

**AUSTRALIAN COUNCIL FOR THE DEFENCE
OF**

GOVERNMENT SCHOOLS

Press Release 1020

**AUSTRALIA'S PUBLIC EDUCATION SYSTEM – A
WASTEBASKET ?**



For activists, history is a way to illuminate and understand present day problems.

The problem we wish to illuminate would not be regarded as a problem by 36% of those supporting private religious schools in Australia, but it is certainly a problem for those who believe in a free, compulsory and secular system – the public system which deals with the other 64%. The public system is only 176 years old in Australia, and the problems inherited from the dual system, the denominational and national, the private and the public, are still alive and well. And, with funding inequalities, the public system is becoming a wastebasket system as the society divides its children into the haves and the have nots.

For many Australian educators the history of the current education system appears to start in 1973, the year of the Karmel Report. This is a pity, since

there is much to be learned from the nineteenth century experience. That history is a contested one, littered with ideological versions and interpretations.

The Present Day Problem

Jane Caro, a public school advocate writing for the Saturday Paper, goes back to 1973 and defines the current problem as follows:

Federal Education Minister Jason Clare has declared this country will need 80 per cent of the population to go on to tertiary education, including university, if we want to remain internationally competitive. However, another of Whitlam's education policies has made that figure much harder to achieve than it needs to be: namely, the recurrent public funding of private schools. He did it to finally resolve the split with the Catholic anti-communist Democratic Labor Party that had kept Labor out of office for 23 years. It worked politically, but it has become a long-term disaster for Australian education.

*Australia now has one of the most socially segregated school systems in the world. We are second worst in the OECD for the increasing concentration of disadvantaged students in disadvantaged schools, which compounds their disadvantage. Far from our schooling system helping to narrow the inevitable inequalities visited upon every child by the lottery of birth, our system uses public money to turbocharge them.*¹

In a more recent article in the Monthly entitled 'Class Warfare' she quotes the principal of a comprehensive public secondary school:

"We ask public schools to compete against private ones, but we do not give them the funding or resources to do so," says the principal of a comprehensive public secondary school.

"We then fill them with the most disadvantaged – and so most expensive to teach – students, including those rejected or expelled from publicly subsidised private schools.

"Then we blame public schools for struggling."

¹ Jane Caro, 'Free Education is Possible', *The Saturday Paper*, May 11-17, 2024

<https://www.thesaturdaypaper.com.au/comment/topic/2024/05/11/free-education-possible> accessed 18 May 2024.

“No wonder so many of our principals and staff despair.”²

Karmel’s ‘Needs’ policy of 1973 was never fully implemented. Nor was its ‘second coming’ in the form of the Gonski Report of 2011. In 1973, Karmel was tasked with providing the Labor Government with a compromise for what Whitlam’s speech writer and historian Graham Freudenberg has described as ‘the oldest, deepest, most poisonous debate in Australia —government aid to church schools.’³ In 1973 the Labor Party compromise was a ‘Needs’ policy which sought to give public funds to all schools, public or religious, on the basis of ‘Need.’

In 2024, the rich get richer while the public system is in danger of becoming ‘residualised’—a wastebasket system for disadvantaged, disabled and remote communities.⁴

In a recent article in Inside Story, Chris Bonner, a retired principal turned activist/researcher whose major historical span starts in 2011 concluded that:

*Gonski’s equity funding solution has become a victim of political timidity, compromises and bastardry at a number of levels, and was never in itself going to deal with the cause of the problem, namely the segregation of student enrolments.*⁵

Perhaps the current day educational problem is that we are still living in this history and have failed to settle issues of the haves and have nots, and religion and the state

We want to argue that

1. The Australian public education system is in principle free, secular and universal. It’s taken for granted, and educates the majority of Australia children. But it is only 176 years old and has never been accepted by the old private, denominational system. It is currently underfunded and in decline. It

² <https://www.themonthly.com.au/issue/2024/july/jane-caro/class-warfare-education>

³ G. Freudenberg, *A Certain Grandeur: Gough Whitlam in Politics* Macmillan, South Melbourne, 1977, p. 24

⁴ Tom Greenwell and Chris Bonner, *Waiting for Gonski : How Australia Failed its Schools*. UNSW Press (2022)

⁵ <https://insidestory.org.au/the-changing-fortunes-of-politicians-schools/> accessed 7 May 2024.

started its life as a replica of the Irish National System in 1848, and like its Irish precedent was intended for the poor children of a British convict colony.

2. A return to public funding of the opposing systems (the one free, the other fee paying; the one open to all, the other free to pick and choose) since 1956 has led to political compromise known as ‘Needs Policies’. These have failed. The rich are getting richer in an educational market economy, and the public system is in danger of becoming a ‘wastebasket’ system. Predictably, Australia is falling behind in international standards.
3. The latest ‘compromise’ policy suggested by politicians, educators and researchers follows the UK, Canada and the Netherlands. It suggests private schools keep their assets and specific values, but, if they take certain levels of public funding they must accept open enrolment policies and government control.
4. This idea is not new but echoes the non-vested schools policy of the NSW Board of National Education in 1857. This succeeded in enabling the very fragile National system to survive in Australia, but led to the takeover of the Irish National system by the denominational system in Ireland.

OECD Findings

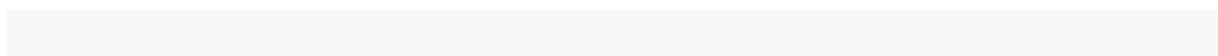
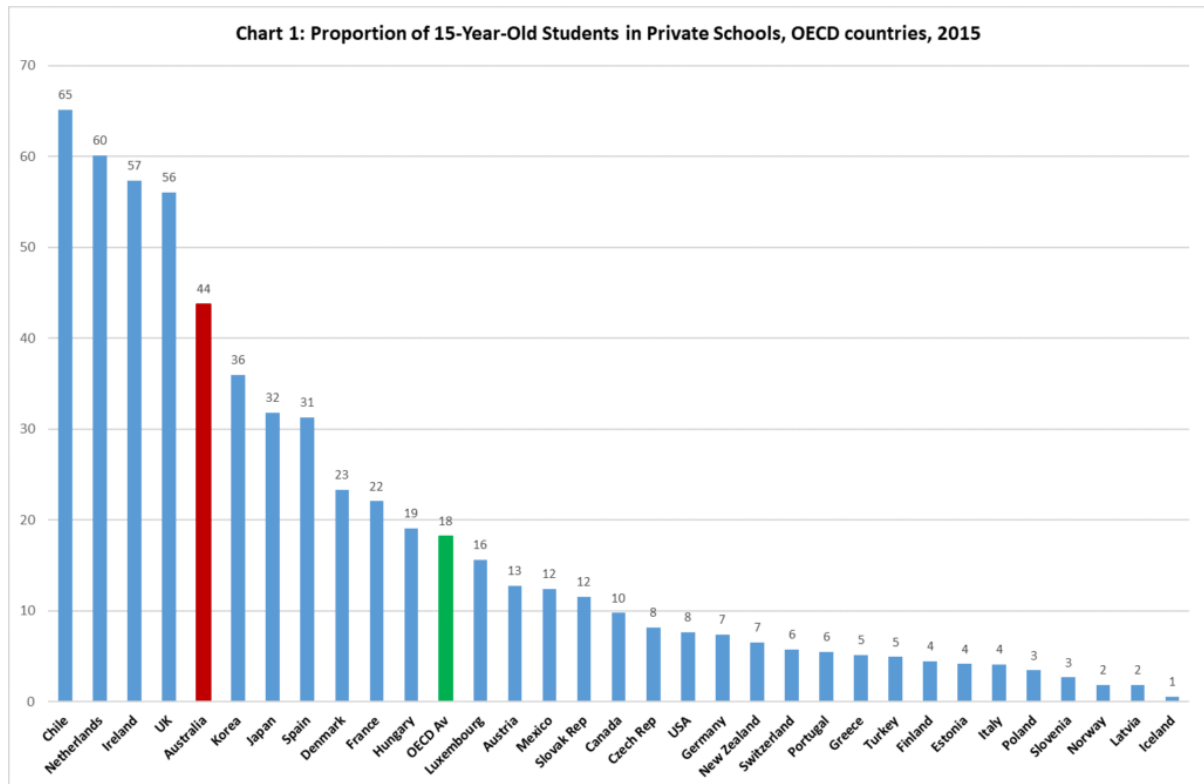
Australia now has one of the most socio-economically segregated school systems in the OECD⁶ and its international results are in decline

Within the OECD itself, Australia demonstrates the 4th highest rate of social segregation. This is in part due to the segregation which currently exists between private and public schools, in which Australia ranks at 7th highest in the world.⁷ According to PISA data, an average of 18% of 15-year-old students

⁶Meera Varadharajan and Jack Noone, ‘Australia’s education system is one of the most unequal in the OECD. But we know how to help fix it’. *The Conversation*, 16 February 2022 at <https://theconversation.com/australias-education-system-is-one-of-the-most-unequal-in-the-oecd-but-we-know-how-to-help-fix-it-177059>, accessed 26 April 2024; *Better and Fairer Education System - Consultation Paper* at <https://www.education.gov.au/review-inform-better-and-fairer-education-system/resources/better-and-fairer-education-system-consultation-paper-2.4.1>. accessed 24 April 2024. OECD 2018a.

⁷ <https://www.educationtoday.com.au/news-detail/Circling-the-Drain-5565#:~:text=Within%20the%20OECD%20itself%2C%20Australia,7th%20highest%20in%20the%20world.> *Index of Social Segregation in School Systems, All Countries Participating in PISA 2015 (OECD 2015, Table III)* <https://www.oecd.org/education/balancing-school-choice-and-equity-2592c974-en.htm> (OWCS 2019) accessed 10 May 2024. This report provides an international perspective on issues related to school choice, especially how certain aspects of school-choice policies may be associated with sorting students into different schools. A key question fuelling the school-choice debate is whether greater competition among schools results in more sorting

across OECD countries were enrolled in a private school in 2015 [Chart 1]. This compares with 44% in Australia. Australia has one of the highest proportions in the OECD and is only exceeded in Chile, Netherlands, Ireland and the UK. The report found little change in the proportion in most OECD countries between PISA 2000 and PISA 2015. However, the proportion in Australia increased by three percentage points between 2009 and 2015 which was one of the largest increases in OECD countries, exceeded only in Chile, the Czech Republic and the UK.



of students by ability or socio-economic status. At the macro level, school segregation can deprive children of opportunities to learn, play and communicate with other children from different social, cultural and ethnic backgrounds, which can, in turn, threaten social cohesion. The report draws a comprehensive picture of school segregation, using a variety of indicators in order to account for the diversity of the processes by which students are allocated to schools.

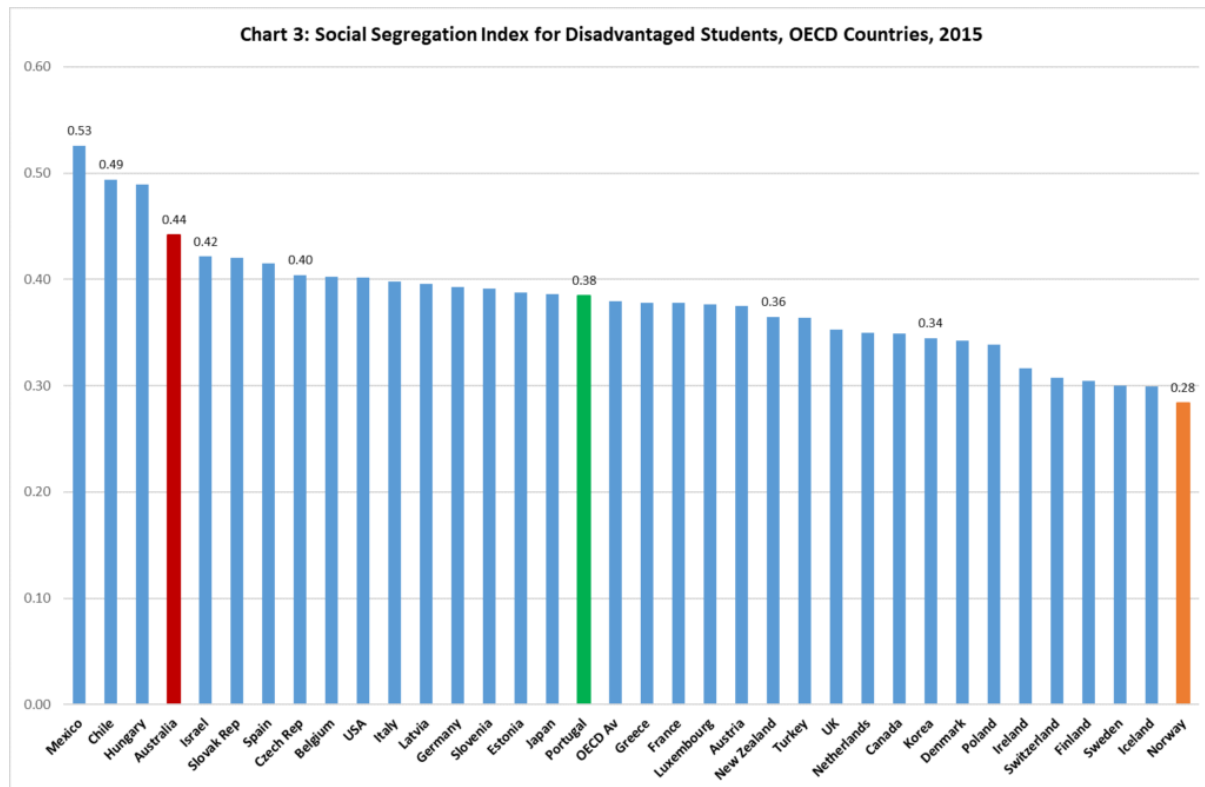
Australia’s education system is one of the most unequal in the OECD. But we know how to help fix it

Published: February 16, 2022 5.49am AEDT <https://theconversation.com/australias-education-system-is-one-of-the-most-unequal-in-the-oecd-but-we-know-how-to-help-fix-it-177059>



Social segregation of disadvantaged students in Australia is extremely high compared to most other OECD countries. Australia has the 4th highest degree of social segregation amongst 35 OECD countries [Chart 3]. Only Mexico, Chile and Hungary have greater social segregation of disadvantaged students than Australia.

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A feature of the latest 2022 PISA (Program for International Student Assessment of 15 year olds) is the continuing high inequity in educational outcomes in Australia. The achievement gaps in reading, mathematics and science are amongst the largest in the OECD. In particular, low SES (Socio Economic Status) students in Australia are highly disadvantaged in their access to educational staff and other resources. The gap in the shortage of low and high SES schools was the largest in the OECD in 2022. The shortage of teachers is a major factor in the lower achievement of low SES students.

Public Schools face greater shortages of educational staff, educational materials and digital resources than do private schools, and rural schools face greater shortages than city schools. The gaps are the 10th, 9th and 12th largest in the OECD.
⁸ The achievement gaps between high socio-economic status (SES) and

⁸ OECD (2023), PISA 2022 Results (Volume 11): Learning During –and From – Disruption, PISA< OECD Publishing, Paris, Table 11.B1.5.18, referred to in T Cobbold, *Education Resource Gaps in Australia are Amongst the Largest in*

disadvantaged students have widened in reading, mathematics and science since 2006. The OECD states that 20 points on the PISA scale represents about one year of learning. The gaps between high and low SES students increased from just over four years of learning to nearly five years in reading and over five years in mathematics and science. The gaps between high SES and Indigenous students in reading remains at just over six years of learning and nearly seven years of learning in science. The mathematics gap increased significantly from about six years to six and a half years. The gaps between high SES and remote area students increased by about one year of learning, with a reading gap of over five years and nearly six years in mathematics and science.

The large majority of low SES, Indigenous and remote area students attend public schools. In 2022, 81% of low SES students and 82% of Indigenous and remote area students were enrolled in public schools [chart 3].

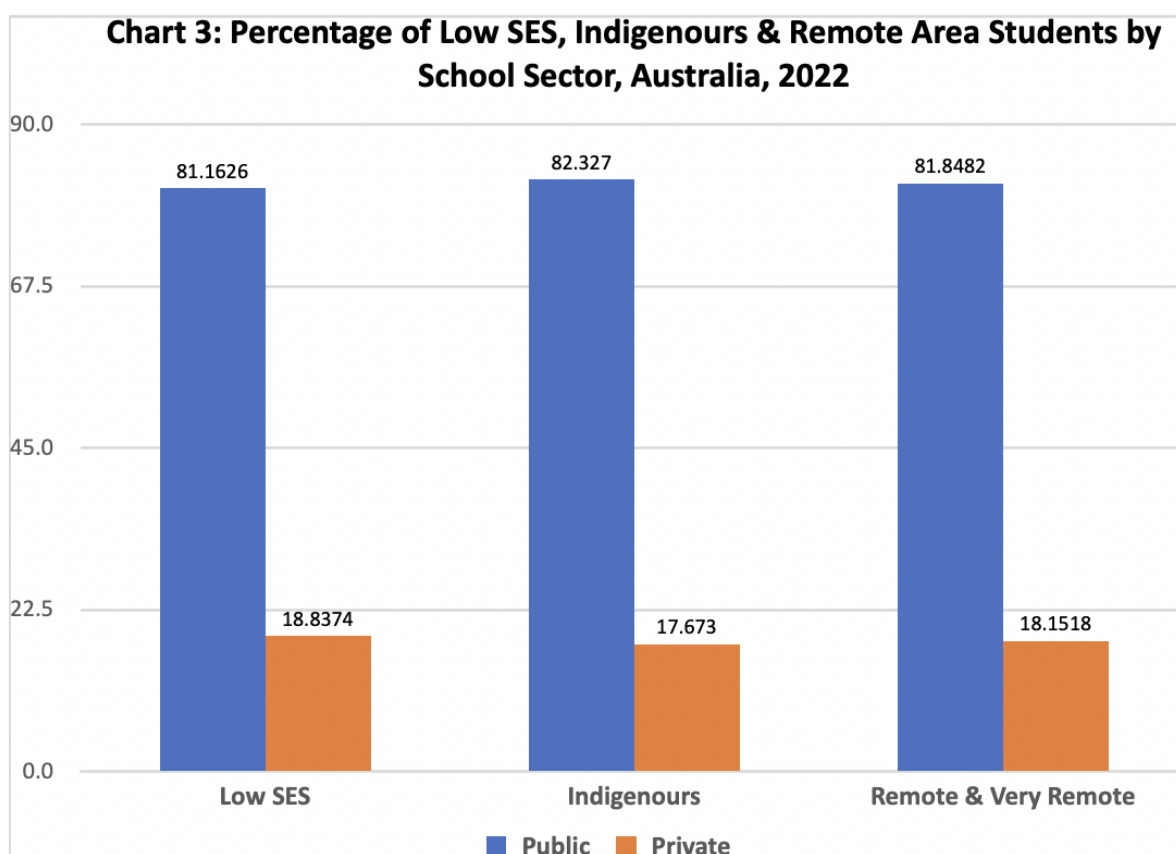


Image: Supplied. Source: Report on Government Services 2024

The resource gaps reflect funding gaps. Funding increases over the past decade or more have heavily favoured private schools which enrol only a minority of

the OECD, Research Paper, *Save Our Schools*, May 2024. Also see <https://saveourschools.com.au/wp-content/uploads/2023/12/Achievement-Gaps-Between-Advantaged-Disadvantaged-Students-PISA-2022.png>

low SES and other disadvantaged students. Public schools enrol over 80% of disadvantaged students and over 90% of disadvantaged schools are public schools. Despite this, public schools have only been funded at 87.6% of their Schooling Resource Standard (SRS) in 2024 while private schools are funded at 104.9% of their SRS.⁹

Funding

Although educators prefer to deal with ideas, and politicians with rhetoric, Australian education one is advised to ‘follow the money.’ There are three aspects of educational funding which underline and demonstrate the realities of growing inequities and segregation in the Australian community. These are

1. Per capita, recurrent funding of students in the three major ‘systems’.
2. Capital funding of school infrastructure and
3. Taxation expenditures otherwise known as taxation exemptions.

I would like to present these figures and use them to argue that Australia’s public systems of education are at a crossroads, not dissimilar to that of 1857.

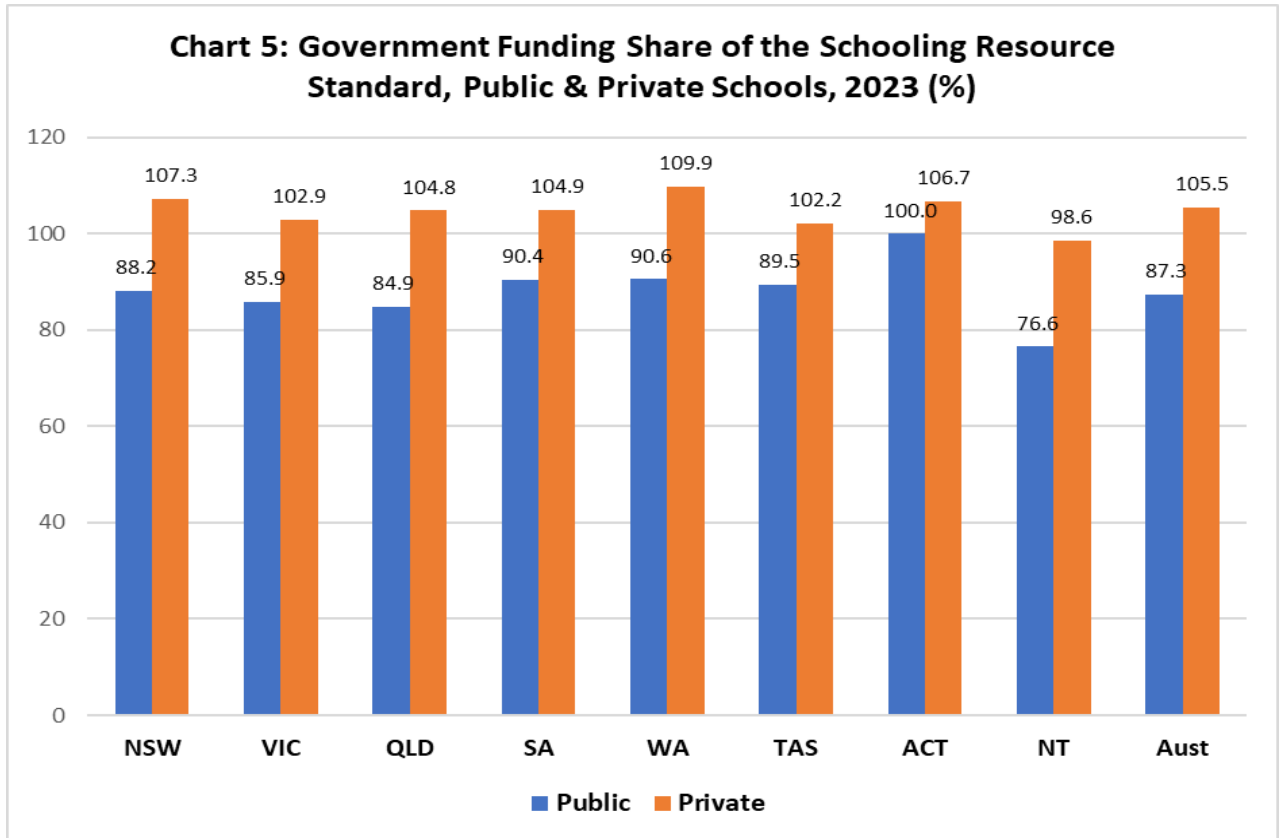
But firstly, some facts and figures:

1. Recurrent Funding

The failure to fully fund public schools according to the Gonski resource standard is a major factor contributing to inequity in education outcomes. In 2024, the estimated SRS funding amounts are \$13,557 for primary students and \$17,036 for secondary students.

The under-funding is evident in a large shortfall in government funding as a percentage of the Schooling Resource Standard (SRS). In 2023, public schools in all states except the ACT are funded at 90% or less of their SRS [Chart 5]. On average, public schools are funded at only 87.5% of their SRS compared to 105.5% for private schools. The funding shortfall in public schools is estimated at \$6.8 billion. By contrast, private schools are over-funded in all jurisdictions except the Northern Territory. The over-funding amounts to \$1.1 billion.

⁹ Ibid



2. Source: Senate Estimates, Commonwealth-State bilateral agreements and annual reports of regulatory agencies.

Note: The SRS shares differ from those published by the Commonwealth Department of Education and in the Commonwealth/State bilateral funding agreements because they adjust for flaws in the official figures

Recent figures published by the Australian Curriculum and Reporting Authority adjusted for inflation by Trevor Cobbold from Save Our Schools and published by Pearls and Irritations ¹⁰ show that between 2009 and 2022 government funding (Commonwealth and state) for Catholic schools increased by \$2,865 per student and by \$2,500 in Independent schools compared to \$1,625 for public schools [Chart 1] . In percentage terms, the increase for Catholic and Independent schools was well over double that for public schools – 37.1%, 39.6% and 15.3% respectively.

¹⁰ <https://johnmenadue.com/save-our-schools-school-funding-brief-government-funding-increases-continue-to-favour-private-schools/> accessed 6 May 2024

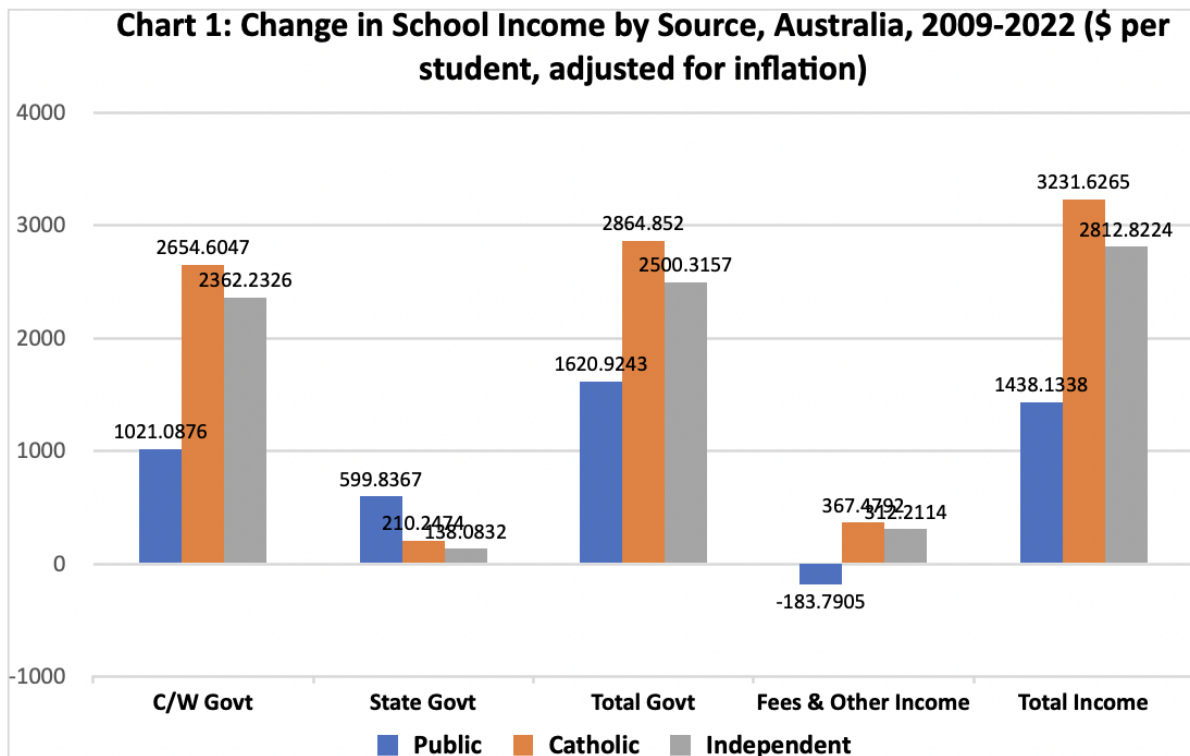
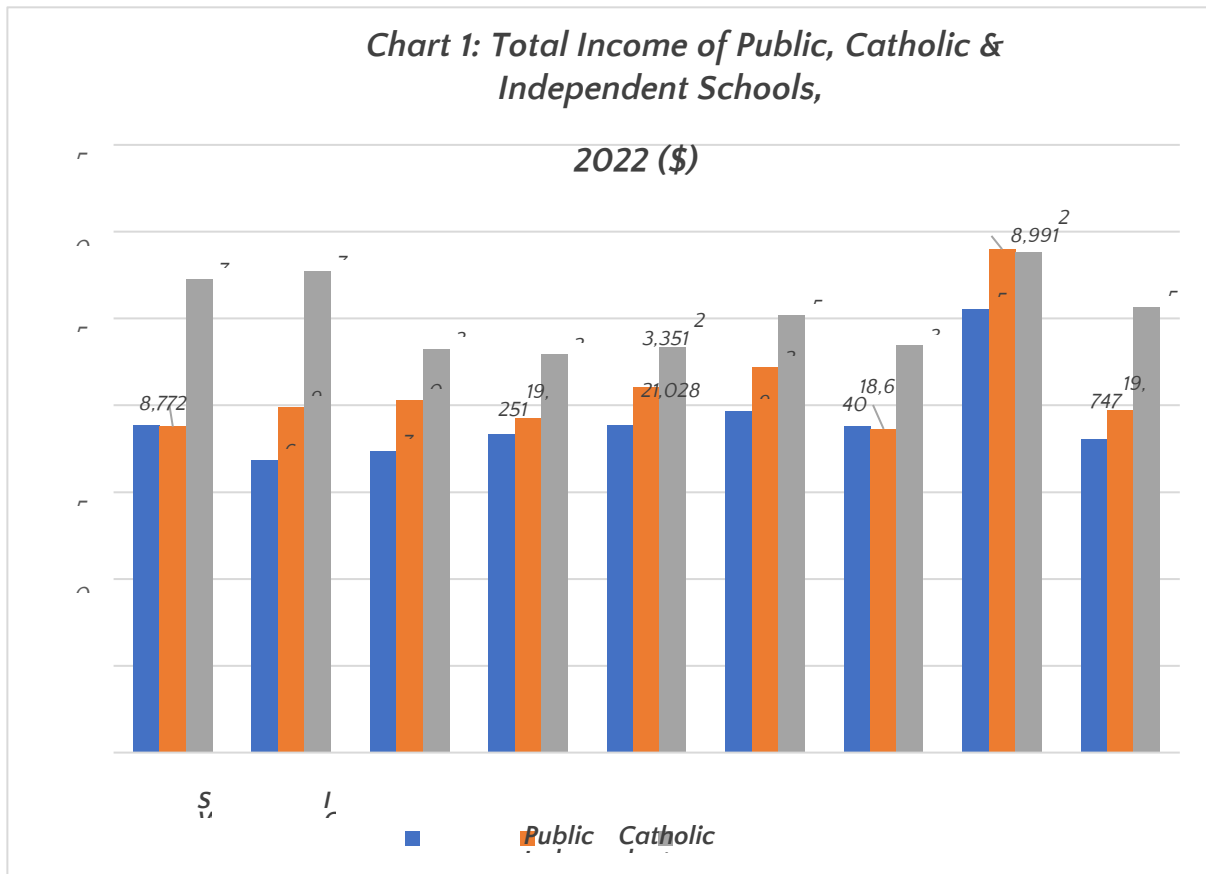


Image: Supplied. Source: ACARA [National Report on Schooling data portal](#).

The ACARA figures are adjusted for inflation by a combined Wage and Consumer Price Index.

1. School income

The national average income per student in all Independent schools was \$25,649 in 2022 and \$19,747 in Catholic schools compared to \$18,076 in public schools. Income per student was 42% more in Independent schools than in public schools and it was 9% higher in Catholic schools.



Source: ACARA, [National Report on Schooling in Australia](#)

Independent schools had a very large resource advantage over public schools in NSW and Victoria. Victoria had the biggest resource disparity between Independent public schools. Income per Independent school student was 10,873 (65%) higher than in public schools - \$27,709 compared to \$16,836. Total income per student in NSW Independent schools was \$8,388 more than in public schools - \$27,257 compared to \$18,869.

Capital Expenditure

The Australian Education Union has produced two reports on capital expenditure on Australian schools in the last few years: The Rorris Report, of 2023 ¹¹ and Ending the Capital Funding Divide in Australian schools of 2024 ¹²

Rorris, a former advisor to the Australian Government and the World Bank, argued that for over a decade the Commonwealth government has funded the capital expansion of the private system but, since 2013, has left capital investment in the public system to the States. The reallocation of recurrent funding to capital works by private schools, has led to a situation where the vast majority of Australia's 6,700 public schools are in need of urgent capital improvement and investment for future student enrolment growth.

Adam Rorris used the government's own funding figures and enrolment projections to show the shortfall between funding available to public schools and the minimum funding that is required to meet a student's educational needs, based on recommendations from the Gonski Review of Funding for Schooling. The same figures reveal that the Federal Government overfunded the wealthiest private schools by over \$1 billion by 2023 and, while they have put a limit on funding for public schools, there is no maximum amount of funding set for private schools.

On top of the massive recurrent funding shortfall of \$19 billion for public schools, state or territory funding contributions can also include school transport costs, asset depreciation and the cost of running education standards authorities. These authorities provide service to both public and private schools, yet are charged entirely as expenses for public schools only.

Rorris noted that this deprived public schools of close to a further \$2 billion each year. In total this brought the combined funding shortfall to \$27 billion.

¹¹ <https://www.aeuvic.asn.au/research-reveals-widening-resource-gaps-between-public-and-private-schools>

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Rorris calls this a 'segregated rort against public schools' that deprives them of close to a further \$2 billion each year. In total this brings the combined funding shortfall to \$27 billion.

¹² <https://apo.org.au/node/325696>

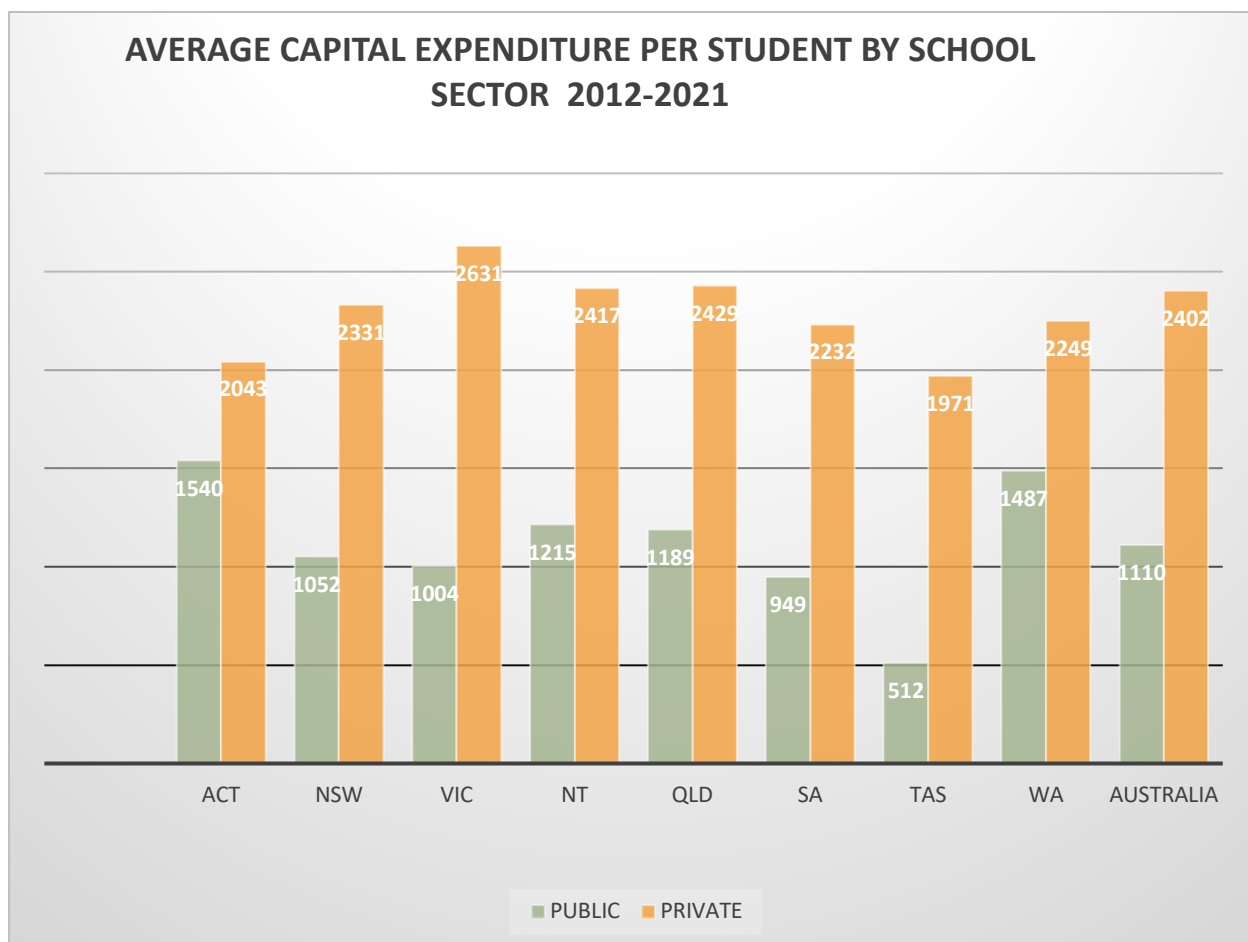
Chromeextension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.aefederal.org.au/application/files/2017/0786/9634/EndingCapitalFundingDivideAustralianSchools.pdf accessed 8 May 2024

The 2024 **Ending the Capital Funding Divide in Australia’s Schools report**, released by the AEU federal office, argues that average annual capital investment per student between 2012–2021 was \$1,004 for public school students compared to \$2,631 for private school students in Victoria. Public schools received 38.2% of the private school capital investment during that same period.¹³

AVERAGE CAPITAL EXPENDITURE PER STUDENT BY SCHOOL
SECTOR AND JURISDICTION 2012-2021

STATE OR TERRITORY	PUBLIC	PRIVATE
ACT	1540	2043
NSW	1052	2331
VIC	1004	2631
NT	1215	2417
QLD	1189	2429
SA	949	2232
TAS	512	1971
WA	1487	2249
AUSTRALIA	1110	2402

¹³All total, sector and per student funding amounts in the *Ending the Capital Funding Divide in Australian schools* AEU report are sourced from the ACARA Finance 2009-2021 Dataset.



Expansion of the Private at the Expense of the Public Sector

The direct funding of private school expansion and vanity projects by wealthy private schools is exacerbated by the hidden taxation expenditures on the private sector, namely, taxation exemptions. According to the Productivity Commission, there are about 5,000 school building funds across Australia, which makes them the second most common category of deductible gift-recipient endorsement (although, as the Commission notes, some public schools do have these funds). In its 2023 draft report on charitable giving, the Commission concluded that current arrangements for school building funds are an [ineffective use of government support](#)¹⁴

Taxation Expenditures (Exemptions)

¹⁴ [Draft Report - Philanthropy - Productivity Commission \(pc.gov.au\)](#) accessed 19 May 2024.

The hidden public funding of private religious schools lies in the taxation exemption area. Because they have both an educational and a religious purpose, then in common law, they are ‘charities’. For the Australian and Not for Profit Charities Commission they are non-profit entities with gift deductible status .

They are exempt from:

1. Paying income tax on their profits
2. GST
3. Fringe Benefits tax
4. Land Tax
5. Payroll tax
6. Stamp Duty Council rates and taxes.

It is almost impossible to quantify these taxation expenditures for either the private or the public sector, but an obvious discrepancy arises in the field of payroll tax which is paid by the public but not the private religious sector. The Victorian Labor government has labelled schools with high fees as ‘businesses rather than Charities and held them liable for payroll tax. The opposition however, is promising to rescind this decision.

Enrolments – Market Share

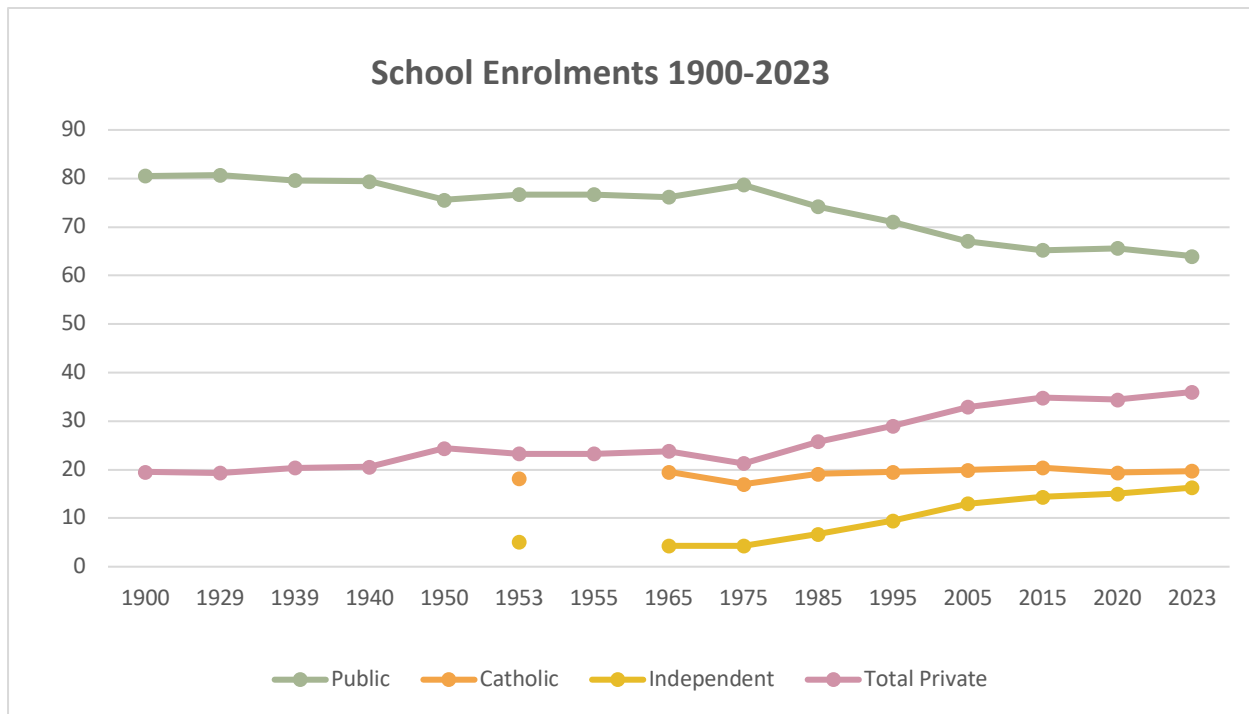
Educational rhetoric changes with every generation, with ‘values’ a recurrent theme or *idée fixe*. The tussle between the old denominational and national systems for public funding inherited from the nineteenth century unabated.

The current generation has pitted the ideal of equality of opportunity against ‘parental choice’ In the current days of economic neoliberalism this is also called ‘market share’, or if you will ‘bums on seats’. These numbers translate into per capital public funding, and in developing housing estate, capital

After the rivalry of the two systems was settled by withdrawal of public funding from the denominational system in the period 1872-1895 in all Australian states, the denominational system survived with approximately 20% of school enrolments. Since the return of funding to the denominational system in 1956, its very rapid expansion into billions of taxpayer dollars in the last three decades, together with contraction of public school funding, enrolment patterns have changed. The major expansion has been, not in the Catholic sector but in the non-Catholic and private sector, otherwise known as ‘independent schools. This latter category include schools for the Anglican, Presbyterian, and Uniting Churches as well as many small Christian sects , Islamic and Jewish schools, as well as Steiner and Montessori schools.

The following table and graph illustrate these changes.

Year	Public	Catholic	Independent	Total Private
1900	80.5			19.5
1929	80.7			19.3
1939	79.6			20.4
1940	79.4			20.6
1950	75.6			24.4
1953	76.7	18.2	5.1	23.3
1955	76.7			23.3
1965	76.2	19.5	4.3	23.8
1975	78.7	17	4.3	21.3
1985	74.2	19.1	6.7	25.8
1995	71	19.5	9.5	29
2005	67.1	19.9	13	32.9
2015	65.2	20.4	14.4	34.8
2020	65.6	19.4	15	34.4
2023	64	19.7	16.3	36



The Rich are Getting Richer

The ‘Needs’ policies of the last sixty years are broken.

Figures provided to Senate Budget Estimate 2022-23 show that NSW Independent schools were funded at 84.6% of their SRS by the Commonwealth Government in 2023 instead of the legislated target of 80%.

The new figures show that 52 Independent schools with a median taxable family income of \$200,00 or more will be over-funded by \$353 million from 2022 to 2028 by the Commonwealth Government. Of these, just 13 of these schools will be over-funded by \$180 million. The 52 schools will receive \$2.4 billion in funding by the Commonwealth over the period.

The most over-funded schools are St. Augustine’s College, Northern Beaches Christian School, Trinity Grammar, MLC School and Newington College (Table 1). Over-funding figures for other schools are in Attachment Table A1 which can be downloaded below.

Table 1: Most Over-Funded NSW Private Schools

School	Median Taxable Family Income 2023 (\$)	Commonwealth Funding 2022-2028 (\$)	Over-Funding 2022-2028 (\$)
St Augustine's College	304,000	56,239,671	22,079,628
Northern Beaches Christian School	280,000	41,009,948	17,393,032
Trinity Grammar	259,000	85,198,078	16,627,869
MLC School	254,000	56,239,671	14,890,628
Newington College	371,000	52,944,952	13,424,107
William Clarke College	231,000	84,676,609	13,243,597
Newcastle Grammar	308,000	36,803,257	12,940,422
Hunter Valley Grammar	222,000	65,060,769	12,699,038
Loreto Kirribilli	418,000	38,156,312	11,595,708
Central Coast Grammar	243,000	69,964,337	11,448,922
Inaburra School	261,000	47,709,053	11,332,852
Oxford Falls Grammar	298,000	40,808,709	10,238,504
Loreto Normanhurst	287,000	34,217,761	10,232,925

Source: See Attachment

Figures provided to Senate Budget Estimate 2022-23 show that Victorian independent schools were funded at 83.8% of their Schooling Resource standard SRS in 2023 instead of the legislated target of 80%.

This is the first time family income figures for private schools have been published. Previously, only income ranges were available. The new figures were supplied to Senate Estimates by the Commonwealth Department of Education in May. They also reveal the schools with the highest median taxable family income.

Mount Scopus Memorial College had the highest median taxable family income of any Independent school in Victoria at \$344,000 in 2023. Other schools had a median taxable family income of over \$300,000 include Melbourne Grammar (336,000) Christ Church Grammar (\$336,000), Loreto Mandeville Hall (\$335,000), Scotch College (\$326,000) and Melbourne Girls Grammar (\$325,000).

Many families of students in Catholic systemic schools also have a median adjusted taxable income of \$200,000 or more. The extent of any over-funding cannot be determined because Commonwealth funding and SRS shares cannot be obtained for individual Catholic systemic schools because funding is provided as a block to each system. However, figures provided to Senate Budget Estimate 2022-23 show that Victorian Catholic system schools were

funded at 81.8% of their SRS by the Commonwealth Government in 2023 instead of the target 80%.

The over-funding of the schools attended by the children of the rich is in stark contrast to the under-funding of Victorian public schools. Every public school is hugely under-funded. Victorian public schools are only funded at 85.9% of their SRS in 2024. The under-funding amounts to \$1.9 billion a year. This is entirely due to under-funding by the Victorian Government. Its funding of public schools is only at 65.9% instead of the current benchmark of 80%.

The Victorian Government also continues to over-fund private schools. The [National Schools Resourcing Board](#) found that the Victorian Government funds private schools at 22.69% of their SRS in 2022 instead of its target of 20%. This over-funding amounts to nearly \$130 million.¹⁵

It should be emphasised that these figures are for what is termed adjusted taxable income. The major difference between taxable income and adjusted taxable income is that the latter includes personal and employer superannuation contributions and the capital gains tax concession.

The total income of these families is likely to be much higher because high income families account for the large proportion of deductions to reduce their taxable income.

¹⁵ <https://saveourschools.com.au/funding/private-schools-serving-richest-victorian-families-over-funded-by-millions/#respond> accessed 1 July 2024

Table 1: Most Over-Funded Victorian Private Schools

School	Median Taxable Family Income 2023 (\$)	Commonwealth Funding 2022-2028 (\$)	Over-Funding 2022-2028 (\$)
Penleigh & Essendon Grammar	251,000	123,276,480	24,064,524
Ivanhoe Grammar	267,000	93,087,402	12,796,809
Mentone Grammar	269,000	70,995,959	11,476,986
Wesley College	271,000	105,484,487	10,225,310
Kardinia International College	207,000	113,624,459	10,202,104
Girton Grammar	207,000	71,518,047	7,240,037
Melbourne Girls Grammar	336,000	44,526,705	7,234,328
Geelong Grammar	240,000	52,889,704	7,127,915
Haileybury College	239,000	61,014,539	6,525,155
Carey Grammar	300,000	61,290,529	6,280,675
Methodist Ladies College	303,000	57,289,305	5,717,439
Loreto Mandeville Hall	335,000	36,984,338	5,509,387
Lowther Hall	238,000	36,984,338	5,467,694
Caulfield Grammar	257,000	129,110,072	5,170,911

Source: See Attachment

These figures demonstrate that NSW and Victorian Independent schools were funded at 84.6% of their SRS by the Commonwealth Government in 2023 instead of the legislated target of 80%.

The over-funding of the schools attended by the children of the rich is in stark contrast to the under-funding of NSW public schools. Every public school is vastly under-funded. NSW public schools are only funded at 88.7% of their SRS in 2024. The under-funding amounts to \$1.9 billion a year. This is entirely due to under-funding by the NSW Government. Its funding of public schools is only at 68.7% instead of the current benchmark of 80%.¹⁶

When

1. the public funding favouring of the denominational or private sector by successive governments resulting in

¹⁶ Trevor Cobbold, *Private Schools Serving Richest NSW Families Over-Funded by Millions*, at <https://saveourschools.com.au/funding/private-schools-serving-richest-nsw-families-over-funded-by-millions/#more-5551> accessed 21 June 2024.

2. the change in ‘market share’ between the two rival systems is put alongside
3. the fact that 82% of disadvantaged children attend the public sector and
4. 90% of public schools are ‘disadvantaged schools’ with inadequate facilities ,
5. The AEU argues that there is a \$30 billion capital funding spending divide existing between the private and public sectors.
6. Teachers, tired of being scapegoats for declining standards and overburdened with administrative tasks are leaving the classrooms

It can be argued that the public sector systems of Australia are being downgraded into a ‘wastebasket’ system for the poor and marginalised in an unequal society.

An Alternative Compromise

Since 1973 reconciliation of public funding of fee paying religious systems alongside a freely accessible public system, has proved impossible ‘Karmel’ and ‘Gonski’ ‘Needs’, policies have only failed to reconcile the irreconcilable. The private religious sector have benefitted from the billions of dollars of ‘Needs’ financing while the ‘needy’ students are left in the public sector. Educational funding is becoming a very expensive billion dollar exercise. In 2024, Australian government recurrent funding for schools alone is estimated to total \$29.2 billion. This includes \$11.3 billion to government schools, \$9.9 billion to Catholic schools and \$8.1 billion to independent schools.

another compromise is being suggested by politicians, public servants, and researchers.

Under this compromise proposal private schools would receive full public funding, but have open enrolment, no fees and increased government control. The schools would remain vested in the various religious organisations and they would retain their ‘special ‘ethos, but if they charged fees they would cease receiving public funding. This policy imitates the Netherlands, Canada and New Zealand.

Adrian Piccoli, the former NSW Education Minister put forward the idea in 2020.¹⁷ But the idea had first been mooted by Terry Moran, Secretary of the Department of Prime Minister and Cabinet from the Brachs Government.¹⁸

Public servants like Moran, Professor Jack Keating from the University of Melbourne;¹⁹ Tom Greenwell and Chris Bonner in their book *Waiting for Gonski: How Australia Failed Its Schools*²⁰ and NOUS consultants employed by the Albanese Government’s Review to Inform a Better and Fairer Education System.²¹

The Nineteenth Century Story

¹⁷ A.Piccoli, ‘There’s a way to fix the biggest structural problem in Australian Education’, *Sydney Morning Herald*, 11 August 2020. www.smh.com.au/national/there-s-a-way-to-fix-the-biggest-structural-problem-in-australian-education-20200808

¹⁸ *Governments Working Together: A Better Future for all Australians*, The Allen Consulting Group, 2004, p. 162 commissioned by Terry Moran, at that time Secretary of the Department of Premier and Cabinet.

¹⁹ J.Keating ‘Resourcing schools in Australia: A Proposal for the restructure of public funding,’ The Foundation for Young Australians, 2010. P. 31

*xvii Tom Greenwell and Chris Bonner, *Waiting for Gonski; How Australia failed its Schools*, (1922) UNSW Press,pp 296-298 The ‘Saving the Taxpayer argument for private religious school funding which proved so convincing in the 1963 Goulburn Catholic school strike is wearing very thin. If government paid the annual schooling (recurrent) costs for every private school student on even the Catholic school lobby’s calculations this would be an extra \$4.9 billion but this is based on the average amount spent on students in each sector. For public schools this average is high because their students have higher needs due to location, disability and level of family advantage. If the higher SES private school students all went to public schools they would cost the same as the existing public school average. A more accurate calculation is based on the likely cost of all existing private school students funded as the same level as public school students with similar levels of advantage and needs. According to Bonner and Greenwell this calculation brings the cost to less than \$1 billion and by 2019 the funding data dispelled any notion that governments would save money by funding Catholic schools. If the Goulburn Catholic students were now enrolled in the government schools the savings would be close to \$3 million excluding capital costs. But \$3 million would buy quite a few classrooms.*

But while teachers can be blamed for declining educational standards, politicians are unlikely to consider confrontation with the powerful religious lobby.

xviii <https://www.education.gov.au/review-inform-better-and-fairer-education-system/resources/review-policy-interventions-increase-socioeconomic-diversity-and-improve-learning-outcomes> To support the Review to Inform a Better and Fairer Education System, the Expert Panel engaged Nous Group in 2023 to deliver a report on policy levers used internationally to increase socio-economic diversity in schools.

There is nothing new about this idea. It echoes the Non Vested Schools strategy introduced by the NSW National Board of Education in 1857.

It is suggested that an understanding of the current Australian educational dilemma needs a longer historical and broader geographical ambit. I would like to go back, at least to 1844 and refer to nineteenth century history in Ireland.

Why Ireland ? The Australian public system was introduced into NSW in 1848 as a replica of Lord Stanley's Irish National System introduced in that country in 1831. For NSW like Ireland was a British colony in which the education of the common people, the lower orders, the peasants, - not the elites – had been in the hands of churchmen of differing faiths. And they had failed.

In New South Wales, in the first four decades several religious systems were tried. The monopoly of the Established Church of England Corporation in 1825 was opposed by the Presbyterians and Roman Catholics and abandoned in 1833. Then a denominational system in which churches were given public funds to run their own schools alongside privately run institutions. In 1844 a Select Committee on Education found that of the 25,676 children between the ages of four and fourteen years, about 13,000 were receiving no education at all. Their view of the situation is pertinent to current problems:

The first great objection to the denominational system is its expense: the number of schools in a given locality ought to depend on the number of children requiring instruction, which that locality contains. To admit any other principle is to depart from those maxims of wholesome economy, upon which public money should always be administered. It appears to your Committee impossible not to see, that the very essence of a denominational system, is to leave the majority uneducated, in order thoroughly to imbue the minority with peculiar tenets. ...

Your committee have thought it better to recommend that one uniform system shall be established for the whole of the colony, and that an adherence to that system should be made the indispensable condition under which alone public aid will be granted.

Your Committee have decided to recommend to the Council Lord Stanley's system of National Education, the only plan sufficiently comprehensive to include both Protestant and Catholic....

Your Committee ...trust that Christians of all denominations will feel that the adoption of this system will tend to soften down sectarian feelings and to the promotion of union, toleration, and charity.

On a practical administrative level, the Committee considered that a Board of supportive persons should be appointed by the Governor and that all property required for Educational purposes should be vested in them. This would avoid 'the trouble and expense necessarily attending the vesting of property in (local, often clerical) trustees.

For supporters of National education political and media rhetorical support for a National system was ambiguous. Alongside high minded, enlightenment rhetoric of moral and intellectual improvement, with quotations from John Locke, there was always the 'dangers of ignorance' and eradication of the 'convict stain' argument. National education was never for the children of the NSW elites. They were sent back to England or to private institutions.²²

In 1848, a Board of National Education was established alongside a Denominational Board and the dual system we are still dealing with was born.

The Denominational Board did little but distribute government funds amongst existing religious schools which were run by clerics and arbitrate interminable disputes amongst them.

The National Board was composed of three commissioners with John Hubert Plunkett, the Attorney General the Chairman. W.S. Macleay, a zoologist, graduate of Cambridge and leading Anglican together with Dr. C Nicholson, a Scottish Presbyterian medical doctor from Edinburgh who had acquired extensive land holdings in the colony. Nicholson was also the Speaker of the Legislative Council. Holden, also a member of the Legislative Council was later appointed. The only member who regularly attended meetings was J.H. Plunkett.

Plunkett was an Irish born lawyer and politician of aristocratic lineage, committed to an 'Irish' rather than an "Australian: National system of education. He was a prominent leaders and friend of the 'Irish Catholic Party.'" When Australian and Irish Catholic bishops parted company with the Irish National system, particularly after 1866, preferring a denominational system

²² M.J. Ely, *Reality and Rhetoric: An Alternative History of Australian Education* (1979)

with Church rather than Board control, Plunkett followed his fellow Irish Catholics.

Sir Charles Nicholson, the wealthy, Scottish trained medical practitioner turned pastoralist, businessman, connoisseur, scholar and traveller, was skilled in the rhetorical promotion of National Education in both Parliament and on ceremonial occasions. But his main interest was the Sydney University rather than the struggling series of National schools in the outback. He resigned in 1854, to travel.

Macleay's interest in the education of the 'humbler' classes dwindled soon after his appointment. He resigned in 1851.

By 1854 the Board had delegated considerable responsibility to G. William Rusden, their agent and William Wilkins, the Headmaster of the Fort Street Model School and later their Inspector and Secretary. He had been widowed on the journey from England and was initially rejected by Plunkett because he was not from the Ireland, but Governor Fitzroy persuaded the Board to employ him. Wilkins, A Christian, did not consider that moral improvement was only possible by grace through saving faith, as maintained by the older Christian orthodoxy. He assumed that people, and particularly the young, had the capacity, given training and opportunity, to improve themselves. Given a self improving intention, training and conditions were all that were necessary.²³ He had already spent the formative impressionable period of his life in creating machinery for the 'moral and intellectual improvement' of the young at the Swinton Industrial School. In Manchester. Here eight hundred children "the sweepings of Manchester and the surrounding manufacturing towns....their parentage derived from all nationalities ..' were 'housed and trained

...to escape the pauper spirit and make amends to society for the bad citizenship of their parents, by their own persevering industry, economy, and prudence in mature life.

William Wilkins, the headmaster, later inspector and Secretary to the Board became a central figure in the survival and, expansion and centralised administration of the National system of Education in New South Wales. He enjoyed considerable latitude on educational questions and on administrative and financial matters became the quintessential nineteenth century technocrat.

²³ Testimony given by Wilkins before the Public Charities Commission, on orphan schools in 1873, Legislative Assembly of New South Wales, Votes and Proceedings, 1873-4, Vol. 6, p. 221

The central National Board, unlike the Denominational Board, exercised control over public revenue, property, the appointment and payment of teachers and inspectors, and the appointment of local patrons. Unlike their Irish counterparts, they neither attracted or encouraged priests or ministers of religion to be local patrons and demanded that teachers avoid political or religious controversy.

And, again, unlike their predecessors in Ireland, they adhered strictly and expected their inspectors and teachers to adhere to a non-sectarian policy.

The Board also reserved to right to decide whether a school should be subsidised with the promise of attendance of at least thirty scholars, and although local patrons were to maintain the property, that property was vested in the Board. Local patrons could, in the early days, recommend a teacher for appointment, set the level of fees, and procure his dismissal by accusing him of immoral behaviour.

National Board funds were very limited. In 1849 they were voted only 1,500 pounds by the colonial legislature for the unsettled districts and the Board could not afford to subsidise all the applications which followed Rusden's missionary expeditions to the Riverina Victoria and Hunter River.²⁴

There were success stories but by 1854, the result of leaving responsibilities and powers in the hands of voluntary, busy and often incompetent local administrators were evident to the Board in Sydney. The 4 schools they had established in 1848 had grown to 48 by 1854 but, given the vicissitudes of the gold rushes and colonial conditions, these were mainly in the settled districts of the Hunter River and the Riverina. The Board's objective of extending schools beyond the boundaries and provide means of instruction in localities where hitherto no education had existed ²⁵was failing.

In that year Inspector Wilkins was sent to the Hunter River district. With the exception of schools at Parramatta,²⁶ Singleton,²⁷ Pennant Hills²⁸ Tomago²⁹ and Camden,³⁰ he was deeply affected by the evidence of abject failure which he met in school after school, the ill effects of untrained teachers and ignorant

²⁴ 'Report from the Board of National Education for 1849', *New South Wales Legislative Council, Votes and Proceedings*, 1849, p.2

²⁵ *Report from the Board of National Education for 1849* 1/383 NBNE/24 NSWSA,

²⁶ Wilkins to Wills, 15.03.1854 *Fair Minutes of the National Board, 1848-1855*, NBNE?24, NSWSA

²⁷ *Ibid.*

²⁸ Wilkins to Wills, I, 24.03.1854. *Ibid.*

²⁹ *Ibid.*

³⁰ *Ibid.*

local patrons. The common experience gained in the Australian bush settlements did little to unify the communities in which local educational initiative manifested itself. Successful schools were generally dependent for their success upon the exertions of one local resident, generally a landed proprietor of means, or a storekeeper who was resident nearby. Only at Clarence Town did a group of men work harmoniously to subsidise, erect, maintain, and supervise a National school. It was the rule rather than the exception of religious social or national differences to hamper the effective establishment of local educational administration.

Substandard accommodation was only one of the National teachers' worries. From 1846-1852, teachers received a salary of forty pounds per annum the income of a mechanic.³¹ Local patrons were expected to supplement this income with fees. But this supplement was rendered uncertain by the depopulation of settlements during the gold rushes, by the sheer poverty of many parents, and by the irregular attendance of many scholars, particularly during the harvesting or the shearing seasons.

In 1854 Wilkins, the Acting Inspector clearly described the reality of the colonial educational situation to his employers. National schools were in a parlous condition. Existing denominational schools were little better.

The masters, untrained, were frequently at the mercy of ignorant, apathetic or antagonistic patrons who neglected their responsibilities. He linked the local patronage failure to the lack of local municipal Councils, considering both were symptomatic of the difference between Australian and British demography and society.

“There is in this country no leisure class. All are absorbed in gainful pursuits of various kinds. Even the clergy are too much occupied to be able to superintend the schools. They may pay an occasional visit, but regular supervision is entirely out of the question, and the advocates of the Denominational system never said a more foolish thing, than that the clergy superintended their schools. Laymen are still more disinclined to assume the care and responsibility of regularly inspecting a school. It is notorious that even in matters relating to their material interest – the building of bridges, for example – every person grudges the time necessary for effecting any common good, and this

³¹ “Report from the Board of National Education for 1852,” *New South Wales Legislative Council, Votes and Proceedings*, 1853, Vol. 1, p. 2.

feeling is proportionately stronger in respect to education matters, the benefits of which are, in most cases, distant and indirect.”³²

Any reliance in the colony on the ‘ancient British municipal principle of good government’³³ The propertied men of Australia were disinclined to tax themselves.³⁴

On November 8 1854 Wilkins was given the duties of a Commissioner appointed by the Select Committee of the Legislative Council on Education.³⁵ together with Samuel Turton, a Church of England headmaster in Sydney, and Henry Levinge, a former headmaster and inspector of Roman Catholic schools.

Ten months and more than five thousand miles later, the Commissioners knew that considerably less than half of the 49,713 children in the colony were accommodated in schools of either the Denominational or National variety. The existing schools were considered unfit for the promotion of moral and intellectual improvement in New South Wales. The schoolhouses built for the ‘humbler classes’ out of their own subscriptions and government subsidies were little better than “hovels”. Buildings, outbuildings, equipment, staffing organisation and curriculum were all found deficient. If the “humbler classes” were to be prevented from “retrograding in civilisation” and train the children in “cleanliness”, “decency” and “propriety” they would need water closets. Fifty five schools had none, while seventy one were poorly provided.

Even the clergy of Denominational schools had failed as local patrons. Only the Roman Catholic priest at Singleton had inspected and improved the schools under his charge.

As in 1854, in 1855 Wilkins answer to an essentially practical administrative problem was increase centralised control through an inspectorate, and, compulsory attendance.

The struggle between Church and State has loomed large in Australian educational historiography. This struggle was and still is, very lively,

³² Wilkins to Wills, 27.03.1854 M.L.R. NBNE/1, NSWSA

³³ G.W Rusden, *National Education*, 1853, p.65.

³⁴ GippS to Stanley, 29.04.1846 **H.R.A.**, Ser 1. Vol 25, No 90.

³⁵ ‘Report from the Select Committee on Education’, *New South Wales Legislative Council , Votes and Proceedings*, 1855, Vol. 1

But, with the exception of the Anglican Bishop Broughton and later some Roman Catholic bishops of Irish heritage, no one questioned what appears to have been the main, but often inarticulate aim of the colonial governments since 1788. Namely, the belief that it was desirable for every child in New South Wales to obtain some kind of schooling in order to become “useful” members of society.³⁶

One ironic finding of the 1855 Commissioners was that all schools, National and Denominational, enrolled children of varying denominations and the children in the National schools were superior in religious knowledge. So, the Denominational system was not even fulfilling the main objective set down by the Church leaders administering the system.

After 1855, colonial legislators were exploring two alternative administrations, the National and the Denominational for the education of all colonial children. The National Board was given another chance to prove itself and the decision would be a political one. They had enjoyed the sympathy and as far as votes or allocation of government subsidies went, the support of the majority of the members in the Legislative Council in the period 1851-1856. They found ardent supporters in men like E Macarthur of Camden, Wentworth of Sydney, Oakes of Parramatta, Murray of Yarrowlunla, and Leslie from Warwick. But most members of the Legislative Council in the period 1851- 1856 were like Holroyd, Lamb Osborne and Bland. These men were sitting on the fence, considering that the two systems should go on *pari passu* for a time, until the superiority of the one or the other was clearly demonstrated.

But the National Board was often thwarted by the Colonial Secretary, Deas Thomson, who considered the National system an unnecessary burden on colonial revenue. Their main opponents, Dumaresque, Campbell and Cowper, were also vocal in the house.³⁷ The latter declared himself opposed to the “infidel” National system, declaring that it was ‘most desirable that the two systems should be brought to a fair stand-up fight.’³⁸

In such a political climate the Commissioners’ recommendation that there should be only one system adapted to the wants of the country, controlled and administered by one managing, centralised body with an effective inspectorate,

³⁶ “Final Report from the School Commissioners” , 6.12.1855, in *New South Wales Legislative Assembly, Votes and Proceedings*, 1855, Vol 2, p.19.

³⁷ Reports of Debates in the Legislative Council in *The Empire*, September 5, 1851, November 28, 1851, and the *Sydney Morning Herald*, November 27, 1851,

³⁸ *The Empire*, November 28, 1851

was contentious, ³⁹ and was laid aside until Cowper attempted in the first half of the 1860s, - unsuccessfully - to favour the Denominational Board.

But on November 24, 1855, Sir William Denison proclaimed a new Constitution which gave representative Government to New South Wales. The supporters of the National system had an energetic advocate in the newly formed Assembly. The former Colonial Treasurer, Thomas Holt, introduced a series of resolutions which he wished to see embodied in a Bill.

“Without an efficient system of education for the people”, he claimed in his prefatory remarks, “our free government, our extended franchise, our liberal laws, and their popular administration, must become delusive and dangerous.” ⁴⁰

Meanwhile the National Board of New South Wales, unlike the Irish National Board, were disinclined to depend upon local initiative again. They indicated to the Legislature that the 1855 Commissioner’s Report had not taken them by surprise. Their Inspector, Wilkins had already made them “fully alive” to the serious deficiencies of the country schools”, and they had already “devised and applied such remedies as were within their means.” They neutralised the weak link of the system, local management, through the inspectorate, where necessary protecting and encouraging their teachers when local patrons were either aloof or aggressive.

The Non-Vested Schools Policy

In 1857, although the National Board had improved the administration of its schools they had control of only 62 while the Denominational Board enjoyed at least nominal control of approximately 211 schools. ⁴¹

It was Wilkins, ⁴² in that year who persuaded the commissioners to sanction the type of school common under the National system in both Ireland and Victoria. The schools possessed property which was not vested in the Board, but which, in return for a grant-in-aid for salaries and books, pursued the normal National

³⁹ “Final Report from the School Commissioners” 6 December 1855, in *New South Wales Legislative Council, Votes and Proceedings, 1855*, Vol. 1

⁴⁰ T. Holt, *Two Speeches on the Subject of Education in New South Wales*, delivered in the Legislative Assembly on December 2 and December 12, 1856, (Sydney, 1857) p. 2 M.L.

⁴¹ Wilkins to Board, 24.10.1857, M.L.R. op.cit

⁴² “Report from the Denominational Board for 1857” *New South Wales Legislative Assembly, Votes and Proceedings, 1858*, Vol 2

school non-denominational program during the hours of compulsory attendance, remaining free beyond those hours to use the school buildings as the proprietors saw fit. But unlike the Irish experiment, Wilkins strongly urged that all regulations promulgated by the Board be scrupulously enforced in non-vested schools, and most particularly in the matter of religious education. He was aware in both Ireland and Victoria considerable latitude had been allowed in the giving of religious instruction by the teachers and considered that “ in the present state of the education question in the colony, much danger would arise from following this precedent.” Opponents of the National system would regard such a course as the abandonment of religious neutrality by the Board.

Local patrons of non-vested schools were regarded by Wilkins as a potential stumbling block as they proved in Ireland. As friends or patrons of the teacher, they might be “ disposed to exhibit more leniency in their construction of the manner in which he discharged his duty”. He recommended an expansion of the inspectorate.

So, the members of the National Board, in particular Plunkett and Holden, took a chance. They put their legal and political strength to the test. Their main aim was to drive a wedge between the National and Denominational systems; their method was the establishment of non-vested schools. Their main opposition came from the Colonial Secretary, Charles Cowper, Their public arena was the Press, and Legislature. This administrative device enabled the Board to double the number of schools on its books within a few years. The result was an immediate and also long term victory for supporters of the National system.

But, the President of the Board, Plunkett, was dismissed.

The National Board drew up Regulations for the establishment of non-vested schools early in December 1857 and sent them to the Colonial Secretary, Cowper. Plunkett noted that, under the Act of the Council 11 Victoria, No 48 which had incorporated the Board of National Education in 1848, and which he himself had been instrumental in drawing up, he and fellow Board members had been conferred the power to issue such Regulations, provided they were published in the Government Gazette ⁴³within a month.

He was attempting to force a political solution to the educational stale mate with administrative measure. In his letter to Cowper he expressed a hope that the operation of the new rules would tend to reconcile the “conflicting wants and

⁴³ Plunkett had only accepted office on the condition that the Board could issue regulations without interference from the Colonial executive, C. Linz, *The Establishment of a National System of Education in New South Wales* Sydney (1958), p. 48.

difficulties which had occasioned so large an expenditure of the public money in maintaining two systems,” and would pave the way for a simpler organisation, incorporating the advantages of both systems.”⁴⁴

Cowper, a staunch Denominationalist, refused. He and the four Board members were members of a Legislature in recess until January 22 1858, awaiting elections. The Rules and Regulations had to be published in the Government Gazette by 14 January. Cowper, questioned Plunkett’s legal power to frame Regulations independently of the Legislature. ⁴⁵Plunkett, the previous Attorney General objected, there was a political stoush and the Sydney Morning Herald accused Cowper of keeping offices vacant or ‘deserted’ and of ‘centring in his own hands all the power of the state’ ⁴⁶

Although the Rules and Regulations for the Establishment of Non-Vested schools were in fact published in the Government Gazette on January 5 1858, ⁴⁷

On January 11 1858⁴⁸ Plunkett continued the political skirmish, appealing to the Press for exposure of his treatment at Cowper’s hands. Since the Rules had been printed in an obscure part of the Gazette he asked the Editors of the Sydney Papers to published the rules together with correspondence between himself and Colonial Secretary Cowper ‘for the general information of the public, on a subject which greatly exceeds in importance all passing political controversies.’”

⁴⁹ Plunkett was a supporter of the ‘conservative faction’ and opposed to Cowper’s coalition Government which had been forced to the polls.

When the elections were almost over and Cowper returned to the Legislative Assembly with a slightly depleted faction, he moved against Plunkett. He sought advice of the Attorney General Martin, noting:

There is one matter which this correspondence proved clearly: namely that the system of handing over large funds to irresponsible Boards is contrary to

⁴⁴ The Chairman of the National Board to the Colonial Secretary, (Cowper) 18.12.1857, printed in “Correpondence published concerning the removal of Mr. Plunkett from the National Board”, *New South Wales Legislative Assembly, Votes and Proceedings*, 1858, Vol. 2

⁴⁵ The Undersecretary (for the Colonial Secretary) to the Chairman of the National Board, 04.01.1858, in “Correspondence published concerning the removal of Mr. Plunkett from the National Board”, *New South Wales Legislative Assembly, Votes and Proceedings*, 1858, Vol. 2.

⁴⁶ Sydney Morning Herald, 14 January 1848

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⁴⁸ *The Government Gazette*, 5 January 1858

⁴⁹ Sydney Morning Herald, 11 January 1858.

all sound principle, and at variance with the system upon which responsible government has been established,⁵⁰

The Chairman of the National Board received a notice of dismissal from the Colonial Secretary. In response, Plunkett resigned his office as Justice of the Peace for New South Wales, his position as Speaker in the Legislative Council and the management of the Roman Catholic Orphan School at Parramatta. Stating that ‘the reign of terror had commenced.’⁵¹

It would be difficult if not impossible to determine the effect which the controversy surrounding non-vested schools and Plunkett’s dismissal had upon the election result. The affair certainly had a wide press coverage, not only in the Sydney Morning Herald, but also in the country papers.⁵² Cowper’s Sydney group polled 3000 votes while Plunkett’s group – himself and the Irish lawyer, Deniehy, polled 2900. As he had done in 1856, Plunkett left the city electorate where he was defeated and tried elsewhere for election to Parliament. When Henry Parkes resigned from the North Riding of Cumberland, Plunkett offered himself for the seat, and won it unopposed.⁵³

Plunkett sat in the Legislative Assembly by virtue of the Irish Catholic vote⁵⁴ but when invited to resume his posts on the National Board and Attorney General he refused. And when the Australian Catholic bishops followed their Irish counterparts in condemning the National system and supporting the Denominational system in late 1862, Plunkett endorsed their action in the Legislative Council.

Although Cowper was implacably opposed to the National system, his Attorney General, Martin, a renegade Catholic, was not. He was not so much concerned that the introduction of the system of non-vested schools would result in a reconciliation between the two systems. In fact, he favoured such a reconciliation. But he questioned the legal right of the National Board to adjust the two systems. He maintained that the only authority which could effect such

⁵⁰ Cowper to Martin, 13 January 2858, “J.H. Plunkett: Removal from Office”, Special bundle in the documents of the National Board, 4/7379 NSWSA.

⁵¹ The Chairman of the National Board to the Chief Secretary, and J.H. Plunkett to Sir W.T. Denison, 06 February 1858, Nos 10 and 11, in “Correspondence published concerning the removal of Mr Plunkett from the National Board”.

⁵² Sydney Morning Herald, 8 May 1858.

⁵³ J.W. Moloney, *John Hubert Plunkett ion New South Wales, 1832-1869*, Ph.D. thesis, July 1971, A.N.U. p. 308

⁵⁴ T.L.L. Suttor, *Hierarchy and Democracy in Australia, (1788-1870)* (M.U.P.) 1965, pp 156-7,163-6,170-1,185,194,256.

a reconciliation was the Legislature ⁵⁵And the main source of tension between the National Board and the Legislature for the next twenty two years was to be, not the support of the Denominational as opposed to the National system, but the power to make crucial strategic and tactical decisions, especially those involving the expenditure of public funds. There was continual and ongoing pressure to place the two rival systems under one controlling body, if only for financial reasons. The successful system was one which could prove it had centralised collection of data to prove the efficient expenditure of public money.

In the period 1858-1866, the National Board could never take for granted its survival. In 1858 Cowper introduced a new Education Bill designed to introduce the English “ Privy Council System” which provided for the division of control among the Denominational groups by a Board appointed by the Executive rather than the Legislature. ⁵⁶ Although this was rejected, in October 1862 Cowper tried again to replace the National Board with a single Board favouring the Denominationalists consisting of eleven members. This lapsed after the first reading. ⁵⁷ He tried again on 1 July 1863 with a Bill giving overall administrative power of control to supporters of Denominational education. ⁵⁸Despite a series of attempted amendments by Thomas Holt, a supporter of National education and later member of the Education Council (1873-1876) who aimed at placing elementary education under the control of a responsible Minister of the Crown, this Bill surmounted the second reading, was passed through Committee , and reported back to the House. It was attacked with more amendments and discharged without a final Parliamentary decision after a reshuffle in political alignments and ministerial changes.

These abortive attempts at legislation could provide little comfort to the supporters of National education.

The confrontation and struggle between supporters of National and Denominational education in the Legislature reflected similar confrontation in the towns and settlements of the colonial countryside. For the rapid expansion of the National system through its non-vested schools involved the initiation and establishment of National schools in places where the Denominational schools had either been entrenched for some years, or where the various churches intended to initiate schools. There was vitriolic controversy in town and country press, numerous petitions, public meetings, and provocative

⁵⁵ *Sydney Morning Herald*, 29 April 1858.

⁵⁶ *The Empire*, 10 November 1859.

⁵⁷ *Ibid*, 20 October 1862.

⁵⁸ *Ibid* 02 July 1863.

denunciations of the National system from Anglican and Roman Catholic pulpits.

But the introduction of non-vested schools in 1858 gave the National Board the same opportunities for rapid expansion as the various churches had been enjoying. Local groups in less affluent settlements who wanted a National school had now only to provide a schoolhouse which could be rented, leased, donated, or owned by themselves. They no longer engaged in expensive, legally intricate and lengthy processes of subsidisation and building. Many local patrons set up a non-vested school as an interim measure before initiating and building a vested school.

Within a year of the publication of the Regulations for the establishment of non-vested schools in January 1858, sixty-six applications had been received and thirty three schools founded. By 1865 the National Board had under its aegis 270 schools, 133 of which were vested, and 137 of which were non-vested. The great majority of these were initiated by representatives of religious groups in their neighbourhood. Some were ‘private’ schools owned by enterprising teachers attracted by the regular salary and equipment offered by the Board. Of the Denominational schools which became non-vested schools those of Congregationalist, Wesleyan and Presbyterian affiliation were the most numerous. The following table illustrates this expansion.

THEIR EXPANSION AS VIEWED BY THE BOARD OF NATIONAL EDUCATION⁵⁹			
Years	Number of Schools in Operation	Number of Children on Rolls	Average Attendance
1848	4	120	
1849	25	1,584	
1850	39	2,725	
1851	42	2,541	

⁵⁹ This table illustrates the pattern of increase and rapid expansion which accompanied the introduction of non-vested schools in 1858. The figures were taken in part from the Report of the Board of National Education for 1863. The relevant figures were calculated for the 1864 and 1865 Reports in order to bring the table up to date with other expansion tables.

1852	54	3,740	
1853	49	3,833	2,377
1854	48	4,172	2,637
1855	51	4,752	2,993
1856	55	5,503	3,489
1857	62	5,976	4,139
1858	104	7,916	5,002
1859	128	9,376	6,430
1860	144	9,256	6,113
1861	178	11,400	7,924
1862	208	13,392	8,732
1863	214	15,725	18,973
1864	238	16,814	11,478
1865	270	18,126	12,683

Although the conflict was resolved in the compromise system on the first of January 1867 when Parkes' Education Bill gave the main administrative control over both National and Denominational schools to the Council of Education and its Secretary, William Wilkins for most of the preceding eight years the supporters of the National system were forced to fight against the supporters of the opposing system over division of scant financial resources from the Public Treasury. And Cowper was the Colonial Secretary. In this struggle local patrons, teachers and inspectors, in their various confrontations with opponents in the outback entrepôts looked more and more to the central Board and its Chief Inspector, later Secretary Wilkins, for support, security and protections.

And, through the administrative organisation built up by the Board, Wilkins, his growing inspectorate, teacher training programs, and procedures, the National

system could offer the Legislature an infant bureaucracy: Accurate information; Rules and Regulations; the precise definition of roles within a hierarchical structure; the centralisation of decision making; professional employees and advisers who fulfilled certain educational requirements; and what was of paramount importance in keeping the confidence of the Legislature, the ability to function efficiently, impersonally, and if need be, discreetly.⁶⁰

Although the Denominational Board had been given considerable central power by the Legislature in 1848, under pressure from the heads of denominations, delegated responsibilities to them. In 1856, with the publication of the School Commissioner's Report, where the National Board accepted responsibility for the improvement of their schools, the Denominational Board with Cowper as their Chairman, asserted that their function was only "ministerial" and powers of control and responsibility for the well-being of Denominational schools lay with the heads of the Denominations.⁶¹ The reality of their situation was that they had to confront the leaders of three main ecclesiastical bureaucracies in the colony, Anglican Roman Catholic and Presbyterian when they wished to appoint inspectors, support teachers or demand accountability for public expenditure. They ran the risk of falling between two stools, denominational leaders, and the Legislature. With their Inspector, Casey, they were on the way to providing the required information, but he fell by the wayside with a questionable reputation and the Denominational Board lost the initiative.

In Colonial NSW it was the Legislature which demanded the final say and the National Board, with their Inspectorate and Secretary Wilkins as mentor and chief supplier of information provided the centralised machinery by 1865 and in 1867 the National Board and their system gained control. But the conflict was far from over.

The struggle between Church and State for control of the education of the country's children by no means peculiar to New South Wales and the other Australian colonies. It was but an echo of battles currently being fought in Ireland, England, Europe and North America. But, religious doctrines aside, the struggle in New South Wales was in part a conflict between bureaucracies with differing aims and objectives. The conflict itself centred around the tussle between Archbishop Poling, the Vicar General and the Bishops of Bathurst, Goulburn, and Maitland for ecclesiastical control of their Roman Catholic schools. They desired power to expand their system wherever, whenever and however they chose; to control

⁶⁰ M. Weber, *Essays in Sociology*, H.H.Garth and C. Wright Mills (eds and trans.), New York, (Oxford University Press, 1945), p. 234.

⁶¹ T.Holt, *Two Speeches on the Subject of Education in New South Wales*, delivered in the Legislative Assembly on 2 December and 12 December 1856, and published in Sydney, 1857, M.L.

the curriculum and textbooks employed in their classrooms; and the appointment, appointment of their own inspectors; and the appointment, training and dismissal of teachers.

They had every reason for opposing the spirit and practice of the 1866 Public Schools Act since all of these powers had been inherited by the Council of Education, which, unlike the Denominational Board, was determined to exert control over all the schools in the colony through their inspectoral system.

However, the Council of Education did not control the appointment of Denominational School Boards, and Chairmen of Roman Catholic local Boards, appointed by their denomination, were priests. They were free to spearhead the struggle for control of their schools.

There were three main areas of administrative contention: the expansion of the Catholic system; control of secular instruction; and the classification of teachers.

The Council had power to refuse certification of a Denominational school if it did not conform to the requirements of the Public Instruction Act of 1866 or their Regulations. To prevent unnecessary and inefficient duplication, the 1866 Act, Section 9 required that a Denominational School could not be established within five miles of a public school with an average attendance of not less than 70 children. An attendance of at least 30 children had to also be guaranteed. Before a Denominational school could be established within two miles of a public school, the regular attendance at the Denominational school had to total not less than 120 children. The Council further required that the applications for a certificate to set up a Denominational school should provide a school house, sufficient in all respects for the purpose, and suitably furnished, and that they might nominate a competent teacher or teachers for appointment by the Council. The Council also had power to withdraw certificates should the required number of pupils (30) not be maintained; the building become dilapidated or otherwise unsuitable; the supply of furniture and apparatus become inadequate; or the regulations of the Council be infringed.⁶²

The effective enforcement of these Regulations by the Council's inspectors meant a considerable retrenchment among the Denominational schools in the years 1867-1880.

⁶² Public Instruction Act of 1866, *Statutes of New South Wales* M.L Regulations 8,9,10 and 11.

In 1867 there were 317 Denominational schools, 288 Public schools, 31 Provisional Schools, and 107 Half Time schools. Between 1867 and 1872 Denominational Schools were depleted by 101. In the years 1872-1879, the majority of Denominational schools closed were those of the Church of England and Presbyterian denominations. In the same period (1872-1879) eleven Denominational schools were certified, ten of these being Roman Catholic institutions.⁶³

Year	Public	Denom	Schools		Total	Enrolments
			Prov.	Half Time		
1867	288	317	31	6	642	67,740
1868	318	289	103	38	748	73,920
1869	336	264	146	61	807	80,649
1870	359	241	164	82	846	82,821
1871	378	223	181	96	878	87,313
1872	396	211	194	101	902	88,487
1873	400	209	216	117	942	92,018
1874	420	204	244	122	990	100,384
1875	461	191	262	116	1030	104,456
1876	503	181	279	110	1073	111,252

⁶³ 'Denominational Schools closed and opened since Jan. 1st, 1872, ordered by the Legislative Assembly to be printed Nov. 20, 1872, *New South Wales Legislative Assembly, Votes and Proceedings, 1872-3, Vol. 3, p 471.*

187 7	561	178	266	112	111 7	117,252
187 8	620	167	285	115	118 7	128,125
187 9	684	160	317	107	126 8	134,624

In the process of fulfilling the terms of the 1867 Regulations the Council and its Secretary, Wilkins together with his inspectors quietly closed Denominational schools and opened many new Public schools. Wilkins and the inspectors, with perhaps the exception of the three members of Roman Catholic affiliation, Dwyer, Flannery and O’Byrne, tended to regard the clerical members of the ecclesiastical bureaucracy as hindrances to the cause of extending a basic non-denominational education to every child in the colony. They considered this best achieved in a unified system in which Church and State schools worked in conjunction, their only differences existing during the hour for special religious instruction. They tended to view clerical chairmen of Denominational Boards as professionals regard disruptive amateurs. Many Roman Catholic schools in the years 1868-1972 were refused certification because inspectors considered their management inefficient and teachers unqualified. Wilkins and his inspectors however, considered that when Catholic schools were “carefully looked after”, “restrained”, and made “amenable to law and rule” the education of the colony’s children was thereby promoted. ⁶⁴

The members of the newly formed bureaucracy set up to extend elementary education throughout New South Wales considered the adequate provision of elementary education in ‘secular’ subjects to be of more importance than the inculcation of the faith of their fathers. The members of the Catholic ecclesiastical bureaucracy, an extension in Australia of a bureaucracy which had existed for centuries in Europe and Ireland, took the opposite view. In the 1870s the members of the two colonial bureaucracies were set on a collision course.

In the period 1872-1895 throughout Australia, infant colonial State administrations set up to provide universal education and accountability for public education under Ministers of Education were strong enough to gain the initiative over the ecclesiastical bureaucracy of the European and Irish church.

⁶⁴ Wilkins to Stewart, 10 March 1876, *NCE/18*, NSWSA.

But, after the reinstatement of public funding for religious schools in the 1950s and 1970s, its considerable increase since 1973 alongside centralisation of the ecclesiastical administrations, together with the abandonment of the State inspectorates, the decentralisation of the State administrations, and the resulting demoralisation of teachers, it could be argued that the more ancient bureaucracies have control of both the political initiative and the public purse in Australian education.

As they had managed to do by the 1860s in Ireland.

What happened to the Irish National System in Ireland?

Ireland, like nineteenth century New South Wales – and Australia – was a British colony but long before 1788. It was ruled by people who functioned as colonial governors and institutions appropriate for control of a subjugated province. It has been argued that provision of public education institutions was an accepted weapon in the Irish state's arsenal of social control devices. But in the eighteenth century the largely Catholic peasantry with the assistance of scholars and their Catholic priests, taught many of their children in 'hedge' schools.

Plans for a non-denominational system of education for the poor in Ireland were mooted as early as 1787. When the Board of National Education was finally established in 1831, at Lord Stanley's direction, the Board of National Education

1. it was to unite the children of different creeds in common schools. also
2. include men of high moral and ecclesiastical rank
3. from the several denominations.
4. the Board was to have complete control over schools erected or placed under its direction,
5. could grant no aid without local provision of a permanent salary for the master, furniture and repairs, books and one third of the building costs.
6. Schools to be kept open for four or five days for moral and literary instruction with the remaining one or two days a week set aside for religious education by the respective clergy.⁶⁵

⁶⁵ Donald H. Akenson, *The Irish Education Experiment*, (2014) Routledge, Chapter 111, 'An Administrative Genealogy', p.

Within two decades the religious groups twisted the system back into denominational system.

As in Australia Ireland lacked local government organisation from which the sort of inter-faith school could be funded. But Ireland was not lacking in determined ecclesiastical heads of long established bureaucracies whose members could take over control at that same local level.

The Ulster Presbyterian Synod undermined the system as early as 1837 by means of existing Presbyterian schools which had become non-vested. Some National schools were burned down or threatened by the more intemperate Protestants and the Synod itself was divided. Members of the Ulster Synod insisted that they could give religious instruction whenever they pleased, provided public notice was given in advance.⁶⁶ The Board gave in to Presbyterian demands in the years 1838-1841. The Roman Catholic hierarchy noted their success for future reference in the 1850s.

Meanwhile, in 1839, in the Southern counties the Established English Church set up its own Church Education Society schools in opposition to the National system. Although this system ultimately failed, this meant that in the early years of the system the majority of children actually attending the National schools in Southern Ireland were children from the Roman Catholic faith. By the 1850s there were few if any multi - faith or non-denominational National schools in Ireland.

The Irish national system became a denominational one in reality if not in law, in part because the lack of rules regulating non-vested schools gave the managers of these schools almost all the freedoms possessed by managers of independent denominational schools. They also became denominational schools in terms of their personnel and student body.

The part time Commissioners failed to encourage joint applications by Protestants and Catholics for government aid for National schools so from the very beginning applications were under the management of those of single faith, who were more often than not in holy orders. Of the 4,795 schools in operation in 1852, only 175 were under joint management.⁶⁷ Some 3,418 of the 4,547 schools operating in 1850 were exclusively under clerical managers,⁶⁸ with the

⁶⁶ Fourth Report of the Commissioners of National Education in Ireland, for the year ending 31st March 1838, p. 6 [110], H.C., 1837-8 ,xxviii

⁶⁷ *Eighteenth report of the Commissioners of National Education in Ireland, for the year 1851*, p. xlvii [1852-3,xlii.

⁶⁸ *Seventeenth Report of the Commissioners of National Education in Ireland, for the year 1850*, vol. 1 p. I [1405], H.C. 1851, xxiv,pt1

Roman Catholics placing greater reliance upon those in holy orders than the Protestants. It is hardly surprising that managers usually appointed only teachers of their own religious inclination.

By 1867, when the National System in New South Wales had been given supervision of both National and Denominational schools, The Irish Commissioners had failed to introduce non-denominational schools to Ireland, in part because of their lack of confrontation with the three religious hierarchies, and in part because, throughout most of southern Ireland, few if any protestants were available for attendance at a national school.

From 1850, after the famine, the Holy See and the Cardinal Cullen withdrew their tepid support for National schools and pressed for their own institutions. As the hierarchy grew stronger and the government's position in Ireland less secure, the commissioners of national education granted concession after concession until, by 1900 the National system had become a state system of denominational education.

Donald Akenson in his book, *The Irish Experiment*, leaves it to his readers to decide whether this nineteenth century chain of events constitutes a morality play or an Irish tragedy.⁶⁹

CONCLUSION

The past is another country and historians do not solve current day problems. They only illuminate them.

Australian 21st century politicians, most particularly those in the major parties, lack the intestinal fortitude to confront the powerful church school lobby, with all religious leaders combining to raid the Public Treasury. On the contrary, they appear determined to replicate the troubled, fractured history of Ireland and the Balkans.

But Australia should follow the example of the Scandinavian countries, most particularly Finland and refuse to fund any school which charges fees or imposes entrance tests.

⁶⁹ Donald H Akenson, *Ibid.* p. 389.

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