

SECOND READING SPEECH

Ms PENNICUIK (Southern Metropolitan Region) -- I move:

That this bill be now read a second time.

The Victorian Greens are committed to equality for Lesbian, Gay, Bisexual Transgender and Intersex people and to equality for women.

The Equal Opportunity Act 2010 includes exceptions in sections 82, 83 and 84 that allow religious organisations, schools and individuals to discriminate on the basis of a person's religious belief or activity, sex, sexual orientation, lawful sexual activity, marital status, parental status or gender identity.

The Greens have a long standing opposition to the religious exceptions that are found in Section 82(2), 83, and 84 of the Equal Opportunity Act and have moved to remove them in parliament before.

School Students

The case for removing these exceptions is as strong as ever, and it is same sex attracted, transgender and female school student school students who are most at risk because of these exceptions.

The practical effect of the exceptions is that school students may be denied enrolment at a religious school or could be expelled from a religious school for being same-sex attracted, transgender, or in the case of female students, pregnant or having a child whilst unmarried.

Students could also be excluded from school activities or otherwise treated unfavourably.

Such discrimination is out of step with values of the overwhelming majority of Victorians and is harmful to the wellbeing of school students

The exceptions mean same-sex attracted, transgender and female Victorian students who are attending religious schools:

- are greater risk of discrimination
- are unprotected by law should they be discriminated against
- are in a school environment where they may be forced to hide their sexuality or gender identity.

Research undertaken by the national LGBTI health alliance shows that LGBTI young people have higher rates of mental health issues and suicide, and discrimination and exclusion are the key causal factors.

Direct discrimination in the form of expulsion from school would exclude a student from their peers and wider school community and disrupt their education.

Notwithstanding discrimination, the threat of discrimination such as expulsion from school, is enough to cause harm to same-sex attracted or transgender young people by forcing them to hide their identity or risk discrimination.

A person's formative years, when they are developing their sexual and gender identity, is during their time at school.

For a young person, first identifying as same-sex attracted or transgender, can be a stressful and difficult period, where they feel at risk of rejection from family and peers.

The risk of discrimination at or expulsion from school adds further difficulty to this time and increases the risk harm

For a school student, pregnancy and motherhood can be a barrier to education, expulsion from school would add to this.

The current laws place an undue burden on students who can be discriminated against under sections 82(2), 83 and 84 of the Act.

The Equal Opportunity Amendment (Equality for Students) Bill 2016

The Equal Opportunity Amendment (Equality for Students) Bill 2016 focuses on students who attend religious schools.

I want to acknowledge Sam Hibbins MP, Victorian Greens LGBTI spokesperson for his work on this piece of legislation.

The aim of this bill is to protect students at religious schools from discrimination.

The bill creates a new section 84a in the Equal Opportunity Act that does not permit discrimination by a person or body that establishes, directs, controls, administers or is an educational institution against a student on the basis of the student's, sex, sexual orientation, lawful sexual activity, marital status, parental status or gender identity.

The bill ensures that exceptions in sections 82(2) 83(2) and 84 are subject to Section 84a.

This will have the practical effect of outlawing discrimination against school students on the basis of their sexuality or gender identity and female students on the basis of being pregnant and unmarried.

Conclusion

No school student should be expelled, refused enrolment or otherwise discriminated against and treated unfavourably because of their sexuality or gender identity.

No school student should be expelled, refused enrolment or otherwise discriminated against and treated unfavourably because they are pregnant or a parent.

Such actions are not in the best interests of students and out of step with Victorian values.

If you believe in these statements. You should support this bill.

All school students require full protection under the law.

I commend the bill to the house.