



Speech by

**SHAUN NELSON**

**MEMBER FOR TABLELANDS**

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Hansard 19 November 1998

**LEGISLATIVE STANDARDS AMENDMENT BILL**

**Mr NELSON** (Tablelands—ONP) (10.16 a.m.): I move—

"That the Bill be now read a second time."

Before I begin, let me say at the outset that my motive for introducing this amendment is sincere. I am committed to the concept of equal treatment, as far as practicable, under the law. I believe in the concept of the individual and the right to such things as life, liberty and the pursuit of happiness. I say that it is the solemn responsibility of the members of this House to ensure that equal treatment for all Queenslanders is enshrined in the legislation and the laws that we produce.

My amendment to the Legislative Standards Act 1992 is designed to ensure that all legislation drafted by the Parliamentary Counsel and, therefore, all legislation that enters this Parliament should treat everyone equally, regardless of their race, colour, creed or cultural background. Section 4(3)(j) presently reads—

"... has sufficient regard to Aboriginal tradition and Island custom."

While I appreciate certain aspects of Aboriginal custom and culture, it is certainly not superior to my culture, or any other culture for that matter, and this Parliament should not afford Aboriginal culture special treatment. To treat the Aboriginal culture as separate and in need of special treatment is perpetuating the already grossly overemphasised differences and further fuels division in our society.

**Government members** interjected.

**Mr NELSON:** They cannot handle the truth.

Under this amendment, item (j) of the Act will be replaced with—

"ensures everyone is equal before and under the law, regardless of race."

This will mean that all legislation should reflect this principle, and I defy any member of this House to refute the logic and nobility of the amendment.

I put it to members of this House that any Government that deviates from the doctrine of equality or any Government that produces laws which bestow special status or benefits to certain races and not others is courting with disaster. The catchcry of my generation should be "Equal Rights", not "Extra Rights". I further put it to all members that, if we in this place do not sincerely believe in the concept of equality of the races and do not reflect this belief in the legislation and laws that we produce, then we are doing our State and our country a great disservice. To enshrine the differences between cultures in this country will cause ongoing divisions, which will ultimately bring this nation to its knees.

It is a fact that, when a group in society has bestowed upon it by Government special recognition or special treatment, then resentment will grow among those who missed out. In doing this, we just go the other way. At one stage in history it was the Aboriginal people who were treated harshly by legislation. By going out of our way now to favour these people, we are alienating other people in the community.

I also find it a little patronising that this once proud people, who learned over countless generations to live in harmony with the harshest land on earth, is now beholden to a Government which classifies them as a single entity. The Government has decided that the entire Aboriginal race is in need of special treatment, regardless of their individual circumstances. As a result, the Aboriginal

people are now in many ways dependent on special treatment and incapable of doing things that other members of society are capable of without some form of help.

I put it to the House that any people who can live for so long under the tough extremes of our Australian climate has no need of our patronising and misguided attempts at fixing their problems. It is understandable and natural that people who are excluded by their Government feel resentment towards both their Government and those who receive extra legal rights based solely on their race or colour, but the pendulum has swung too far. It is foolish in the extreme for a Government to continue to provide a certain race or culture extra rights over the rest. To do so is to go too far in an attempt to correct the past.

I salute the attempt at rectifying the inequity, but I sincerely believe that we have exceeded the limit. We all know the dangers of overstepping the mark. If we wish to prosper in the future——

**Government members** interjected.

**Mr NELSON:** If members listened, they would learn. If we wish to prosper in the future, and if we wish to take advantage of and benefit from the tremendous wealth and opportunity that this great State and nation offer, then we must cultivate and encourage a strong identity, a strong work ethic and a strong sense of purpose.

Above all, we must push the concept of equality and make every citizen in this State believe that they are equal in every way to every other citizen and that their needs will be met because they are Australian, not because of their race. We cannot do this when one section of the community becomes polarised against the other. It is foolish in the extreme for this or any other Government to institutionalise the very discrimination and extra rights that I am talking about.

Economic change aside, I am sure that one of the reasons Australia did so well in the past is that it had a strong identity, a strong sense of pride and a national vision. We are still the wealthiest State in the wealthiest country in the world, and we can achieve great things for our country, our State and ourselves, but this cannot happen while this Government institutionalises the concept of apartheid in legislation.

I find it humbling that I can stand here in this House and echo the words of Nelson Mandela. While I was a student at high school, I watched a movie about another civil rights activist called Steve Biko. His struggle against apartheid and tragic death at the hands of its perpetrators is well documented, and the memory of the movie that was a moving tribute to his struggle is part of what fuels my stand here today.

If we in this Parliament are truly committed to the noble concept of equality and genuinely wish to ensure that all legislation produced in this House embraces that commitment, then we have no choice but to support this amendment to the Legislative Standards Act. I commend the Bill to the House and urge all members to reflect deeply upon the concept of equality in legislation and upon what we can do to make it a reality.

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