

2 April 2025

Dear Sir/Madam,

The Mental Health Lived Experience Peak Qld (MHLEPQ), supports the Queensland Disability Peak and Representative Program, in their written statement expressing their concern regarding the Queensland Government's decision to delay the implementation of vital reforms to the state's anti-discrimination laws introduced by the Respect at Work and Other Matters Amendment Act 2024. We believe the delay of these reforms will have significant, negative impacts on Queenslanders with disability and mental health challenges.

These reforms are urgent and long awaited. Originally set to commence on 1 July 2025, the reforms were expected to deliver important legal protections for Queenslanders with disability and/or mental health challenges.

The reforms align with the recommendations of the 2020 Respect@Work Inquiry and the 2022 Queensland Human Rights Commission (QHRC) Building Belonging Report, which identified significant gaps in Queensland's legal framework that leave people with disability and mental ill health vulnerable to harassment and discrimination. Importantly, these reforms were thoroughly examined through exposure drafts, consultations, and feedback from a wide range of stakeholders.

The decision to defer these reforms undermines years of consultation, expert input, and advocacy from the disability and mental health community. It delays crucial protections that people with disability and mental health challenges have been calling for, and leaves employers and employees uncertain about their rights and obligations.

The Building Belonging Report specifically highlights implications of discrimination on a person's mental health and wellbeing. One of the most frequently reported impacts of discrimination and sexual harassment was the impact on a person's mental health and wellbeing, which ranged from temporary changes to mental health and wellbeing, to long-term trauma.

Experiences of discrimination can affect a person's identity, including through internalised self-stigma and the way a person views themselves and their community. It can also influence the way that a person perceives others, both within and outside their community.

LGBTQIA+ people also often face high levels of discrimination, prejudice, violence, abuse and judgement, significantly impacting mental health and wellbeing. This was again highlighted in the QMHC Trauma Strategy. Importantly, it is not only direct discrimination that causes significant harm to people's mental wellbeing, but indirect discriminatory acts targeted too commonly, are vulnerable members of our community.

At present, the complexity and impracticality of the test for indirect discrimination is a barrier to justice, particularly for groups who are most disadvantaged including those living with mental-ill health. The requirement to establish the evidence necessary to meet the current test is particularly challenging for people with a mental illness because: Mental illness occurs on a spectrum from mild to severe and can be episodic in nature and mental ill-health affects individuals in different ways in different circumstances. The social, economic and cultural determinants of mental health and AOD use, and suicidal distress are beyond the scope of the healthcare system alone.

By actively challenging myths and stereotypes about mental illness, mental ill-health, problematic alcohol and other drug use, suicide and suicidal distress, encourages early help-seeking and help-offering. By recognising the joint responsibility across tiers of government, public, private, primary and non-government sectors, industries, individuals and communities, it promotes wellbeing and maximises outcome.

We urge the State Government to promptly implement Queensland's anti-discrimination law reforms as originally planned for 1 July 2025.

Sincerely,



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Policy Director

Mental Health Lived Experience Peak Queensland

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