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Submission to the Exceptions Review

Rainbow Network.

Rainbow Network is the Victorian Statewide Network for workers including community and agency staff or school-based staff such as DHS Secondary School Nurses, who facilitate groups, coordinate projects or work with same sex attracted, bisexual, queer and transgender young people in the community or school-based settings.

Rainbow Network originated during 1998 in order to meet the needs of workers facilitating groups for same sex attracted young people across Victoria. In 2008 there are 100 members of the Network which meets four times a year for Professional Development and Peer Support.

Concerns with Section 75.

The primary focus of Rainbow Network's submission to the Exceptions Review is address the question of whether Section 75 "Religious Bodies" needs to be reformed to improve the equality of opportunity and to eliminate discrimination faced by gay and lesbian teachers in Catholic schools.

Our focus on teachers employed in the Catholic education sector stems from the fact that one impact of the exception is to create a climate in catholic schools where same sex attracted young people can feel isolated and unsupported.

According to the Catholic Education Office website the Archdiocese of Melbourne "hosts the largest Catholic education system in the country, with 256 primary schools, 65 secondary schools and 7 special schools". A survey of enrolments is listed in the 2006 Annual Report found that 137,535 young people were enrolled in catholic schools with 62,714 in secondary schools.

Given that both national and international research states that approximately 10% of young people are same sex attracted (that is to say attracted to people of the same sex) it is not an unlikely scenario to suppose that some 6,000 Catholic School Secondary School students could express or exhibit attraction to the same sex at some time during their adolescence.

The implementation of Section 75 serves to illustrate to young same sex attracted people that:

- being gay or lesbian may make you an undesirable employee,
- it might be difficult to find employment as gay or lesbian adult,
- coming out is to be discouraged, and
- keeping a large part of your personality and identity invisible is the safest thing to do.

For students with gay or lesbian parents the existence of Section 75 can also indicate that there is something immoral or inappropriate about their parents and their family structure. Further the implication of Section 75 is that if you identify as catholic or Christian and same sex attracted, it is difficult to reconcile one aspect of your personality and self with the other.

For many students in rural or regional communities or at boarding school, their main source of support or information may be services provided by their school community. When an exemption such as Section 75 exists, it may mean that same sex attracted students, knowing that their school has the ability to exclude adult staff members from the school community, will not seek the relevant support within their school that they urgently require. You only need to read "Writing Themselves In Again" to understand the complexity of issues many same sex attracted young people face.

Experience in Catholic schools

Staff of two large catholic schools in northern Melbourne were asked, on the understanding of anonymity, what their experiences of Section 75 were in practice. Neither staff member questioned was aware of Section 75 and both expressed surprise as their school staff consists of single parents, people in defacto relationships or domestic partnerships, and divorced people not to mention gay and lesbian staff.

The fact that some Catholic schools seem not to utilise the provisions in Section 75 would perhaps suggest that the Section itself is being inconsistently applied across the Catholic School sector and is therefore irrelevant, redundant and can no longer be justified.

National studies on same sex attracted young people

In 2005 the Australian Research Centre in Sex, Health & Society produced a report entitled "Writing themselves in Again – 6 years on". Surveying 1749 young people from across Australia who identified as same sex attracted, the researchers found that religion is one of the many multiple layers of identity experienced by these young people. An extract from the Executive Summary states:

Christianity remains a last bastion of resistance to what is regarded in legal and health arenas as a normal part of human sexuality. Young people who were Christians, who attended Christian schools and/or belonged to Christian families were very well aware of this problem and wrote about their anguish. In most cases they were forced to choose between their sexuality and their religion. In many cases the rejection of their sexuality and the embracing of their religion resulted in young people hating and harming themselves. Leaving their faith for many was a painful but necessary road to recovery – a sad loss for the church and a survival choice for the young person.

Chapter 11 of the report includes several case studies from young people highlighting the struggle reconciling their sexuality and their faith. A copy has been enclosed.

A year later Jesuit Social Services produced a report specifically focussed on examining how Catholic Schools can best respond to the needs of same sex attracted students. The "Not So Straight" report details the experiences of same sex attracted young people in Catholic schools and includes both cases studies of good practice and recommendations that impact on pastoral care, staff development, curriculum and the shaping of school culture to ensure that all students are respected in secondary schools. The report takes the position that catholic schools should both be committed to providing a safe learning environment and to dealing with their students with respect and understanding. I suggest the Commission obtain a copy.

On behalf of Rainbow Network I look forward to hearing about the outcomes of the Review.

Yours sincerely

Felicity Marlowe
Rainbow Network

Resources

For a copy of "Writing Themselves in Again – 6 years on" contact the Australian Research Centre in Sex, Health 7& Society on (03) 9285 5382.

For a copy of "Not So Straight" contact Jesuit Social Services on (03) 9427 7388.