



Summary Offences and Other Legislation Amendment Bill 2019 ("Dangerous Devices" Bill)

To Whom It May Concern
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As a Queensland pensioner, I am writing to express my strong opposition to the Summary Offences and Other Legislation Amendment Bill 2019 ("Dangerous Devices" Bill). My reasons for this opposition are detailed below.

1. The History and Current Importance of Direct Action

Around the world, direct action has a long and honourable history. It has been a significant part of changing society for the better in terms of slavery, universal and women's suffrage, apartheid, national parks.

Direct action is widely accepted as an extension of democracy, *which does not stop at the ballot box*. If public power were to end with the casting of a ballot on election day, no government would be able to introduce any new policy that had not been made public at the date of the election. As potential laws are introduced between elections, direct action is one of the few ways of the public 'having a say'.

Furthermore, with the deterioration of democracy (as per 'for example' acceptance of the term 'fake news'; politicians increasingly getting away with demonstrable lies – such as the health of the economy; or the denial by parliamentarians of science supported by 97% per cent of recognised scientists; the increasing power of corporations to lobby and influence government; and the extent to which politicians break the rules by using a 'revolving door' to gain influential positions in business (especially mining) within weeks of leaving parliament) the need for alternative outlets for community voices increases.

2. The Urgency of Action on the Climate Crisis

Untold numbers of experts have warned of the current and immediate future of the natural environment on which we and other species depend. The cumulative impact of environmental pressure is not adequately addressed either by laws or the legal system. The government that is attempting to introduce these silencing laws is seen on the world stage as having failed dismally to take the necessary action to avoid an environmental collapse. In the face of this existential crisis and the inadequacy of government action, members of the public have a duty to intervene by way of non-violent direct action. With a non-functional government, action against those corporations involved in environmental damage is legitimate.

In the face of the catastrophe we face, it is not just understandable but also praiseworthy that members of the community (strongly supported by less active protestors and members of the public) are taking non-violent direct action. It is shameful that the current government is so totally missing in action on the issue.

3. Evidence of violent direct action

Media reports and government comments referring to the use of direct action items intentionally 'spiked' (for example with glass and gas canisters) has never been proven. Introducing laws on the basis of incorrect allegations is unacceptable. Furthermore, there is no example of serious injury occurring as a result of any alleged 'dangerous' device. Such behaviour would, in any case, be already covered by existing laws.

Furthermore, it has recently been acknowledged that the use of devices can limit the potential for injury, and increase the safety of NVDA for all concerned.

4. Use of the term 'reasonable'

The Bill in question refers on several occasions to 'reason'.

In reference to the right to peaceful assembly 'reasonable restrictions required to ensure public safety'

In reference to the ordinary operation of transport infrastructure 'unless the person has a reasonable excuse'. (Section 14.C.(1))

prohibits a person, who without reasonable excuse, from using a dangerous attachment device (Section 14.C (2))

to minimise unreasonable disruptions to the community.

if they satisfy a court that their actions when using a dangerous attachment device were reasonable in the circumstances.

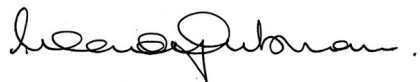
I maintain that any well-informed, intelligent person who takes strong, effective action to mitigate the risk of climate catastrophe leading to environmental collapse (both of which have been identified as an imminent risk by experts) is taking totally reasonable action. It is, unreasonable to be aware of the situation and not take action. When the 'leaders' don't take effective action in the face of crisis it is the responsibility of community members to do so.

5. Summary

Overall, I believe the proposed legislation to be dictatorial, unreasonable and not only unnecessary but also detrimental to the future of society.

Finally I note that 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'. It was later abandoned.

A handwritten signature in black ink, appearing to read 'Wendy Tubman', followed by a period.

Wendy Tubman
5 October 2019