




Speech By
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MEMBER FOR NINDERRY

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SUMMARY OFFENCES AND OTHER LEGISLATION AMENDMENT BILL

 **Mr PURDIE** (Ninderry—LNP) (4.52 pm): I rise today to speak on the proposed Summary Offences and Other Legislation Amendment Bill 2019. As we have heard from other opposition members earlier in this debate, particularly our leader, the member for Nanango; our deputy leader; the member for Toowoomba North; and our shadow Attorney-General, the member for Toowoomba South, the LNP supports the right of all Queenslanders to participate in protests and peaceful assembly. Our democratic system is enhanced by free speech, freedom of expression and people being given a voice by peaceful assembly. There is no doubt that any right to participate in public assemblies ought to be subject to only those limitations as are necessary and reasonable in a democratic society. We need to find a balance between the right to public and peaceful protests and every person's right to go about their lives or their business without unnecessary disruption. These are important freedoms that need to be protected.

Extinction Rebellion protesters have brought Brisbane, along with major cities worldwide, to a screaming halt by hanging from bridges, gluing themselves to roads, chaining themselves to railway tracks or locking themselves to barrels of concrete. The rebellion describe themselves as nonviolent civil disobedience activists. Their so-called nonviolent measures do in fact involve acts of violence to themselves and to infrastructure and risk the lives of people around them. Our communities are suffering, local businesses are suffering and our already stretched police resources are suffering. The protesters have wasted emergency services resources, delivered mayhem on Brisbane's streets, continually delayed people's freedom of movement and impacted on trade and commerce. As our shadow Attorney-General said earlier, Extinction Rebellion have tipped the balance between exercising their right to peaceful assembly and the rights and freedoms of others well in their favour.

The government has been talking tough about the introduction of these new amendments which attract a maximum penalty of two years in prison, but do these amendments go far enough? The Summary Offences Act already has an offence in section 10A for unlawful assembly. This offence when coupled with violence is punishable by two years imprisonment, but the vast majority of people charged with this offence receive a small fine with no conviction recorded. These fines often go unpaid and then are referred to SPER, and we all know how that goes—no doubt the same punishment they will receive for this new offence we are debating today.

The bill inserts a new division 2A, 'Offence involving use of dangerous attachment devices'. The bill states that the definition of 'attachment device' is 'a device that reasonably appears to be constructed or modified to enable a person using the device to resist being safely removed'. However, the bill states that glue, bike locks, padlocks, ropes and chains are not attachment devices. What really is an attachment device covered under this bill? It includes sleeping dragons and dragon's dens. These are things which involve pipes and concrete essentially which are makeshift barriers between the protesters and police.

Clearly Labor's proposed lock-on device laws are overly specific and will have minimal effect on the majority of Extinction Rebellion protesters that have been causing anarchy on the streets of Brisbane. Protesters do have the right to free speech, but no-one has the right to break the law, or injure

or threaten the safety of innocent Queenslanders and/or our emergency services. The bill simply reinforces to protesters that their unlawful activities do not attract severe punishments, essentially giving them the green light. Under Labor's bill, if protesters use a dangerous attachment device as defined by the bill which causes disruption to roads or railways, they can be jailed for up to two years. Similarly, if a dangerous attachment device stops a person from entering a business or stops the ordinary operation of a plant, the protester could be fined 20 penalty units, or jailed for one year. As we have seen repeatedly in this state and as I highlighted earlier, maximum penalties are rarely imposed.

Earlier today in his contribution we heard the police minister outline how dangerous some of the actions taken by these protesters are to themselves, to the police and to the community. He outlined how there is a real risk of death. He said that one slip could result in the death of a police officer, the protester or a member of the public. The question is: does this bill go far enough to protect our police, to protect our community and to protect the protester from themselves?

The Summary Offences Act is essentially an act for minor offences—offences like public nuisance, urinating in a public place, begging in public, wilful exposure, being drunk in a public place or throwing things at a sporting event. Most of the offences in this act are dealt with by way of a ticket. Rarely does anyone get sentenced to a term of imprisonment under this act. If the government were serious about stopping these life-endangering acts, this offence would be in the Criminal Code.

The Extinction Rebellion protesters must be stopped, and I applaud our shadow police minister, the member for Toowoomba North, for his considered and practical amendments that will address this issue that is adversely impacting on Queenslanders and Queensland businesses all too often. These amendments include mandatory jail sentences for a new unlawful assembly offence to ensure anyone convicted of multiple breaches of the new offence will face mandatory jail time; and tougher bail laws, reversing the presumption of bail for offenders charged with unlawful assembly who commit an offence of a similar nature while on bail. I appreciate the frustration of the Queensland Police Service, who see protesters back on the streets within hours of their arrest, often before police have even finished the required paperwork for the arrest. Under the proposed LNP laws, those protesters would face mandatory jail, which would create a genuine deterrent.

All steps towards addressing the disruption caused by these extremists are necessary and are to be applauded. With more time, more consultation and due process, parliament could have worked together to produce more robust laws to ensure a balance is struck between the civil liberties of a minority and the safety of the majority.