



Speech by

JEFF SEENEY

MEMBER FOR CALLIDE

Hansard 28 November 2002

DISCRIMINATION LAW AMENDMENT BILL

Mr SEENEY (Callide—NPA) (11.44 a.m.): I rise to second the amendment moved by the member for Beaudesert. I urge every member in this House to give it some consideration and to give it support. Even the vocal cheer squad on the Labor backbench would have to concede that the proposition the member for Beaudesert has put forward is fair and reasonable in the circumstances.

Let us look at the circumstances this parliament faces. We have a piece of legislation that has caused considerable consternation in the community. In every electorate this piece of legislation has caused debate and consternation amongst our constituents. I know without asking that every member in this House has correspondence received from people who are diametrically opposed to elements of this legislation and from people who are supportive of this legislation. I certainly have. I would be shocked if there was one member in this House who does not have the volume of correspondence that I have. It is a piece of legislation that has caused a great degree of controversy and it is only fair that the people who are concerned about the legislation get to consider the changes being proposed to it before it is introduced into this House.

This legislation has been on the list for quite some time. There have been meetings all week, obviously aimed at achieving some sort of a major amendment to this legislation that will allow the government to pass the legislation without incurring the criticism of groups within the community about whose opinion it is concerned.

I know that as late as last night there was a special caucus meeting to arrive at a major amendment to this legislation that will supposedly address some of the public concerns that have been quite rightly, quite freely and quite properly expressed in the democratic society that we enjoy. But we do not know what those amendments will be. Those of us here in the parliament do not know what those amendments will be. We know that they will be major amendments.

The member for Ashgrove quite stupidly talked about the fact that we do not have time to consider every amendment. Of course we do not, and nor should we. But when there is a piece of legislation that is subject to a major amendment, especially when that piece of legislation is controversial and has caused the degree of community concern that this one has, of course this parliament should be aware of what that amendment is. This parliament should have time to consider what that amendment entails and all of the effects that amendment may have.

Mr FOURAS: Mr Speaker, I rise to a point of order. The member for Callide misrepresented my position. I said that I could explain the amendment to him in 30 seconds. Even he would have the IQ to understand that amendment. That is all that is required.

Mr SPEAKER: There is no point of order.

Mr SEENEY: This parliament should have the right to examine the proposed amendments in some detail and consider the full implications of the amendments obviously drawn up following the meetings that have been happening all week. More importantly, the people we represent should have that right. The people we represent, the people who have written to all of us—they have written to every one of us—should have the right to consider those amendments and express their opinions to their elected representatives. That is what we are here for. That is the job members of parliament get paid for.

Members of parliament do not get paid to come in here and blindly and obediently follow the directions issued to them from the people who carry out these negotiations on their behalf. They get paid to come in here and represent the interests and the opinions of the people who elect them. They are paid to come in here and represent the positions of their constituents. People in our constituencies do not even know what the proposals are and certainly have not had a chance to consider them and express an opinion about whether they address the concerns people have expressed to us in the couple of weeks since this piece of legislation was introduced into this parliament in a very sneaky and underhanded way by the Attorney-General. He came in here and did not even mention the contentious parts.

Mr SPEAKER: Order! You will not talk to the bill. You will talk to the amendment.

Mr SEENEY: The question to ask when we consider the amendment that has been moved by the member for Beaudesert is: why not? Why should this House not carry this amendment and delay this debate until next Tuesday? What is the downside? What is going to happen between now and next Tuesday that is going to make the passage of this legislation so critically important? We have to wonder.

Mr Springborg: Maybe the public will expose them.

Mr SEENEY: As the member for Southern Downs says, the public might come to understand that the amendments that have been negotiated do not fulfil or do not satisfy the genuine concerns that they have expressed.

Every member in this House, before they vote on the motion that was moved by the member for Beaudesert which I am seconding, should ask themselves that simple question. Why not? Why should we not do this? Why should we not delay this debate until next Tuesday—five days? There is plenty of other legislation for this parliament to consider between now and then. It is quite reasonable to suggest that this legislation be delayed for five days to allow not only us to consider it but also all the interest groups to consider it and for us to do our job as elected representatives to make sure that the people whom we represent, as well as we are able, can have access to information about what is being proposed in this parliament. There is absolutely no reason not to do that.

We have to wonder why the government is intent, as it obviously is, on denying this parliament the right to consider this legislation properly. We have to wonder why this government, which talks endlessly about consultation, engaging the community and all of those other meaningless clichés—a government that engages in all of that rhetoric—is so intent on denying the community the right to look at the amendments that have been negotiated behind closed doors before they are passed into law.

It would be bad enough to see this done with legislation that was not of community concern. But we all know that this legislation, more than any other for quite some time, has probably caused a degree of concern and angst among the people whom we represent. For that reason more than any other, this parliament should be very aware of the need to make sure that the processes of this parliament are observed, and are observed correctly.

Mr Lawlor interjected.

Mr SEENEY: It is obvious from the interjections from the Labor backbench that the motion that quite rightly was moved by the member for Beaudesert is not going to receive the consideration that it deserves. That is a shame, because members such as the member for Southport represent constituencies that are as concerned about the passage of this legislation as is any member of this House. The motion that was moved by the member for Beaudesert is simply aimed at allowing those concerns to be addressed.

This debate on the amendment moved to the motion is not about whether the legislation is right or wrong; it is not about whether the deal that has been done—the negotiations that have been had—has produced a position that is acceptable or is not acceptable. It is not about those things. It is not about whether or not the member for Southport is going to support the legislation. It is not about whether I am going to support the legislation. It is about whether every member of this House is going to support the right of their constituents to understand what is being proposed before it is voted into law by this House. That is what it is about.

If there were ever a time when members such as the member for Southport should grow a backbone and vote on behalf of their constituencies, it is now. If there were ever a time when members such as the member for Southport should find within themselves the courage to defy the discipline of the caucus and the party whips, then it is now. Before they vote against this motion that was moved by the member for Beaudesert, the member for Southport and every other member on the Labor backbench need to consider very carefully how it is going to be seen in the communities that they represent.

The suggestion is that the passage of this legislation be delayed for five days so that members such as the member for Southport can understand what is being proposed. I hasten to guess that the

member for Southport probably does not even know what is being proposed. If he does, then he has the opportunity now to stand up in this House and explain it to us, or at least tell us that he understands what is being proposed. The suggestion that the passage of this legislation be delayed for five days is more than reasonable. I contend that, to be fair, the passage of this legislation could well have been delayed a lot longer than that. But we have suggested a very reasonable period of five days—to be delayed until next Tuesday. What is the rush? Why not support this motion that was moved by the member for Beaudesert and allow a proper examination of what this amendment will mean before it is passed into law?

The other issue that I would like to raise relates to the Scrutiny of Legislation Committee. A lot of people make a lot of statements about the importance of the committee system in this parliament. The Scrutiny of Legislation Committee plays an important role, if it is allowed to carry out that role in the way in which it should. I represent the opposition on the Scrutiny of Legislation Committee. It concerns me that on a large number of occasions the Scrutiny of Legislation Committee is not able to play the role that it should in a parliament such as this. It is not able to do that because time after time after time ministers come into this place with large volumes of amendments to legislation that quite often have very little to do with the original thrust of the legislation. There has been a number of examples of ministers coming into this place with volumes of amendments that had almost nothing to do with the original legislation. Those amendments are forced through here as amendments to legislation that is being debated simply to avoid the normal processes of the House.

That is what is happening here. It is bad enough that that type of process is allowed to happen with legislation that is run of the mill, is not disputed, is not contentious and certainly has not generated angst, anger and concern among the general public. To suggest that that sort of process is going to be followed by a government in relation to legislation that has caused a degree of quite understandable concern in every community right across Queensland is an affront to this parliament. It is also an affront to the Scrutiny of Legislation Committee and the whole committee system that the government is going to try to do that with legislation as controversial as this.

The Scrutiny of Legislation Committee considered this legislation in its meeting on Monday. But even then we knew that there was going to be a deal negotiated and that there were going to be extensive amendments negotiated to that legislation before it came into the House. So the consideration by the committee was somewhat curtailed, as would be expected, because we knew, as every other member knew, that the legislation as it was introduced into the House by the Attorney-General was most probably going to be amended considerably.

According to all the reports, it seems that we have reached a negotiated position where the legislation that was introduced into the House by the Attorney-General is going to be presented to the House for debate in a very amended way. Therefore, the right and proper course of action is to support the motion that was moved by the member for Beaudesert and delay the debate on this legislation for five days to allow the Scrutiny of Legislation Committee to consider the legislation in the form in which it is going to be debated in the House.

Anybody who has an ounce of respect for the committee system of this parliament—anybody who really believes in some of the rhetoric about the importance of the committee system in this parliament—will support the motion that was moved by the member for Beaudesert, because it will allow the Scrutiny of Legislation Committee to scrutinise the legislation, as it should. I would certainly be interested in hearing in the course of this debate from the chairman of the Scrutiny of Legislation Committee and the other government members who sit on that committee and who have passionately defended its role on numerous occasions. I would be interested to hear how they will reconcile their views about the importance of the committee system with the caucus discipline that will obviously be enforced here today. The way that the members of the Scrutiny of Legislation Committee vote on this motion moved by the member for Beaudesert will in a very large way determine the relevance of the Scrutiny of Legislation Committee in the future. It will determine how much integrity that committee is seen to have. If the government destroys that relevance and integrity now, it will be destroyed forever. It is not something that we can have just when we want it and then not have when we do not want it. We cannot have a committee system which is convenient for the government's own purposes. The way that the members of the Scrutiny of Legislation Committee vote will be a test of the future relevance of that committee.

I have much pleasure in seconding the amendment moved by the member for Beaudesert. It is a sensible suggestion as this parliament considers a piece of legislation that probably always would have been contentious. There is no doubt that it would always have been contentious. It is contentious not only in the general community. If we all were honest, we would admit that it is probably contentious within the political parties to which we all belong. There are differing views held in whatever group of people we assemble with about this legislation and the elements that it entails. There are very differing views in whatever group of people in whatever political party. I hasten to suggest that probably within the Independents there are differing views about the elements of this legislation. There are very

differing views within the community. I know that there are very differing views among the Labor Party, as we would expect.

This legislation is of a type that will always divide people. It will always be the subject of passionate debate because it addresses issues held very passionately, strongly and personally by every individual who thinks about these issues. So it is that this parliament should be very careful about the passage of this legislation. There is no doubt that the legislation will be debated at length in this parliament, but before every member in this parliament stands up to make a contribution to that debate they should be very much aware of what the legislation entails in its amended form. They should be very much aware of what it is that has been negotiated. They should be very much aware of the opinions, feelings and positions of the people they represent in their individual electorates and communities. Five days is hardly enough time to allow that to happen, but it is certainly a big improvement on five minutes. It is certainly a big improvement on negotiating a deal last night and debating the legislation in the House this morning. That is what the government has done.

The government negotiated a deal last night in an emergency caucus meeting during the dinner break and somehow got all the ducks in a row. Then this morning the legislation was brought on for debate in this parliament. If the members of the Labor caucus know what is in the amendments that have been negotiated, they are one step ahead of the rest of the members in this parliament and they are a long way ahead of the members of the general public who have expressed concern. Finally, I emphasise what I said before. Before any member of this House votes on the motion moved by the member for Beaudesert, they should ask themselves within the privacy of their own conscience: why not do this?