




Speech by  
**Jackie Trad**

**MEMBER FOR SOUTH BRISBANE**

Hansard Thursday, 21 June 2012

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## **CIVIL PARTNERSHIPS AND OTHER LEGISLATION AMENDMENT BILL**

 **Ms TRAD** (South Brisbane—ALP) (9.12 pm): I rise to speak in opposition to the Civil Partnerships and Other Legislation Amendment Bill 2012. It would be remiss of me not to acknowledge the depth of emotion felt by those who were in the gallery just a moment ago.

**Government members** interjected.

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! Those to my right will cease interjecting. The member has the call.

**Ms TRAD:** We are reminded that tonight we are talking about their lives. We are talking about their families. We are talking about their loves. And, for the record, I was up there in the gallery and I had asked them—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order! Those on my right will cease interjecting.

**Ms PALASZCZUK:** I rise to a point of order, Mr Deputy Speaker. The Premier is interjecting and he is not in his seat. This has happened on numerous occasions. The Attorney-General can sit in his seat. That is the normal practice and procedure of the House. I ask that the Premier show respect to the chair.

**Mr DEPUTY SPEAKER:** Order! If members are going to interject they need to be in their correct seat when they make the interjection. I call the member for South Brisbane.

**Ms TRAD:** For the record, I was up in the gallery asking them to observe the ruling made by the chair.

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order! Those on my right will cease interjecting. The member has the call.

**Ms TRAD:** My opposition to the Civil Partnerships and Other Legislation Amendment Bill 2012 is primarily based on the following three key features, and I will list them in clause order. Firstly, at clause 3 and subsequently throughout the amendment bill the relationship title is to change from 'civil partnerships' to 'registered relationship'. Secondly, clause 13 of this amendment bill extinguishes the right of couples—same sex or opposite sex—to hold a civil partnership ceremony or a declaration ceremony. This is a recently legislated right that the LNP government is extinguishing, urgently, unconditionally and completely, here tonight. Thirdly, clause 7 abolishes the civil partnerships notary scheme, which enables civil celebrants to register to preside and officiate over state sanctioned civil partnership declarations, which may include a ceremony.

I will address each of these regressive features of the amendment bill in greater detail, but first I wish to address some broader contextual issues. The Civil Partnerships Bill 2011 was passed by the 53rd Parliament in November last year. It has been in force for only some 16 weeks. This bill was introduced by the former member for Mount Coot-tha, Andrew Fraser. Today I pay tribute to his leadership and honour in bringing the ideas of equality and justice into law for those same-sex couples wanting their relationships, their partnerships, their unions celebrated and recognised by the state. Many members here tonight have paid—

**Mr Stevens** interjected.

**Ms TRAD:** I will take that interjection.

**Mr DEPUTY SPEAKER:** Order! The member for Mermaid Beach will cease interjecting.

**Ms TRAD:** I campaigned on civil unions and I won. I am taking the interjection. I campaigned on civil unions and I won.

**Mr DEPUTY SPEAKER:** Order! I am on my feet. The member shall resume her seat. Let us do our best to have a reasonably civilised debate. The member has the call.

**Ms TRAD:** Thank you, Mr Deputy Speaker, for your protection. Some members here tonight have suggested that the private member's bill brought in in 2011 was somehow a political stunt and was a bill that was curtailed. I remind the House tonight that every member of this House has a right to bring forward a private member's bill. I remind members of this House that that bill went to a committee, unlike this bill. I remind members of this House that more than 6,000 submissions were received from members of the public in relation to the Civil Partnerships Bill 2011. So don't they dare compare!

To be here tonight debating the rescinding of key elements of the Civil Partnerships Act 2011 that emancipate and celebrate the love and commitment of couples regardless of their sexual orientation is quite frankly deeply saddening and deeply shameful. It is shameful because Queensland moves backwards while the rest of the world continues to progress.

A federal parliamentary committee just this week recommended marriage extend to same-sex couples. Federal parliament is soon to consider bills to this effect. The President of the United States recently expressed his support for same-sex marriage. The conservative Prime Minister of the United Kingdom, David Cameron, said in a landmark speech recently, 'I don't support gay marriage despite being a conservative. I support gay marriage because I am a conservative.'

These are all momentous steps on the road to equality and today Queensland has decided it will take a step backwards. The Civil Partnerships Bill 2011 was introduced for one purpose only: to replace inequality with equality. This amendment bill seeks to reintroduce inequality and discrimination by mitigating the rights of same-sex couples to fulsomely and officially enter into a union respected and sanctioned by the state.

I will now turn to the clauses. The first clause that causes offence is clause 3, which changes the title of the act from the Civil Partnerships Act 2011 to the Relationships Act 2011 and the terms 'civil partnerships', 'civil partners' and 'cooling-off period'—

**Mr STEVENS:** Mr Deputy Speaker, I rise to a point of order. The member should be clearly aware by now that she is not allowed to deal with the clauses in the main body of the speech.

**Ms TRAD:** I am happy to take that point and I will raise it in debate.

**Mr DEPUTY SPEAKER** (Dr Robinson): Order! If the member will resume her seat, please. The member just needs to be aware that the clauses are generally dealt with in consideration in detail. If you have specific clauses that you want to address, that is the best opportunity to do that.

**Ms TRAD:** Sure. In relation to the change of name from 'civil partnerships' to 'registered relationships', I want to point out that this is not just a simple case of semantics. Words have meaning and the use of the word 'civil' has particular importance in this context. The word 'civil' is used to describe and illustrate a connection and recognition between the state, its citizens and their interrelations with one another. Simply put, a civil partnership is an acknowledgement of acceptance and understanding from the state. By taking away this title, the government is saying that they do not accept these relationships. They do not value these relationships. The Premier and the LNP want the same-sex community to believe that this is a compromise, but in fact it is a backhand.

In his explanatory speech the Attorney-General asserted that this amendment was to 'more accurately reflect the purpose and objectives of the act'. That is not correct. The intent of the original act was not to introduce a civil partnership system in Queensland that was devoid of dignity, respect and celebration as this amendment bill seeks to achieve.

Secondly, the abolition of the state sanctioned ceremony is nothing more than an extinguishment of rights. Even the explanatory notes accompanying the bill point to the fact that this bill breaches a fundamental legislative principle. Through you, Mr Deputy Speaker, I draw the attention of the member to page 3 of the explanatory notes where it states that the amendments will remove the rights of a couple to hold a government sanctioned civil partnership declaration ceremony to express their intention to enter into a civil partnership with one another. This is an extinguishment of rights. This is an abomination. That is the only way you can describe it.

The true intent of this change, this amendment, is the fact that the government, in their mean and tricky manner—which has been displayed to date—will allow same-sex relationships to be registered but not with any official celebration or acknowledgement. You can celebrate as loud as you like to this LNP

government, but they won't hear you, they won't see you and they will make sure that no-one official is there to sanction your union.

The issue in relation to the number of ceremonies that have been conducted to date—some 23, I understand—does not reflect the desire for a ceremony. But rather it reflects the very short period of time that the act has been in force—some 16 weeks—and the lack of notaries trained and registered to date. As anyone who has planned a wedding will tell you, it takes a lot longer than 16 weeks to organise such an event—bringing together all the festivities, all your family and friends to make this occasion a stand-out event in one's life.

The issue in relation to the abolition of notorieties—

**Mr Seeney:** Notaries.

**Ms TRAD:** Notaries, sorry. The bill abolishes the civil partnerships notary scheme, which enables civil celebrants to register to preside and officiate over state sanctioned civil partnership declarations—which may include a ceremony. The amendments reduce what should be a celebration of love and commitment to nothing more than a process of completing and exchanging bureaucratic forms, much like registering your car. All you simply do is complete the necessary forms, sign a declaration—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order! Those on my right will cease interjecting. The member has the call.

**Ms TRAD:**—pay the application fee and submit it to the relevant government department. If you want to cancel it, it is just as simple: fill in another form and flick it through to the relevant government department, and gone—your registered relationship is gone.

The Attorney-General may claim that this amendment bill brings Queensland into line with other states, but what it really does is downgrade Queensland's civil partnerships legislation to the lowest common denominator. It may be true that in Victoria and New South Wales there are no official ceremonies, but two other jurisdictions do have officially recognised ceremonies—information the Attorney-General used selectively in advancing his arguments. In the ACT a celebrant registers a civil partnership at a state sanctioned ceremony. In Tasmania the Registry of Births, Deaths and Marriages recognises that a deed of relationship commences when a marriage celebrant and witnesses have signed the deed of relationship certificate. So, rather than bringing Queensland into line with other states, the Attorney-General is simply letting Queensland fall to the back of the pack.

It must also be said that the government has discriminated not only in the context of the bill but also in its development. The Premier did not want to talk to the people most affected by the bill and acknowledged as much in his press conference last week when he proudly stated that he had consulted with only one organisation—the Australian Christian Lobby—but not one single person, gay or lesbian, affected by this regressive move. And, in an extraordinary move late last night, the government sought to deny every Queenslanders an opportunity to have their say on this bill—to have their say on having their rights taken away.

We know that many Queenslanders care deeply about this issue—this was reflected in the fact that more than 6,000 submissions were received when the Civil Partnerships Bill went to the committee last year. But then let us not forget that this is the same party that has always shown itself to be intolerant of criticism, intolerant of protest and dissent. This is the party that gave rise to the Premier's political hero Joh Bjelke-Petersen, a man who less than 30 years ago, as Premier, described gay people as 'insulting, evil animals' and said they should go back to New South Wales and Victoria from where they came. Just three months later, Premier Bjelke-Petersen and his government pushed through, in less than an hour, legislation prohibiting gay men from donating blood.

Well, here we are—almost 30 years later—and the conservative government is pushing through, in less than 24 hours, legislation again targeting the rights of gay and lesbian couples. As I sat in the chamber last night listening to the Attorney-General introduce this amendment, I could not help but think of a young man I met at the civil unions rally held outside this parliament just a few weeks ago. His name is Marshall and, as I was attempting to weave my way back through the crowd, he handed me this necklace. He told me that it had belonged to a friend of his who had recently died. Marshall wanted me to wear it during this debate tonight in honour of his friend who died at too young an age after what must have been a lifetime of struggle with discrimination and bigotry.

Marshall also opened up about his feelings of isolation and loneliness because of the bullying he experienced at school because of his sexuality. Stories like Marshall's remind us that the views of our leaders and the laws that we make have a profound effect on our community and the lives of people in our community. Views like those expressed by Joh Bjelke-Petersen can leave deep scars on the psyche of generations of gay and lesbian Queenslanders. And what those opposite have chosen to do today is reopen old scars.

But while the Liberal National Party may not have progressed on this issue, the Queensland people certainly have—just like the rest of Australia. Most Queenslanders listening today will be shaking their heads—

**Mr Newman** interjected.

**Mr DEPUTY SPEAKER:** Order! The Premier will withdraw that unparliamentary language.

**Mr Newman:** Mr Deputy Speaker, I withdraw.

**Mr DEPUTY SPEAKER:** The member has the call.

**Ms TRAD:** Thank you, Mr Deputy Speaker, for your protection. Most Queenslanders listening today will be shaking their heads at the absurdity of this relationships register and questioning if their local MP truly represents their values. Poll after poll has public support for same-sex union at more than 60 per cent. That is support for same-sex couples being able to celebrate their union in a manner that is public and sanctioned by the state.

Indeed, looking across this House during the debate, looking into the eyes of some of those opposite, I would ask if this amendment truly represents their values. Does this truly represent their conscience? Who would know? Those on the government benches have not been allowed to use their conscience, their intellect or their hearts in determining their position on this matter. Are these the laws the members for Mount Coot-tha, Brisbane Central, Indooroopilly, Bulimba and Moggill dreamed they would champion for their electorates? Is this the great achievement for progressing humanity in Queensland these members envisaged? Did these members dream of rescinding and denying the people of their electorates the dignity of equality because a loud, conservative minority with a direct line to the Premier have judged the celebration of their relationship as immoral and offensive?

I am greatly concerned about the impact of this bill on the mental health of LGBTI Queenslanders, particularly young people. This bill sends a very strong message to some of the most vulnerable people in Queensland. It sends the clear message that their relationships are not worthy and therefore their love is wrong.

In the context of this debate, it is shameful to note that same-sex attracted youth are between five and 15 times more likely to attempt suicide than their heterosexual peers, although these figures are almost definitely underreported due to obvious difficulty in collecting such data. Those who work with these vulnerable young people suggest that suicide is more likely due to the internalising of homophobic attitudes expressed by their peers, families and community leaders. Psychologist Paul Martin, Queensland's political liaison officer from the Australian Psychological Society and a psychologist with more than 25 years experience in the mental health of same-sex people, states—

I have worked with Queensland Mums and Dads who have lost their same sex attracted young son or daughter and will never be the same again. They have stated that they knew that it is because their much loved son or daughter believed what people said around them. This included that they were defective, not worthy for social inclusion and that their relationships were a farce. This results in hopelessness, shame, depression, anxiety and other precursors to suicide.

These stories of discrimination and hopelessness are a stain on our community and something we should all be asking to remedy. I ask members opposite, knowing these facts, how they can justify and explain today's amendments to members of their community who are struggling with their sexual identity.

The introduction of civil partnerships in Queensland is a great Labor achievement, an achievement built on the shoulders of other historic reforms enacted by decades of Labor governments. Indeed, it has been successive Labor governments that have removed discrimination and inequality from Queensland laws. This is particularly true for the rights of same-sex Queenslanders in this state. It has always been Labor that has delivered historic reforms for same-sex people in Queensland including: introducing antidiscrimination legislation making it illegal in Queensland to discriminate on the grounds of sexuality; strengthening protections for same-sex Queenslanders who are suffering from violence, particularly domestic violence; ensuring same-sex relationships are protected under property law, under succession laws; and enshrining countless other entitlements that people living in committed relationships have come to expect in this state. These are great Labor achievements for which members of our party and the wider community can be very proud. To them I say: we have taken a great step towards equality together. While today's vote will be a step backwards, we will turn this around and we will move forward again together. Labor will always fight against discrimination. That is what the Labor Party does.

The bill before the House is nothing more than a backward step for Queensland. It is about extinguishing a right for same-sex couples and it is an abomination. The Premier wants to ram this through tonight and get on with more important matters. Well, for many Queenslanders—for thousands of Queenslanders—this is an important issue and this bill is an insult and a disgrace.

Last night Anna Funder was afforded the prestigious Miles Franklin Literary Award for her novel *All That I Am*. It is a rigorously researched and superbly penned literary accomplishment and I can personally recommend it to all members of the House. Today when asked about the Newman government's decision to scrap the Premier's Literary Awards, Ms Funder said—

I have spent my professional life studying totalitarian regimes and the brave people who speak out against them.

**Mr STEVENS:** Mr Deputy Speaker, I rise on a point of order. Literary awards have no relevance to this bill whatsoever. I would ask the member to return to the subject at hand.

**Mr DEPUTY SPEAKER:** Order! The member has the call, and I would just remind the member to—

**Ms TRAD:** Yes, it is connected, Mr Deputy Speaker.

**Mr DEPUTY SPEAKER:** Continue.

**Ms TRAD:** I will return to her quote—

And the first thing that someone with dictatorial inclinations does is to silence the writers and the journalists.

Well, as someone who has read this award-winning novel, I am compelled to mention—

**Mr STEVENS:** I rise to a point of order, Mr Deputy Speaker. The member said that she was moving towards the direction—

**Ms TRAD:** And I am—

**Mr STEVENS:** My point of order—

**Mr DEPUTY SPEAKER:** Take a seat. There is no point of order. The member has the call.

**Ms TRAD:** It compels me to mention, in the context of this debate, that one of the other groups singled out for persecution and marginalisation in this novel is gay men in pre-World War II Germany. History has demonstrated again and again that it is not a sign of strength to crush the spirits—

**Government members** interjected.

**Mr DEPUTY SPEAKER:** Order! Members will cease interjecting. The member has the call.

**Ms TRAD:** It is not a sign of strength to crush the spirits of those who are a minority or different.

**Mr CHOAT:** I rise to a point of order, Mr Deputy Speaker.

**Mrs Miller** interjected.

**Mr DEPUTY SPEAKER:** The member for Bundamba will be quiet and listen to the point of order.

**Mr CHOAT:** Mr Deputy Speaker, I find the comments about pre-World War II Germany completely and totally offensive and I ask the member to withdraw.

**Mr DEPUTY SPEAKER:** There is no point of order. It is not a personal reflection on you as the member, and I just remind the member about frivolous point of orders.

**Ms TRAD:** It is the action of those with ambitions of greatness who fall short in character and nobility so that they then stand on those who are easily crushed before them. This day will be written down in history as a day the Queensland parliament used hate to crush equality and discrimination to crush love.