

AUSTRALIAN COUNCIL FOR THE DEFENCE OF GOVERNMENT

SCHOOLS

PRESS RELEASE 788

School Chaplaincy Case : A win at VCAT ?

Chaplains Don't have to be 'Religious'.

Congratulations should go to RSA Fellow Luke Beck and plaintiff Juliette Armstrong for their perseverance in this case.

Victoria has opened the way for secular or atheist school chaplains as part of a settlement to a landmark legal challenge that could open the way to secular or atheist chaplains. <https://www.theguardian.com/australia-news/2019/mar/27/victoria-opens-the-way-for-secular-or-atheist-school-chaplains>

For months, the Rationalist Society of Australia (RSA) has been running a "Chaplaincy Challenge" in Victoria, to expose and finally end the overtly discriminatory nature of the National School Chaplaincy Program. The case has settled.

The program has [faced numerous complaints about its religious nature](#), which has been wound back through the [Australian Capital Territory's pledge to remove chaplains from public schools](#) and [federal Labor's policy](#) to allow schools to pick a secular chaplain instead of a religious one.

The commonwealth-funded program currently requires chaplains to be recognised or endorsed by a religious institution, despite the fact pastoral care is only supposed to provide "general spiritual and personal advice", without crossing the line to proselytisation.

In the Victorian Civil and Administrative Tribunal challenge, Juliette Armstrong – who works as a school chaplain in both public and Christian schools, despite not being a Christian – argued that the government and Access Ministries discriminated against her because of her lack of religion.

Now, as part of a settlement at VCAT, the Victorian Government has agreed "chaplains" don't have to be religious. They will change the job description to make it clear suitably qualified but non-religious people can be hired. While this change may not be difficult for the Government, the new job description will be a headache for the religious agencies, like ACCESS Ministries. They will have

to comply with the government's new job description and if they don't, they'll risk more litigation.

In order to settle the case [which argued that the program is discriminatory](#), Victoria agreed on Monday to change the position description. It's a move the Rationalist Society and the academic, Law Professor at Monash, Luke Beck believe will force providers to hire atheists and allow religious groups to endorse atheists.

But the Victorian education Department disputed that its practices had changed.

“It simply reflects what already occurs,” a spokesman said, because secular chaplains could already be endorsed by religious bodies.

Dr Meredith Doig, the president of the Rationalist Society, told Guardian Australia it planned to approach religious organisations such as Anglican and Uniting church ministers to provide letters of endorsement to allow qualified, secular pastoral care workers to be hired and still comply with federal rules.

After the May election, the Rationalist Society believes that this change may roll out to all states and territories, as both Labor and The Greens have policies to remove the discrimination inherent in the NSCP

The DOGS position was articulated in one of the 409 comments on a related article in the *Guardian* online as follows:

Until Mr Howard's thought bubble, the important educational practice was always to have a properly qualified guidance officer in a school. In days gone by in NSW at least, this employee had to have 6 years teaching experience and a degree in educational psychology etc before they were employed in this role. It required great skill and knowledge.

A teacher could send a troubled child to the guidance officer; whatever was said to the officer was private and the child could return to the classroom and get on with their learning. Teaching and guidance could remain separate and this assisted learning.

What was relevant was training, skill, experience, and a specified role. Religion had nothing to do with it. Religion is a matter for the parents and the relevant institutions in our society.

Any form of State Aid to religious activities is bad for the State but worse for religion. And now, half a century on from a return to the bad old days of the nineteenth century

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