



Speech by

Miss FIONA SIMPSON

MEMBER FOR MAROOCHYDORE

Hansard 30 May 2001

ANTI-DISCRIMINATION AMENDMENT BILL

Miss SIMPSON (Maroochydore—NPA) (4.30 p.m.): Will those of us who oppose this bill because of our concerns about its poor and vague drafting, and thus its possible misuse, find ourselves called racist or intolerant of other religions? I have already heard members on the other side make those accusations. As someone who holds an Asian language major, I find those suggestions offensive and untrue. I have lived in Japan, and some of my closest friends have Japanese, Chinese and other multicultural backgrounds.

Those expressions of moral outrage from Labor members only further highlight the core of my concern, which is how trigger-happy some people are in accusing others of religious and racial intolerance. This legislation applies not just to the worst offences; it potentially applies to far lesser grievances. It appears that some members have not read the legislation. It states—

A person must not, by a public act, incite hatred towards, serious contempt for or severe ridicule of a person or group of persons on the ground of the race or religion of the person or members of the group.

I note the words 'severe ridicule of'. Given the frequency with which people ridicule each other in this place, I imagine that some of our comments would easily be captured by this legislation if someone read into them a religious or racial content.

What on earth is the government trying to legislate here? This is vague language. This legislation captures something far wider than inciting hatred through a public act—something that is more easily definable. What we see here—and the Scrutiny of Legislation Committee has warned us about this—is a tool which goes far wider than the Premier stated in his intent prior to the election.

If it were the case that this bill was only targeting the most serious type of racial hatred, where there is a definable criminal offence, why are there exemptions for actions taken for an artistic, scientific or research purpose? If there is nothing to fear, why are those exemptions included in the legislation? If this were a reasonable bill that did not have unintended consequences on those who will be captured by it, why has the government exempted these people and not others? That goes to the crux of the matter. This bill captures something far wider than the Premier's stated intent.

I believe that no member of this place is, at heart, racially or religiously intolerant. What we do see, though, is a difference in approach in the way we believe these issues should be addressed. As I have already outlined, I find it offensive that those on the other side accuse us of being racially or religiously intolerant because we believe that this bill casts a wider net than the stated intent.

The reality is that some people will take offence—and serious offence—to things which others do not realise impinge upon some tenet of their religious or racial background. It may be totally unintended. It is an offence to evangelise in some religions. In some countries not that far from here, people are sitting in jail because they have tried to evangelise another religious perspective. The reality is that some people find simply talking about other religions highly offensive. At what point does somebody construe it as severely ridiculing their faith by proposing another?

This is the problem we have with the vagaries of language. People will apply this legislation far more widely than the Premier intends. For example, I have received a petition concerning the inhumane abuses against women in a particular country. In that country, those human rights violations—the beatings and the restrictions upon those women—are based upon religion. Yet in the

context of this legislation, some people would say it would be severely ridiculing that religion if I were to raise that issue and publish those facts. This is the concern I have. In some cases people will take offence at certain issues being placed on the public agenda. This legislation can potentially go far further than the Premier's intent of preventing racial and religious hatred.

I once again draw the attention of government members to section 124A, because I think that this House has been misled by the statements of some members. It is clear that there are real and genuine concerns held by reasonable people in the community that they may be captured unintentionally by this bill when they are not racially or religiously intolerant. There is now this new tool to pursue them through the Anti-Discrimination Commission.

Mr DEPUTY SPEAKER (Mr Poole): Order! There are too many members having conversations around the chamber. Members who are not listening to the debate should leave.

Miss SIMPSON: I support the private member's bill that my colleague the member for Southern Downs has tabled in this place. With the government continuing to put its legislation ahead of private members' legislation, it is unfortunate that that bill has not come on for debate, because I believe it is a far more targeted and clearly defined bill which goes to the heart of those problems where there is an act of racial or religious violence that can be defined. My colleague's legislation provides for clear rules of evidence that can be attached to those actions so that they can be prosecuted through the appropriate channels. We recognise that some people engage in abhorrent activities, but there must be very clearly defined legal tools to address those issues rather than the vagueness of this legislation, which has the potential to impact on a wider range of activities than those which the Premier outlined in his speech.
