




Speech By
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HUMAN RIGHTS BILL

 **Dr ROBINSON** (Oodgeroo—LNP) (2.11 pm): I believe that we always need to be careful in this place when we consider legislation that could weaken the strength of our parliament and democratic system and have far-reaching consequences. In that regard, sadly I think that this bill does undermine our Westminster democratic system. When authority is taken away from the parliament it weakens our democracy, and this bill does so without adding any substantial human rights to what already exist. Further, it chews up critical time here in the parliament which is needed for other pressing things like fixing Labor's economic and budget mess; reducing our comparatively high unemployment rate; addressing critical hospital needs at Redland hospital; and not investing in duplicating roads or rail in the Cleveland district. All of these are pressing matters that the people of my electorate and the people of Queensland want us to resolve.

What about the rights of the people of my electorate to get a fair share of the budget and to be respected by this government? There are no big ticket items of infrastructure in the \$45 billion infrastructure budget. The Redlands coast's fair share is up to \$1.5 billion over the forward estimates, but we are seeing little of it. We are being ripped off. There is no respect for the Redlands coast while we are not getting our fair share.

In terms of the specifics of this piece of legislation, the main stated aims of the Human Rights Bill 2018 as stated in the explanatory notes are, among other things, to—

- establish and consolidate statutory protections for certain human rights;
- ensure that public functions are exercised in a way that is compatible with human rights;
- promote a dialogue about the nature, meaning and scope of human rights ...

In reality, these objectives do not need a new Human Rights Act. The human rights in this bill are provided for already in Queensland one way or another. As stated in the bill's explanatory notes, some human rights are already reflected in legislation; for example, discrimination on the basis of race, sex, age and impairment among other areas. Other human rights, particularly civil and political rights, are recognised common law rights, including the right to liberty and security of the person, the right to a fair trial, freedom of peaceful assembly, freedom of association and freedom of expression. There are also social and economic rights that are accounted for in our court system. Queenslanders already have ample protection of their human rights embedded in Queensland and Commonwealth legislation, common law protections and constitutional rights that today operate effectively in Queensland. The rights already contained in legislation and case law are thorough and have been developed over time to reflect the growing need to protect rights.

What is really the purpose of this bill? It is largely political. In reality, this bill is politically motivated. It is political correctness gone mad. It is a sop to inner-city green elites, virtue signalling to them on human rights to have the appearance of strengthening those rights, when in fact those rights are already protected. It is mindlessly following the most extreme Left Labor governments of the ACT and Victoria. It is as if Queensland's Labor Left is trying to compete with the ACT and Victoria in a race to the socialist

bottom. ACT and Victoria have extreme abortion-to-birth laws, so Queensland mindlessly follows. Victoria has extreme assisted suicide laws, so now Queensland must follow. Labor in Victoria has banned religious instruction in state schools, and the ACT has just kicked its chappies out of schools. Is that where the Labor Left here is leading us next? The Labor Left seems to be on a mission to remove the human right to life and right to faith out of our society. This bill is about virtue signalling and extreme Left politics. Like in the ACT and Victoria, it is little more than payback to the Greens and other PC inner-city urbanites for their election support—another under-the-table Greens preference deal.

What are some of the key points in the bill? Firstly, in terms of parliamentary debate time, we could use this time in other ways to help Queenslanders. Many other important things could have been debated on the economy, jobs, hospitals, transport and other more critical areas. More time could be made available so that all MPs can properly represent their communities by having the opportunity to speak more often. During the last sitting week many of us missed out on the opportunity to speak on bills that we told our constituents we were going to speak on because we were guillotined.

Secondly, it undermines our Westminster system. One of my careers prior to my political career was in aid and development. I had the opportunity to travel to many countries and see many different types of parliamentary systems and types of democracy and other types of regimes and governance. It was very interesting to observe that where there were strong governments and strong parliaments things seemed to be healthy, but strong governments and weak parliaments were not a good combination. A human rights act hands additional powers to the judiciary and reduces the power of elected representatives. This undermines our democracy, and I think we have to be very careful about the impact on our parliament.

The human right to life is the most fundamental of all rights. The explanatory notes state that the bill provides for the 'right to life and the right not to be deprived of life'. They further state—

This right reflects the positive obligations on states ... to take positive steps to protect the lives of individuals—

and to take 'positive measures to address other threats to life'. The explanatory notes further state—

... nothing in the Act affects any law relating to termination of pregnancy or the killing of an unborn child.

The last line means that this act will not have any bearing on the killing of an unborn child. This act will protect every form of the vulnerable in our communities with one exception: the most vulnerable who needs the most protection—the unborn child—who remains outside the protection of the law. The bill is clear that there are no human rights for unborn children under this Labor government, but why should the 'positive obligation on states ... to take positive steps to protect the lives of individuals' not extend to unborn children?

Further, what is less clear is the human rights of children born alive or born after an abortion. Queensland Health officially calls this 'live birth outcomes'. The term 'newborn child' would be consistent with this legislation's use of the term 'unborn child' in reference to the child still in the womb. Queensland Health has confirmed that there were over 200 such cases in Queensland of children born alive—or newborn children—over the 10- to 11-year period we had statistics for between 2005 and 2015, and some of those were actually born healthy and viable.

Victoria also has a human rights act. Every year, healthy late-term unborn children are born alive and sadly, like in Queensland, left to die. I ask the Attorney-General in her summing-up to address three questions. Firstly, what is the government's position on newborn children born alive after a late-term abortion in Queensland hospitals, because they are occurring? Secondly, are such newborn children human under the definition in the act and therefore have the right to life? Thirdly, should newborn children have the right to medical treatment and care—life-saving treatment where their condition is compatible with life and at least pain relief and some form of palliative care when they are suffering from a congenital abnormality incompatible with life? I ask the Attorney-General to address these questions in her summing-up and clarify the implications of this bill.

What have we become that we can discuss a human rights act but not include the most vulnerable of all human life: the innocent unborn children in the womb and those newborn children? If the government truly wanted to improve and expand human rights, it could ensure in this bill that the fundamental human right to life includes newborn children born after abortions and unborn children in the womb. There are also implications in terms of human rights and freedom of religion that perhaps on some other occasion I will get to address.

In conclusion, the LNP is opposing the bill on the grounds that it is fundamentally undemocratic, it undermines Westminster democracy and it achieves very little of itself. The bill distorts the separation of powers by empowering judges and disempowering elected representatives.