

CRIMINAL CODE AMENDMENT (CRIMINAL DAMAGE TO PLACES OF WORSHIP) BILL 2015

Second Reading

MS M.M. QUIRK (Girrawheen) [4.02 pm]: I move —

That the bill be now read a second time.

The Criminal Code Amendment (Criminal Damage to Places of Worship) Bill 2015 is a simple one, and it is about taking a stand. I am not so naive as to think this law will eliminate religious bigotry, nor in a community that values freedom of speech and in which there is a plethora of social media opportunities do I consider that those so inclined will not find other avenues to vent their intolerance. It is about sending a message to those who would knowingly commit an act of criminal damage against any place of worship such as a church, synagogue, temple, mosque or building where religion is taught or worship services are held. It is about sending a message to police that such conduct is not some aimless daubing by random individuals, but vandalism that is highly targeted and designed to disrupt community cohesion and create disharmony and animosity. It is a mistake to dismiss this conduct as merely a product of misguided ignorance. Such acts are committed to intimidate or deter our fellow Western Australians from practising their religion.

In recent years temples, mosques and synagogues have all fallen prey to graffiti and criminal damage. We want to show our solidarity with the groups subject to these attacks. We stand together with them. These attacks warrant a timely and proportionate response. This law is needed because of the technical legal ambiguities between race and religion. This amendment bill will create a penalty of 14 years' imprisonment for so-called circumstances of aggravation for criminal damage on places of worship. When there are no circumstances of aggravation, the maximum applicable penalty is 10 years' imprisonment. This brings this conduct into line with situations in which there are circumstances of racial aggravation, which currently carries a maximum penalty of 14 years' imprisonment. This amendment does not extend to the harassment provisions under chapter X of the Criminal Code, preserving the status quo with respect to racial incitement and harassment.

Western Australians practise 100 different faiths. As a community, we are proud that everyone has the freedom to profess the religion of their choice. However, we need to be vigilant and fight to defend that freedom. If we are complacent, ignorance can lead to misunderstanding and worse. In order to arrest this trend, I commend the efforts of various faiths that have opened their doors to the whole community for open days or participated in interfaith dialogue or undertaken outreach like the Turbans and Trust initiative of the Sikh community. But it should not be up to just the individual communities to foster greater understanding. It is the obligation of every one of us. This bill acknowledges that we are many faiths but one community. Community cohesion and harmony require hard work and watchfulness. Recent attacks on places of worship are symptoms of a malaise that must be responded to in a timely, robust and forthright fashion. As community leaders, it is our duty to condemn conduct that undermines the very heart of our diversity. We cannot champion diversity and vibrancy when it suits us, and bury our heads in the sand when unambiguous defence of that difference is needed.

I commend the bill to the house.

Debate adjourned, on motion by **Mr S.K. L'Estrange**.