



Speech by

**Hon. J. FOURAS**

**MEMBER FOR ASHGROVE**

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Hansard 28 November 2002

### **DISCRIMINATION LAW AMENDMENT BILL**

**Hon. J. FOURAS** (Ashgrove—ALP) (5.09 p.m.): I commend the member for Moggill, my friend David, for the courage he has shown and the forthright way in which he has expressed his views in the chamber today. Today the Leader of the Opposition talked about courage, yet he spent the morning wasting the parliament's time in an act of absolute cowardice. He was trying to delay the inevitability of expressing his views in the House about this piece of legislation, which has lain on the table for 22 days.

I remember during the 48th Parliament when the then Minister for Family Services, Anna Bligh, brought in some domestic violence legislation. The legislation was based on the premise that we could not deal with domestic violence as we would deal with it through the Criminal Code—it is not a matter of throwing the book at people—and that therefore we needed to have processes to deal with domestic violence. Everything was hunky-dory, the opposition was in full agreement and I thought, 'Wow, they really are contemporary after all.' But what happened? It found that that legislation would also apply to homosexual couples. Then all hell broke loose. We had the most frightening, vitriolic and ugly debate I have seen in my time in this parliament. I have been here since 1977, but I had never seen anything like that.

At the time I thought, 'It is okay. These people cannot help themselves.' But in the 49th Parliament there was further legislation, again on the issue of domestic violence, trying to protect the aged from abuse by their carers, trying to protect people with disabilities from abuse and trying to protect young people from dating harassment. Again, what we heard from members opposite was an unreal expectation of the world. It was like they thought these things do not happen, that carers do not abuse children or the elderly. Where have these ostriches opposite been? And they talk about courage! What a joke!

When I migrated to Australia I felt somewhat different. I could not speak English and I wanted to belong. I wanted to be accepted and I would do anything I could because it was fundamentally important to me to have that sense of belonging. I did not want to be tolerated. To tolerate people means to put up with them. People seek belonging and acceptance.

The Leader of the Opposition talked about this legislation being an attack on religious freedom and an attack on parents. What unbelievable nonsense! On the contrary, as the Premier said earlier today, this legislation supports parents and defends their children's rights. It supports people's freedom to choose how they live. I support this bill. I cannot support discrimination.

A healthy society must test discriminatory practices in an open, transparent manner with appropriate processes. This bill will provide some of those processes. This bill attempts to provide a fair go. Ostensibly, unfair actions must be outlawed. We must treat all our fellow human beings with respect and so sustain their dignity and their sense of belonging. Like the member for Algester, I was very impressed by the article by Noel Preston and Peter Kennedy. They are people I have known for a long time and I was delighted to see their article in the *Courier-Mail* yesterday. I will quote part of the article because I think it goes to the crux of this debate. It states—

On the issue at hand, we are concerned specifically with the way sexuality and marital status is presented as the defining characteristic of the good (Christian) way of life.

At times this preoccupation seems to overwhelm other urgent priorities of the contemporary church's responsibility such as challenging social injustice and protecting the natural environment.

I discussed this issue with some Catholic people from St Marist College at Ashgrove. I said that I did want to listen to their arguments, but I said I was appalled that we seem to be highlighting de facto relationships and sexuality as tests of values, of humanity and, to go back to Socrates, of the common good. Socrates said that happiness is the result of good deeds. I say to members of this chamber today that I feel happy. I think if we are to look for the Socratic common good we must have a level of indifference. We must have a level of lack of self-interest. That is the only way we can find the objectivity we require. The article continues—

On many occasions the ecclesiastical fixation on sexuality has been revealed as a double standard.

That is self-evident. It continues—

Of course self-discipline, love, commitment and faithfulness—the hallmarks of right relationships—are fundamental to the Christian ethic in the domain of sex, marriage and relationships.

In our pastoral experience we have encountered many de facto couples or same-sex couples who live as faithful, committed, loving partners.

So have I. I am not that spiritual, although I have been on and off the bike of my spirituality many times. I seem to fall off more than I stay on. But my son is quite spiritual. Once I remember asking him why one needed to pray. He said, 'Because you have to love your neighbour.' I said, 'I do. I love my neighbour.' He said, 'No. You need the help of God to love your neighbour.' He then gave me a quote of one of the church's desert fathers, St Anthony, from the 4th century. He said that our life is bound to our neighbour. If we find our neighbour we find Christ. If we offend our neighbour we offend Christ. I think that is fundamental to the debate today.

Many parents in my electorate have rung me and written to me concerned about the fact that they want their teachers to be role models. That is the issue that is so important to them. They are concerned that somebody flaunting a lifestyle that is different will detract from what they want to see in their children. From talking to them I had an understanding that this is not an issue about whether persons who are homosexual or in de facto relationships should be employed in schools. They accept that it is a fact of life already. They are being employed there. The issue is of role models, of whether their children would be influenced unduly by a lifestyle the parents do not approve of. I think the Attorney-General ought to be congratulated on accepting that this was a concern of some of these parents. There were some exemptions for religious institutions, but I think he did attack this issue in a very objective manner.

We heard the Premier today talk about the significant demographic changes we have had in our society, particularly since the last Anti-Discrimination Act more than 10 years ago. Consequently, there is no doubt that we need to update those laws to protect the human rights of all citizens.

I have been very concerned about the refugee issue. It has always amazed me that we live in a society in which we say that the human rights of our children are fundamentally important—in fact, we have laws in this state that impose statutory obligations on the state to protect children when their parents will not—yet we have children in these concentration camps or whatever they call them—

**Mr Purcell:** Refugee camps.

**Mr FOURAS:** Yes. The children are self-harming and actually being damaged. There is a huge body of medical opinion that shows that is the case and we say that it is okay, that we are not to be concerned about their rights. This is the fundamental principle today. Human rights belong to all people. We are here debating that fundamental fact. I think that there is a balance to be struck and that is why I commend the Attorney-General. I have done that privately. I think that he is going to be the greatest Attorney-General that this government has had. I know that that is a big call. I have been around for a while and I have seen a few people in that position, but I would like to say that. The balance is to allow religious employers to choose people of appropriate calibre while protecting the human rights of their employees. Of course, part of that protection is their basic right to be treated equally with other employees. In doing so, this bill does not impact on religious freedom. The member for Algester said something in her speech that I want to repeat: in doing so, this bill does not impact on religious freedom.

I do not think that today we ought to condone, encourage or endorse any particular sexual lifestyle or any particular way people live. We are about protecting the fundamental human rights of people to choose the way they live. The other day I was talking to students of The Gap State High School when they inducted their captains. I said to them that freedom is wonderful, because it gives us the right to choose how we do things, where we do them, why we do them and when we do them. But, ultimately, I said that freedom should also be about the right to make a change that makes a difference. That is what we are debating here today—the right to choose to do that.

I do not want to be hypocritical about this. I agreed with a lot of my constituents who homed in on the issue of lack of consultation. Of course, it was impossible not to agree. The moment that we start calling black white we have really lost our way. Nevertheless, I think that ultimately there was substantial consultation. The issue was never going to be easy. People do not readily accept the fact that society has changed. I hear regularly from people whom I respect about the so-called breakdown

of community values. They decry the social changes that are happening. They decry the fact that their daughters at age 14 want to sleep over. They decry the fact that their kids are going on binge drinking or are getting drunk. I had a different youth. Would members believe that when I was 18 I was totally innocent? That is true, because I grew up in a different era. But I think that the change that the Attorney-General—

**Mr Welford:** So was I.

**Mr FOURAS:** Actually, I do not know. I say to the Attorney-General that I joined a surf club when I was only 18 or 19. I think he joined when he was younger. I will leave it at that.

**A government member:** What's that supposed to mean?

**Mr FOURAS:** People in surf clubs run around the place and swim a lot.

**Mr Purcell:** Don't go there.

**Madam DEPUTY SPEAKER** (Ms Liddy Clark): The member will stick to the bill.

**Mr FOURAS:** I do not want to trivialise this very serious debate. I think that we accept the fact that parents who send their children to religious institutions have the right to ask people not to flaunt their lifestyles, not to impose their way on other people. We are asking that those employers must act in an open and transparent way to make sure that the rights of their staff are also protected.

Having said all of that, I conclude by again congratulating the Attorney-General. Peter Wellington, in his contribution as an Independent came to the view that, because of the way society is and our demographics, there is no other choice but to be a contemporary society. David Watson, the member for Moggill also said that. I was so impressed with the speech by the member for Algester. It was from the heart. I ask other members to search their hearts and find, as the Premier said today, some love in it for our fellow human beings. On that note, I conclude this speech by commending this bill to the House.