



Parliament House Speech

15 September 2025

A Human Rights Vision for the Games

Thank you, Shannon and team for that very warm Welcome to Country. I pay my deep respect to Yagera and Turrbal ancestors and Elders and acknowledge the continuing pursuit of recognition and justice of all First Nations people in Queensland.

Thank you also to Peter Forday for the warm introduction.

And thank you to everyone here tonight. I am truly humbled by your presence.

It has been a great honour to have served as the inaugural Queensland Human Rights Commissioner, and as many of you will know, my term ends on 10 October. Tonight could have provided an opportunity for me to indulge in a recollection of the highlights (and several lowlights) of my 7-year term, however I don't propose to spend too much of this valedictory occasion looking backwards. I will have some things to say later on about the extraordinary team at the Commission, and other people to whom I owe a debt of gratitude, but for now I want to focus on the future.

A human rights vision for 2032

I want you to imagine it's 2032. You're living in a very different Queensland, a place where human rights are cherished and celebrated, and Brisbane has just pulled off the most successful Olympic and Paralympic Games ever held. Yes, Americans even admit that Briz-Bane 32 outdid LA 28!

Spectators and athletes from around the world marvelled at the accessibility of venues and the vibrancy and openness of Queensland society and culture. Human-

centred universal design principles were embedded not only in our built environment, but also in the delivery of social services and our world class health system.

Our equality laws have been modernised and social media platforms tamed by effective regulation, equipped with ethically created, human rights embedded, artificial intelligence. The Scanlon Foundation social cohesion index is off the chart. The number of business days lost to the effects of sexual harassment has been halved. Neurodiversity is recognised and celebrated.

The housing crisis has been averted. During the Games there was no attempt to hide the small number of unhoused people living in the city. Autonomy is respected.

Global warming reduction and mitigation strategies are core business for all levels of government and industry, supported by policies developed by a Climate Safety Commission.

The Games and associated events feature strong participation of First Nations people, including First Nations organisations and businesses from across Queensland. A Treaty process is well underway, and an elected Aboriginal and Torres Strait Islander Assembly has already negotiated several key outcomes, including agreed protocols on Welcome to Country ceremonies.

Schools have been completely reimaged into vibrant community hubs.

Every child, no matter where they live in this State, has their health, emotional, and learning needs catered for by free, culturally appropriate, and inclusive services. They arrive at prep ready and able to learn. Speech pathologists abound. Children in remote schools eat lunch made from food produced in community gardens and hydroponic food systems. That's right – locally grown lettuces, tomatoes, capsicums and zucchinis!

Every high school student knows and understands the true history of Queensland, including its continuing colonial legacies. They not only know the names of local

First Nations language groups, but some of the local language, as taught by Elders who are on the Education Queensland payroll.

Queensland's national parks are like outdoor classrooms where Elders determine the cultural curriculum – including which aspects of culture and history will be shared, and how tourists can show respect to Country. Queensland is no longer the only state in Australia to withhold compensation to the Stolen Generations.

School children learn about racism. Parents and teachers are equipped with skills and resources to guide responses to racism when it does occur. The burden of exposing racism and other forms of discrimination does not rest with the victim.

Queensland police are a workforce that reflects the diversity of the Queensland community and are subject to genuinely independent accountability.

There are NO children in Queensland's watch houses.

The large youth detention centres have closed and are now operating as TAFE colleges. (I did say it was a very different Queensland!)

So, what would it take to achieve this admittedly utopian future? It may not be immediately apparent but sitting at the heart of all of these possibilities are human rights. I've painted a pretty big picture, so in the time we have available tonight, forgive me for making some broad brush strokes on how I think Queensland could get there.

1. Commit to an Olympics showcase of our human rights culture

The first thing the Queensland Government could do, is put its commitment to upholding human rights front and centre in its Olympics showcase, right alongside our iconic beaches, cultural diversity, and a modernised open democracy.

To market our human rights culture credibly, the government would need to do a number of things.

- One, embed human rights in the centre of all Olympic planning and implementation work. This needs to extend to the rights of athletes and visitors, the accessibility of the built environment, as well as the social infrastructure supporting the Games.
- Two, reject the interim recommendations of the Queensland Productivity Commission, to walk away from the universal design commitments enshrined in the National Construction Code.
- Three, properly respond to the recommendations of the Independent Review of the Queensland Human Rights Act. This report, prepared by an esteemed panel of Griffith University academics, led by Professor Susan Harris-Rimmer, made 70 recommendations to strengthen the enforceability and effectiveness of the Act. In March this year, the government tabled the Review in parliament, together with a one-page letter stating that the government would not be acting on any of the recommendations. The summary dismissal of the Harris Rimmer Report is, in my view, a troubling indication of the value this government places on the human rights of its 5.6 million citizens.
- Four, adequately fund human rights legal assistance services. A healthy democracy requires strong institutions capable of generating and cultivating a dynamic jurisprudence. For too long Australia's jurisprudence has been dominated by those with the financial means to have their day in Court. Community Legal Centres, such as Basic Rights Queensland, should be funded to bring cases like the ones they presently have before the Supreme Court, seeking to protect the rights of homeless people from eviction.

Not many amongst us love litigation, but it is necessary in a democratic society that wants nuanced human rights principles embedded in the law, and not just within the lofty speeches of Human Rights Commissioners.

2. Share power with First Nations

The second thing the Queensland Government could do to transform Queensland in time for the Games, is radically reset its relationship with Aboriginal and Torres Strait Islander communities. This could still be done by 2032 but would require an immediate 180-degree turnaround on the current policy trajectory.

In 1992, the High Court belatedly recognised native title. In 2007, Kevin Rudd finally apologised to the Stolen Generations. We may have said 'Sorry' for some things and provided some legal recognition, but to this day, as a nation, we have not shown anywhere near the respect that Aboriginal and Torres Strait Islanders, as distinct peoples, are owed and deserve. We have not respected their rights, their knowledge, their Country, or their laws.

In Queensland, we are not walking together towards reconciliation – our non-Indigenous leaders are walking us backwards.

One of the biggest steps backward occurred when the Premier reversed his earlier support for the Truth Telling and Treaty processes.

You may be wondering why I am sharing the stage with portraits of two of our earliest premiers? The great tragedy of the decision to terminate the Truth Telling Inquiry was the lost opportunity for today's generations of Queenslanders, to fully appreciate the nature of what occurred during the formation of the state we call home. And for me the McDougall family has called this place home since the 1850s.

Recently I heard a demographer saying that the inheritance of baby boomers' housing assets in the next few decades will amount to the most radical transfer of wealth Australia has ever experienced. It is not. When the horrors of the Port Arthur massacre are revisited, you will often hear the media refer to it as, 'Australia's biggest mass murder'. Again, it was not.

Let me give you just a few snippets of what we may have learned through the Truth Telling Inquiry. Let me start with Queensland's first Premier, Sir Robert Herbert. Although the notorious Mounted Police Force was already operational by the time

he took office in 1859, Herbert was Premier when parliament gazetted regulations imposing a duty on those heavily armed officers to 'disperse' any 'large assemblage of blacks ... without unnecessary violence'. Herbert was described as a 'steadfast friend' of the Mounted Police and established what would become a longstanding practice of offering retiring Mounted Police officers, plumb roles as magistrates, or in other key public service positions.

In 1864, Herbert appointed David Thompson Seymour as the first Commissioner of Police. By the time Seymour retired – 30 years later in 1894, it is estimated that between 20,000 to 60,000 Aboriginal people had been lost to genocide. Incidentally, if you want to see a portrait of Commissioner Seymour, just take a stroll down the corridor at Police Headquarters.

Sir Robert Herbert is joined here by another Queensland Premier who received a knighthood – Sir Thomas McIlwraith. In 1877, two years before becoming Premier, Sir Thomas was a founding partner of the North Australian Pastoral Company, which held thousands of square kilometres of land including in the North Gregory region of south-west Queensland. During McIlwraith's tenure at least 13 significant massacres of Aboriginal people occurred in Queensland, including three – you guessed it - in the North Gregory region in the vicinity of Birdsville. McIlwraith left politics under a cloud of financial controversy, but the company he formed continues to run hundreds of thousands of cattle on land acquired during Queensland's great wealth transfer.

This was a period of immense suffering and injustice. It has been buried and silenced. The silencing continued when on the very first sitting day of this parliament, the Truth Telling Inquiry was shut down. It was shut down via a Bill to improve the governance of the Games.

One can only wonder what the International Olympic Committee were thinking when they were told that the Pathway to Treaty was extinguished by the Pathway to the Olympics. What a terrible message to send to the international community – let alone to Queensland's Aboriginal and Torres Strait Islander people.

One could be left wondering how the approach of this government could be seen as anything other than hostile when considering this and other decisions it has recently made against the interests of First Nations people.

There was the calculated political decision to campaign on, and then enact, so-called Adult Crime, Adult Time laws. This campaign was launched at a time when children were already being subjected to inhumane treatment in Queensland's overcrowded detention centres and watch houses.

The statement of human rights compatibility tabled with those laws acknowledged the disproportionate impact on Aboriginal and Torres Strait Islander people of applying adult sentencing to children. It even went as far as conceding that the laws were 'more punitive than necessary' to achieve the legitimate purpose of community safety. Think about that. A group of elected representatives - from both sides of the House - agreeing to pass laws that they know will disproportionately damage the life prospects of First Nations children as young as 10, and doing so while admitting that the laws go further than what is necessary to protect the community.

Other recent acts of hostility toward First Nations people, include decisions to:

- exclude First Nations representatives from the Olympic Organising Committee
- abandon the construction of a First Nations Cultural Centre in Queensland
- downgrade the role of the First Nations Chief Health Officer, and to
- reject the recommended naming of the new QPAC theatre after one of Queensland's and Australia's greatest poets, Oodgeroo Noonuccal.

In the aftermath of the Voice to Parliament referendum, and the subsequent policy inertia of the Commonwealth Government, the decisions the Queensland Government makes in the months and years ahead about how it will engage with First Nations communities will be crucial to the stories that are told at the Olympics.

These are stories that will be told by First Nations people to journalists from around the world. Some of those journalists will be old enough to remember Cathy Freeman running with the weight of Australia's unfinished business on her shoulders. They will

want to know what progress has been made in the 30 odd years since Midnight Oil played Sydney wearing Sorry shirts. What will that story be?

Will it be that we continue to be the only western democracy with a colonial history that does not recognise its First Peoples in its constitution?

Will it be that in 2006 we threw the baby out with the bathwater when we dismantled ATSIC and failed to replace it with any effective vehicle for representation of First Nations people.

Will it be that in 2023 a combination of factors conspired to defeat a referendum for a First Nations Voice to Parliament, and then we just gave up? And instead of recognising the fundamental rights of Australia's Indigenous people to continue to exist as distinct peoples, we just asked them to move on to an economic empowerment agenda?

Well, if I have learnt anything during my career, it is that in Queensland the First Nations leadership will never give up their fight for self-determination. Koowarta, Yanner, Mabo, Wik, Wotton. These are but a few of the cases that form the proud history of nationally significant rights activism to come out of Queensland.

Policies, whether official or otherwise, of ignoring the right of First Nations' participation in decision-making or, for example, seeking to engage only with the Mayors of Aboriginal shire councils, are assimilationist and take us back to the 1950s.

To those who defend the current policy stagnation by claiming a commitment to Closing the Gap, I simply say this: The National Agreement on Closing the Gap is not working and needs a complete overhaul. It is fatally compromised by its flawed design and lack of enforceability. Without any vehicle for mandated First Nations' representation or community control, the Closing the Gap implementation plans mostly amount to just bureaucratic wish lists. They have no rational connection between the taking of action and the achievement of targets. Moreover, the independent mechanism, which the Agreement relies on to oversee implementation,

has not even been established so is it any wonder then that such little progress is being made and that no one is being held accountable for outcomes.

Still, it is not too late to change this story in time for the Games.

Our political leadership could start by finding the humility to sit down with First Nations leaders and simply just spend some time listening with an open heart and an open mind.

Who knows, we might even find solutions from the wisdom acquired through tens of thousands of years to some of the crises besetting our communities. Deeply ingrained values and cultural practices of sharing, caring for country, and respecting Elders might assist us in grappling with the challenges of the global warming crisis, or our self-inflicted housing crisis, or even our epidemic of loneliness.

3. Get real about climate change

The fact that the 2032 Summer Olympics and Paralympics have to be held in the middle of our winter tells you a lot about the reality of climate change.

In the next seven years, Queensland has the opportunity to be a world leader in the delivery of both emissions reduction and climate mitigation strategies. Compelling social, economic and, of course, ecological reasons show why the Queensland Government should take up this challenge. A huge opportunity exists for Queensland businesses to showcase climate mitigation technology in the design and construction of Olympic venues and infrastructure.

Unfortunately, recent decisions and lack of action toward achieving the 75 per cent emissions reduction target by 2035, suggest that the Queensland Government intends to put the political and financial interests of a few ahead of the basic survival needs, and human rights, of our children and grandchildren.

While the release of a Queensland Energy Plan is anticipated shortly, a number of recent decisions look likely to undermine any claims of environmental leadership that could be made at the Games. These include decisions to:

- extend the coal fired Callide B power station to at least 2031;
- approve the Whitehaven and Lake Vermont coal mines; and
- call in, and or cancel, renewable projects such as the \$1B previously approved Moonlight Range Wind Farm in Central Queensland.

For the sake of humanity – to protect the right to life - we must take these decisions out of the fallible hands of our politicians and entrust them to respected climate scientists. We should establish a robust independent Climate Safety Commission to oversee emissions policy formulation and monitor implementation.

4. Re-imagine our schools as community hubs - Legislate an education guarantee

No other institution represents, and perpetuates, the growing divide in equity in Australia more so than our education system.

To maximise the benefits of schools, we need to stop treating them merely as places where teachers go to work and well-adjusted children go to learn.

Queensland's record of disengaging children from education is alarming. I'm sure if he were alive today, Premier Sir Charles Lilley who pioneered free public education in Australia would be appalled by our current rate of suspensions and expulsions.

When an at risk 14-year-old boy is disengaged from education, the chances of him being sucked into the centrifugal forces of the youth justice and child protection whirlpools increases with each day of his suspension and each one of his interactions with police and child safety officers.

As much as I have been critical of the government's Adult Crime, Adult Time laws, I acknowledge and welcome its efforts to increase and improve support of children in the 12-month period after they are released from detention. If implemented properly, the Staying on Track program should go some way to addressing the outrageous recidivism rate of 84 per cent from 2023/24.

Yet, a bigger and bolder approach would make all our schools inclusive for all children, by setting schools up as important community hubs with support not only for children but for their parents and carers as well.

Also, an enforceable education guarantee would have a profound impact on life outcomes of marginalised in Queensland. I would confidently predict that if school principals were required by legislation to arrange alternative education for students, before any long suspension or expulsion of a student was to take effect, we would see substantial improvements in inclusive education practice and greatly reduced numbers of youth offenders in Queensland.

Of course, an education guarantee would need to be accompanied by a suite of other initiatives providing teachers, parents, and principals with more options and resources to accommodate the learning needs of children. For example, the government could re-establish the Aboriginal Student Support and Parent Awareness (ASSPA) program. I have lost count of how many times I have been told by First Nations people across Queensland that a new version of this program should be re-introduced. We should get on and do it!

5. Revamp Parliamentary Scrutiny

My final suggestion for supercharging a human rights culture within Queensland's democracy involves revamping the parliamentary committee system.

In a parliament with only one house, the Human Rights Act and the committees should play important roles in holding both our law makers and the Executive accountable.

After seven years of close proximity to the process, I can confidently say the committee system is not up to the job of protecting human rights. You don't need to take my word for that – just ask the children currently spending the night in the Wacol remand facility, which despite the title is really just a big brand new watchhouse. The construction of this watch house is not only a monument to the

failure of our social service delivery systems, but also the direct result of the inability of the legislative process to protect human rights.

We could really crank up the scrutiny of parliament with some simple changes to how the committee system works.

Firstly, we could legislate so that the governing majority in parliament do not have automatic voting control on committees. This will no doubt lead to Committee reports with recommendations to reject or amend proposed laws. While such reports may cause embarrassment, the ruling majority could still proceed to pass Bills with or without amendments. However at least there would be a genuine record of scrutiny rather than the rubber stamping by Committees that we see at the moment.

Secondly, we could get creative about who gets to sit on committees and ask the questions. Estimate committee hearings are important and have the advantage of involvement from heavy hitting shadow ministers. However, in Queensland they are far too infrequent and are subject to abuse through Dorothy Dixier questions and filibuster responses.

The most effective committee process I have observed occurred when Jonathon Horton KC was appointed as Independent Legal Counsel to the Parliamentary Crime and Corruption Committee for its inquiry into the CCC's investigation into Logan City Councillors. In this role he assisted the Committee by analysing evidence and forensically questioning witnesses.

Public confidence in the Queensland Government's Covid-19 response would definitely have benefited from such a rigorous committee process. In fact, some of the Supreme Court litigation involving vaccine mandate directives could potentially have been avoided if the directives had been subject to a robust committee process. I see no reason why similar independent roles could not be introduced for other committees, especially when they are considering contentious Bills, such as those seeking to override the operation of the Human Rights Act.

With live streaming of hearings now available to all, if nothing else the introduction of Independent Legal Counsel might increase sales of popcorn in Queensland!