

**From:** [REDACTED]  
**To:** [Legal Affairs and Community Safety Committee](#)  
**Subject:** feedback on the Summary Offences and Other Legislation Amendment Bill 2019  
**Date:** Thursday, 3 October 2019 5:52:25 PM

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03/10/2019

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Dear Members,

Thank you for the opportunity to provide feedback on the Summary Offences and Other Legislation Amendment Bill 2019.

I am writing to you to express my deep concern and opposition to these new laws, which are disproportionate, overreaching, and appear to have no evidential basis.

I am a social psychologist with expertise in political decision-making, protest, and radicalisation, as well as a concerned citizen.

My research expertise tells me that it is important for a social contract to exist between protestors and state authorities which is seen as legitimate by both sides. Within that system of mutual trust, social cohesion and positive social change can occur, even though any particular protest issue might be ignored or opposed by authorities, and any one state action might be opposed or protested by activists.

If the trust breaks down, a process of mutual radicalization (Moghaddam, 2019)<sup>1</sup> is initiated, with the key principle being that each side focuses narrowly on the other's extremists, and engages in behaviour targeting the whole group. Then each group finds the response illegitimate, and escalates their own behaviour. Protestors and state authorities thus radicalise together, extremists within each spurring the other on.

The proposed legislation shows the co-radicalisation in progress. Some protestors target the whole of Brisbane for disruption in a way that many find illegitimate. Then concerns about a minority of protestors are used as a rationale to create new repressive legislation that affects all civil society, and all activists. A general concern with initiating mutual radicalisation is that there is no reason to anticipate that the escalation would stop after this step; ironically it might trigger even more extreme forms of activism. But in addition, the legislation potentially changes the relationship of the police to activists in a way that is not healthy for democracy.

I am concerned with the excessive police powers within this proposed legislation. Police have broad stop and search powers in Queensland, under the Police Powers and Responsibilities Act 2000 which they already use liberally to conduct searches on people suspected of being involved in activism. Greater police discretion means more power for those in charge and more ability to use force when it is expedient. It is likely that these new powers could be applied in arbitrary and possibly discriminatory ways, impacting members of already marginalised groups further.

Additionally, this Bill will grant Police increased authority to issue fines for activities related to protesting. Vesting police with this discretion about whether certain protesting activities will constitute an offence essentially authorises police to be the arbiters of what constitutes a legitimate protest activity.

Of further concern is that there appears to be no factual basis for this Bill. The justification for this Bill and the new criminal offences and police search powers it proposes, originated in serious allegations that protesters were “booby-trapping” devices to harm themselves or others. To date, there has been no evidence produced in support of these claims, and it appears to be entirely fabricated. This is a dangerous position from which to be creating new laws.

I am also very concerned that these proposed laws aim to silence dissent, and are not consistent with community expectations or the democratic pillars on which Australia is built. When governments chip away at our protest rights, they erode our democracy. To protect our democracy and help ensure a better future for all Australians, we must protect our protest rights.

To allow legislation that actively undermines the efficacy of protest activity is a disservice to our social growth.

I urge the committee to reject this Bill.

Kind Regards,  
Winnifred Louis

1 Moghaddam, F. M. (2018). *Mutual radicalization: How groups and nations drive each other to extremes*. American Psychological Association: Washington DC, US.

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Professor Winnifred Louis  
School of Psychology, University of Queensland



<http://www.socialchangelab.net/>

<http://orcid.org/0000-0003-2996-982X>

Gratuitous link: Psychologists for Peace <https://groups.psychology.org.au/pfp/>