**18/665: Discrimination Amendment Bill 2018**

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| **Summary of Impacts** |
| * The proposed amendments would make religious conviction the only ground on which religious educational institutions may lawfully discriminate against their students and employees. This would provide greater protection from discrimination for the ACT community.
* The proposed amendments would improve access to education for children and young people in the ACT.
* The proposed amendments would remove the existing barriers for the LGBTIQ community in relation to employment and contracting with educational institutions.
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*Key to impacts: Red – negative, Blue - neutral and Green - positive.*

**Social**

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| **Community and individual health** | * LGBTIQ people in our community have a higher incidence of mental health issues such as anxiety and depression as a result of discrimination. LGBTIQ young people are at higher risk of suicide and self-harm.
* Providing greater protections for vulnerable students and for teachers/staff from discrimination in an educational context is important to reduce negative mental health outcomes relating to discrimination.
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| **Human rights** | * LGBTIQ students and teachers have the right to equality and should not be subject to unfavourable treatment because of their sexuality, gender identity or intersex status.
* Limiting the scope of exceptions for educational institutions to discriminate against students and employees will provide better protections for the equality rights of students and teaching staff.
* Further, children and young people have a right to the protection they require.
* These amendments do engage and limit the right to freedom of religion and the right of parents to choose a school for their children that conforms to their religious beliefs. However these limitations reasonable and proportionate and are consistent with section 28 of the Human Rights Act 2004 (ACT).
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| **Gender** | * These amendments will provide greater protection by removing exceptions allowing discrimination against those of an intersex status and those with varying gender identities, including transgender individuals and individuals who identity as being non-binary in gender.
* As the law stands, religious bodies may lawfully discriminate to avoid injury to the religious susceptibilities of their adherents on the grounds of gender identity and intersex status.
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| **Access to services** | * With a significantly reduced scope for lawful discrimination by religious educational institutions, students and their families may have expanded choice in terms of school education. LGBTIQ students who might have previously refrained from enrolling in religious educational institutions might now consider attending those institutions due to the greater protection against discrimination.
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| **Access to social networks and community activities** | * Educational institutions are also platforms for social interaction between students, parents, teachers and the broader community.
* Narrowing the scope for lawful discrimination by religious educational institutions would further inclusiveness for people of the LGBTIQ community.
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**Economic**

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| **Employment** | * The proposed amendments would remove most, if not all, existing barriers for people of or associated with the LGBTIQ community in relation to employment by educational institutions.
* The proposal may increase the LGBTIQ employment level in the private sector, especially in the education sector.
* With greater protection against discrimination by religious education institutions, prospective employees of LGBTIQ background may be more willing to work for those education institutions.
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| **Skills and Education** | * LGBTIQ identifying young people may, over time, become further engaged in their primary, secondary and indeed tertiary education.
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| **Investment and Economic Growth** | * This reform contributes to the ACT Government’s goal of making the ACT Australia’s most LGBTIQ welcoming and inclusive jurisdiction. The achievement of this goal will make the ACT a more attractive place to live and visit for members of the LGBTIQ community, creating various positive downstream economic impacts.
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**Environmental**

Nil impact