




Speech by

Jarrod Bleijie

MEMBER FOR KAWANA

Hansard Wednesday, 30 November 2011

CIVIL PARTNERSHIPS BILL

 **Mr BLEIJIE** (Kawana—LNP) (7.36 pm): The LNP will not be supporting the Civil Partnerships Bill 2011. Despite reports and spin from those opposite, this decision was reached unanimously at a party room meeting. We hold this position for valid and sensible reasons, and I will be putting that case for the LNP tonight. Quite simply, the member for Mount Coot-tha hastily introduced this bill as a last-ditch attempt, as members opposite are fleeing a sinking ship. He did it to stitch up a Greens preference deal that he hopes will save him from electoral defeat in Mount Coot-tha, a deal that—

Government members interjected.

Mr FRASER: Mr Speaker, I rise to a point of order. The words of the member are untrue and offensive and I ask that they be withdrawn.

Mr BLEIJIE: I withdraw.

Mr SPEAKER: Just before the member for Kawana continues, I will just say that when there was interjection on the honourable member for Mount Coot-tha I asked the other side to be quiet and respect the dignity of his position. I now ask those on my right to do the same.

Mr BLEIJIE: Australia's worst Treasurer is once again trying to divert attention from his loss of the AAA credit rating, soaring debt and the cost-of-living increases that are crippling the family budget. This bill is nothing more than a political stunt. The member for Mount Coot-tha has had over 12 years to act on his recently found concern of equality; why hasn't he?

For such a monumental social change, the consultation for this bill and the time given for public debate on the issue is disturbing but of no surprise. A number of witnesses and submitters to the committee remarked on this fact and 164 submissions called for a referendum on this issue. That is not possible given the bill is a private member's bill, not a government bill. It is not a government bill because it was rejected by cabinet, but it is a private member's bill that had an extraordinary level of support from the Department of Justice and Attorney-General in its early drafting days.

The member for Surfers Paradise and I submitted a dissenting report to the final report of the parliamentary committee. We dissented for a number of reasons. Firstly, as I have begun to outline tonight, this bill is nothing more than a stunt; it is designed as a distraction to the critical issues facing Queenslanders. This is evidenced by the expeditious nature of the bill and the way in which it was introduced. At a time when the Labor Party is attempting to claim the high moral ground on parliamentary democracy, I need not remind members of the way in which standing orders were thrown out the window to suit the member for Mount Coot-tha in the bill's introduction. His arrogance leads him to believe that he has more rights than any other member in this House—for at his whim, with government support, the rules for introducing a private member's bill are changed in this place to suit his agenda.

In discussions that we have had with the LGBT community, the major issues are those facing all Queenslanders—rising cost-of-living pressures, access to good public health facilities, getting our economy back on track, job opportunities, job security, a vibrant economy and a tourism sector. The

government's inability to address and resolve some or all of those issues is the reason they are continually looking for political distractions.

It is a government with a horrendous track record. Interestingly, despite its introduction as a private member's bill, the member for Mount Coot-tha stated—

Let me state categorically this: the initiative that was brought to the parliament was an initiative of this government and of this government alone.

As members would know, the issue of legislating for the definition of marriage is under the jurisdiction and responsibility of the Commonwealth government. As I have stated in this place previously, it is not the place of state governments to meddle in federal affairs and nor is it the place of federal governments to trample over state government jurisdiction. The Australian Constitution was designed in a way that protects the rights of the individual states and sets out the relevant matters of jurisdiction for federal and state governments. I raise this point because there are some confusing arguments between the member for Mount Coot-tha and the Premier as to whether this bill relates directly to the subject of marriage or is separate. On 4 November, in his briefing to the committee, the member for Mount Coot-tha stated—

It is important to keep the whole scheme of this civil partnership relationship regime separate to that which provides for marriage. Therefore, a crossover or connection to the relationship of marriage is inappropriate in the constitutional sense in the way that the bill is being designed.

Those comments are in direct contrast to the Premier's statement to the House on 25 October in which she said—

I would ask all of those who do so to recall the happiest days of their own lives—and for most of us our wedding day will always be near the top of that list. So why would we deny that experience to others?

As we stated in our dissenting report, it is not the place of the Queensland Legislative Assembly to undermine the legislative powers of the Commonwealth parliament. Many of the submissions to the committee raised the issue of creating equality in the terms of legal recognition for same-sex relationships. This recognition has already been made by the Commonwealth government. The explanatory notes to the bill state—

The Commonwealth Government in 2008 made comprehensive amendments to over 100 pieces of their legislation to recognise people in same-sex relationships have the same legal benefits and entitlements to a range of Commonwealth Government areas.

The legal recognition of same-sex relationships can be identified in this bill as it regards a civil partnership, for the purposes of the bill, more so as a legal contract rather than a ceremonial recognition of a relationship between two adults. This is no more evident than in the provisions in the bill that allow for a cooling-off period, as stated in clause 8. This cooling-off period is defined as a period of 10 days in which either party may apply to withdraw the application for a civil partnership. This clause illustrates further that the underlying intent of the bill is for a legal contract and legal recognition of a relationship as marriage provides. If the member for Mount Coot-tha were serious about this issue he would not have included the likes of a statutory used-car sales warranty in the bill. It bears no positive service to the LGBT community for the member for Mount Coot-tha to include a try-before-you-buy clause in any bill.

It also does no service to the issues facing the LGBT community to have the arrogant member for Mount Coot-tha as their spokesperson. When personal insults are thrown and words like 'dark hearts' are used by the member for Mount Coot-tha when he describes community members who oppose this bill, it certainly lowers the level of debate in this state—a level that I am pleased to see has not been followed by members of the LGBT community or other groups. Of course, they would not stoop that low.

The explanatory notes to the bill state that the estimated cost for government implementation will be met from existing resources. In the public hearing that was undertaken the department estimated that the cost of implementation would be \$100,000. Given that there is no mention of cost of fees incurred, it is difficult to understand how the department can make the assumption that the cost of implementation and operation of these changes will not likely affect existing resources within the budget.

The member for Mount Coot-tha confirmed that he had not taken any public consultation on the bill prior to introducing it in this House. The subject matter of this bill is important and of such significance that proper public consultation should have been undertaken, and the people of Queensland ought to have had that appropriate time and opportunity to consider the subject matter and make submissions to the committee. Owing to the limited time frame for the submissions, public hearings and report finalisation, we do not believe that the people of Queensland have had the appropriate opportunities to raise their concerns. Fifty-four per cent of the final number of submissions were received 17 days after the deadline. That goes to the heart of the lack of consultation. The Society of Notaries of Queensland Inc. highlights what happens when you do not properly consult. I refer to a letter to the member for Mount Coot-tha dated 17 November, which states—

To refer to these registrants as civil partnership notaries will without doubt raise confusion in the minds of the public as to what a notary is and what services a notary can perform.

I would like to address some of the points raised during the public hearing on 10 November. FamilyVoice Australia raised issues in relation to the consultation period and remarked—

The 45 pages of this Bill include complex legal details which cannot be adequately analysed in the very short time (just ten days) currently allowed for review. Consideration of this private member's bill should be delayed at least until next year.

Further they said—

Marriage has been given special recognition and status throughout history precisely because it is a permanent union of two biologically complementary humans who have the potential (not necessarily always realised) to procreate and provide a stable environment for raising the next generation.

In relation to the arguments of discrimination, Reverend Dr Moore stated—

... this is not a matter of discrimination as discrimination has been removed through the amendments to 84 laws by the Federal Government in 2008.

One submitter asked why, if the member for Mount Coot-tha was genuine in his claim that the bill simply acknowledges the reality of human relationships, the bill does not provide for such relationships as polygamous or other relationships that exist in our community.

Queenslanders want us to debate the significant issues of importance to them, whether they be skyrocketing electricity and water costs or general cost-of-living pressures. The LNP will prioritise the issues for all Queenslanders, and civil partnerships are not on the priority list in the minds of Queenslanders. The passing of this bill will not save Queenslanders money. It will not ease their cost-of-living pressures. It will not get our treasured AAA credit rating back. The member for Mount Coot-tha will go down in history as one of the most arrogant members in this place—the worst Treasurer in Australia's history who will stop at nothing to put spin and stunts before helping the majority of Queenslanders. We oppose this bill.