




Speech By
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MEMBER FOR COOK

Record of Proceedings, 12 October 2023

CRIMINAL CODE (SERIOUS VILIFICATION AND HATE CRIMES) AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LUI** (Cook—ALP) (4.37 pm): I rise to speak on the Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Bill 2023. Throughout history lots of people around the world have faced discrimination when they are treated differently because of their race, skin colour, gender, age, religious beliefs and so many other things. Sadly, it still happens to this day. I am proud to speak on this bill today because, like the incredible human rights activists before us, this bill is about making a change for the better—a change to help society move towards a world where everyone is treated fairly and equally.

The bill was introduced into the Legislative Assembly by the Hon. Shannon Fentiman, the then attorney-general and minister for justice, minister for women and minister for the prevention of domestic and family violence, on 29 March 2023. The objective of the bill is to implement recommendations 7, 8, 9 and 16 of committee report No. 22 of the 57th Parliament titled *Inquiry into serious vilification and hate crimes*.

The key issues raised during the committee's examination of the bill included: the attributes to be protected; in relation to serious vilification, the definition of a public act, removal of the requirement for a Crown Law officer's consent and increasing the maximum penalty to three years imprisonment; the circumstance of aggravation, including the test to be applied and the prescribed offences; in relation to prohibited symbols, prohibiting symbols by regulation; the test for the offence; the reversal of the onus of proof; impact on freedom of expression; allowing police to search a person or vehicle without a warrant; and compliance of the bill with the Legislative Standards Act 1992 and the Human Rights Act 2019.

I would like to acknowledge the memory of a dear friend, the former member for Stretton, the late Mr Duncan Pegg. Duncan was a champion for multicultural communities as he represented one of the most diverse multicultural electorates in Queensland. Duncan was a fearless advocate who believed that all people should be treated as equal, regardless of the colour of their skin, their ethnic background or their religious belief.

There is no room in this world for serious vilification and hate crime. I believe that, the more we stand up as individuals and/or as a collective to speak up against serious vilification and hate crimes in our community, the better the future of our communities will be. It should not matter who you are. It should not matter where you come from, where you live or what you look like, and it certainly should not matter what you believe, think or do because every person deserves the right to feel safe in their home and community. I stand with the committee in the hopes that the report from the inquiry will be a genesis for reform that embodies the spirit of equality, community, acceptance and inclusivity. I am proud of the multicultural state that we are, and I am equally proud to speak on a bill that speaks to protect the rights and interests of our multicultural communities.

Being a person of colour and someone from Torres Strait Islander descent, I am fully aware of what it is like to be different. I know what it is like to be on the receiving end of serious vilification and hate. I also know what it is like to defend someone on the receiving end of serious vilification and hate from another person. I do not condone such behaviour and I will always speak up against it. Being different sometimes attracts the most disgraceful acts. Many Queenslanders are subject to some serious vilification and hate crimes. These Queenslanders include people from culturally and linguistically diverse backgrounds, people with disabilities, Aboriginal and Torres Strait Islander peoples and members of the LGBTIQ+ community. In some instances, vilification is intersectional. A person may, for example, be vilified on the basis of both their sexuality and their race.

Legal Aid Queensland described the vilification experienced by one of their clients, a gay man of Chinese ethnicity. The incident happened over a few months in early 2020 where he experienced extreme forms of verbal abuse from his neighbour. I read the obscene language used to degrade another human being and, quite frankly, I am disgusted and ashamed that someone felt it was okay to speak to another person in that manner. The neighbour also did things like stretching her eyelids in a mocking manner, obviously to demean and make someone feel less of themselves. She had no regard for this person's property by throwing coffee grounds and a vinegar-smelling liquid on his car, causing hundreds of dollars worth of damage. To spit, to throw a plate, food and rubbish, and to hose someone down with water—there are just no words to describe it. Behaviours like this should never be tolerated in our society. Vilification and hate crimes also occur online and in a wide range of physical settings throughout Queensland, such as on public transport, on the street and in workplaces, shops and schools. That is why we need to have strong measures in place to protect the people it affects.

We know that vilification and hate can often lead to devastating outcomes. In March 2019, a mass shooting occurred in consecutive terrorist attacks on two mosques in Christchurch, New Zealand. This heinous crime was committed by a lone gunman who entered both mosques during Friday prayer and savagely killed 51 people and injured 40 others. While the Christchurch mass shooting happened across the Tasman, the remnants were felt here in Australia. It was not surprising to say the least that what happened in Christchurch sparked an act of vilification and hate crime here in Brisbane. Mr Ali Kadri, chief executive officer of the Islamic College of Brisbane and committee member of the Holland Park mosque, described an incident where there was—

... graffiti outside the Holland Park Mosque where somebody painted a swastika and wrote the name of the terrorist who killed 52 people in Christchurch, with 'Saint' at the beginning

He also shared a separate incident that occurred at the Southbank Parklands with his family, where he said—

An intoxicated person came in and started abusing us for being Indians. He used words like 'slaves'. He used words like, 'We rightfully colonised you', and so on and so forth.

When he asked the person to leave them alone, he then had wine spilled on him.

The committee considers that simply describing the nature and extent of hate crimes and vilification faced by members of the community is not sufficient to capture the whole story; it is important to also consider the impact of the vilification on the victims. This helps explain why something has to be done to reduce the instances of hate crimes and vilification in Queensland. I love that diversity makes our communities vibrant and unique. This bill will certainly go a long way to protect Queenslanders from serious vilification and hate crime. I fully support the need for education and awareness.

Queensland Multicultural Month and local events such as the Mareeba Multicultural Festival in my electorate provide platforms to create awareness for diversity so that society can learn to become more accepting of all people and continue to strive towards peace and harmony. I want to give a shout-out to the Mareeba community, the Mareeba Shire Council and the Mareeba Multicultural Festival committee for hosting the annual Mareeba Multicultural Festival, celebrating our First Nations people and our diverse community with people from more than 75 countries. The festival brings community together to showcase traditional performances, crafts, myriad cuisines, music, cultural displays and storytelling. The festival provides an opportunity for people to learn about other cultures and raise awareness for diversity in the region.

We have other initiatives such as Pride Month that occurs every June to celebrate the diversity of the lesbian, gay, bisexual, transgender and intersex community. It is a time to reflect on just how far civil rights have progressed in half a century and it is an opportunity to protest discrimination and violence. NAIDOC Week occurs annually in July and celebrates the history, culture and achievements of Aboriginal and Torres Strait Islander peoples.

While society is becoming more accepting of all people, there is still more to be done. I would like to acknowledge the Legal Affairs and Safety Committee, its chair Peter Russo, the member for Toohey, and other members of the committee, as well as the committee secretariat and Hansard for the large body of work they did to bring this bill to parliament. I commend the bill to the House.