



2 July 2024

The Hon Yvette D'Ath
Attorney-General of Queensland
Parliament House
Brisbane QLD 4000

Dear Attorney-General

Subject: Feedback on the *Respect at Work and Other Matters Amendment Bill 2024*

Our associations represent 75 Christian schools with over 47,000 students enrolled in our schools across Queensland.

We appreciate the opportunity to meet with you to discuss the *Respect at Work and Other Matters Amendment Bill 2024*. Firstly, we would like to commend the efforts made by your office in addressing critical issues related to the proposed *Anti-Discrimination Bill 2024* which would have significantly impacted our schools' ability to preference the employment of Christian teachers and staff across all roles within the school.

In our previous letter to the Queensland Premier on 7 May 2024 we endorsed the concerns expressed in a letter on 1 May by the Faith Leaders. We are grateful to you and the State government for listening to our feedback and delaying the broader bill to allow for greater consultation with the faith community.

We acknowledge the importance of the Bill in striving to create a safer and respectful work environment. These measures align with our values of creating inclusive and respectful environments for all staff and students. Your commitment to further consultation is much appreciated.

We have also identified some concerns which may have unintended consequences for Christian and other religious schools, requiring careful consideration for further amendments to ensure the Bill's objectives are achieved.

1) Vilification Provisions (Clause 21)

The revised vilification provisions under Clause 21 broaden the scope and lower the bar for what constitutes vilification. The criteria shift from actions that "incite hatred" to those considered "hateful, reviling, seriously contemptuous, or seriously ridiculing." This lower threshold, coupled with the new subjective standard of the "reasonable person" being a person sharing the offended attributes, raises concerns about the potential for genuine religious teachings to be misconstrued as vilification.

Example: in a classroom discussion, teaching traditional religious views on marriage and gender roles could be perceived as "seriously contemptuous" by some students or staff, even if presented respectfully and in good faith. This creates a chilling effect on religious expression and discourse within our schools.

Recommendation: clarify the scope of the vilification provisions by amending Sections 124C and 124D to explicitly protect good-faith religious debate and disagreement. This would ensure the teaching of traditional beliefs are not going to fall within the description of being 'hateful towards, reviling, seriously contemptuous of, or seriously ridiculing'.

2) Positive Duty on Schools (Clause 25)

The introduction of a positive duty to eliminate discrimination, harassment, and other objectionable conduct reflects a noble goal. However, the inclusion of the Queensland Human Rights Commission's (QHRC) authority to investigate compliance adds complexity. We are concerned that this positive duty could require Christian and other religious schools to teach values and beliefs that are inconsistent with the faith position of the school community.

Example: A religious school that teaches its beliefs about sexuality and gender may be seen as not complying with the positive duty if these teachings are considered offensive by the QHRC. This could force schools to alter or censor their teaching and learning program, compromising their religious integrity and the educational experience they provide.

Recommendation: provide additional clarity to ensure that religious schools can fulfil the 'positive duty' without being required to promote beliefs that contradict the doctrines, tenets and beliefs of their religion. This could be achieved by adding a clause that exempts religious teachings from being considered non-compliant with the positive duty.

3) Harassment on the Basis of Sex (Clause 18)

The new category of harassment on the basis of sex introduces language that could be misapplied to religious teachings and practices. The definition's broadness might include discussions on biological sex and gender identity, which are integral to many religious doctrines.

Example: a school's policy requiring staff to use traditional gender pronouns based on biological sex could be deemed harassment. This policy, rooted in religious beliefs, could lead to legal challenges despite being a matter of faith-based practice.

Recommendation: revise to include a higher threshold for what constitutes harassment, such as "conduct of a seriously demeaning nature." This would provide clearer guidance and protect legitimate religious expressions.

In conclusion, while the *Respect at Work and Other Matters Amendment Bill 2024* includes several commendable reforms, it is vital to ensure that these do not inadvertently infringe on religious freedoms. We believe that with slight amendments and additional clarity, the Bill can achieve its goals without compromising the rights of Christian schools.

We appreciate your consideration of these points and look forward to ongoing dialogue to create legislation that upholds the rights and freedoms of all Queenslanders.

Thank you for your time and the opportunity to meet with you today.

Yours faithfully



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