



Mackay Conservation Group

The Environment Centre
156 Wood St, Mackay
PO BOX 826
Mackay Qld 4740
ABN: 41 123 903 975

Tel: (07) 4953 0808

Email: admin@mackayconservationgroup.org.au

Web: www.mackayconservationgroup.org.au

8 October 2019

Legal Affairs and Community Safety Committee
Parliament House
George Street
BRISBANE QLD 4000
By email: lacsc@parliament.qld.gov.au

Submission regarding the Summary Offences and Other Legislation Amendment Bill 2019

Dear Members of the Legal Affairs and Community Safety Committee,

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

Mackay Conservation Group strongly opposes these proposed new laws due to the deep concern that these measures are not based on factual evidence and are therefore excessive, inappropriate and unnecessary.

The Bill was introduced after the government made serious allegations of protesters using “booby-trapped” lock-on devices. As of date, no evidence has been released to back up these claims, essentially making the purpose of this Bill invalid.

With no actual evidence to back up this bill, we are deeply concerned about its provisions that will increase police search powers. Police already have broad stop and search powers in Queensland, under the Police Powers and Responsibilities Act 2000. Widening these search powers even further raises serious apprehensions that these measures could possibly be used excessively, to threaten members of the public or in discriminatory ways.

As a community-based environmental organisation, Mackay Conservation Group has run many peaceful marches and rallies over the years. We know that if this Bill passes and police are given wider search powers for “dangerous devices”, there will be members of our organisation and the public who may feel so intimidated or threatened about being searched that they may not participate. This is a serious threat to our right to democratic protest.

Back in 1992 when the Goss Labor Government proudly introduced the Peaceful Assembly Bill to the Queensland parliament then Attorney General, Dean Wells, spoke clearly in his second reading speech about the trampling of Queenslanders’ ancient democratic rights to demonstrate. How excessive policing had been used to prevent people being able to voice their concerns publicly on a range of issues. This Bill will undermine the spirit of democratic reform introduced by the Goss Labor government and will provide the opportunity for further erosion of our civil liberties in the future.

In a time of dangerous man-made climate change, the right for the public to voice their demands and wants from the Government is more important than ever before. The majority of climate scientists (97%) agree that climate change is happening due to anthropogenic burning of fossil fuels. A recent IPCC report states that urgent action is needed to reach net-zero carbon emissions by 2050

to ensure we have a livable planet. By using this bill to limit the public's right to express themselves in such circumstances is a travesty of the right for survival.

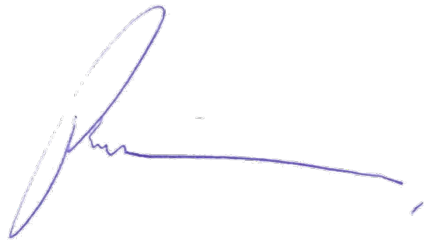
Similar laws attempted in Western Australia in 2015 drew extensive criticism from a number of human rights and advocacy groups, including the UN High Commissioner for Human Rights, who released a statement opposing the legislation for its attempts at 'criminalising lawful protests and silencing environmentalists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

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. This right is 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).

This bill has been created on baseless claims and protects no one. Instead, it undermines Queenslanders' civil liberties and impedes society from taking real action on climate change. This bill chips away at our democratic rights is dangerous in the long term.

Mackay Conservation Group unreservedly urges the committee to reject this bill.

Yours sincerely,



Peter McCallum
Coordinator
Mackay Conservation Group
[REDACTED]