




Speech By
Peter Russo

MEMBER FOR SUNNYBANK

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LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Report, Motion to take Note

 **Mr RUSSO** (Sunnybank—ALP) (12.15 pm): I rise in the House to speak about the inquiry into a human rights act for Queensland and whether there is a need for such legislation in Queensland. Rob Hulls, a former deputy premier of Victoria and a previous member of this place, was responsible for the introduction of the Charter of Human Rights and Responsibilities in the state of Victoria. He has presented at a seminar in the Premier's Hall. When you speak to Rob Hulls, he often says words to the effect that it is a 'no-brainer' and that this is a great opportunity for Queensland to show that we are a progressive state and that we will be better legislators by adopting a charter of rights and responsibilities.

I have always considered the recognition and protection of human rights to be a strong platform for good, progressive policy. Following the election of the Palaszczuk Labor government, we have been investigating ways of embedding safeguards into our legal and political structure. Last year we focused on getting the ball rolling on a human rights act by directing the government to conduct a public inquiry. The process kickstarted a statewide discussion on human rights and how best to keep governments accountable.

Miss BARTON: Mr Deputy Speaker, I rise to a point of order. I would like to give the member an opportunity to correct the record. I understand that the person he is referring to, Rob Hulls, was never a member of the Queensland parliament. He was a member of the federal parliament representing a Queensland division. The member has clearly misled the House.

Mr RUSSO: I withdraw. I did make a mistake. He was a member of the federal parliament and I said state.

Mr DEPUTY SPEAKER: Very well, continue.

Mr RUSSO: I want to quickly dispel a few fallacies that arose throughout the public inquiry. To be clear, a human rights act would not have the same effect as the American Bill of Rights. It will not take legislative power off our elected officials, and it certainly will not protect hate speech or encourage ownership of firearms. It will also not give undue power to judges to determine the scope of our rights.

What a human rights act will do is ensure that our basic rights are considered specifically with every new piece of legislation that is passed. If a minister proposes legislation that is likely to infringe on the basic rights of any person or group of people, they must specifically acknowledge this in parliament and present justification for doing so.

It was clear during the inquiry that an act of this kind will benefit minority groups in our society whose interests are not often considered in the mainstream political process. I consider the benefit as extending to all Queenslanders. I would argue that our society is enriched when we make an effort to understand the lives and needs of everybody, both as individuals and as members of our community.

It is also a fallacy to suggest that human rights legislation would essentially drive our legal system into the unknown. There are functioning legal instruments for human rights in the UK, New Zealand, Canada and Victoria, and also the ACT. These are Commonwealth jurisdictions with similar legal systems to our own. There is a vast database of legal reasoning and precedent to direct our judiciary in interpreting the application of a charter of rights. An act of this kind will simply ensure that our human rights remain part of the discussion. It will result in more considered meaningful legislation and ultimately better governance for everybody.

The human rights legislation in Victoria, for example, provides explicit protection of a select group of human rights drawn from international human rights treaties. The Victorian charter specifically lists 20 rights drawn from international human rights treaties. Adopting such an approach in any proposed legislation will allow other states to follow suit and ultimately put pressure on the federal government to introduce legislation nationally.