

RESPONDING TO QUESTIONS TAKEN ON NOTICE

We were asked during the senate hearing on Monday 19 November to consider three questions raised by from Senator Fierravanti-Wells. Below are our brief responses:

1. *How many actual formal complaints, if you have them, where religious exemptions have been involved—obviously particularly, in your case, in relation to students, staff and contractors?*

The impact of discrimination – whether overt or covert, direct or indirect – cannot be underestimated. While we are unsure what form a ‘formal complaint’ may take in each state or territory under different anti-discrimination laws, we took the question to mean that a person would formally raise an issue with their employer, with their union or school board or pursue an unfair dismissal case with the relevant authority.

It is our opinion that for many LGBTIQ people, loss of employment, the financial stress of leaving a well-paid position, or fear of retribution means that very few people, if any, pursue ‘formal complaints’. For some people the desire to remain in the faith-based system, if not at the same school, means no formal complaint is ever made – in extreme situations they might simply resign and move to another school to ‘solve the problem’ as it were.

We refer you to some of the stories we have collected and included in this submission to further illustrate our above response.

We also know from talking to families and young people that it is even more unlikely that a parent with a LGBTQ or gender diverse child who has been discriminated against or who is the victim of bullying, again either overt or covert, direct or indirect, would pursue a formal complaint if leaving the school becomes the only ‘solution’. In most cases we have heard of, families seek a new school or look at educational alternatives such as TAFE/VET or even home school, to both ensure their child remains in education or because they have no other alternatives in their local area or that are financially suitable.

Rainbow Families Victoria is aware of numerous anecdotal stories regarding rainbow families being told by faith-based schools when exploring enrolment that “perhaps this school is not the best fit for your family” or that the child might be better suited at a different school. Again, no ‘formal complaints’ are usually made as most families tend to just move one to another school where possible.

2. *Also, in the recommendations as they have been published, there is the distinction between students, staff and contractors. I appreciate the public comments that have been made in relation to students and the views across the political divide in relation to them.*

In references to leaked Recommendations 5 and 7 we state that we would like to see the full Ruddock Review report to fully understand the context in which such recommendations, in fact all recommendations, were made.



3. Thirdly, can you provide the committee with any views that you may have in relation to, under international law, recognition of religious freedoms and why that right of religious freedom shouldn't sit alongside other human rights with appropriate protections?

Rainbow Families Victoria has considered the intersections between the enjoyment of the freedom of religion and other human rights and have concluded that we want our children and families to enjoy living in a society that values and respects difference, that upholds the human rights of everyone and provides equitable access to education, as well as services and support systems, so that everyone can live to their full potential.

In conclusion we humbly thank everyone who has contributed to our submission and the Committee for providing us with an opportunity to share our concerns and opinions on this important matter.

Thank you for considering our submission.

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