

Marci Webster Mannison



6/10/2019

**Submission on the Summary Offences and Other Legislation Amendment Bill 2019**

Dear Members,

I am writing to provide feedback on the Summary Offences and Other Legislation Amendment Bill 2019.

I oppose to these proposed laws, and I am deeply concerned that they are disproportionate, overreaching, and that there is no evidence base for bringing in excessive police powers. Police already have broad stop and search powers in Queensland, under the Police Powers and Responsibilities Act 2000. Increasing discretionary power of police, may be used to limit our freedom of movement, political communication, and speech, and will have a disproportionate impact on members of already marginalised groups.

Additionally, this proposed legislation will give the police increased authority to determine fines for activities related to protest and civil disobedience which in effect hands the responsibility for determining which protests and activities are considered lawful to the police, rather than the courts. The UN Office of the High Commissioner for Human Rights considers that such legislation would result in ‘criminalising lawful protests and silencing environmentalists and human rights defenders’<sup>1</sup>.

Where is the evidence? The argument that this Bill which creates new criminal offences and police search powers is justified, centres on allegations that protesters were “booby-trapping” devices to harm themselves or others. There has been no evidence presented in support of these claims. These techniques have been used safely for decades; the only harm occurring has been to the protesters when incorrect removal techniques have been used by the police.

Of further concern, as pointed out by the UN Office of the High Commissioner for Human Rights is that such legislation “discourages legitimate protest activity and instead, prioritizes business and government resource interests over the democratic rights of individuals.”<sup>2</sup> The science is clear: It is understood that we are facing a global emergency of unprecedented climate chaos, ecological collapse and species extinction of our own making. The proposed laws target members of the public who believe we have a moral duty to take urgent emergency action in the form of protest. People who believe that our government is failing in its duty to act on our behalf, and who want to highlight how serious the ecological crisis is, and show that collectively we can take responsibility to try to change a system that is driving human civilisation to the brink of collapse.

The proposed laws are inconsistent with our right to freedom of expression protected by section 7 of the Human Rights Act (Qld) and articles 19 and 20 of the International Covenant on Civil and Political Rights (ICCPR).

I urge the committee to reject this Bill.

Kind Regards,  
Marci Webster-Mannison

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<sup>1</sup> GENEVA (15 February 2016)

<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17047>

<sup>2</sup> Ibid.