



Victorian Multicultural Commission

Mr Geoff Howard
Chair
Education and Training Committee
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Dear Mr Howard

Parliamentary Inquiry into Dress Codes and School Uniforms in Victorian Schools

On behalf of the Victorian Multicultural Commission (VMC) I offer the following submission as part of the Parliamentary Inquiry into Dress Codes and School Uniforms in Victorian Schools.

As you may be aware the Commission's overarching role is to act as a conduit between Victoria's culturally and linguistically diverse (CALD) communities and the Victorian Government. Further information on the Commission, its roles and functions can be ascertained from its website www.multicultural.vic.gov.au.

Given its role the VMC is well placed to contribute to the deliberations on the dress codes for Victorian schools from the perspective of culturally, linguistically and religiously diverse communities.

The Commission was pleased to note that the Terms of Reference recognised the need for future dress codes and uniform policies to be consistent with anti-discrimination legislation. The Commission was also pleased to note comments from the Hon John Lenders, Minister for Education in relation to the Victorian Government not considering the banning of the hijab (headscarf worn by some Muslim women) within the Inquiry.

The Commission recommends that the Parliamentary Inquiry ensure that its deliberations take into account the *Charter of Human Rights and Responsibilities Act 2007*, in particular section 19; "protect a person's right to enjoy their culture, and declare or practise their religion". It is imperative for appropriate exemption criteria and processes to be included within the findings of your Inquiry to recognise the cultural and religious rights of Victorians within government schools.

A specific example of such a necessary exemption is that of the Kirpan. Initiated (baptised) Sikhs are required to carry five articles of faith including the Kirpan on them at all times in accordance with their religious observance. The Kirpan is a small stainless steel sword which is the emblem of courage and self-defence, symbolising dignity and self-reliance, the capacity and readiness always to defend one's honour and to defend the weak and oppressed.

In response to this religious necessity for initiated Sikh's the introduction of the *Control of Weapons Act* contained two exemptions that cover the carrying of the Kirpan. The two exemptions that apply to the Kirpan are:

- the ceremonial dress exemption, made under the *Firearms and Other Weapons Act* 1958, that remain in force by virtue of the *Control of Weapons Act* 1990; and
- the 2004 general exemption allowing members of a religion whose practices involve swords to possess swords, provided they comply with requirements regarding transport, security and storage of those weapons.

The Commission would be seeking a similar exemption for initiated Sikhs in the wearing of the Kirpan with a government school uniform due to their religious convictions.

This is but one example of religious articles of faith worn by Victoria's religiously diverse community, which according to the 2001 Census had Victorians celebrating in excess of 110 faiths. The Commission strongly recommends that student's rights to wear religious articles of faith be protected by the Parliamentary Inquiry in all of their manifestations.

I wish your Inquiry all the best with its deliberations and if you have any queries please do not hesitate to contact me on (03) 9208 3184.

Yours sincerely



George Lekakis
Chairperson