




Speech By
Verity Barton

MEMBER FOR BROADWATER

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LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE

Report, Motion to take Note

 **Miss BARTON** (Broadwater—LNP) (11.51 am): I rise to speak to the Legal Affairs and Community Safety Committee's report into an inquiry into a possible human rights act for Queensland. I am sure the chair of the Legal Affairs and Community Safety Committee would share my disappointment that I was unable to participate fully in the inquiry, as I changed parliamentary committees part way through the process. However, I wanted to speak today because I am fundamentally opposed to any attempt to introduce a bill of rights or a human rights act into the Queensland parliament and into law in Queensland.

At the age of 16 I joined the Young Liberals because I believe in the inalienable rights and freedoms of the individual and the inalienable rights and freedoms that are associated with the ownership of property. One of the things that I fundamentally believe is that the moment you start prescribing rights and the moment that the parliament makes a decision about what right is to be respected and what right is to be prescribed is the moment you start restricting them. As soon as you put down on a piece of paper a right, the right that is not put down is no longer valued, is no longer respected and is no longer appreciated either by the parliament, the judiciary or the people. I think that is a great shame.

In my view, it is not the right of the parliament or the courts to be an arbiter of any individual's rights or freedoms in this state, because it is society and the community that will judge people. There will be things done and said that people will find objectionable, that I will find objectionable and that you, Mr Deputy Speaker, will find objectionable. However, the solution to that is not censorship; it is not to say that someone cannot do something. The solution is to respond better; it is to have a better argument.

In a free and open democracy, that is how we should respond, rather than by seeking to restrict the freedoms of those we oppose. I am incredibly proud of the freedoms that we have in this country. We often talk about freedom of political expression. For the most part—probably 99.9 per cent of the time—I am fundamentally opposed to what organisations such as GetUp! might say, but I also fundamentally agree with their right to say what they have to say. It is incumbent on anyone who agrees or disagrees with something to set out their argument. A human rights act or a bill of rights does not help that; a free and open society is what helps that.

When considering this inquiry, the committee noted the parliament has already had an inquiry and has already considered whether or not we should have a human rights act and the parliament rejected it. The people of Queensland are not in their masses calling out for a human rights act, because every three years and after the next election every four years the people of Queensland have an opportunity to be an arbiter of what this parliament is doing. It is not the role of this parliament to prescribe a set of rights that it thinks society should live by. It is the role of society to set those boundaries and that is what society has done and will continue to do.

There are fundamental rights and freedoms that we hold dear in 2016 that were not held dear in 1966 and were not held dear in 1916. Rights, liberties and freedoms evolve with time, but if we prescribe them and put them down on paper, not only do we restrict them but also we make it harder for society to evolve and change, because we are setting in stone what we think a right, a freedom and a liberty is, which is not how a parliament should be.

We should encourage discussion. We should have a free open democracy. A bill of rights and a human rights act can only infringe and restrict those things that we hold dear. I fundamentally disagree with and will always oppose the introduction of a bill of rights or a human rights act in this state or in this country, because all it seeks to do is restrict the rights, freedoms and liberties that we all hold dear and that our service men and women have fought to protect for generations.