



Our Lady of the Sacred Heart Catholic College

Bath Street Campus | Traeger Campus | Sadadeen Campus

5 December 2017

Director, Legal Policy (Ms Sarah Witham)
Department of the Attorney - General and Justice
GPO Box 1722
DARWIN NT 0801

Re: Modernisation of the Anti-Discrimination Act, September 2017

Dear Ms Sarah Witham,

With regard to the above Discussion Paper, as a Catholic school community we wish to raise the following concerns:

- Our reading of the Discussion Paper highlights for us the intended removal of Sections 30(2), 37A, 40 (2A), 40(3), and 43 of the existing Act.
- Firstly, we cannot recall this matter being part of your election mandate last year.
- We are concerned that the Executive of our school should retain the right to select staff and students who will support the values of our school. Our community, as a Catholic Community, holds certain values which we expect the school to uphold. In turn we expect that those employed in our school will also uphold our values and that the Executive of the school will consider our values when appointing staff. Teachers work as members of a team in partnership with families.
- A further note is that cultural and religious sensitivities throughout the discussion paper seem to be equated with discrimination. The idea that 'modernisation' will make everyone the same contravenes celebrating religious and cultural differences. These amendments are discriminatory in themselves and rather than making religious groups more accountable for their activities, removes the accountability by not allowing common sense to prevail.





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- Freedom of Religion has been upheld as a human right for centuries. Section 18 of the International Covenant on Civil and Political Rights protects not only the 'traditional' religious beliefs of the major religions, but also non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The right recognised in Article 18 is simultaneously an individual right, and a collective right. It has both an 'internal' dimension (the freedom to adopt or hold a belief), and an 'external' dimension (the freedom to manifest that belief in worship, observance, practice or teaching).
- The Australian Government pledged its support to the the Universal Declaration of Human Rights. Australia was a founding member of the UN and played a prominent role in the negotiation of the UN Charter in 1945. Australia was also one of eight nations involved in drafting the Universal Declaration. Australia has remained a supporter of human rights throughout international treaty negotiations and has ratified almost all of the major international human rights instruments. This 'modernisation' will negatively impact the positive change that Australia has consistently supported over many years.

We conclude by reiterating the words of our Bishop, Eugene Hurley, with regard to the proposed amendments: *"If we remove these exemptions, which are few and paltry, we may end up with a situation where people may not be able to practice their faith or teach their religion, even in a religious school."*

We trust our views will be afforded due consideration.

Sincerely yours,

Our Lady of the Sacred Heart Catholic College Advisory Board Members

