

Respect at Work and Other Matters Amendment Bill 2024

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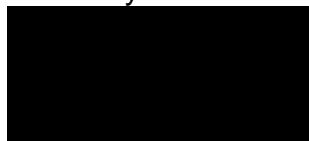
The Committee
Queensland Parliamentary Legal Affairs and Safety Committee
Parliament House
Cnr George and Alice Streets, Brisbane
QLD 4000

Dear Committee,

Submission: Respect at Work and Other Matters Amendment Bill 2024

On behalf of the Queensland African Communities Council (QACC), and African Youth Support Council (AYSC) – an independent specialised community youth agency under the QACC – the umbrella organisation that represents more than 80,000 people and organisations of African descent residing in Queensland, I make the following submission in the attachment for the **Respect at Work and Other Matters Amendment Bill 2024**

Sincerely



Beny Bol OAM

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Forward

There is no better time in history than now in 2024 for our political leaders and parliament to embark on courageous and critically important legislative and policy reforms, designed to strategically strengthen our governing institutions and services to bring our diverse communities together. We are at a time in history where the resilience or essence of our multicultural democracy, sense of belonging, inclusion, justice and all the values that underpin multiculturalism are being tested every day. Now than ever before is the time that requires leadership – courageous, visionary and inclusive leadership - particularly from our political leaders to build our communities' confidence in our public institutions at the time where our social fabrics are under sustained assault.

Sadly, African community members arguably suffer the most form of racial abuse and structural systemic discrimination in the workplace than any other groups across our multicultural communities. A study on the Experiences of young people of African background in schools and bicultural workers in workplaces in Queensland, conducted QACC found that 100% of our children reported experience of racism in school, while more than 90% of African professionals reported structural racism or discrimination in the workplace.

Without responsibility there is no accountability. Without any sense of belonging and inclusion, there is no meaningful integration of newly emerging communities in the mainstream community. Without equity and equal opportunities for leadership roles in organisations or agencies that deliver services to disadvantaged or multicultural communities, there is no real prospect of government or organisations achieving strategic policy outcomes or positive impact. Without deterrence and consequences, people who perpetuate structural racism and discrimination will even get more empowered to increase their practices that enable them to create power-imbalance and control of decisions and resources meant to support the very communities that they are supposed to serve.

With Respect at Work and Other Matters Amendment Bill 2024, particularly the inclusion of the positive duty to cover race, government and parliament will seriously have a once in a lifetime opportunity to address this wicked policy issue and make communities feel safe, belonged, included, valued, protected, and help

them prosper and more importantly contribute to the social harmony and overall economic prosperity of our state and country.

As someone who has worked and continue to work tirelessly with young people – many years with Aboriginal and Pacific Islander young people and families for over a decade across Australia, and advocate for a fairer, equitable, genuinely inclusive and truly harmonious multicultural communities in Australia, I like to always begin my submissions with the two quotes below because they perfectly describe the challenges we face today as a state and country. When you do not see any single person from many underrepresented communities like the African community in executive roles across the community sector, it is not because these communities have not been here for long enough, or their members have no formal qualifications acquired in Australia and local professional experience. It is mainly because of structural discrimination. This means poor policy outcomes socially and economically because the needs of many diverse communities are not being appropriately addressed due to knowledge gap.

*“Australian identities crises are playing out in the absence of leadership. When will a white Australian political leader own these youth as our own and squarely face the challenges they endure and make clear the high expectations their country has of them? That they have rights and responsibilities, as surely as everyone else? That we want from them the best habits of their heritage and to avoid the worst of ours, so they can own the future as much as Australian youth of Aboriginal, Asian or European heritage? There is nothing to be gained from trying to hector people to deny a layer of their identity in the name of shared nationhood, especially if that identity has been denied dignity and respect. Similarly, there is nothing to be gained from making one part of our identity the only thing that matters, and in the process denying and denigrating other parts, not least our common citizenship,” (Noel Pearson, **The Australian Newspaper, 25 January 2019**).*

“Compromised attachment takes place when there is disconnection from primary attachments such as important figures in the child’s life like parents, teachers, extended family, guardians and other role models. The consequence of this is that similar compromised attachment is passed on by the child to the next generations and future relationships, hence producing intergenerational disadvantage. The children need to know that the “love and support of their primary carers is there in a predictable and consistent way. Children disconnected from those key figures tend to develop self-loathing alongside the

feeling that they have nothing to lose and that means they “no longer fear anything including committing crime and going to prison,” (Dr Tracey Westerman.)

This Bill is an opportunity for the government to provide stronger and effective legal mechanisms that will facilitate economic inclusion and workforce diversity that reflect the growth of our multiculturalism and appreciation of the complexity of the social issues and opportunities that comes with that. At the moment, we continue to have very poor policy outcomes in terms of the community services and other social services because of lack of representation of diverse perspectives at the leadership levels of key agencies and organisations that support communities.

The positive provision in the new Bill should create a requirement for employers to take “reasonable and proportionate measures” aimed at adequately tackling race-based harassment, bullying, structural or systemic racism and discrimination that are now widely reported in many workplaces including the very organisations and agencies that are meant to empower multicultural communities and enhance social harmony.

Recommendations

First, QACC supports the Bill in principle because it will implement some key protections recommended in the Respect at Work Report of former sex Discrimination Commissioner Kate Jenkins and the Building Belonging Report of 2022 by the Queensland Human Rights Commission. QACC, however, recommends that the remaining reforms (stage 2 of the Building Belong) Report be followed through.

QACC strongly urges the government not to miss this opportunity in creating a life-changing legislative reform by simply improving this Bill to:

1. Reduce the burden on individual complainants to address systemic racial discrimination by providing the Queensland Human Rights Commission with broad inquiry functions to investigate systemic racial and other discrimination, including harassment, bullying and examination of witnesses, and to be able to impose penalties for non-compliance when conducting inquiry.
2. Change the test for both indirect and direct discrimination in order to properly stamp out structural discrimination and racism at workplaces

3. Ensure the burden of proof and make it easier to prove racial discrimination in the workplace.
4. Provide a minimum requirement threshold of diversity of executive leadership workforce in an organisation that the government fund to deliver services to socially complex multicultural communities. This will ensure that diverse perspectives or ideas are incorporated in the organisation's decision-making processes that affect policy outcomes for diverse communities across the state.

These modest suggestions to improve the Bill could change our face of multiculturalism and put Queensland at the top level as leader that not only celebrates multiculturalism but create the system that reflects the modern-day Australia and the inevitable growth of diversity.