



Speech By  
**Hon. Leanne Linard**


**MEMBER FOR NUDGE**

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Record of Proceedings, 18 August 2022

**LEGAL AFFAIRS AND SAFETY COMMITTEE**

**Report, Motion to Take Note**

 **Hon. LM LINARD** (Nudgee—ALP) (Minister for Children and Youth Justice and Minister for Multicultural Affairs) (3.18 pm): ‘They called me a terrorist, asked me if I had a bomb under my turban and yelled at me to leave the country.’ ‘I have lost count of the number of times that I have been shouted at, told to go home, talked too loudly and slowly, or just generally ignored.’ ‘My kids are bullied at school when they are wearing a head scarf.’ ‘My home office was destroyed. There were Nazi symbols written on this and Heil Hitler written everywhere.’ These are some of the many racist incidents recounted by Queenslanders who made submissions to the Legal Affairs and Safety Committee’s inquiry into serious vilification and hate crimes.

This submission is from the Queensland African Communities Council—

I was coming home from University. I was waiting by myself at Salisbury Bus stop. As the bus was approaching it almost passed me even though I put my hand out waving for the bus, when I got into the bus the driver said to me “next time you should use a torch light,” I apologised. The following week the same incident happened but this time the bus driver said “almost missed you because I couldn’t see you,” after that I didn’t feel like catching the bus when it got dark because I felt embarrassed, this bus stop had lights too.

We are so much better than this and every Queenslander deserves so much better than this. In Queensland we protect against many forms of discrimination but there is no legislation dedicated to addressing serious vilification and hate crimes. For too many who come from culturally and linguistically diverse backgrounds racism is a part of everyday life. It takes many overt forms: from discrimination in the workplace, to online bullying and harassment, to outright public abuse and assault. The Multicultural Queensland Advisory Council was established under the Multicultural Recognition Act 2016 to advise the Minister for Multicultural Affairs on opportunities and barriers facing people from culturally and linguistically diverse backgrounds. The council gives advice on implementing the Multicultural Queensland Charter and how to support the creation of a uniformed, harmonious and inclusive community.

The 11 members of my current council come from a diverse range of cultural backgrounds, live across Queensland and are valued members and leaders in their respective communities. Unfortunately, many of them have also experienced racism or faced barriers due to their cultural or religious background. For these reasons council members were well-placed to provide testimony to the Legal Affairs and Safety Committee—which I wholeheartedly supported—on the nature, extent and impacts of vilification and hate crimes on culturally diverse groups. The council’s submission highlighted the need for change. It outlined how Queensland’s current vilification laws are difficult to navigate and the challenges people face at every stage of the complaints process. For a person without legal representation many of these challenges may have been insurmountable.

The submission also focused on the solutions and penalties available under the current system. Most complaints are resolved at compulsory conciliation through an agreed settlement. If the matter proceeds to a tribunal hearing the likelihood of obtaining an award for punitive or aggravated damages

is slim. The council felt that penalties given to perpetrators of serious vilification under section 131A of the Anti-Discrimination Act do not necessarily meet community expectations. An example provided was of a Muslim woman accosted by a man in an unprovoked attack on a West End street in Brisbane when he threatened to set her hijab on fire with a cigarette lighter. He was fined \$500. This event would have been incredibly traumatic. Is a fine of \$500 commensurate with threatening to burn someone alive? I do not think so.

Recommendation 16 of the committee's report calls for the establishment of a criminal offence that prohibits the display of hate symbols, including those relating to Nazi and ISIS ideology. On Saturday, 30 October last year I received a call from Jason Steinberg, president of the Queensland Jewish Board of Deputies, advising that a Nazi flag was flying out the window of an apartment in a building overlooking the synagogue on Margaret Street. Queensland police attended the scene and seized the flag, but instead of charging the offender with committing a specific hate based offence the only option available was to issue a notice to appear for public nuisance. In January on International Holocaust Remembrance Day Jason Steinberg again sent me another disturbing image—this time of anti-Semitic posters attached to a post outside the Gold Coast Synagogue.

The member for Sunnybank, a passionate defender of equality and inclusiveness in this place, used these eloquent words in his report's forward—

While each of us have a moral responsibility to ensure that our conduct is appropriate ... the unfortunate reality in our society is that there will be some people who will traverse the bounds of proper behaviour.

The committee made 17 wideranging recommendations which raise a number of complex issues. These will require careful consideration by government. I commend the committee for shining a light on this issue and I commend the report to the House.