



Speech by

**Mr R. QUINN**

**MEMBER FOR MERRIMAC**

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Hansard 4 March 1999

### **SCHOOL UNIFORM BILL**

**Mr QUINN:** I move—

"That the Bill be now read a second time."

The purpose of this Bill is to ensure that our 1,300 State school communities have the legal backing they need to develop and apply their own individual dress codes within an agreed framework, whether or not that involves the student uniform. It is worth noting that private schools already enjoy that discretion, and State schools deserve no less.

School uniforms have been the subject of ongoing debate and periodic dispute for many years. Successive Governments have been aware that a principal's authority in this respect is somewhat tenuous but have been reluctant to legislate in the absence of a pressing need. That need has now arisen as a result of the Ombudsman's 1997-98 annual report to this House.

Among other things, the Ombudsman concluded that principals did not have the authority to enforce school uniform policies and that the situation could only be remedied by legislation. He also stated that students who were reasonably dressed could not be punished or treated differently in any way for not wearing a uniform. In other words, they can wear anything they like within reason, providing it is not offensive or unsafe. That begs the question: who is to decide what is reasonable? Who is to decide what is offensive or unsafe? The potential for dispute is obvious.

Even schools which choose not to have a uniform still need to set minimum dress standards for students' safety and personal modesty. For example, they need the authority to determine minimum footwear, sun protection and skirt length requirements. They still need the authority to determine how much body metal is appropriate—how many studs and earrings, how many bangles and rings and how much make-up. The best way to do that is by formalising a dress code in consultation with the whole school community.

This Bill is not about making uniforms compulsory or setting unrealistic dress standards. It is about allowing our school communities to make their own democratic decisions, one way or the other. No community would have to adopt a school uniform code unless it wanted to, but this Bill would give those that do the legal authority to enforce their rules within sensible policy guidelines which take account of issues such as cultural diversity and financial hardship. The Bill does not propose—and the coalition does not support—heavy-handed compliance measures which would compromise students' fundamental right to a formal education.

We do not believe that students who are reasonably dressed should be excluded from their classes just because they are not in uniform, and nor do any of the peak groups with whom we have consulted. In fact, this Bill does not provide for any sanctions other than those which are to be agreed through proper consultation with our school communities and key education stakeholders. The coalition has consulted widely with parents, principals and teachers ever since the Ombudsman's report was tabled last year.

In recent weeks we have held a number of very positive and constructive meetings to discuss the specifics of this Bill. I take this opportunity to thank the Queensland Association of State School Principals, the Queensland Association of Special Education Administrators, the Queensland Secondary Principals Association, the Queensland Council of Parents and Citizens Associations and

the Queensland Teachers Union for their input and support. This Bill strongly reflects their valuable contribution.

It would provide a sound statutory basis for school dress codes and ensure that related issues such as decision-making processes, exemptions, sanctions and safeguards were addressed in subordinate legislation following further consultation with parents, teachers and principals. It would provide a firm foundation for our schools, Education Queensland and key stakeholders to develop a comprehensive framework which delivers practical solutions. I make no secret of the fact that the coalition is strongly in favour of school uniforms. We believe they offer many benefits in relation to school security and student safety, behaviour management and good discipline, personal pride and team spirit, and the promotion of egalitarian values. Those views are shared by the overwhelming majority of parents, teachers and principals.

Even so, the coalition believes that individual school communities are best placed to make these sorts of decisions and should be given the legal authority to do so, whatever choice they make. Failure to act on the Ombudsman's report would only invite further disputation and legal challenges. I do not believe that anyone wants to see students, parents and staff fighting out these issues in the playground or the courts.

The alternative strategy announced by the Minister for Education is not entirely without merit, but the coalition believes it fails to address the central issue of compliance. Even if the Minister has received legal opinion which conflicts with the Ombudsman's legal opinion, there is still room for dispute. Again, conflicting legal opinions can only serve to invite legal challenge. That is not in the best interests of our schools or students.

Both the Government and coalition strategies are based on a legislative approach to overcoming the issues raised by the Ombudsman. The difference is that the Government has decided to cobble together a couple of provisions in the existing legislation, whereas the coalition has opted for new, purpose-built legislation. This Bill is about removing any legal uncertainty arising from conflicting legal opinion. It is about filling the policy vacuum highlighted by the Ombudsman's report. And it is about restoring an acceptable level of certainty to students, parents, teachers and principals. I note that a number of Government members have expressed similar views since the Ombudsman's report was tabled last year, and I commend this Bill to the House.

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