



Mr Peter Russo MP
Chair, Legal Affairs and Safety Committee
Parliament House
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Via email: lasc@parliament.qld.gov.au

**SUBMISSION BY ASSOCIATED CHRISTIAN SCHOOLS
*BIRTHS, DEATHS AND MARRIAGES REGISTRATION BILL 2022***

Thank you for the opportunity to provide feedback on the *Births, Deaths and Marriages Registration Bill 2022* (the Bill).

Associated Christian Schools (ACS) represents 45 independent Christian Schools throughout Queensland. One in five independent school students in Queensland attend an ACS member school. Our member schools also include a small number of schools that exist solely for members of a particular sex.

With respect to the proposed Bill, our concern primarily relates to how the changes will operate with respect to the existing section 41 of the *Anti-Discrimination Act 1991*. That section provides as follows:

Single sex, religion, etc. educational institution

An educational authority that operates, or proposes to operate, an educational institution wholly or mainly for students of a particular sex or religion, or who have a general or specific impairment may exclude—

- (a) *applicants who are not of the particular sex or religion; or*
- (b) *applicants who do not have a general, or the specific, impairment.*

We note that the Bill contemplates a streamlined and simpler process to altering the record of a person's sex. In the case of a student over the age of 16, this can be achieved by application of the student with a supporting declaration. In the case of a student under the age of 16, the involvement of a *Developmentally Informed Practitioner* is also required.

ACS understands the reasoning for removing the requirement for surgery before altering a record of a person's sex. We agree that surgical intervention carries risks, and our desire is always for the safety and wellbeing of children and young people.

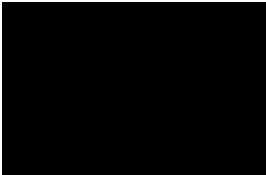
However ACS submits that, where schools operate wholly for students of a particular sex, they should have the ability to refuse applications based upon the birth sex of an applicant not being the sex for which the school operates. Similarly, where a student alters their sex during enrolment, any adjustments for the student will need to take into account that the school will still operate wholly for students of a particular sex (for example, the school may not have, and

should not be obliged to have, a uniform for the opposite sex). We accept that schools may be obliged to act reasonably in respect of the above (and in our experience, schools do seek to act reasonably and having regard to the best interests of their students). However, as the Bill is currently drafted, there does not seem to be any regard to these complexities.

We also note that the Bill omits section 28 of the *Anti-Discrimination Act 1991*. ACS submits that this section should be retained, in respect of sex workers being able to work with children. We note that section 28(1)(b) provides a sufficient limitation on the application of this exemption (specifically that the discrimination is reasonably necessary to protect the physical, psychological or emotional wellbeing of minors having regard to all the relevant circumstances of the case, including the person's actions).

We thank you for considering this submission.

Yours sincerely



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