QIDAN

Queensland Independent Disability Advocacy Network

Submission to the Review of Queensland's Human Rights and Anti-Discrimination Framework

30 October 2026

Working together to achieve positive change for people with disability

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QIDAN recommendations

1. Replace all usage of ‘impairment’ in the ADA to 'disability', to ensure clarity, provide interjurisdictional consistency and remove gaps in protection.
2. Make the complaints process accessible to everyone, by:
    - ensuring information about rights and remedies is easy to find, understand and use, as per DRC Recommendation 4.14.
    - allowing complaints to be made in more ways, including verbally
    - providing more flexible options for resolving complaints
    - enforcing outcomes without placing further burden on people with disability.
3. Clarify the definition of public entity under the HRA to explicitly include private schools and organisations receiving public funding.
4. Close the gap in protections for intersectional discrimination by adding “a combination of two or more of any of the above attributes” under section 7 of the ADA and include “the meaning of discrimination on the basis of an attribute” under section 8 of the ADA.
5. Simplify the definitions of direct and indirect discrimination under the ADA to remove the hypothetical comparator and replace the reasonableness element of indirect discrimination with an exception for unjustifiable hardship, as per DRC Recommendations 4.23 and 4.24.
6. Shift the burden of proof from the person making the complaint to the person subject to the complaint, who then must prove their alleged conduct was not discriminatory, as per DRC Recommendation 4.23.
7. Implement a positive duty under the ADA as per DRC Recommendations 4.12 and 4.27, to be enforced by the QHRC under a staged approach:
    - Year 1: Education for duty holders
    - Year 2: Establishing the regulatory arm of the QHRC and enforcement of the duty
    - Year 3: Independent review and evaluation of the implementation.
8. Expand vilification protections to prohibit vilification on the additional ground of disability, as per DRC Recommendation 4.30

About QIDAN

The Queensland Independent Disability Advocacy Network (QIDAN) is a group of organisations funded under the Queensland Disability Advocacy Program to provide individual advocacy assistance to Queenslanders with disability. Our member organisations are Aged and Disability Advocacy; AMPARO Advocacy Inc; Capricorn Citizen Advocacy; Mackay Advocacy Inc; People with Disability Australia; Queensland Advocacy for Inclusion; Rights in Action; Speaking Up For You; TASC; and Yarn2Action run by Aged and Disability Advocacy. Our main role as advocates is to support and empower people with disability to understand and uphold their rights, to navigate complex systems and to respond to discriminatory actions. QIDAN members meet regularly to discuss the pressing issues impacting people with disability in our communities and disability discrimination is one of the most common underlying issues experienced by people we assist.

In the 2025-26 financial year, our advocates helped 50 people with disability with 72 discrimination complaints (an increase of 67% from 2024-25). Of these:

- 22% were for people with a physical disability
- 20% were for people with a psychosocial disability
- 18% were for people with autism
- 24% were for people with disability experiencing domestic, family and sexual violence (DFSV)
- 22% were for First Nations people with disability
- 16% were for people with disability from a culturally and linguistically diverse (CALD) background
- 8% were for LQBTQIA+SB people with disability
- 14% were for people with disability experiencing, or at risk of, homelessness.

In addition to supporting people to navigate complaints, we support people to navigate discriminatory systems such as education, housing, employment and health. In our experience, people with disability choose to focus on resolving the issue caused by the

discriminatory act or omission (e.g. student exclusion or suspension) and not initiate a complaint due to complex and lengthy processes.

The work of QIDAN is grounded in the Convention on the Rights of Persons with Disabilities (the CRPD), which provides a strong and aspirational model for the protection and advancement of the rights of people with disability.

Our response to this review is informed by our vision and experience and we hope that our insights can provide unique considerations on how we can work toward a more inclusive Queensland, free from discrimination and hate, where we celebrate human rights.

A note on language

Language is a powerful tool for building inclusion. We use person-first language by using the term 'people with disability' but recognise that many people with disability prefer identity first language (i.e. a disabled person). There are different acronyms used throughout this submission. We refer the *Human Rights Act 2019* (Qld) as the HRA, the *Anti-Discrimination Act 1991* (Qld) as the ADA, the Queensland Human Rights Commission as the QHRC and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability as the DRC.

Introduction

QIDAN welcomes the Queensland's Government's commitment to reviewing Queensland's human rights and anti-discrimination framework to ensure it is modern, practical and responsive to the needs of the community, including for people with disability. We commend the Review for its detailed consideration of recent reviews and consultations on state and federal human rights and anti-discrimination frameworks, as set out in the Discussion Paper.

QIDAN has participated in several of these recent consultations, including the federal *Disability Discrimination Act 1992* (2025), Queensland's Draft Anti-Discrimination Bill (2024), and Professor Harris Rimmer's review of the HRA (2024). QIDAN remains disappointed that the changes which were recommended to strengthen these frameworks, including for people with disability, have not yet been enacted despite extensive consultation and broad community support – particularly given the ongoing high numbers of complaints about disability discrimination.[1] Many of our recommendations in this submission relate to the changes to the ADA canvassed in Section C of the Discussion Paper, which have already been extensively consulted on through multiple parliamentary and QHRC inquiries and have been debated and passed by Queensland Parliament. Further consultation on these is unnecessary and unwarranted; Parliament simply needs to enact the amendments they have already passed into law.

We are also disheartened to see no consideration of the findings from the Disability Royal Commission into Violence, Abuse Neglect and Exploitation of People with Disability (the DRC) Final Report, given their relevance to this Review and their alignment with recommendations made by the previous consultations on human rights and anti-discrimination frameworks. The DRC was one of the largest public inquiries in Australia's history and heard from almost 10,000 people, including 4,500 people with disability, across Australia over 4 years of consultation. Of particular relevance is Volume 4 of the

[1] Queensland Human Rights Commission, 'Annual Report 2025-26', (2026) 23, https://www.qhrc.qld.gov.au/about-us/annual-reports.

DRC's Final Report and its recommendations aimed at strengthening disability discrimination laws and human rights protections through expanded vilification coverage, the introduction of a positive duty, and simplification of discrimination law and definitions. QIDAN strongly recommends the Review consider the recommendations it contains.

QIDAN notes that the preliminary views expressed in the Discussion Paper propose repealing certain sections of the HRA relating to the obligations of public entities and the operation of the HRA outside courts and tribunals. The HRA became fully operational in 2020 and its objectives are focussed not on legal causes of action but on building a culture of human rights. In QIDAN's view, this cannot be achieved in the six years since the Act's commencement and that therefore the benefits of the HRA in improving public sector decision-making and service delivery should be given more time to develop. Real caution must be exercised in considering repealing these provisions as they currently act as a safeguard against issues becoming matters for litigation by focusing on resolution at the local level. QIDAN's position is that obligations for public entities under the HRA should be strengthened, rather than repealed, for the legislation to be given the best chance of achieving its objects.

The language of the ADA must be clear and inclusive

The CRPD, ratified by Australia and referenced in the ADA preamble, creates a blueprint for a progressive social model of disability, defining discrimination on the basis of disability in terms of the interaction between a person's impairment and their environment. There is an important distinction to be made between the terminology "impairment" and "disability". Impairment attributes the focus of the limitations on the person and fails to acknowledge the importance of external barriers. In contrast, disability is used in the CRPD as an evolving concept, which recognises that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.[2] People with

[2] United Nations Convention on the Rights of Persons with Disability, Preamble, (e).

disability enrich our society by bringing diversity to our communities, however they become disabled because society is not built for them.

The Building Belonging report recommended updating the terminology of the ADA to refer to 'disability' rather than 'impairment'. This recommendation was based on feedback from disability advocates and communities, including QIDAN members, and would:

- align Queensland law with most other Australian jurisdictions including the Commonwealth Disability Discrimination Act, as noted by the Discussion Paper
- recognise that disadvantage results from the interaction between people with disability and the barriers which prevent their full and equal participation in society, rather than an inherent limitation or deficit of the person themselves
- be more inclusive of neurodiversity.

This recommendation was actioned in the Draft Anti-Discrimination Bill 2024 but abandoned in the Respect at Work reforms. The Review's preliminary position is that 'the gaps in protection identified in the Building Belonging Report have been filled or, to the extent any remain, are not significant'. QIDAN respectfully disagrees with this position. The proposed terminology update was in part aimed at closing the gap in protection for people using assistance animals and to remove any doubt that people with addiction are covered by this attribute. These gaps still remain.

In addition, these changes were intended to move away from deficit-based framing to one which recognises that barriers to participation are caused by attitudinal and environmental obstruction rather than an inherent limitation held by a person with disability themselves. In line with the Building Belonging Report and the Draft Anti-Discrimination Bill 2024, QIDAN supports replacing the term 'impairment' with 'disability', with a further suggestion to use the current definition of disability in the *Disability Inclusion Act 2024* (ACT).

The complaints process must be accessible for everyone

This section responds to questions A2, A4, A8, A18 and A29 of the Discussion Paper.

Ensuring information about rights and remedies is easy to find, understand and use

When supporting people through a complaint to the QHRC, QIDAN advocates often note that key barriers for people with disability include:

- the QHRC's website. It can be difficult to navigate, it does not explain the terminology used throughout the complaints process or provide clear information on the possible outcomes if a complaint is lodged.
- the lack of translated content. While the website content is available in some community languages via a live translate button, the complaint form is only available in English. This is particularly problematic for people with disability from culturally and linguistically diverse (CALD) backgrounds.
- inaccessible content. There is no easy read version available of either the complaint form or the web content, and no audio or visual formats.

While the cost of providing alternative formats for every piece of information may be a factor, it should not override the access needs of people seeking information about their rights. Accessing interpreters or an advocate to do this work is likely costing more resources over time than having alternative formats readily accessible. The DRC recommended public bodies be obligated to provide accessible information, and the measures the DRC itself took to provide accessible and trauma-informed access to their processes is a good example of best practice and an approach which centres the human rights of people with disability.[3]

Allowing complaints to be made in more ways, including verbally

Requiring complaints to be made in writing is prohibitive for some people with disability, people with low or limited English, and for children and young people. QIDAN advocates report that for some people they support, lodging a complaint would not be possible without an advocate or someone else to assist. This may be due to the inaccessibility of the process or because people prefer to focus on solving the issue with the duty holder, or both. Relatively high numbers of complaints from people with disability should therefore

[3] Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, 'Final Report – Volume 2, About the Royal Commission': https://disability.royalcommission.gov.au/publications/final-report.

not be seen as evidence that the process is accessible for everyone. This is supported by the Commission's own annual reporting which states that the rise '*may be attributed to an increase in generative artificial intelligence (AI) supported complaints and an increase in awareness raising activities*'.[4] Given the increase in racial discrimination complaints corresponds with a large increase in engagement and awareness activities undertaken with multicultural and First Nations communities by the Commission over the same time period[5], it seems possible AI is helping these communities lodge complaints which may not otherwise have been made. This aligns with the experience of QIDAN advocates who support CALD people with disability and the difficulty they have navigating the wordy and complex complaints form and online information. We caution that any measures to limit the use of AI must recognise that it is an accessibility tool for some people, and balance this need against concerns about its use. If attempts to limit the use of AI are to be made, addressing the complexity of the complaints process and form of complaint should be the first priority to avoid reinstituting barriers to justice for people who find it difficult to submit a complex written document.

Providing more flexible options for resolving complaints

QIDAN supports the changes to the complaints framework proposed in the Draft Anti-Discrimination Bill 2024 as mentioned in the Review's Discussion Paper, including:

- Reasonable help to reduce a complaint to writing: QIDAN strongly supports this measure as well as allowing complaints to be lodged in other formats, including verbally over the phone or in person. QIDAN also asserts this should be available on request without having to satisfy 'exceptional circumstances' criteria.
- Timeframe for complaints: QIDAN supports extending the timeframe to lodge a discrimination complaint from 1 year to 2 years. Our advocates report that people with disability and from CALD communities can be reluctant to lodge complaints against current service providers, fearing repercussions or withdrawal of existing

[4] Queensland Human Rights Commission 'Annual Report 2025-26' 19: https://www.qhrc.qld.gov.au/about-us/annual-reports

[5] Queensland Human Rights Commission 'Annual Report 2025-26' 63-64: https://www.qhrc.qld.gov.au/about-us/annual-reports

services. Allowing complaints to be lodged two years after poor treatment provides more time for potential complainants to find alternative providers if they are concerned about how a complaint would impact their service delivery.

- Power to make preliminary enquiries and expanding options for dispute resolution: Multiple reviews have recommended aligning the complaints framework under both Acts to make a more modern and flexible process which is responsive to individual needs and circumstances. Providing options for dispute resolution which go beyond a mandatory conciliation conference is a positive change and may help reduce the risk of re-traumatisation for complainants.

Aligning the complaints framework under both Acts and expanding the options available for resolving disputes would simplify the complaints process and make it easier to understand and use, especially for people with disability.

QIDAN supports retaining the requirement for a person making a complaint to the QHRC consenting before their complaint can be referred to another entity. We note the Review's preliminary view that this requirement may be overly burdensome and that the QHRC holds the necessary expertise to determine how complaints should be handled; however, due to the personal nature of complaint material we believe it is imperative that the person who has submitted it is consulted before it is shared with another entity to ensure their privacy and control of their own information.

Enforcing meaningful and accessible outcomes

For complaint outcomes to be meaningful, they need to be enforceable. While the ADA provides that an agreement reached at conciliation is enforceable as if it were a court order, the process for enforcing an agreement is difficult and relies on the complainant pursuing action through a court. There is little information provided about this process on the QHRC website and Queensland Civil and Administrative (QCAT)'s information is not easy to find or understand. One QIDAN advocate recently supported a person with disability through a complaint which was successfully conciliated, but the organisation complained about has not followed through on what they agreed to. The advocate reports

the process is very unclear and places the burden solely on the person making the complaint to pursue, rather than accountability and compliance being built into the system. In QIDAN's view, one solution to this would be to give the QHRC enforcement powers. This would enable the person making the complaint can simply notify the QHRC that the agreed actions have not been taken, through a phone call or an online form, and for the QHRC to then issue a compliance notice or similar. This would remove the burden from the individual making the complaint and strengthen accountability from the organisation subject of the complaint.

It must be clear to everyone who the Human Rights Act applies to

This section responds to questions B18 and B20 in the Discussion Paper.

The Discussion Paper notes concerns that there is some ambiguity about whether non-government service providers are public entities under the HRA. QIDAN supports clarifying the definition of "public entity" to ensure it is easy for organisations and for the community to understand who has obligations under the law.

Any organisation which provides services to the public on behalf of the state should have to act compatibly with human rights. This should include all private corporations and non-profit community organisations funded by the state to deliver services to the community. Receiving public funding should be the primary criteria for determining whether an organisation is a public entity, rather than one which 'may be considered'. QIDAN therefore strongly recommends that the HRA is amended to state this clearly.

Private schools are a good example of this. In QIDAN's view, private schools should be considered public entities under the HRA. Students and staff at private schools should have the same benefit of the protections of the law as their peers and colleagues in state schools. Education is a fundamental human right, protected by the HRA, and private schools have access to public funding and resources to provide education. In some circumstances families have no choice but to send their child to a private school, including those in rural and remote areas where boarding is a necessary option. Ensuring students' rights are protected in all education settings is an important aspect of providing equitable,

inclusive and quality education for all Queensland children and young people, and the protections of the HRA should apply equally no matter the educational setting.

The ADA must protect multiple and combined attributes

This section covers question C7 of the Discussion Paper.

As recognised by the CRPD, people with disability have intersecting layers of identity, of which disability is only one. In compliance with article 5 of the CRPD, section 7(4) of the *Respect at Work and Other Matters Amendment Act 2024* (RAW Act) amended the ADA to introduce a new attribute to prevent discrimination against a person based on a combination of two or more of any other attributes protected under the ADA. Section 8(2) provides that discrimination where a person has two or more attributes includes discrimination in relation to:

- Any of the attributes
- Two or more of the attributes
- The combined effect of two or more of the attributes.

Citing intersectional discrimination only, the Review states that it appears section 7(4) intends to operate as a "catch all" protection where a person's experience of discrimination does not nearly fit within two or more protected attributes. Further, the Review finds that the introduction of an undefined and uncertain new attribute (proposed section 7(4)) which would be defined by the particular facts of each individual matter, may be problematic. Contrary to the Review's interpretation, the explanatory notes to the *Respect at Work and Other Matters Amendment Bill 2024* make it clear that the addition of the new protected attribute captures both intersectional and cumulative discrimination.[6] This would protect against discrimination based on both a combination of attributes which interact with each other in a way that results in a distinct and specific form of discrimination, and on two or more distinct grounds respectively.[7] In our work we consistently hear from First Nations

[6] Explanatory Note, *Respect at Work and Other Matters Amendment Bill*, 7, https://www.legislation.qld.gov.au/view/pdf/bill.third.exp/bill-2024-024.
[7] Explanatory Note, *Respect at Work and Other Matters Amendment Bill*, 10, https://www.legislation.qld.gov.au/view/pdf/bill.third.exp/bill-2024-024.

people with disability who experience this layered discrimination in their daily lives, across services, public spaces and systems that are meant to provide support. For example, an Aboriginal woman with disability seeking healthcare, experiences her concerns being dismissed or minimised, with assumptions made about her capacity, communication and credibility. Cultural ways of communicating, decision making and the role of family and kin are often not recognised or respected. These interactions occur within systems that have historically excluded and disadvantaged First Nations people, meaning racism and ableism operate together creating unsafe environments, delaying care and contributing to poorer health outcomes over time due to their compounding impacts.

QIDAN's position is that the new attribute is critical for people with disability to clearly and adequately protect against the forms of discrimination experienced as a result of their intersecting layers of identity. While the Review appears to find section 8(2) relatively uncontroversial, it is important to highlight that this section provides further clarity on the type of complaints that can be made where discrimination has been experienced on the basis of two or more attributes. That is, it acts as an additional safeguard to ensure that the gap that currently exists under the ADA does not continue to deepen but is unequivocally resolved. For people with disability in particular, when the two proposed amendments are taken together, it makes the complaints framework under the ADA clearer and more accessible. QIDAN therefore strongly recommends that both of the proposed RAW Act amendments to the ADA are retained and commenced.

The tests for discrimination must be clear, simple and inclusive

This section covers questions C10 and C11 of the Discussion Paper.

In QIDAN's experience, the hypothetical comparator tests for discrimination are ambiguous and difficult to apply, especially for people with disability who have experienced intersectional discrimination or discrimination on the basis of multiple or combined attributes. For example, where a person with disability from a CALD background is experiencing discrimination, the current test would require proving that a person without the same disability and from a different race would have been treated 'more favourably' in

the exact same circumstances. The test becomes exponentially more difficult to prove when the discrimination has occurred because of the intersection of the two attributes, rather than 'disability' or 'race' alone.

As previously mentioned, the current inaccessible complaints process for people with disability is exacerbated by the existing tests for proving discrimination, resulting in unnecessary and added stress during an already stressful process. In our view, by shifting the onus back to the person subject to the complaint to prove that their conduct was not discriminatory offers a welcome level of reprieve for people with disability engaging in the complaints process, as proposed in the RAW Act. In addition, the new provisions provide clarity by introducing a general burden of proof that applies to both direct and indirect discrimination, rather than separate tests.

QIDAN therefore supports the new RAW definition of direct discrimination in the ADA and changing the current burden of proof to a shifting burden of proof for indirect and direct discrimination, both of which align with the DRC recommendation 4.23.

QIDAN commends the new RAW definition of 'indirect discrimination' for its removal of the comparator. Further to this, the reasonableness element should also be removed to make the test more objective and less subjective with what appears to be implicit excuses and defences for discriminatory actions. The DRC examined the reasonableness element of indirect discrimination; recommendation 4.24 of the Final Report recommended replacing it with a test based on unjustifiable hardship.[8] QIDAN therefore recommends the ADA provisions regarding indirect discrimination are further amended, to:

- define indirect discrimination as a requirement to comply with a condition or practice which disadvantages a person with an attribute
- remove the reasonableness element, and
- provide that unjustifiable hardship is the only exception or defence.

[8] Royal Commission into Violence, Abuse, Neglect and Exploitation, 'Final Report', vol 4, p. 304, https://disability.royalcommission.gov.au/system/files/2023-11/Final%20report%20-%20Volume%204%2C%20Realising%20the%20human%20rights%20of%20people%20with%20disability.pdf.

The time for the implementation of a positive duty is now

This section covers questions C12 and C13 of the Discussion Paper.

QIDAN welcomes the RAW amendments to establish a positive duty to eliminate discrimination and other objectionable conduct under the ADA. Shifting from Queensland's current reactive approach to discrimination towards a more proactive model is essential to the prevention and elimination of systemic barriers for people with disability.

As a result of the submissions and findings of previous reviews of both Australian and Queensland human rights and anti-discrimination frameworks, the Review is highly cognisant of the overwhelming benefits of the positive duty and the strong support for its implementation. Yet, it has expressed a preliminary view that implementation should be further delayed due to concerns about the regulatory model and burden of compliance.

QIDAN strongly urges the Review to consider the implementation of a positive duty under the ADA as a matter of priority and not delay it any further: if not now, then when?

QIDAN advocates spend a significant amount of time supporting people with navigate situations of discrimination and breach of their human rights, many of which could be avoided by the implementation of a positive duty. A common issue is education providers failing to implement reasonable adjustments for children or young people with disability, which often results in adverse behaviour, disengagement from learning and eventually exclusion. Queensland Advocacy for Inclusion, a QIDAN member organisation, leads the A Right to Learn Campaign, a coalition of community organisations and support services calling on the Queensland Government to make suspensions of children with disability a last resort. An independent economic analysis of school suspension commissioned by QAI for the campaign found that in 2023, the annual cost of suspensions was over $14 million for parents and carers and up to $10 million for the youth justice system.

These costs—which have undoubtably continued to rise—represent just one part of the current financial impact of our reactive anti-discrimination framework on families and communities. While QIDAN understands that there has been no cost benefit analysis for

implementation of the positive duty as proposed by the RAW amendments,[9] we do not believe that cost is a sound excuse to reasonably delay the implementation of a positive duty when the cost of not implementing the duty is far greater for people with disability experiencing discrimination.

In relation to responsibility for enforcing compliance with a positive duty, the Discussion Paper notes concerns about the QHRC "taking on a regulatory function with what was described as being 'quasi-judicial' investigation and enforcement powers".[10] In our view, the QHRC is the most qualified body to adopt the regulatory position and to give the enforcement function, ensuring the duty is implemented by those that are well experienced in disability rights and the handling of discrimination complaints. This point seems to be relatively uncontroversial when other bodies in Queensland, such as the Office of Fair Trading and Workplace Health and Safety Queensland, perform multiple functions including complaint handling and regulation.

Well-resourced and measured implementation is critical. To allow sufficient time for the QHRC to provide sufficient guidance and education for duty holders on compliance, and to themselves implement a regulatory arm with both investigative and enforcement powers, we recommend a staged implementation approach.

Learning from the experience of the AHRC,[11] we suggest the following timeline:

- Stage 1 - Education and prevention: While education and prevention will need to be ongoing to ensure compliance with the duty, the **first year** must focus on educating duty holders about how compliance will be met, relative to the size and resources of the duty holder. This should include issuing relevant guidelines, providing training opportunities and producing accessible resources with practical examples.
- Stage 2 - Enforcement and compliance: The **second year** must focus on establishing the regulatory arm of the QHRC which will be responsible for ensuring compliance

[9] Queensland Treasury, 'Impact Analysis Statement: Summary IAS', Respect at Work and Other Matters Amendment Bill (June 2024) 4, https://www.publications.qld.gov.au/dataset/djag-impact-analysis-statements-2024/resource/161508ca-ed18-4a2f-80d7-cb31b80aa6fc.

[10] Discussion paper, page 70

[11] Discussion paper, page 70

with the duty. As part of this, the complaint handling and regulatory functions must be clearly separated which may include an organisational re-structure and the separation of budget allocation to ensure adequate resourcing both arms.

- Stage 3 - Independent review: Within 12-months of establishing the regulatory arm of the QHRC (the **third year**), an independent review must be undertaken to evaluate the effectiveness of the implementation of the duty. This must include a public consultation process whereby duty holders, people who have made complaints and people subject of complaints can provide relevant feedback.

Vilification laws must protect people with disability in all public spaces

This section responds to questions C20, C21 and C23 in the Discussion Paper.

The extent of violence and abuse experienced by people with disability in public spaces was extensively documented by the DRC, with many witnesses at one public hearing explaining 'they have come to expect some form of abuse whenever they leave their homes'.[12] As the Review is aware, expanding vilification protections to people with disability was recommended by the Legal Affairs and Safety Committee inquiry (LASC inquiry) into serious vilification and hate crimes in 2021[13] and by the DRC in 2023.[14] The RAW amendments already passed by the Queensland Parliament have been extensively consulted on, would provide consistency with other jurisdictions, and are widely supported. These provisions must be retained and commenced with urgency.

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[12] Royal Commission into Violence, Abuse, Neglect and Exploitation, 'Final Report' Vol 3 (2023) 168: https://disability.royalcommission.gov.au/system/files/2023-11/Final%20report%20-%20Volume%204%2C%20Realising%20the%20human%20rights%20of%20people%20with%20disability.pdfhttps://disability.royalcommission.gov.au/system/files/2023-09/Final%20Report%20-%20Volume%203%2C%20Nature%20and%20Extent%20of%20Violence%2C%20abuse%2C%20neglect%20and%20exploitation.pdf

[13] Legal Affairs and Safety Committee, Queensland Parliament 'Inquiry into serious vilification and hate crimes' (2022) 4, Recommendation 4: https://www.parliament.qld.gov.au/Work-of-the-Assembly/Tabled-Papers/docs/5722t26/5722t26.pdf

[14] Royal Commission into Violence, Abuse, Neglect and Exploitation, 'Final Report' Vol 4 (2023) 32, Recommendation 4.30: https://disability.royalcommission.gov.au/system/files/2023-11/Final%20report%20-%20Volume%204%2C%20Realising%20the%20human%20rights%20of%20people%20with%20disability.pdf