

CRIMINAL CODE AMENDMENT (DESECRATION OF WAR MEMORIALS) BILL 2018

Introduction and First Reading

Bill introduced, on motion by **Hon Charles Smith**, and read a first time.

Second Reading

HON CHARLES SMITH (East Metropolitan) [10.10 am]: I move —

That the bill be now read a second time.

The introduction of this bill is as timely as it is appropriate, with the commonwealth government today announcing that a significant new war memorial will be built in Canberra. This bill gives the McGowan government an opportunity to show its support to our veteran community and a chance to show its patriotism. It gives the government a chance to show that people matter. Arguably, the most sacred days in the Australian calendar are Anzac Day and Remembrance Day. This year's Remembrance Day commemorates 100 years since the Armistice—the ceasefire of the Great War. This was said to be the war to end all wars. Unfortunately, that was not the case.

Australians from all backgrounds and walks of life come together to pay respect and homage to those who gave everything for the rights and liberties we sometimes take for granted today. Memorials are solemn reminders of the sacrifices that these brave men and women made. They are a symbol of bravery, sacrifice, honour and freedom. They are held in reverence by the Australian public and, as such, are rightly deserving of protection. People who desecrate these memorials and monuments spit in the face of Australian service personnel, both past and present, and of the Australian public, too. It is an insult to this great nation and its people. This bill seeks to provide a degree of legislative protection by criminalising the desecration of these monuments. Those who destroy, damage, move, deface or vandalise a memorial will be guilty of a crime and will be liable for up to five years' imprisonment and responsible for the cost of the repair or restoration of the monument. Australians are free to disagree with and protest against wars, but that right does not, and should not, permit the desecration of the memory of the greatest Australians. Those who insult the community in such a way should indeed be punished as the community expects, which is what this bill aims to achieve.

Pursuant to standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party; nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

I commend the bill to the house and I table the explanatory memorandum.

[See paper 2137.]

Debate adjourned, pursuant to standing orders.