




Speech By
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MEMBER FOR PINE RIVERS

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CRIMINAL LAW (HISTORICAL HOMOSEXUAL CONVICTIONS EXPUNGEMENT) BILL

 **Ms BOYD** (Pine Rivers—ALP) (4.35 pm): I rise today to speak in support of the Criminal Law (Historical Homosexual Convictions Expungement) Bill 2017 and the amendments foreshadowed by the Attorney here today. The American minister Theodore Parker in his 1853 *Ten Sermons of Religion* delivered the message that ‘the arc of the moral universe is long but it bends towards justice’, a catchcry for activists and change agents around the world in the century and a half since. Theodore Parker was talking about slavery, a foreshadowing of the looming Civil War that would permanently settle the question of chattel slavery as an unquestionable moral evil. Once slavery was an unquestioned reality opposed only by radicals in the extreme, but in 2017 nobody overtly argues that one human should legally be able to own another.

For me, in 2017 it is hard to conceive the criminalisation of homosexuality. Within the span of living memory, the law of our state was used to enforce a cruel tyranny on Queenslanders which, through state intervention, determined whom we could love and how we could express that. At the time it may have reflected the popular will, but in this place we must be more than just the interpreters of popular sentiment and mood. We are here to lead, and that means applying a value set to the decisions that we make. My values are for fairness and egalitarianism. This is how I interpret freedom. It is unfair for our government to victimise and target one demographic section of our society in the manner of Queensland’s historic anti-gay laws.

I was born during the period when former premier Joh Bjelke-Petersen criminalised homosexual activity between consenting adults and I was in my early years of schooling when former premier Wayne Goss decriminalised it. This is one of the many historic evils from that era which our state has spent the better part of the last three decades trying to correct. Because of my limited real-life experience in this era and my lack of firsthand experience of this time, I have been able to form my views through community conversations, through literature and reading of the sources and, importantly, through the committee review process that we have undertaken.

Queensland is a great place and Queenslanders are tough but generous people. We are big enough to own up to our mistakes and must be bold enough to do what we can to correct them. It is the only way that we can continue our state’s ongoing improvement. We must recognise that it was our predecessors in this place, our parliament and our Queensland government that has committed acts of institutionalised prejudice and discrimination that has done harm. People were persecuted by the apparatus of our state law enforcement and judicial system. People were labelled and placed on the fringes. Lives were destroyed. It created a culture of intolerance and hate. Even after the laws were corrected the stain remained.

In the nineties the then mayor of the old Pine Rivers shire, Yvonne Chapman, declared her advice to homosexuals travelling through, which was, 'Don't stop. You're not welcome.' It resulted in bizarre acts of public policy where the Pine Rivers shire oversaw the removal of doors in public toilet blocks in an effort to prevent the stalls from being used for what was viewed as improper sex acts. Sadly, she continued her Bjelke-Petersen ministerial record of bigotry and hatred against homosexuals in her local government role even after the world had moved on. I am appalled by some of the rhetoric that the no campaign is deploying in its desperate effort to stop progress, and in it I see the waning power of outdated puritan ideology. We arrive at a perverse place where conservative Christians champion a definition of freedom that is exclusively for themselves and those who share their world view. Religious leaders were the prime movers in great social causes, ending slavery, extending civil rights and universal suffrage, and opposing dictatorial state powers from the left and right. They still do. I note in particular the work of Catholic priest Father Paul Kelly in fighting to repeal what he calls the 'homophobic, archaic and outdated' so-called gay panic defence.

This bill to expunge historic convictions is symbolic in its acknowledgment that our parliament got it wrong. It is important to the victims of the miscarriage of justice that resulted from the enforcement of these laws, and it is important to the families of those whose lives were destroyed by this misuse of state power. For these reasons I give thanks to the LGBTI Queenslanders who never stopped campaigning for what is right. I wholeheartedly commend the bill to the House.