

## Minister's detailed response to TCFNSW

Mr Harley Mills  
President  
Teacher's Christian Fellowship NSW  
PO Box 3813  
MARSFIELD NSW 2122

RML 10/3433  
15700

Dear Mr Mills

I write in response to your letter of 11 June 2010, regarding the recent trial of a secular ethics option to Special Religious Education in ten government schools.

The *Education Act* 1990 requires that government schools set aside time for Special Religious Education. The Act does not preclude schools from offering other activities at that time.

It is the procedures supporting the Department of Education and Training's policy on Special Religious Education that stipulate that ethics should not be taught nor competing activities offered during the time allowed for Special Religious Education. The Department has the authority and the responsibility to amend or suspend any of its procedures, where circumstances warrant.

In recent years, there has been increasing demand from parents particularly, but not only, through the peak parent body for government schools, the Federation of Parents and Citizens' Associations of New South Wales, for a secular ethics option to Special Religious Education.

The Federation reasoned that a secular ethics course would be complementary to Special Religious Education and would provide a meaningful experience for students.

Approval was given to the federation to conduct a trial of their proposed program. The trial offered an opportunity for a more informed consideration of a secular ethics option to Special Religious Education.

Accordingly, the Department suspended the procedures supporting its policy on Special Religious Education and that section of the Department's procedures, dealing with the teaching of ethics, no longer applied to the schools participating in the trial of the ethics course.

The trial is being independently evaluated. Peak providers of Special Religious Education, represented on the Director-General's Consultative Committee on Special Religious Education, have the opportunity to contribute to that evaluation. The evaluation report will be completed later this term.

The Government remains strongly committed to Special Religious Education, recognising the benefits it provides to students and the value placed on it by much of the community.

I trust that this information clarifies the situation for you.

Yours sincerely

Verity Firth MP  
Minister for Education and Training  
11 Aug 2010

## Response from TCFNSW

Honourable Verity Firth  
Minister for Education and Training  
Parliament House  
Macquarie Street  
Sydney NSW 2000

Dear Minister

I refer to your letter of reply (RML 10/3433) to concerns regarding the recent trial of an ethics course during time set aside for Special Religious Education (SRE) in Government schools. Thank you for responding in detail. There are two matters raised by you in that letter that need comment and clarification.

TCFNSW agrees only in part with your statement that *The Act does not preclude schools from offering other activities at that time*. The current Department SRE implementation guidelines also acknowledge that other activities can occur during SRE time, but not timetabled lessons or classes that compete with SRE. The basis of the Department's guidelines and the NSWTCF position is outlined in the Act, and states that *time is to be allowed for the religious education of children of any religious persuasion*. Only *religious persuasions* can operate during time set aside for SRE. Classes in secular ethics, other school subjects and programmed school activities are not religious persuasions and can not operate during time set aside for SRE. A closer examination of the this provision from the 1880 Act until today, together with the second reading speeches in parliament, the agreement between the Government of the day and the churches about the Rawlinson Committee recommendations for SRE will all confirm this position.

In addition, the Act states that when SRE teachers are not attending, *the children are to be appropriately cared for at the school during the period set aside for religious education*. Because this is SRE time, other classes during that time are not expected as exemplified in secondary schools where the SRE time was not included in the staffing of secondary schools. Under recent whole school staffing, secondary schools have adopted minimal supervision, or absorbed this time into the wider school day. Where no SRE at all is provided, many schools continue to allow students to leave a period early, one day a week.

TCFNSW believes that you have not been fully advised on this matter and that only a definitive statement from the Crown Solicitor will clarify the Act and its intention for all parties involved in this dispute. While the Government can suspend the Department's procedures it can not act outside the Act. The Government may need to seek the protection of the Crown Solicitor's determination or the opportunity to withdraw from further action on this matter.

In the unlikely event that the Crown Solicitor should find in favour of other classes being offered during time set aside for SRE, the Government still has to address its agreement with the Christian churches because of its formal acceptance of the Rawlinson Committee Recommendations on SRE. This would be best achieved by consultation and negotiation with the Christian churches and the providers from other faiths and not by the current trial.

On a second matter, from member and media reports, NSWTCF believes the trial has little credibility given that:

1. a number of the trial schools promoted the ethics classes to all students and their parents and not to only those not attending SRE as was a condition of the trial
2. some parents have been confused by the publicity given to the St James Ethics Centre, believing it to be a Christian organisation
3. the predominant pedagogy used in the trial, appears to be the *values clarification approach* which, in the Department's *Values in NSW Public Schools document*, is acknowledged as appropriate for teaching about diverse values positions within the community, but less appropriate for addressing *behavioural* and *procedural* values. In this regard, the Department's policy describes nine core values and the relationship, if any, between the Department's values policy and the trial ethics course is not obvious.

This proposal is not actually about ethics classes. If the proposers were serious about ethics being taught in schools they would be approaching the NSW Board of Studies with their course materials. The agenda is from a small group of secularists with the aim to remove the teaching of religious faiths from Government schools. It is to be achieved by getting any course, there is nothing special about ethics classes, to run against SRE so that the way is opened to the teaching of other subjects, courses and activities making SRE unworkable. By allowing the trial, and by not seeking the determination of the Crown Solicitor, the Government's impartiality is questioned. You cannot say that *the Government remains strongly committed to SRE* while trialling a scheme that will result in its demise.

Yours sincerely

Harley Mills

President

14 September 2010

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**Footnote:**

Since this letter has been sent the Opposition has announced that it favours "no change" to the current arrangements for SRE. On the other hand, the Minister on *Stateline* 17/9/10 said that, if the trial is successful, for schools wishing to undertake a program she expected that ethics classes would be offered in the same way SRE is offered and at the same time. The course would be taught by volunteers using a similar arrangement to SRE teachers.

This now places a clear difference between the Government and the Opposition regarding policy which will continue to make ethics classes during SRE time a major issue for the March 2010 election.

It is hard to understand why the Government is pursuing this change. Perhaps they want to win favour with the Greens who have been anti religion in state schools for some time. They may want to further secure Green preferences at the next election. Perhaps the Minister wants to firm up her own support amongst her secular minded Balmain electorate. Unfortunately for the Government, the potential loss of primary Labor votes on this issue will make it even more difficult for the Government to be re-elected.

Individuals members concerned for the future of SRE in schools need to be involved by sending their own correspondence. Some members have already done this and received replies from local members and the Minister. Thanks to those members who have forwarded a copy of their reply to the office.

While we continue to pray about this matter, Jesus' followers have always been asked to be faithful to the calling they have received. In the 21<sup>st</sup> Century this means being involved in political processes otherwise the preferences of Christians will be ignored and the salt will have lost its savour.

John Gore