



Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of
Domestic and Family Violence

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Our ref: 572305/8, 6606897

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to e-Petition 3821-22 tabled in the Legislative Assembly on 21 February 2023 titled *Protect the Rights of Christian Schools*.

Petition 3821-22 draws the attention of the House to the recommendations of the Queensland Human Rights Commission (the QHRC) in its review and subsequent report on the *Anti-Discrimination Act 1991* (the Act), the *Building Belonging* report.

In April 2021, I requested the QHRC undertake a comprehensive and holistic review of the Act, to consider the need for any reform in order to ensure the Act continues to protect and promote equality, non-discrimination and the realisation of human rights. In undertaking this review, the QHRC engaged in a wide ranging and thorough consultation process, including over 120 targeted consultations, four regional public consultations, six roundtables with particular groups, and consideration of 130 submissions plus 1,109 responses to an online survey.

The QHRC's review culminated in the *Building Belonging* report which was tabled in the Legislative Assembly on 1 September 2022. The report makes 122 recommendations under 46 broad categories of reform to ensure Queensland's anti-discrimination law is effective in protecting people from discrimination and sexual harassment.

Recommendation 39 of the *Building Belonging* report recommends the implementation of a new exemption allowing discrimination if it is reasonable and proportionate in the circumstances and the participation of the person in the teaching, observance or practice of a particular religion is a genuine occupational requirement. Relevantly, the proposed changes would not preclude a religious school from prioritising the employment of staff who share the same faith where it is a genuine occupational requirement of the role.

The QHRC determined that replacing the current exemption with a reasonable and proportionate test provides a better mechanism through which competing rights can be weighed, in order to strike an appropriate balance between the right of all people not to be subject to discrimination, and the freedom for religious schools to operate in accordance with their faith. The Government believes it is important to strike the right balance between protecting people from discrimination, and the need to not unreasonably limit the religious or cultural rights of others.

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The Queensland Government is currently carefully considering the findings and recommendations of the *Building Belonging* report, and I have met with representatives from the religious education sector to discuss these reforms, and ensure we get any changes right.

Stakeholders and members of the wider public will continue to have opportunities to participate in the future, such as providing their views on any proposed draft legislation. I thank the petitioners for bringing their concerns to the attention of the House. We know how important the views of our community were to the QHRC in undertaking their review, and they are equally as important to the Queensland Government.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Shannon Fentiman', written in a cursive style.

Shannon Fentiman MP

Attorney-General and Minister for Justice

Minister for Women and Minister for the Prevention of Domestic and Family Violence

Member for Waterford