



Speech by

**Mr. R. CONNOR**

**MEMBER FOR NERANG**

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Hansard 9 November 1999

**PROPERTY LAW AMENDMENT BILL**

**Mr CONNOR** (Nerang—LP) (10.11 p.m.): I rise to speak on this debate in a bit of a quandary on the basis that in no way, shape or form do I want to be seen to be condoning a homosexual lifestyle. I do not want to be seen to be acknowledging it as an acceptable way of life. I do not want to be seen to be accepting it as a lifestyle that should be promoted. But at the same time, the fact remains that in 1990 Queensland legally recognised homosexuality. That legislation is there. It has not been repealed or revoked and, at law, homosexuality is recognised. I cannot change that; that is the law of Queensland. That being said, if that is the basis upon which Queensland legislation operates, then what we are talking about here is quite academic; that is, if homosexuals are recognised, to not then accept that they have property rights would be discriminatory. It is a natural progression.

I will take a couple of steps back to 1990 and look at the Liberal Party's position as it was back then. We acknowledged that the Liberal Party is a broad church and that a conscience vote on these types of issues was the Liberal Party's way. In other words, we would be liberal and understanding on issues of a moral nature. Some honourable members may recall that the Liberal Party allowed a conscience vote and that some members of the Liberal Party voted one way and some voted another. They voted according to their conscience. They voted on what they believed in.

There is nothing easier in Parliament than to toe the party line. It is very easy to hide behind a joint party position and simply say, "I had to vote that way because that was the party position." I have been going to Liberal Party State conventions now for many years, and at no stage that I can remember was there a resolution that said that the Liberal Party was opposed to property rights for certain sections of the community. I am not aware of any resolution of that sort moved by the Liberal Party. So Liberal members of Parliament have both the freedom and the heavy responsibility of having to decide this issue based on their conscience, based on their own personal beliefs.

That sort of situation does not occur often for a member of a parliamentary party. I know that the member for Gladstone and the member for Nicklin have had to go through this situation over and over again, and I commend them for the difficult circumstances in which they have to live in that each issue has had to be decided by themselves; they have had to take the responsibility and the potential political flak for their decisions.

The issue that we are deciding here today is one of the rare occasions when Liberal Party members are put in the same position as Independents. It would be very easy to toe the party line. But in this case, the Liberal Party does not have a party line and so one has to make one's own decision. I see this issue as fundamentally different from one that was dropped on us a couple of weeks back in relation to domestic violence. The Labor Party made it very easy for members of the Liberal Party in those circumstances because it did not introduce its amendment in sufficient time for it to be considered. So we could quite legitimately and reasonably oppose that amendment on a procedural basis. Quite simply, we did not have time to consider it. On that basis we could vote as a bloc purely on a procedural basis.

However, in this case we are dealing with an issue that has been on the table for sufficient time for it to be considered and for the implications to be reasonably clear in the minds of members of the Liberal Party—hence the conscience vote. I might remind the Parliament that in 1990 I voted against the homosexual law reform legislation. I exercised my right to a conscience vote and, at the time, I

decided based on my conscience. However, that was nine years ago and a lot of water has passed under the bridge since then.

I must admit that, even at that time, I did not have any major concerns with homosexuality per se. As far as I was concerned, what people did in their own bedrooms was their own business. What I was concerned about at the time—and possibly it was ill founded—was that homosexual law reform in Queensland would lead to the forceful annunciation and promotion of a homosexual lifestyle. That has not occurred. My fears, up to a point, were unfounded. I guess it is because of the natural conservatism of Queensland that this did not eventuate. That is the point I am making, that even back in 1990 it was not homosexuality per se that I was concerned about; it was the promotion of a homosexual lifestyle.

Based on that determination back then, I then posed the question: will non-discriminatory property rights in any way promote a homosexual lifestyle? In the scheme of things, extending property rights to homosexuals is nowhere near as groundbreaking as the legalisation of homosexuality. Yet, in a conservative State such as Queensland, this did not lead to a wholesale promotion of a homosexual lifestyle. So it seems highly unlikely that the minor recognition of non-discriminatory property rights is going to have anywhere near the impact of the 1990 changes. As I said before, the 1990 changes did not eventuate into anything like the outcomes that I feared. So these reforms, I believe, are highly unlikely to be significant.

But on the other hand, I do not want to be seen as making a value judgment of those who decide to vote against this aspect of the Bill because they have to come to a conclusion on whether they believe that this aspect of the Bill will have a negative or positive impact on society. If they believe that it is a negative and they are voting in the best interests of the community, so be it. While I may disagree with them, I wholeheartedly support their right to vote according to their conscience.

I guess it is a bit of a leap of faith and, I guess, a responsibility of the homosexual community to not use this additional concession as an acceptance of their lifestyle, because it is not. As I see it, it is simply a natural progression from the 1990 legislation. From my point of view, it is also a value judgment that it will not lead to the homosexual community indulging in excesses that will undermine the basic fabric of our society. As I said before, the much greater leap of faith in 1990 did not lead to that. So I am basing my judgment on that.

Members of this House will quite rightly quote Scriptures and other foundations for their decision to vote the other way, and they may be right. Only time will tell. But by the same token, members of the clergy have gone far further than I believe I am going, and that is accepting the legalisation of homosexuality. I think it is important that I reiterate that what I am saying is that the decision is a fait accompli, that homosexuality is legal in Queensland. That decision was made in 1990—nine or more years ago. That legislation has not been overturned nor have successive Governments even tried to overturn it. It has stood the test of time and different Governments.

We are not debating here whether or not homosexuality should be legalised; we are saying that, on the basis that it is legalised and if people are living in a legal relationship, they should have the same rights under property law as other members of the Queensland community who are equally living within the law. As I see it, it is a natural progression.

I have little doubt that certain parts of the media will see my decision to support this clause as, in effect, crossing the floor against the coalition. Nothing could be further from the truth. What I am doing here today is exercising a fundamental tenet of the Liberal Party philosophy, and that is the right to vote on conscience—a philosophy that drew me to the Liberal Party in the first place and possibly one of the greatest strengths of the Liberal Party. As I said before—John Howard's broad church. I have little doubt that some members of the media will decide to see this as a member of the coalition crossing the floor, but they will be wrong; they will be misleading their readers and they will be intellectually inept in their interpretation of what has gone on here.

What I am doing here today is probably not the wisest political move that I can make, but I accept that. It is much easier to go with the flow, keep one's head down and not get noticed. But at the same time, all of us have to live with our consciences. In this case, on the basis of a conscience vote for the Liberal Party, there is nothing to hide. As a member of the Liberal Party, on such issues as this one is to be counted on the basis of one's own personal beliefs.

I have a certain sympathy for the member for Bulimba, Pat Purcell, and his inability to follow his convictions and conscience in relation to prostitution law reform. Certainly he was in a position to make his feelings well known in the public arena, and I commend him for that, but at the end of the day he was locked into a party machine and a block vote that did not always reflect the conscience of the individuals involved. That, as I see it, is a weakness in the Labor Party. Many opposite may not agree. As I see it, it is a great strength of the Liberal Party—the ability to have people who have to face the repercussions of making a value judgment based on their conscience.

I believe that the Liberal Party is a proud institution. By the same token, I think the Labor Party is, too. It has its folklore, its heritage, its philosophies, its policies and its positions. While they are

occasionally in conflict with ours, for the majority of the time they are the same. It would be a sad world and a poorer Queensland if we only had one point of view, only one party and only one philosophy.

In Queensland, and Australia, our robust democratic systems allow us to have competing political philosophies and I believe Australia is much stronger, safer and more secure as a result. One has merely to have a look at many other parts of the world and see how they have faced many of their problems. Often their systems have collapsed. Australia's and Queensland's political system is robust. It has stood the test of time. All of us here, on both sides of the House, and the general public, benefit greatly as a result. Political stability and the ability to resolve our differences in debate in this House is the fundamental foundation of our system. All of us, and our children and our children's children benefit accordingly.

We live in a great State. We live a lifestyle second to none. On this occasion, because of my conscience and my ability and right to be able to do so, I will be supporting the Bill.

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