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Dear Committee Members

Thank you for the invitation to lodge a submission to the Senate Legal and Constitutional Affairs Committee re the Sex Discrimination Amendment Inquiry.

Having been a committed Pentecostal Christian and preacher for many years, lived as an openly gay man since 1992 and worked with more LGBTI people experiencing faith/sexuality conflict than I could count, I feel that I can make an informed contribution from what has generally been understood as opposing perspectives.

### **The revelation and its impact**

When some of the Ruddock Report was released towards the end of 2018, many Australians were shocked to discover that faith based schools could legally reject or expel a student purely on the grounds of their sexual orientation or gender identity. Just to reaffirm, this legal discrimination could be on the basis of their identity alone and not their behaviour as a student. For many of us, this was not a new revelation as we have seen the damaging impact Christian conservative views has had on LGBTI people for decades. It is not uncommon for someone to lose a position or roll in a church, just for mentioning that they are gay, even if they have never acted on it. Andrew's experience in a large pentecostal church happens frequently from the stories I've been told. Once Andrew disclosed to the leadership in the church that he thought he was gay he was stood down from the leadership and service opportunities he enjoyed in the church and was referred to a mental health professional who specialised in working with sex offenders. Andrew was 20 at the time after spending his teen years as a dedicated youth group member.<sup>1</sup>

Australians were shocked at the leaked revelations from the Ruddick report for a number of reasons.

Firstly, that in 2018, some people still believed that being LGBTI (lesbian, gay, bisexual, transgender, intersex) was disordered or inherently immoral/evil and these people needed to be separated from 'normal' people so as not to contaminate or influence the 'respectable/righteous/moral' majority.

Secondly, I believe that people were surprised to find that government, or in other words taxpayer funded, private schools were receiving special privileges such as the right to legally discriminate against a particular group of people. Australia is meant to be a tolerant, multi-

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<sup>1</sup> [Andrew's story – gay in a pentecostal church](#)

cultural, multi-faith society. Rejecting LGBTI students and staff is incongruous with our national ethos.

### **Balancing human rights**

Moving forward, it is obvious that the challenges we face are in balancing basic human rights of which one is the right to freedom of thought, conscience and religion or belief. At times, a tension exists between the former and the basic human right to equality and non-discrimination. I do believe that a paramount consideration should always be rights of child. By rights, I'm speaking about protection from harm that ensures the best possible outcomes for the child's/student's mental, spiritual and physical well-being.

### **Who wants to keep the exemption?**

It should be noted before we progress, that the majority of faith-based schools have stated that they do not require or want an exemption to discriminate against LGBTI students. In a seemingly contradictory statement from someone who would support maintaining the current legislation, Mr Mark Spencer, a representative of Christian Schools Australia (CSA), stated "our schools have never expelled a student solely on the basis of their same-sex attraction. They never have, they never will and they don't want the right to."<sup>2</sup> One wonders then why removing the current exemption is so problematic. My sense is a deeper issue.

### **Discrimination against LGBTI or something else**

In many ways this debate is similar to the conflict over homosexuality within the global Anglican church. The conflict has simmered for a couple of decades now; every now and then rearing its ugly head in a media article. A surface observer could easily come to the conclusion that this unresolved internal conflict is about people's attitude towards homosexuals and homosexuality, but the manifestation of conflict is not the real issue. Digging deeper, it is easy to see this conflict is about power struggles in the denomination, where the wealth is, a deep division about the importance and interpretation of scripture, along with the divisions of southern and northern hemisphere, western versus developing countries. Gay and lesbian people have become the flash point for much deeper conflicts. If opposers of removing the exemptions were honest, the current debate is not actually the right to exclude LGBTI students it's about their right to hold onto their beliefs; religious freedom. Seeing the harm caused to LGBTI people in the Anglican church being used as pawns tossed backwards and forwards in a game of control, is appalling. Seeing vulnerable young people become the focal point in this current debate is tragic. I wonder what impact this current debate is having on emerging LGBTI young people in and out of faith based schools. To say they will be unaffected is naïve.<sup>3</sup>

### **A minority**

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<sup>2</sup> Mr Mark Spencer, Executive Officer, Policy, Governance and Staff Relations, Christian Schools Australia, Committee Hansard, 19 November 2018, pp. 31–32.

<sup>3</sup> [New research reveals how the marriage equality debate damaged LGBT Australians' mental health](#), The Conversation, 24 January 2019

We need to remember though that it is only a minority who are taking this strong stand to maintain religious exemptions. Most faith based schools have progressed to a point where they not only recognise the harm discrimination creates but that they currently accept and embrace their LGBTI students. An excellent example of this is young Finn Stannard, a Year 12 student who recently came out at an assembly at St Ignatius College Riverview. Finn received a standing ovation from his peers and St Ignatius' principal Paul Hine described Finn's speech as a "watershed" moment for the college, which wanted to support his decision to publicly share his story and its message of acceptance. "I'm not sure anyone chooses their sexuality, that's who they are and therefore we need to be open to that and to accept it and to make sure we live in communities of inclusion - and with that will come diversity," Principal Hine told SBS.<sup>4</sup> Possibly it would have been helpful for famous St Ignatius alumni, former Prime Minister Tony Abbott and former deputy Prime Minister Barnaby Joyce to have attended the school event. It would have been quick lesson in how out of touch their conservative views are within Australian society.

I know of a number of Anglican schools which actively support their LGBTI students, not despite of their Christian ethos and values but because of them. These schools are excellent examples of how, not just tolerance, but love, acceptance and affirmation cause LGBTI students to thrive and excel. Isn't this the kind of Australia we want to create?

## The harm

Of the minority of faith based schools who want to maintain the right to discriminate against LGBTI students, it would be fair to assume that the majority of these are strongly biblically based evangelical, pentecostal and charismatic (EPC) communities. The language used by Mark Spencer, head of policy, CSA demonstrates their beliefs: "We say to students who are same-sex attracted: 'We believe that's not God's best plan for you and here's why.'" and the school's approach "It's not about endorsing or encouraging it."<sup>5</sup> The message is clear. 'God's best plan' for you is heterosexuality which will mean rejection, suppression or change. And the closet is your only option in this school environment.

A journalist called me about an article they were writing and asked if I could put them in touch with a gay student in one of these schools for an interview. Obviously, the journalist was not aware of the complexities and issues in these situations otherwise they would have never asked the question. I think they found my response a little confronting. 'Any gay student in these very fundamental schools is either in the closet and hanging on for dear life, until they finish their education, living with the constant fear they might be outed, or they have left and gone to another school where they can be free to be themselves, or they've killed themselves.' Dramatic. Yes. But true none the less as research has shown and pointed out in my article 'Gay religious suicide – why we'll never be able to count the cost'.<sup>6</sup>

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<sup>4</sup> [Teenager comes out as gay in Sydney Catholic school assembly](#) by Leesha McKenny, Abbie O'Brien, 26 November 2018

<sup>5</sup> [The right to expel gay children from school isn't about freedom; it's about cruelty](#) by David Marr, The Guardian, 11 October 2018

<sup>6</sup> [Gay Religious Suicide – why we can never count the cost](#) September 10th, 2015

And when speaking about gay staff Mr Spencer said: 'We have got staff in our schools who have indicated to the school leadership that they're same-sex attracted, but they take the view that it's not what God's best plan is for them. It's a struggle they have, but they don't accept it, they don't try to live it out, they don't try to be or identify as gay. They're struggling with same-sex attraction.'<sup>7</sup>

Mr Spencers wording and terminology is that of the ex-gay/reparative/conversion therapy movement. It's an ideology that is widespread amongst EPC churches that believes homosexuality is the result of disordered development, heterosexuality only is God ordained, and people with 'unwanted same-sex attraction' can overcome by suppression, celibacy or change. The long term damage this belief has had on tens of thousands of individuals has been well documented<sup>8,9,10</sup> and the practice denounced by every reputable mental health organisation. It is disturbing to think that these beliefs exist within some sectors of the Christian School system and that when a student discloses to a staff member they are discovering they're attracted to the same sex, 'conversion therapy' is the only option. If the student refuses or resists and wants to accept their orientation or gender identity then under the existing law, the school can expel the student. What has already been a traumatic situation has now been intensified by legally sanctioned discrimination.

In 2004, when my autobiography, 'A Life of Unlearning', was first released, my inbox became a microscope into a hidden world as hundreds of people emailed me saying 'your story is my story' and then poured out their hearts for the first time to someone who'd understand the trauma they had experienced as LGBT people in Christian churches, homes or schools. It became obvious to me that possibly one of the highest risk groups in our community in several key areas, including suicide, was LGBTI people from faith backgrounds. At that point there had been a substantial amount of research which clearly indicated LGBTI people were at higher risk than their heterosexual peers, but no one had established a separation between LGBTI people of faith and non-faith by way of comparison. I believed we'd see a marked difference and encouraged students and academics to research these distinctions. The first to do this was the Writing Themselves in<sup>311</sup> report by the Australian Research Centre in Sex, Health and Society, La Trobe University. This was the third national study on the sexual health and wellbeing of same sex attracted and gender questioning young people and demonstrated my assumptions were true.

When religion was mentioned the key findings were:

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<sup>7</sup> Mr Mark Spencer, Executive Officer, Policy, Governance and Staff Relations, Christian Schools Australia, Committee Hansard, 19 November 2018, pp. 34–35.

<sup>8</sup> '[I am profoundly unsettled': inside the hidden world of gay conversion therapy](#), Sydney Morning Herald, 9 March 2018

<sup>9</sup> [Gay Conversion Therapy in Australia - REPORT](#) – Ambassadors & Bridge Builders International, May 10th, 2018

<sup>10</sup> [Preventing Harm, Promoting Justice: Responding to LGBT conversion therapy in Australia](#), October 30, 2018

<sup>11</sup> [Writing Themselves in 3](#), by the Australian Research Centre in Sex, Health and Society, La Trobe University, 2010

- More likely to feel bad about their same sex attraction.
- More likely to have experienced social exclusion or had to tolerate homophobic language from friends.
- More likely to report homophobic abuse in the home.
- More likely to report feeling unsafe at home.
- More likely to not be supported by their mother, father, brother, teacher or student welfare coordinator/counsellor, when disclosing their SSA.
- More likely to report thoughts of self harm and suicide or to carry out self harm.

The report clearly showed that for LGBTI youth from faith backgrounds the two places where they should feel safest, home and school, were actually places of harm. And some people want to enshrine discrimination and harm against LGBTI youth as a legal right?

Even though I was born in 1951, I still recall the fear and terror I lived with constantly as a teen with an unfolding awareness that I was becoming a pervert, deviate ....a homosexual. These were dictionary definitions of the time and words used in the media. If I was considering or caught in a same sex act, I could be arrested by the police and put in a juvenile delinquent's institution. There were treatments. As a teen these were horrifying years that drove me to depression and a suicide attempt.

Some people may think that that sort of fear and terror doesn't exist today.....but it does still in faith environments. Once I become aware of my same sex orientation I am immediately in conflict. An internal conflict that can take decades to resolve. So much is at stake. My perception is, that the acceptance of my sexual orientation will mean rejection from my friends and family, I'll hurt the people I love the most, loss of life purpose and worst of all.....eternity in hell. The is a huge load for a young person to be secretly carrying.

## **Vulnerability**

Young LGBTI people are the most vulnerable during their schooling years as they become aware of their sexual orientation or gender identity. They are challenging years. Years when they need safe, comforting, affirming spaces to evolve and not environments where the threat of exposure, outing, humiliation and discrimination hang over their heads. Removing the exemptions are not going to change this entirely, but it is a step in the right direction.

## **Summary**

From my experience, the vast majority of non-affirming<sup>12</sup> Christian leaders are completely oblivious to the harm they are causing otherwise their approach to these situations would be entirely different. I have had the privilege of journeying with quite a number of straight EPR pastors and leaders; Rev Mike Hercok<sup>13</sup>, Rev Dr Rowland Croucher<sup>14</sup>, Nicole Conner<sup>15</sup>

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<sup>12</sup> [Welcoming, accepting, affirming](#)

<sup>13</sup> [When saying sorry is a risk](#), Erin O'Dwyer, Sydney Morning Herald 9 August 2008

<sup>14</sup> [Rowland Croucher: analyst on Christianity](#), Christianity Today

<sup>15</sup> [Former Evangelical Pastor Declares Support For Lgbt People Of Faith](#), Star Observer, Nathan Despott, 4 August 2017

and Pastor Rob Buckingham<sup>16</sup>, to name a few, as they have moved towards an affirming position. Each of them were literally reduced to tears when they became exposed to the stories of LGBTI people from churches and denominations they were a part of. If we were able to take many of these conservative Christian leaders into the worlds that we live in, to see the hurt and the harm, only a person completely devoid of compassion would be untouched.

I also know that essentially many of these conservatives are motivated to do what is right and best for the individual. They genuinely believe that they are helping not harming but sadly, because of an outdated and limited understanding of sexual orientation and gender expression, that motivation is completely misguided.

I do believe it is time to remove the religious exemptions from the Sex Discrimination Act because

- They target a group of people based on their identity (LGBTI)
- They target children and youth at a time of vulnerability
- They cause harm emotionally, psychologically and spiritually
- Government funded schools should be treating all students with respect, dignity and equality

If we look to Jesus as an example, we see he was intense and uncompromising about those who mistreated children.

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*“At about the same time, the disciples came to Jesus asking, “Who gets the highest rank in God’s kingdom?”*

*For an answer Jesus called over a child, whom he stood in the middle of the room, and said, “I’m telling you, once and for all, that unless you return to square one and start over like children, you’re not even going to get a look at the kingdom, let alone get in. Whoever becomes simple and elemental again, like this child, will rank high in God’s kingdom. **What’s more, when you receive the childlike on my account, it’s the same as receiving me.***

***But if you give them a hard time, bullying or taking advantage of their simple trust, you’ll soon wish you hadn’t. You’d be better off dropped in the middle of the lake with a millstone around your neck.** Doom to the world for giving these God-believing children a hard time! Hard times are inevitable, but you don’t have to make it worse—and it’s doomsday to you if you do..”*

Matthew 18: 1-7 Message Bible (emphasis mine)

*“Little children were brought for Jesus to lay his hands on them and pray. But the disciples scolded those who brought them. “Don’t bother him,” they said. **But Jesus said, “Let the little children come to me, and don’t prevent them. For of such is***

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<sup>16</sup> [Church Advocates For Gay Acceptance](#), Star Observer, 29 October 2009

**the Kingdom of Heaven.” And he put his hands on their heads and blessed them before he left.”**

Matthew 19: 13-15 Living Bible (emphasis mine)

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If we needed a scriptural mandate to remove the current exemptions for religious schools to discriminate against LGBTI students, we have it in the above verses above.

I remember clearly as a young child attending Sunday school every Sunday from when I was a toddler. On the wall were several posters but the one that stands out to me after all those years is of Jesus, surrounded by happy, smiling, laughing children. It was a powerful image of love, compassion and acceptance.

At Sunday school we often sang the simple little chorus.

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*‘Jesus loves the little children  
All the children of the world  
Red and yellow, black and white  
All are precious in his sight  
Jesus loves the little children of the world.’*

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With that image, that song and the verses above, my hope and prayer is that any opposition to removing the exemptions from the existing legislation would melt away and that the believers will emulate the same spirit as the Master.

If you have any questions or want anything further clarified, I am happy to provide you with the information.

Sincerely

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Ambassadors & Bridge Builders International's mission is to create understanding and acceptance for LGBTI (lesbian, gay, bisexual, transgender, intersex) people, empower community members and build bridges with religious organisations and leaders.

