024



Sydney
6 May 2024



Perth
8 May 2024



Launceston
21 May 2024



Melbourne
22 May 2024



Adelaide
12 June 2024



What does a 'positive right' look like?

The precisely crafted amendments submitted by faith leaders would allow a religious educational institution to:

- act in good faith in accordance with its beliefs in relation to conduct that threatens to undermine its religious character and ethos,
- protect its ability to teach in accordance with its beliefs, and
- require staff to adhere to and conduct themselves in accordance with the beliefs of the religious educational institution.





mychristianschool.au



YOU can help us..



Subscribe to stay in touch so we can keep you informed



mychristianschool.au/subscribe

Thank You!



<https://freedomforfaith.org.au> / <https://contactyourmp.org.au>



Contact Us

Politicians only know what matters
when we tell them

