

From: [REDACTED]
To: [Legal Affairs and Community Safety Committee](#)
Subject: My concern on aspects of the proposed Summary Offences and Other Legislation Amendments Bill 2019
Date: Friday, 4 October 2019 6:12:47 PM

Dear Members,

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

In my time living in Queensland for 40+ years I have experienced the dark history of suppressing freedom of speech and this bill brings back the shadows of the Joh Bjelke-Petersen era of the 70's and 80's.

The public's right to protest is needed more than ever before and our Queensland Government needs to hear our concerns.

In the face of climate change, we can't allow our voices to be silenced by a Government trying to avoid facing public pressure

This "Dangerous Devices" Bill is based on no evidence and attempts to shift the blame away from the QLD Government's inaction of climate change.

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 especially 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.

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.

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.

Similar laws attempted in Western Australia in 2015 drew extensive criticism from a number of human rights and advocacy groups, including the UN High Commissioner for Human Rights, who released a statement opposing the legislation for its attempts at 'criminalising lawful protests and silencing environmentalists and human rights defenders'.

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.

Targeting members of the public who participate in protest action by banning an effective method of peaceful protest through legislation is unjustifiably inconsistent with our right to freedom of expression.

Protesting is a necessary mechanism for civic engagement and pressuring change when governments are no longer listening to their constituents. Most activists undertake such actions not to cause harm, but to raise necessary alarm, and signal that they do not consent to the status quo. The suggestion that the government should decide when people protest and what they should get to protest about is inconsistent with strong democratic protections.

Our democracy isn't something that "happens" to us once every couple of years at the polling booth. Its enduring success rests on vital foundations like press freedom, freedom of assembly, the rule of law and the right to dissent. Protest outside of the law is part of our democracy, and has a long and important history. 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.

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

I strongly urge the committee to reject this Bill.

Yours sincerely,

Peter Heaphy

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