

Submission on the Summary Offences and Other Legislation Amendment Bill 2019

8 October 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. They are also targeting a cohort of our community committed to changing the current trajectory of this planet which is facing irreversible damage and ultimately the loss of ALL life. The people's right to speak up and take action has never been more important.

I am interested in this bill on personal grounds. I am a professional person who is highly educated and supports vulnerable members of our state community affected by violence. I have children and I carry a very deep level of distress about the refusal of government to recognise or respond to the climate crisis. I am staggered that those in power – who are also human – can completely disconnect from this common sense of also “being human” and seek to silence those who question this rule and increasingly push for population control and homogenisation. I am left frequently wondering how you – being in power – can return home to your families and friends and not consider the consequences of your ideology.

I am highly concerned about the continued push to erode the right of people to be able to express their opinions and certainly their discontent about the policies and mechanisms of government that continue to decimate the human and natural environments. This is underpinned by the uncomfortable awareness that the state is a vehicle of capitalist neoliberal agenda that has no outcome aside from the complete exhaustion of all resources for the sake of growth, expansion and profit. This is fundamentally appalling and the situation this is creating for our planet is no longer acceptable.

I support strongly the actions of those who will raise their voices and clearly advise the government that their actions are simply no longer tenable. The climate emergency absolutely requires all peoples to act and take necessary non-violent direct action in response to political inaction. This is to save the future of ALL life on this planet – including those currently in power.

I witnessed the use of a lock-on device whilst participating in a non-violent climate emergency demonstration on 7 October 2019 in Brisbane. These people were peaceful, cooperative and committed to raising awareness. There was no danger to the attending police officers and certainly there was no intent to cause harm to anyone by these people. There was no “disruption” to the demonstration which also continued very peacefully. The climate emergency warrants all action to raise awareness that is non-violent. If it “interferes” with business operations or the movement of vehicles I must ask what the government response will be when climate change “disrupts” society to a level where law enforcement will not be

able to intervene and when certainly, the politicians are taking all means necessary to save their own lives. We are in a mass extinction and looming water and food insecurity crisis – how will you control the population at that point? The rights of those to raise awareness is critical now.

This law seeks to demonise and silence any voice and action that speaks up against the power. This is not democracy. In a state of global climate emergency we are now at a time when government needs to be courageous and take all means necessary to preserve life. At present, the continued trajectory of policy and agenda will quite bluntly - kill us all. The targeting and labelling of people who use devices as “extremist” is another mechanism of silencing by the state – this is not democracy. A much higher priority for the government should be an urgent environmental response and certainly - addressing the systemic failures of the legal system in managing the much more serious acts of violence that decimate lives. This is a system that is currently failing community expectations with a focus on more serious punishment for crimes of property, fraud and substances over those committed against the person. This in itself is horrifying and represents the clear way our current system priorities profit over lives. Creating new laws to punish a targeted very small minority of people taking non-violent action against political failure to act in a time of crisis simply exemplifies the dire circumstances we are now in. The further labelling in the media is another example of the way government is seeking to silence the right of its people to tell their “representatives” that they are not acting in the best interests of their people. Enacting laws against these devices has no evidential merit and is couched in demonising terminology that portrays any of these acts as though it is committed in an ethos of terror. This is unacceptable.

This proposed law clearly protects state interests over the individual and their rights.

I have read the critique provided by Front Line Action on Coal and provide these again in this submission:

- The basis given for the drafting of these laws, that activists are using “lock-on” devices to attempt to injure police and safety officers, is not backed up by evidence. These devices have been used for decades, yet the Queensland government has not offered examples of police being injured, or anybody being charged with setting “booby-traps” inside lock-on devices; only speculation.
- The legislation in fact misrepresents the devices by including sinister-sounding terminology like “sleeping dragon” and “dragon’s den” which is not used by the activists themselves.
- If it was the case that activists were trying to use lock-on devices to injure police, that would already be illegal and the law has sufficient power to punish that.
- The law gives police extra powers to search without a warrant. Police already use “stop and search” powers as a way to intimidate and hinder protesters who have not broken any law, and this law will give them more justification to do so.
- Under the guise of safety, the government is bringing in laws which are really about stopping protest activity. The right to protest is a recognised pillar of democracy, and this right should include not just tokenistic free speech but actual effective protest activity as developed by historical protest movements.

– Australia has a proud history of successful protest movements using civil disobedience. These have advanced the rights of workers, gender and sexual equality, indigenous rights and environmental protection. Many of our national parks today are the result of protest activity which used devices of the kind prohibited under this law. Queensland Labor, which traces its origins to one such illegal protest (the 1891 shearers' strike) should recognise this.

– To bring in superfluous laws, with limited evidential basis, to restrict protest is very dangerous. Not only does it erode our democracy, but it suppresses one of the vitally needed tools we have to address the climate crisis we are currently facing – something which, unlike lock-on devices, actually is a genuine threat to health and safety.

I urge you to seriously consider this bill as dangerous and undemocratic. What will be the legacy of the Queensland Government in the wake of climate change? At present my only word is “shame”.

Toni Russo