

CRIMINAL CODE AMENDMENT (INTERFERENCE WITH WAR MEMORIALS) BILL 2015

Second Reading

MR P.B. WATSON (Albany) [4.01 pm]: I move —

That the bill be now read a second time.

We are currently living in a period in which many countries around the world are honouring, remembering and commemorating their fallen soldiers and nurses from wars throughout history. Anzac Day is a major day in Australia to remember the sacrifices and contributions made by those who went to war or were touched by it at home. Anzac Day is also a day when people from different countries and all cultural backgrounds can come together and honour those who have been touched by war in many countries across the world. War is truly international and many of the people who have made Australia their home have come from countries impacted by war.

Our war memorials throughout the country are symbols that allow all people to remember the sacrifices that have been made. People who desecrate our war memorials not only do physical damage to the memorial itself, but also cause distress to the current and ex-servicemen and women and their families. The Criminal Code Amendment (Interference with War Memorials) Bill 2015 covers all public memorials to persons who have served or died in any war or warlike operation in which Australians have been on active service. Under the existing Criminal Code's provisions relating to criminal damage are the following prescribed maximum penalties: firstly, if the property is damaged by fire, there is a maximum penalty of life imprisonment; secondly, if the property is damaged but not by fire, there is a maximum penalty of 10 years' imprisonment; and, thirdly, if there are circumstances of racial aggravation, there is a maximum penalty of 14 years' imprisonment. In this bill the maximum penalty has been raised from 10 years to 14 years to make it equivalent to that of an act in which racial aggravation is a circumstance of the offence.

As a community we are proud that everyone has the freedom to voice their views on the merits of war and Australia's involvement in the wars throughout history. Acts of aggravation against those memories and the service of the many impacted by war is totally unacceptable. In Western Australia we have some beautiful memorials, ranging from our man-made memorials to trees planted by families such as those in Kings Park and Albany, and in many other areas in our great state. We must continue to protect them for our future generations by making the penalty reflect that desecrating these memorials is an act of hatred by those who seek to damage them.

I commend the bill to the house.

Debate adjourned, on motion by **Mr R.F. Johnson**.