

Submission on the Summary Offences and Other Legislation Amendment Bill 2019

08/10/2019

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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 absurdly disproportionate, overreaching, and appear to have no evidential basis.

I am a trained & passionate botanist, wildlife observer & ecologist who is deeply disturbed by this legislation. The field I have studied in for years will no longer exist if laws like this are implemented and the systematic destruction of our natural world beyond the cities continues. I feel deeply for the non human creatures who are on the brink of extinction (currently over 500 animal species including our iconic koalas & several wallaby species) and require urgent protection from extractivist industries, and I highly commend the many, many Australians throughout our history who have put themselves in legal jeopardy to protect these creatures. I urge you, reader, to visit some of the phenomenally biodiverse and beautiful places such as Terania Creek, where the use of devices has been critical in establishing environmental protection for these incredible natural places.

I am of the opinion that increasing the parameters for police & the legal system to further oppress & criminalise good people; who are taking the last remaining action they possibly can to protect our natural environment & all of its wonderful flora and fauna, is a crime in itself. The legal system in Australia has repeatedly shown to be flawed in regards to environmental protection, when individuals are charged with larger penalties for exposing & opposing environmental desecration than the corporations face for environmental vandalism, such as intentionally spilling toxic wastes into wetlands & watercourses, and ignoring emissions regulations.

Taking legal action such as signing petitions to oppose environmental vandalism does not work, even the federal government has admitted to not reading public submissions (including from Australia's top environmental scientists) in opposition to projects, choosing instead to fund them for their own profit. Against this level of deep-seated corruption, it is no surprise that activists have no other choice but to use these devices to stop environmental destruction & species extinction.

Countries all over the world are beginning to establish legal rights for natural places & enforce protection, whilst Australia implements archaic legislation & funds obsolete industries. "Our land

abounds with nature's gifts, of beauty rich and rare" is now farcical, with one of the highest deforestation rates on the planet and our incredible biodiverse fauna facing extinction. I urge you to take into account the following factors and to consider that these "serial protestors" actually have a moral high ground beside people who work with the tools of violence & legal oppression to rape and exploit to the point of desolation, this wonderful continent.

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 hope you take this submission seriously and appreciate your time reading it.

Kind regards  
Kelsie Phillips