

EDUCATION, SCIENCE AND TRAINING

SENATE LEGISLATION COMMITTEE - QUESTIONS ON NOTICE 2004-2005 ADDITIONAL ESTIMATES HEARING

Outcome: 1
Output Group: 1.1 – Funding for schools

DEST Question No. E824_05

Senator Carr provided in writing.

Refers to DEST Question No E845_04

Question:

Hillcrest Christian College

Discrimination against gay student

The case of a 16 year-old homosexual student who apparently left this school after being victimised by homophobic classmates has been reported in the Melbourne and local press.

Are you aware of this publicity?

Are you aware that the boy's family says he was forced to leave because he received no support from the school or the Principal over the matter, and was advised to keep his sexuality a secret?

Do you know that, according to the family, the boy was advised by the School Counsellor that he was "satanic" and that she could arrange an exorcism?

What is the Commonwealth's policy about apparent cases of serious discrimination and victimisation, such as this one, in private schools in receipt of Commonwealth funding?

If the reports on this case are true, has this school a prima facie case to answer in relation to Federal anti-discrimination legislation? Is it exempt from such legislation? On what basis?

Do State anti-discrimination laws apply to it? Do they cover this kind of case?

Has DEST had any discussions with representatives of the school, and/or the Victorian authorities, about this matter concerning Hillcrest College? Please provide details.

Answer:

Hillcrest Christian College-discrimination

The duty of care for school students is a responsibility of State and Territory Governments, and other educational authorities and individual schools in each jurisdiction. The Australian Government does not have a direct role in the operation of school student welfare policies. The Australian Government is not aware of publicity reporting on this case, nor of reports by the student's parents concerning the actions of Hillcrest Christian College in this incident.

However, the Minister is concerned to hear of inequitable treatment of any child, and to that end the Minister has secured the endorsement by all State and Territory Ministers for Education of the *National Safe Schools Framework*. This Framework includes an agreed set of guiding principles for promoting safe school environments and suggests strategies schools may utilise. It emphasises the need for schools to respond proactively to incidents of victimisation or abuse, and to nurture respect for and appreciation of tolerance and diversity. The implementation of the Framework is supported by a \$4.5 million package of assistance measures, including:

- \$3.5m for teacher professional learning, set aside under the Australian Government Quality Teaching Programme;
- \$1 million for a grants project to help schools select and implement effective, evidence-based best practice programmes to address bullying, violence and abuse;
- \$300,000 for materials and other support to guide schools in the implementation of the Framework; and
- \$200,000 to support the Bullying:No Way! web site (www.bullyingnoway.com.au)

Hillcrest Christian College received \$2,191,598 in Australian Government General Recurrent Grant funding for the 2004 programme year. State and Territory Governments are responsible for the registration and accreditation of non-government schools, and as such it is appropriate that education authorities in each jurisdiction monitor the individual circumstances of schools as part of this process.

All teachers in Victoria are required to be registered with the Victorian Institute of Teaching, including a satisfactory criminal record check.

In relation to your questions as to Hillcrest Christian College's legal responsibilities, the school is subject to both the Commonwealth Sex Discrimination Act (1984) and the Victorian Equal Opportunity Act (1995). The Australian Government is not aware of the circumstances of the alleged complaint, and is therefore not in a position to comment on whether it is open to the student to pursue the complaint in either jurisdiction.

DEST has not had any discussions with representatives of the school, or with the Victorian authorities, concerning this matter.