

May 1st 2024

The Hon Steven Miles
Premier of Qld
CC: Members of Qld Parliament
Parliament House
Brisbane, Qld

OPEN LETTER FROM FAITH LEADERS IN RESPONSE TO DRAFT ANTI-DISCRIMINATION BILL 2024

The changes proposed to the Queensland Anti-Discrimination Act through the draft Anti-Discrimination Bill 2024 are not only of deep concern to faith communities across Queensland but are also contrary to international law.

The draft legislation, as it stands, would undermine fundamental human rights, and would be a betrayal of all faith communities in Queensland.

The *International Covenant on Civil and Political Rights*, (ICCPR) which Australia has signed, declares that religious freedom is one of the most fundamental human rights, and should be preserved except where absolutely necessary; this is not upheld in the proposed Anti-Discrimination legislation.

The proposed changes contravene *Article 18.4 of the ICCPR*, which affirms the rights of parents to ensure the faith and moral education of their children in conformity with their own convictions.

Further, the draft Bill fails to respect the multicultural society we seek to uphold, where faith communities have generously played their part in building a harmonious Queensland.

We, a collective of faith communities across Queensland, believe the Bill should be reframed as positive associational rights. Faith communities participated “in good faith” with the Government’s review of the current Anti-Discrimination Act. We pointed out the necessity of protecting ALL human rights, and we proposed solutions. None of our concerns nor suggestions for a positive way forward are considered in this draft Bill.

We believe it is the Government’s duty to facilitate a truly inclusive society by leading the way in innovative law reform to maximise ALL human rights and freedoms rather than pit them against each other.

The proposed changes to Queensland’s Anti-Discrimination Act are the most restrictive regime for regulating faith bodies in Australia. They will significantly undermine the freedom of faith organisations to employ persons in accordance with their ethos. They will disallow faith communities and schools from selecting staff who would uphold one of the core purposes of a faith community or school – that of maintaining a culture and ethos consistent with the requirements of that faith.

We believe the proposed exceptions should be reframed to continue the exemption for faith bodies, including faith schools, whilst clarifying that it is for protecting the freedom to manifest religion or belief, individually or in community with others. This includes the right to worship,

observe, practice, teach, and enable a parent's right to choose a school that conforms with their faith and moral convictions under Article 18.4 of the ICCPR.

There are existing laws around sexual harassment, other forms of harassment, vilification, and victimisation that faith communities and faith schools are committed to uphold.

Human rights-based frameworks should aim to maximise ALL human rights and freedoms rather than set some up against others.

We urge the Queensland Government to not repeat the same problematic approaches used elsewhere, but to lead the way in innovative law reform that maximises all human rights.

We urge the State government to consult further with faith community leadership before putting this Bill to Parliament. This is an opportunity for the Government to show leadership and respect for all, and build a truly inclusive and respectful society.



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