

Respect at Work and Other Matters Amendment Bill 2024

Submission No: 19
Submitted by: Q Shelter
Publication: Making the submission and your name public
Attachments: See attachment
Submitter Comments:

2 July 2024

Community Safety and Legal Affairs Committee
Queensland Parliament

Via the committee's online submission portal

To Whom It May Concern

RESPECT AT WORK AND OTHER MATTERS AMENDMENT BILL 2024

Q Shelter welcomes the opportunity to provide a submission on the Respect at Work and Other Matters Amendment Bill 2024 ('The Bill') current before the Committee.

About Q Shelter

Q Shelter is a peak body working to ensure every Queenslander has a home. We advocate for policy and investment solutions while building system capacity to deliver those solutions. Our members consist of Specialist Homelessness Services (SHSs), Community Housing Providers (CHPs), private sector entities, other peak organisations, local government representatives, academic institutions, wider human services, and interested individuals, including people with lived experience of unmet housing needs and homelessness.

Overview

The Queensland Government has introduced the Respect at Work and Other Matters Amendment Bill to parliament. We note that the Bill enacts some of the recommendations made by the Queensland Human Rights Commission's 'Building Belonging' report (July 2022), tabled in parliament in September 2022. The report reviewed Queensland's Anti-Discrimination Act and provided 46 recommendations across five key result areas.

It is also disappointing that the draft Anti-Discrimination Bill 2024, released for consultation earlier this year, will not be introduced in this term of government. Instead, this Bill reflects the first stage of reforms by the Queensland Government, which we acknowledge is an important advancement in Queensland's equality laws.

What the bill does do:

- Introduces a positive duty (legal obligation) on the public and private sectors to do all they can to eliminate discrimination and harassment before they happen
- Creates new provisions about workplace harassment and hostile working environments - but only based on sex, and not other attributes like race, age, and disability
- Extends protection from discrimination to people experiencing homelessness or domestic and family violence, an important and timely response to Queensland's housing crisis and surge in domestic violence
- Creates a new protection from hateful, reviling, seriously contemptuous or seriously ridiculing conduct for some groups, and extends protection against vilification based on a person's sex, age or disability.

Q Shelter commends the inclusion of homelessness or domestic and family violence as we are aware that people experience extensive discrimination in the housing market when seeking to find, get and keep a home. We support all proposed amendments to Clause 7.

What the bill does not do:

The Queensland Human Rights Commission highlights these limitations which Q Shelter considers need to be addressed:

- Provide a clear and holistic reworking of Queensland's anti-discrimination laws as recommended in the Building Belonging Report

- Strengthen protections equitably for groups experiencing vulnerability – instead, some people in some circumstances will be better protected than others
- Recognise that people may experience discrimination based on combined grounds, and this can have a cumulative and compounding impact
- Clarify or streamline processes for complaints including a consistent time limit for making complaints regardless of their type
- Update and modernise the Act's legal tests and definitions to bring the law up to date with contemporary community needs
- Strengthen protections for people with disability by creating a standalone requirement to make reasonable adjustments
- Close a gap in protections created by outdated exceptions, such as excusing non-profit organisations from having obligations under the Act, a situation unique to Queensland.

Our Recommendation

To urgently progress a new Queensland Anti-discrimination Act incorporating recommendations in the Building Belonging Report.

To require non-profit organisations to comply with all aspects of the legislation.

To implement training and capacity support to non-profit organisations to enable successful implementation of the Act.

Further contact

We appreciate the opportunity to provide input to these reforms. Q Shelter can be contacted anytime through the Policy & Strategic Engagement Manager, Jackson Hills ([REDACTED] / [REDACTED]).

Yours sincerely



Fiona Caniglia
Executive Director