



Environment Council of  
Central Queensland Inc.

ABN 56 740 735 001

P.O. Box 1399 Mackay 4740

[lacs@parliament.qld.gov.au](mailto:lacs@parliament.qld.gov.au)

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Committee Secretary  
Legal Affairs and Community Safety Committee  
Parliament House

To the members of the Committee,

**RE: Summary Offences and Other Legislation Amendment Bill 2019**

We strongly urge you to reject completely the Amendments to the Summary offences and other Legislation Amendment Bill 2019 (the Bill).

The Government should instead take action on the issues rather than introducing new laws to take action on peaceful protesters. This Bill is not dealing with the problem.

The Environment Council of Central Queensland (ECoCeQ) was incorporated in 2014, and for the past 5 years has been progressing our principal purpose which is the conservation, protection and enhancement of the natural environment. We endeavour to raise public awareness of issues of environmental concern, and are obliged to take advantage of any lawful right or privilege to uphold, promote or further the interests of the association.

**The Bill proposes to ‘shoot the messenger’ instead of taking meaningful action on the message of climate change.**

We oppose the amendments to the Bill because it is wrongful for a government to be separating themselves from peaceful protest when government inaction persists in the face of accelerating climate change. The charge of ‘inaction’ cannot be challenged, because even though there are some positive steps to implement renewable energy in the State, there is no plan to transition industries and workers away from fossil fuels, and this government maintains unrelenting support for the coal and gas industries which are the root cause of accelerating climate change. Fostered support includes the Royalties subsidy of around ~\$900 Million taxpayer dollars to Adani even though they have indicated they do not need it, as well as the recent approvals of new thermal and metallurgical coal deposits which no-one needs on a burning planet. The activists are not intending to cause harm but to raise the alarm.

**Non-violence is a pillar of civil disobedience. Devices designed to hurt themselves or others is not consistent with the principles of non-violent direct action. There is no evidence that such devices have been or will be used. Existing laws can adequately deal with incidents if they arise.**

It is unfortunate that Queensland does not have a Senate to moderate and provide checks and balances when the government attempts to approve legislation such as in this Bill. The Bill is based on a false premise broadcast when the premier declared in Parliament that had seen a device 'laced with dangerous traps' intended to injure police who may be trying to remove it. These are quite serious allegations, based on no evidence at all - no arrests, no charges, no injuries from a device such as she described. It is unclear where this allegation came from, but it does not take much reflection to realise that the person most likely to lose a limb, an eye or a life in this situation would be the protestor. Perhaps something dramatic was needed as a pretext to propose these amendments, true or not. It is incredible that the claim made by the Premier has not been challenged in the parliament.

**The success of our democracy is based on some core tenets including the rule of law, protected rights and freedoms including freedom of the press, freedom of assembly, freedom to dissent, free and fair elections, and accountability and transparency of government officials.**

The right to peaceful assembly is a fundamental democratic right recognised internationally in Article 21 of the International Convention on Civil and Political Rights to which Australia is a signatory. Prior to the changes introduced by Labor in 1991 with the Peaceful Assembly Act, the Traffic Act 1949 enabled police to determine who could assemble and under what conditions. I refer you to the 2<sup>nd</sup> reading by the Attorney General Dean Wells and the spirit embodied in the Peaceful Assembly Act 1991. The proposed amendments to the Bill would allow wide ranging police powers to search people, vehicles and premises without a warrant and purely at individual police discretion, making it open to bias and abuse. It could plunge Queensland back into the pre-Fitzgerald days. The Qld Police Service currently deals with complaints about how it operates, and about individual police actions through the Ethical Standards Command which is an internal process where the QPS self assess and self regulate their own activities. Self regulation does not work as a means of ensuring integrity in individuals or within an organisation. The Bill would leave a lot of room for intimidation and abuse of police powers.

**Climate Change is not a fringe issue, and must be actioned with the urgency it deserves.**

The Student Strikes at the end of September were attended by 300,000 Australians, and estimates of 7 million in 150 countries worldwide. Australian polls (Lowy Institute June 2019) have been consistent in revealing that we are increasingly wanting action on climate change. *'First, and perhaps most striking, Australians have identified climate change as the most critical threat to Australia's "vital interests". Almost two thirds (64%) of respondents described climate change as a critical threat, above cyber attacks (62%), terrorism (61%) or North Korea's nuclear program (60%), for example.'*

Members of the Queensland government made statements such as school strikes should be held outside of school hours, or that protests would be ok if they did not disrupt people going about their business. The purpose of assembly and protest is to disrupt – that's the whole point. The disruption is insignificant compared to the disruption of climate change catastrophes. Consider the drought, bushfires, and floods that Queensland has undergone in the past summer, and we are already facing extreme temperatures and bushfires and it is still

early Spring. Existing laws and police powers are more than adequate to address any illegal actions by protesters as evidenced by the 160 arrests in Brisbane since April. There is no case for increasing police powers.

Civil Disobedience is part of Australia's history, and even Queensland Labor tradition ascribes their founding to a meeting during the shearer's strike under a ghost gum tree, the "Tree of Knowledge" in Barcaldine, Queensland in 1891.

Civil disobedience has been necessary to progress women's rights, workers' rights, oppose the Vietnam War, protect the Daintree and other National Parks, and decriminalising homosexuality. These have all been hard-won battles lead by protesters against a government paralysed by inaction on the serious issues at the heart of the protest. History has applauded the right and justice of each of these battles. Civil disobedience is a necessary option for social change.

I urge you to reject the Bill as unwarranted, and unjust. The bigger problem that needs action, is climate change.

Yours sincerely,

Christine Carlisle  
President  
Environment Council of Central Queensland

