

Criminal Code (Serious Vilification and Hate Crimes) Amendment Bill 2023

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昆士蘭華人論壇

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Dear Legislative Assembly,

Queensland Chinese Forum (QCF) is writing to submit our views and recommendations in relation to the Criminal Code (Serious Vilification and Hate Crimes) and other Legislation Amendment Bill 2023.

Executive Summary: -

It is our submission that the proposed bill is necessary and a welcomed amendment. QCF however submit that the Bill should consider the following amendments: -

1. Define the terms “Hatred or serious contempt” under the new 52B of the Criminal Code Act
2. Prescribed offence should also include other offences in Chapter 29 of the Criminal Code Act.

Important amendments.

In preparation of this submission, QCF has identified the following issues of importance:-

1. Under the new 52B of the Criminal Code Act, the sections is only applicable if a judge found that the offender was wholly or partly motivated to commit the offence if there is a finding of hatred or serious contempt. However, the definition of hatred or serious contempt is not defined in the Act or anywhere. It is a concern if this new section will ever be applied if the judges apply a very high threshold in the interpretation. Such important terms if left open for the judge to interpret, it may risk the new piece of legislation ineffective in achieving the original legislation intent.
2. QCF also submits that s317, s319 s320, s320A, s322 and s323 of the Criminal Code Act should also consider to be include as the prescribed offence under the new legislation.

Conclusion and Future Committee Hearings

Upon discussion, QCF unanimously agree and submit that the new bill is necessary. We believe the new bill will deter and serve to educate the community. As the generation goes, multiculturalism is becoming the heart of Australia’s culture, values. Therefore, to further advance multiculturalism as our core values and to foster our next generations, it is critically important for our community to understand the law endorse the same values and the law will not tolerate any racism in the community. Finally, should the opportunity arise at the later committee hearings, QCF would like to have its representative to attend and present our findings and views on this upcoming reform as we strongly support the proposed reform and the causes behind.

Your Faithfully

Mr. Clement Sham, President – Queensland Chinese Forum