



Speech by

Mrs LIZ CUNNINGHAM

MEMBER FOR GLADSTONE

Hansard 18 August 1999

SCHOOL UNIFORM BILL

Mrs LIZ CUNNINGHAM (Gladstone—IND) (10.45 p.m.): In speaking to the School Uniform Bill, I would have to disagree with the previous speaker on just a couple of issues. I have to say that, overwhelmingly, the parents to whom I have spoken support a school uniform, overwhelmingly P & Cs support a uniform, and overwhelmingly schools that I have spoken to support a uniform, and that support is for a number of reasons.

In terms of school behavioural management, it is possible to identify students, whether they are in or out of the school environment, and apply behavioural management regimes to them. The wearing of a school uniform is a good discipline for students in terms of complying with the requirements of their school environment. Even in the work environment, increasingly people are being required to wear a uniform. I think that the wearing of a school uniform is a good discipline to learn not only in the school environment but also as students transfer into a work environment.

As the member for Merrimac said, the wearing of a school uniform is a matter of personal pride, it is a matter of team spirit and it promotes egalitarian values. However, more important is the use of school uniforms as a means of providing security and student safety. After the incidents that occurred in America, an article in the paper referred to the fact that school uniforms allowed people who administered schools to be able to identify their students. C. Hooper from Deception Bay stated—

"The assassination of students at yet another American school should emphasise the importance of maintaining the school uniform system that exists in Australia. Students will form themselves into groups for a variety of reasons. Generally, it is simply the need for friendship. However, uniforms hopefully instil a sense of pride and prevent the formation of gangs or radical groups that can be identified by the wearing of caps, jackets, shoes, or even something as simple as the colour of shoelaces."

The wearing of a school uniform also allows the easy identification of someone in a school precinct who should not be there.

In the Ombudsman's 1997-98 annual report, he stated—

"The position, therefore, is that putting inappropriate dress aside, a student who is reasonably dressed cannot be punished or treated differently in any way for not wearing the official school uniform. I know this view is unpopular with some principal and P & C associations but the position can only be changed by legislation, not by administrative stealth or low-level coercion."

I believe that has been the lead for the member for Merrimac. However, the Minister for Education has raised concerns that legislation, of its nature, will introduce its own complications. He moved to address the Ombudsman's report by writing to schools and saying that if, as part of their school behavioural management plan, they include a uniform requirement, that will sufficiently obligate students to comply with the behavioural management plan. I am not sure that there has been sufficient time to test that.

Mr Quinn interjected.

Mrs LIZ CUNNINGHAM: He said that the position can only be changed by legislation, not by administrative stealth.

Mr Quinn: Another part of the report says you can't incorporate it as part of school behavioural management. It's not incorporated in the Objects in the Act.

Mr Wells interjected.

Mrs LIZ CUNNINGHAM: Without having a debate between the Minister and the shadow Minister, that contravenes what I heard at a principals conference in my electorate only a few weeks ago.

Mr Quinn interjected.

Mrs LIZ CUNNINGHAM: Yes, it was—from the Minister for Education.

Given the time of the night, we are not going to get to the Committee stage of this Bill. I give an undertaking to the member for Merrimac that I will follow up on that point. I had not discussed that with the Minister for Education. The Ombudsman said that it could not be done by administrative arrangement. He said that it could be done only by administrative stealth, which is different from administrative arrangement. The Ombudsman said "by legislation".

I support 100% the need for school uniforms to be compulsory and enforceable. At the school that my children go to, the wearing of the correct school uniform is very heavily enforced, right down to the jewellery and the style of school shoes and socks that the children can wear. Everything is prescribed. Whilst there is a cost attached to that, there is also an advantage. When the kids get up in the morning, they never have to worry about what they are going to wear to school. They just get up and get into it.

Mr Sullivan: They just have to find a clean pair of socks.

Mrs LIZ CUNNINGHAM: That is exactly right. Like most families, we have a sock fairy that pinches one sock and leaves the other.

I am 100% behind a compulsory school uniform. However, I do not believe that tonight we are debating whether a uniform should be compulsory. We are debating the mechanism that is used to apply that compulsion. In discussions with the Minister, he also made the point—and I am sure that the member for Merrimac, given that he has previously held the portfolio of Education, would agree—that there are genuine cases where students cannot comply. That is either for genuine reasons of faith—and there are denominations in which, to comply with their faith, children would have to contravene the school uniform code—or for genuine reasons of economic hardship. Both members would agree with a mechanism whereby there is a residual of complying uniforms made available to those students who have genuine economic need. Tonight we are debating the mechanism of applying the compulsion. One point has been raised tonight that I do not have the answer to. Between now and when we debate this matter next, I will discuss that issue with both the member for Merrimac and the Minister.

Given my discussions with the Minister and the information that was provided in the Bill from the member for Merrimac, I was of the understanding that the discussion was whether legislation was necessary or whether the administrative direction that the Minister had given would be sufficient. The Minister has said that if it can be shown that administrative direction, as he has issued, does not significantly or successfully cover the P & C and the principal in applying a uniform standard, he will consider the application of legislation. The Minister gave me that undertaking. On the condition that what the Ombudsman has said is clarified, I foreshadow that on that basis it is my intention not to support the proposed legislation for a number of reasons. None of my concerns can be rectified by amendments to the clauses.

The Bill puts the responsibility for approving a uniform onto the director-general. I happen to support the proposal of the previous Minister, the member for Merrimac, to have school-based management, which means that uniforms would be determined by the local school. The P & C, in conjunction with the principal, would make a recommendation and adopt a school uniform in its entirety. The decision would take into account climate, socioeconomic factors and any other factors that may be unique to that school location.

The Bill proposes that a uniform would be recommended and forwarded to the director-general, who would apply his or her criteria to approve that school uniform. I have to agree with the Minister for Education. It says that the director-general would approve it.

Mr Quinn interjected.

Mrs LIZ CUNNINGHAM: I will get some advice on that. When I read the Bill after talking with the Minister, I understood that the director-general would be approving the dress code. I happen to believe that, in accordance with school-based management, that decision should stay with the school.

I foreshadow my intention not to support the Bill but to support the Minister's proposal that the school uniform be achieved by administrative direction, and where that administrative direction is deficient he has agreed that he would consider legislation. I would like to clarify the two points that have

been raised today. The Ombudsman's report that said administrative direction would not be sufficient and that the director-general would not have the power of approval.

Mr Quinn interjected.

Mrs LIZ CUNNINGHAM: That is not what the Bill says. It does not talk about administrative delegation.

Mr Quinn: I don't think it's in the Bill. It's in the principal Act. The director-general may delegate the suitable authority.

Mrs LIZ CUNNINGHAM: And that would be?

Mr Quinn interjected.

Mrs LIZ CUNNINGHAM: Okay. Irrespective of that, we should be finding the simplest and most effective solution to something that I believe most parents agree to, which is that uniforms should be compulsory. On that basis, I conclude my comments.
