



Speech by

Mr T. MALONE

MEMBER FOR MIRANI

Hansard 30 May 2001

RACIAL AND RELIGIOUS OFFENCES BILL

Mr MALONE (Mirani—NPA) (12.02 a.m.): It is a shame that we have to speak on this bill at this late hour. As of this morning we were scheduled to debate government business, and suddenly at—

Mr DEPUTY SPEAKER: Order! I bring to the attention of the House standing order 141, which refers to debates becoming tedious and repetitious. I have been extremely tolerant, because it is part of my nature, unfortunately. In fact, I have been too tolerant. I would like a member to speak to the bill shortly, otherwise my tolerance will wear out very quickly.

Mr MALONE: I am very sorry. I was leading into my discussion of the bill, and I had to make these comments to start off with. As I said, it is disappointing that at this late hour we are discussing such an important bill. It is a private member's bill. This is the only chance the opposition has to put bills before the parliament, and they are rushed through without any consideration at all for the opposition.

The bill that the member for Southern Downs has put before the parliament is a very important one. It reflects the way in which Australians deal with a conflict of interest. This bill provides that, for there to be an offence, an unacceptable action or behaviour must in fact take place. That is in contrast to the anti-discrimination bill which was passed through the parliament earlier today. We saw many government backbenchers put their hands on their hearts and have tears in their eyes while promising that people cannot be charged for making a comment as they walk down the street. However, I believe that under the government's legislation we may reach the scenario of thought police, where someone's comment can actually be used against them. This bill at least gives some comfort in that there has to be a physical action before a matter can be brought before a court. Of course, this is the way in which Australians deal with conflict.

It is a shame—and certainly, from my point of view, it is strange—that we have to bring this bill before the House. Unfortunately, we are in an era of litigation where people bring cases before the courts over what happens to them personally. In the good old days you offered to have it out behind the chook house and sort it out properly. At least the bill before the House provides that something has to happen before a person can be charged with an offence.

Along with many other members, I have travelled overseas and talked to people who live in other countries. They always have a very high opinion of life in Australia. It is always good to get back on Australian soil to experience the freedoms that we enjoy. People from all over the world have come onto Australian soil and taken on board the easy living, give everybody a fair go sort of attitude that we have here. It is unfortunate, as I said earlier, that we now have to have laws in this country that make it an offence for a person to say something that may reflect on somebody's religion or race. It is the Australian way to make fun of ourselves. Quite often the Irish joke, the blonde joke or whatever is part and parcel of the party.

Mr Lawlor: What about National Party jokes?

Mr MALONE: We can have National Party jokes; we can have Labor Party jokes. They are all a bloody joke as far as I am concerned. The fact of the matter is that we now have laws in this country that make it an offence to say something. The bill we debated in the House today is even more stringent in the fact that a person can be charged with doing something that does not constitute an assault—something intangible.

As I said, I find it very difficult to come to terms with what has happened today and the way in which it all came about. At a very late hour, we are debating a very important bill. I compliment the member for Southern Downs for having the guts to put together this bill and make sure that it is debated in the House, because it really is a very important piece of legislation.

As I said earlier, Australians are unique in the world. We believe in a fair go, the opportunity to say what we think. Being able to say what we think means that we should be able to say whatever we think. It seems almost unbelievable that we now have laws which provide that, at certain times, we are not able to say what we think. From time to time, there are cases where people do step over the line a little bit. In times past we were able to deal with that. Unfortunately, those times seem to have passed.

It is unbelievable that we are in this situation tonight. I am probably getting away from the debate a little bit, but the fact of the matter remains that we are being forced as an opposition to debate this legislation with only 10 minutes being allocated to each speaker. We have been forced into this position when, earlier in the night, we believed that this bill was not going to come on. It is really harking back to the days in the last parliament where we saw very important debates—such as the dairy industry debate and the sugar industry debate—gagged in this parliament. It seems to me that we are going down that track.

I warn the government that in my electorate and a lot of other electorates around this state, people would not look very kindly on what is happening tonight and what has happened in the past. I think we are returning to a position where the government, because of its 66-seat majority, is feeling very confident about the way in which it can run this place. With an effective media, I do not believe that the government can get away with that for too long. I believe that sooner or later it will be brought to heel. Unfortunately, so soon in its term, it seems that somehow or other the government has lost the plot.

Mr Terry Sullivan interjected.

Mr MALONE: We are getting a comment from a guy who got up today and just about lost his nerve. I cannot believe that this guy has the gall to interject on me. The issue that he raised today was unbelievable. I will leave it at that. I support the bill.
