
Urgent need to finalise federal religious freedom legislation

The National Catholic Education Commission (NCEC) has called on the Morrison Government to move on long-awaited religious freedom legislation, saying proposed reforms to Victoria's Equal Opportunity Act could curb the ability of Catholic schools to act in accordance with their ethos, and lead to unnecessary lawfare.

NCEC executive director Jacinta Collins said governments are obligated to respect and protect the religious freedom of parents who choose to send their children to a school where they will be taught in accordance with their religious convictions.

"The unprecedented character of Victoria's proposed reforms will create confusion for Catholic schools, particularly in the employment of staff, and could potentially lead to unnecessary litigation," Ms Collins said.

"The proposed Victorian reforms take a narrow view of religious belief and activity which would inhibit the ability of Catholic schools to preserve their ethos," she said.

"The definitions are not sensitive to the way faith is taught and expressed in a school context and the proportionality test of balancing religious rights against other rights will be a legal minefield."

"Both federal major parties have indicated that religious schools, and parents of students, are entitled to require employees to act in their roles in ways that uphold the ethos and values of that faith, and that this requirement may be taken into account when a person is first employed and in the course of their employment," Ms Collins said.

"To operate as a Catholic school, in identity and mission, all members of the school community are expected to act in a way that supports the ethos and values of the school.

"The curriculum, pedagogy and day to day activities of the school, including liturgical activities, are underpinned by a Catholic worldview and this could be compromised if Catholic schools don't have the freedom to employ staff who are supportive of their mission.

"We need federal legislation finalised as quickly as possible to ensure this entitlement is not eroded by state legislation."