

Hello!

Just replying to the email that said I had not sent adequate details such as address etc.

Ms Tonia Binsiar

[REDACTED]

and my email is the one you have sent this letter to but, just for clarification -

[REDACTED]

I understand that our Premier is trying to find a way to dismiss submissions made and am hoping that this is not an attempt to do so.

I, along with many concerned citizens, attended a demonstration at 1 William St during the past week as part of the XR protests where Anastasia was hoping to bring legislation to stop the use of lock on devises - not dangerous devices - as she would like them to be called. Please be aware that many of us will fight tooth and nail to prevent this happening and if this unAustralian legislation happens, I have sworn to be one of the first arrested for doing so. I am a mother and grandmother and will no longer stand for this type of purely undemocratic behaviour.

Tonia Binsiar

From: [REDACTED]
To: [Legal Affairs and Community Safety Committee](#)
Subject: Stop this legislation
Date: Sunday, 6 October 2019 5:07:27 PM

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.

I am especially concerned with the excessive police powers within this proposed legislation. Police have broad stop and search powers in Queensland, under the Police Powers and Responsibilities Act 2000 which they already use liberally to conduct searches on people suspected of being involved in activism. Greater police discretion means more power for those in charge and more ability to use force when it is expedient. It is likely that these new powers could be applied in arbitrary and possibly discriminatory ways.

This Bill will grant Police increased authority to issue fines for activities related to protesting. Vesting police with this discretion about whether certain protesting activities will constitute an offence essentially authorises police to be the arbiters of what constitutes a legitimate protest activity.

Of further concern is that there appears to be no factual basis for this Bill. The justification for this Bill and the new criminal offences and police search powers it proposes originated in serious allegations that protesters were “booby-trapping” devices to harm themselves or others. To date, there has been no evidence produced in support of these claims, and it appears to be entirely fabricated. The claims made by our Premier are also nonsensical. If a person was to 'lock on' with intentions to harm police officers, they would also severely harm themselves in the process. I have met a number of people who have locked on and they are passionate, kind people who care for the state of our planet and I think to portray them in this manner is incredibly irresponsible and unfair and by doing so, you also label people like me in this manner. This is a dangerous position from which to be creating new laws.

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.

Common to these anti-protest laws are the prioritisation of business interests over the rights of Australians, under the facade of public safety. That prioritisation puts companies ahead of people. People like me and my family who are decent citizens who contribute a lot to our local communities.

I am also very concerned that these proposed laws aim to silence dissent, and are not consistent with community expectations or the democratic pillars on which Australia is built. Like the 97%+ scientists, who are backed by thousands of peer-reviewed papers, the wider Queensland community understands the realities and urgency of the climate crisis, and they want their governments to act on this.

The determination I, and many people like me feel will not be silenced by this. Through watching the science and learning about the detrimental effects of burning fossil fuels - which is just one example of the causes of climate change - we have a clear understanding of the trouble our state, country and planet is in and we will not stop. We are prepared to do what we need to do to protect ourselves and our families does not mean that we should be labelled as trouble makers with false evidence and unfair laws.

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).

Protesting is a necessary mechanism for civic engagement and pressuring change when governments are no longer listening to their constituents. Civil disobedience, including the actions this Bill targets, is an important

form of protest. Most activists undertake such actions not to cause harm, but to raise necessary alarm, and signal that they do not consent to the status quo. The suggestion that the government should decide when people protest and what they should get to protest about is inconsistent with strong democratic protections. You are removing our rights to protest as you are slowly removing our right to access to clean water, clean air and live in a pleasant environment.

Activists break laws because living in a democracy comes not only with rights but with obligations. Our democracy isn't something that "happens" to us once every couple of years at the polling booth. Its enduring success rests on vital foundations like press freedom, freedom of assembly, the rule of law and the right to dissent. Protest outside of the law is part of our democracy, and has a long and important history. When governments chip away at our protest rights, they erode our democracy. To protect our democracy and help ensure a better future for all Australians, we must protect our protest rights.

History is filled with examples of the efficacy of such non-violent direct action, especially peaceful disruptions. This form of protest helped to win the eight-hour working day, to protect the Franklin and the Daintree and advance Aboriginal land rights. Protest helped to secure women's right to vote, to stop our involvement in the Vietnam War and end the criminalisation of homosexuality. Protest continues to play a key role in highlighting the cruelty of our refugee policies, in protecting workers' rights, in stopping coal seam gas exploration and so much more.

Which side will you be on? What will history say about this government? Up until the federal election, I felt this state government was making good decisions but it seems to me you have folded to meet the needs and wants of huge corporations who care nothing for the everyday person - only greed. I have always voted Labor and never envisaged a time when I would deeply regret it, always feeling that commonsense would prevail. There have been many instances where I have cringed at decisions made but I never thought our state Labor government would sell us out but here we are! Here I am writing this email to protect my rights an an activist along with the rights of my children and my only grandchild. I always thought the Labor government was for the people, not for some extremely well-off faceless people who seem to be more important than those I love and my fellow citizens. Again, which side of history will you be on? What will you be telling your children and grandchildren in y

ears to come? Who will matter more at the end of your life and what will you be remembered for?

From one human who loves her family dearly to another, don't unfairly put we mindful and passionate people in this position? Please don't legislate to make us look like lawless no- hoppers whose aim it is injure anyone in emergency services? You know it is not true and your claims and reasoning for this legislation are based on lies to discredit us?

To allow legislation that actively undermines the efficacy of protest activity is a disservice to our social growth. It also undermines decent citizens, good people who care about our community and the epic dangers of climate change that we will all have to face.

Again, where will you stand in history?

I urge the committee to reject this Bill.

Yours sincerely,
Tonia Binsiar

This email was sent by Tonia Binsiar via Do Gooder, a website that allows people to contact you regarding issues they consider important. In accordance with web protocol FC 3834 we have set the FROM field of this email to our generic no-reply address at campaigns@good.do, however Tonia provided an email address [REDACTED] which we included in the REPLY-TO field.

[REDACTED]

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