




Speech By
Fiona Simpson

MEMBER FOR MAROOCHYDORE

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MOTION

Racial Discrimination Act

 **Ms SIMPSON** (Maroochydore—LNP) (6.22 pm): Quite incredibly we have heard Labor member after Labor member defend the indefensible. This is a clear example of persons being put through the legal wringer because of a badly drafted law. Are Labor members serious when they say that what these QUT students said was hate speech? They are living in la la land because it does not equate to what the man or woman or reasonable person in the street would believe is hate speech. What we have is a badly drafted law and bad excuses from Labor members who are desperate to hold onto it. The strident defence by the Labor Party of the industry of offence is a case in point that they cannot differentiate between minor and major issues and want a process that punishes grievances equally regardless of severity. It is the process and not just the outcome that is the punishment. As we have seen in the case of the three QUT students—the ones who we know about—the case took years to resolve, initially through the Human Rights Commission and then the court at great cost despite the judge ultimately finding it had no reasonable prospect of success. Yet once again we hear Labor member after Labor member defending this badly drafted law. The irony is not lost on me that the Labor apologists throw out hysterical and untrue accusations of racism and bigotry against people who simply disagree with them. They over-egg the omelette with their narrative of perpetual outrage. People have had a gutful of it. I think most Aussies are pretty tolerant and fair minded. Every day, community minded Aussies who love their neighbours regardless of race do not appreciate being labelled as racists or bigots.

Thus I say this to the defenders of 18C as it stands: to equate deliberate vilification that results in harm on one hand equally with subjective and less serious claims of offence or insult on the other hand cheapens the issue of racism in a way where everybody loses. I strongly condemn obnoxious personal comments that people make about others, whether it is based on race, religion or whatever makes them different from those who attack them, but I do not agree that every obnoxious comment deserves lawyering up and heading off to court or tying up the publicly funded Human Rights Commission. God help us if Queensland gets a bill of rights for unelected, lefty, loony lawyers to put the industry of offence on steroids. It will undermine the role of parliament which is subject to the vote of the people. Courts should be there to adjudicate the laws, not write them. I think courts should be used to judge crimes rather than low-level slights of personal offence.

We are best served by a community where public debate is broad and capable of allowing voices of diversity to speak, even when we do not agree, and for them to be judged in the court of public opinion. The issue here is what is the appropriate forum for these issues to be debated or adjudicated, how matters differ in nature and substance and what is a reasonable process to resolve them. The absurdity of the QUT students' case that Labor members want to defend shows it is time for a review of the very broad and subjective scope of 18C in the federal government's Racial Discrimination Act

and its application. I find it incredible that any reasonable person can defend the absurdity of the QUT students' case, which went for so long. In its current form, 18C of the Racial Discrimination Act has become a tool of the elites, ideologues, Labor lawyers and lefty apparatchiks rather than a well-defined and carefully applied tool of protection against the worst of cases that actually result in harm.

Genuine issues of personal discrimination that people face in the community resulting in harm should not be tolerated. In those situations I think there is a case for well-defined legal protections. These are different matters from the issues we saw resulting out of this case with the QUT students under the far more wide-reaching gambit of 18C which has prompted this debate. With regard to issues of obnoxious but less serious insults and offence, I think our community can be trusted to respond in the court of public opinion with its own wideranging but ultimately moderating judgement. The overreach of the industry of offence undermines the very thing it claims to support—the safety and wellbeing of our community as it undermines trust in the law and the freedom to talk about it.