



Attorney-General and Minister for Justice
Minister for Women and Minister for the Prevention of
Domestic and Family Violence

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Our ref: 572305/7; 6481647

08 DEC 2022

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to e-Petition 3778-22 tabled in the Legislative Assembly on 8 November 2022 titled *Remove queerphobic exemptions from Queensland anti-discrimination law*.

Petition 3778-22 draws the attention of the House to section 28 of the *Anti-Discrimination Act 1991* (the Act) that permits discrimination on the basis of lawful sexual activity or gender identity in relation to employment that involves the care or instruction of minors. The exception applies where it is considered 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.

The Palaszczuk Government is committed to ensuring our laws are modern, and effectively promote and protect equality.

I am pleased to advise the petitioners that on 2 December 2022, I introduced the Births, Deaths and Marriages Registration Bill 2022. This legislation, once in force, will repeal section 28 of the Act, removing this exception.

In addition, I note that the Queensland Human Rights Commission's (QHRC) recently undertook a review of the Act, to consider what reforms are needed to enhance our anti-discrimination framework.

The QHRC's review has culminated in the Building Belonging report, which makes 122 recommendations under 46 broad categories of reform to ensure Queensland's laws are effective in protecting people from discrimination and sexual harassment.

The report recommended that the exception at section 28 of the Act be repealed (recommendation 43.1).

The QHRC found that there was no justification to retain the exception because it is redundant, offensive and stigmatising, and may not be compatible with the *Human Rights Act 2019*.

(2)

I thank the petitioners for bringing their concerns to the attention of the House.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Shannon Fentiman', written in a cursive style.

Shannon Fentiman MP

Attorney-General and Minister for Justice

Minister for Women and Minister for the Prevention of Domestic and Family Violence

Member for Waterford