

The Senate

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Committee of Privileges

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Persons referred to in the Senate

Certain persons on behalf of the Exclusive Brethren

127<sup>th</sup> Report

June 2006

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## REPORT

1. On 8 June 2006 the President of the Senate, Senator the Hon. Paul Calvert, received a submission from Mr Philip McNaughton, Mr C. Warwick John and Mr David W. Stewart, on behalf of the Exclusive Brethren, seeking redress under the resolution of the Senate of 25 February 1988 relating to the protection of persons referred to in the Senate (Privilege Resolution 5).

2. The submission referred to the contents of a notice of motion given by Senator Bob Brown in the Senate on 9 May 2006. The President, having accepted the submission as a submission for the purposes of the resolution, referred it to the Committee of Privileges on 8 June 2006.

3. The committee met in private session on 15 June 2006 and, pursuant to paragraph (3) of Privilege Resolution 5, decided to consider the submission. Also pursuant to paragraph (3) of Privilege Resolution 5, the committee conferred with the persons making the submission on the terms of the proposed response. The statement at Appendix One has been agreed to by the committee and the co-signatories as members of the Exclusive Brethren and on its behalf, in accordance with Resolution 5(7)(b).

4. The committee draws attention to paragraph 5(6) of the resolution which requires that, in considering a submission under this resolution and reporting to the Senate, the committee shall not consider or judge the truth of any statements made in the Senate or of the submission.

5. The committee **recommends:**

That a response by Mr Philip McNaughton, Mr C. Warwick John and Mr David W. Stewart on behalf of the Exclusive Brethren in the terms specified at Appendix One, be incorporated in *Hansard*.

John Faulkner  
Chair



## **APPENDIX ONE**

### **RESPONSE BY MR PHILIP McNAUGHTON, MR C. WARWICK JOHN AND MR DAVID W. STEWART ON BEHALF OF THE EXCLUSIVE BRETHREN PURSUANT TO RESOLUTION 5(7)(B) OF THE SENATE OF 25 FEBRUARY 1988**

We make this submission to you as members of the church known as the Exclusive Brethren and on its behalf, using the opportunity afforded us under Parliamentary Privilege Resolutions agreed to by the Senate on 25 February 1988 which provide for a right of reply when persons have been adversely mentioned in the Senate in such a way as to be readily identified.

This submission is made reluctantly, because we do not question the right of Senators to engage in fair debate about any subject, but we feel that the allegations and assertions contained in the notice of motion by the Leader of the Australian Greens (Senator Bob Brown) given on 9 May 2006 are so egregious that a response is warranted.

This notice of motion specifically refers to “Exclusive Brethren Schools and Exclusive Brethren Businesses”. We regard this as a serious and unconstitutional attempt to impugn the integrity and good standing the Brethren have in the Australian community.

We make this request regardless of whether the motion is debated or passed by the Senate; the fact that it is published on the Notice Paper entitles us, we believe, to exercise this right of reply.

We note that the 1988 Privileges Resolution sets out as a prerequisite that there be an adverse reflection on reputation or in respect of dealings or associations with others, or injury to occupation, trade or financial credit, or that privacy has been unreasonably invaded by reason of reference to that person.

We believe some if not all of these grounds have been met by the publishing of this notice of motion and subsequent media reports on it.

We will deal with the points in the notice of motion in order.

## **1. Family Breakdown**

A report by Professor G.D. Bouma (UNESCO Chair) from Monash University states that “This is a very family orientated group. Brethren are outstanding in their low rate of divorced and separated persons.”

Only 2.2% of approximately three thousand (3000) marriages (March 2006) are divorced or separated, and 90% of children from such families are retained in the Exclusive Brethren fellowship.

Church excommunication, excision or discipline is as intrinsic to Christianity as the sacrament itself. Based on 1 Corinthians 5, 2 Timothy 2 v 19 and 2 Thessalonians 3 v 14 and other scriptures, it has been practiced since the dawn of Christianity and has been supported right down through the ages by such noble persons as Luther, Farel, Bunyan and all those who love our Lord Jesus Christ in incorruption, and is a tenet of religions universally.

## **2. Political Activity**

The Exclusive Brethren Church has never at any time or for any reason involved itself in any political activity whatsoever, either by means of advertisements, media releases, leaflets, publications or any other propaganda.

The Exclusive Brethren Church has never financed, funded or authorised any political agenda or political party of any persuasion.

Neither has the Exclusive Brethren Church discussed at any time in any of their meetings or congregations a political agenda or directed or encouraged any of their members to provide advertisements, leaflets or publications which would promote any political activity or persuasion.

As individual home owners, business people and concerned citizens we happily take advantage of opportunities available to all Australians to meet government representatives from municipal to federal arenas and express our views as we see fit as entitled by constitutional privileges.

## **3. Tax Arrangements**

In addition to all their legal obligations, the Exclusive Brethren hold moral obligations based on conscience and the fear of God to recognize their taxation and other statutory liabilities.

Further, Brethren use and consult accredited well regarded (non-brethren) professional organizations and firms who could attest on our behalf to ably refute these baseless insinuations which we believe are intended to create a grey incubus of doubt over Brethren with respect to their foundational beliefs and principles.

#### **4. Schools**

Private non-government schools operated by the Exclusive Brethren do receive funding from the State and Federal Governments on the same basis that any other non-government school receives funding. The Brethren schools satisfy the same criteria as all funded non-government schools including the provision of all documentation, compliance with all registration and accreditation procedures which require the acceptance of full audit assessment and financial accountability.

We note that section 116 of the Constitution provides that the Commonwealth “shall not make any law for establishing any religion, or for imposing any religious observance, or for prohibiting the free exercise of any religion, and no religious test shall be required as a qualification for any office or public trust under the Commonwealth.” We pay tribute to our Constitutional Founding Fathers for including such a section in our Constitution.

It would appear from this notice of motion that the Leader of the Australian Greens, 106 years later, does not share such an unprejudiced disposition. We pose the rhetorical question as to whether Senator Bob Brown would suggest a Senate inquiry into another Christian denomination, or indeed a non-Christian religion?

We think the answer is obvious: because we are a Christian church with a small number of adherents in Australia, in comparison with other denominations, we are obviously seen as fair game for these baseless allegations. That is why we seek this right of reply.

(signed)

**Phillip McNaughton**

**C. Warwick John**

**David W. Stewart**