



Speech by

Mr R. QUINN

MEMBER FOR ROBINA

Hansard 28 November 2002

DISCRIMINATION LAW AMENDMENT BILL

Mr QUINN (Robina—Lib) (12.14 a.m.): I rise in support of the Discrimination Law Amendment Bill 2002. In doing so, I acknowledge that some provisions of this bill have caused concern in some sectors of the community. Representations—indeed very forceful representations—have been made to me by many groups unhappy with the bill. However, I am also very mindful of the proud and indeed unequalled tradition of support for individuals and individual rights that lies at the core of Liberal Party philosophy. True Liberals believe firmly in the values of tolerance and acceptance. It is our nature to take people as we find them, not prejudge according to stereotypes or arcane preconceptions.

I want to make it clear that I do not support any hidden agenda that this government may have to weaken the traditional role of the family in Queensland society. Hopefully, the insertion of the preamble contained in the Attorney-General's amendments will give comfort to those who believe that that is the intent of this bill. This bill is fundamentally about removing discrimination from Queensland communities. That is an aim which I support.

The first object of this bill as outlined in the explanatory notes is to ensure that the rights of de facto partners are equivalent to the rights of those who are married. It is a simple fact that in modern Queensland there has been a considerable increase in the number of people choosing to live in a de facto relationship. This is about supporting the people involved in de facto relationships. It has nothing to do with taking away the rights from people in other traditional partnerships. Amongst other things, this bill permits the Public Trustee to deal with a de facto partner and permits state government pensions to be paid to a de facto following the death of one partner. These are simple matters designed to protect the dignity of those Queenslanders who wish to be in a de facto relationship. This section of the bill gives equal recognition to all Queenslanders who are in longstanding relationships and, accordingly, has the support of the Liberal Party.

The most contentious aspect of the bill before the House is undoubtedly the amendments that will be made to the Anti-Discrimination Act. This has attracted a great deal of public comment in the media and talkback radio. A number of independent schools and various religious groups have been particularly vehement in their opposition to these changes. This has resulted from the total absence of community consultation prior to the bill being introduced into the House. Only after publicity alerted the public to the issues contained in the bill did the government embark upon an expansive advertising campaign last weekend to convince the public about the fairness of the bill. It is understandable that the religious bodies reacted as they did.

This morning we had a motion in the House designed to postpone the debate on the bill for another four or five days. I supported that motion on the basis that in my view the consultation process prior to the bill being introduced into the House was absolutely appalling. That did not, as I said and I will say now, detract from my support of the legislation. I firmly believe that the government did not allow a fair and reasonable time in terms of consulting with the community prior to the introduction of the legislation into the House. However, I am satisfied that the religious bodies have reached an agreement with the government on a number of amendments to this legislation, and I note the commitment given by the Premier and the Attorney-General in terms of the consultation process with the religious bodies in the last couple of days and the agreed position reached between the government and those bodies.

The legislation and the amendments will indeed mean that independent schools will not lose their right to insist upon the teaching of church doctrine within their schools and they certainly will not lose the right to discipline or fire any person who categorically refuses to teach and conduct themselves in a manner consistent with the religion associated with their occupation. Despite many claims to the contrary, at the end of the day independent schools will not lose one iota of control over the precepts of faith taught within their community's school.

The bill, along with the Attorney-General's amendments, still allows religious organisations to discriminate against employees but within defined circumstances in line with the religious nature of the church-run organisation. Importantly, this removes the blanket discrimination the churches enjoyed before and narrows it down to a very defined set of circumstances that affect the running of and values taught at a school. That is an important consideration and an important concession by the churches and religious organisations and also an important concession by those gay and other groups affected by the narrowing down of the legislation. Whilst possibly neither side will be entirely happy, I think it is an important median point to reach where both sides have a clearer understanding of the legislation and the discrimination that can occur when certain commitments are not met by those employees within the schools or the organisations run by religious bodies.

This bill is not about taking rights away from religious groups; it is about trying to give equal rights to all Queenslanders. There are other important aspects of this bill which have not been widely publicised. This bill extends protection to members of extended families by ensuring that people may fulfil their family obligations without discrimination. This brings the Anti-Discrimination Act into line with existing legislation such as the Industrial Relations Act.

The Liberal Party supports this bill which has been brought forward by the government. We will be supporting the amendments proposed by the Attorney-General as I believe they address the issues raised by the various religious bodies. As Liberals we remain proud of our historic tradition of extending tolerance to all members of the Queensland community. That spirit of tolerance is the hallmark of a modern civilised society. I commend the bill to the House.