

**Submission
No 63**

**INQUIRY INTO PROVISIONS OF THE RIGHT TO FARM
BILL 2019**

Name: Ms Kirsten Mackenzie

Date Received: 30 September 2019

I am an Australian citizen who has always cherished our democracy and our rights as citizens to speak up to any authoritarian rule. We have the right to protest and particularly to protest against those wielding disproportionate amounts of power to the rest of us; to protest for those who don't have a strong voice, or any voice at all. I am aware of the work of my forebears who helped ensure that we, as Australian and NSW citizens, have these democratic rights. My father & uncles fought for these rights in WW2. My grandfather fought for these rights in WW1. My mother and grandmother fought for these civil rights through their community service and civil agitation, often at a cost to their personal lives and families. I am exceedingly concerned that these democratic rights are to be diluted now by a government bent on protecting big business' interests over the rights of the citizens of NSW. I am concerned that the NSW Government is not properly accountable to the people of NSW. With its revolving door policies as well as the large political donations made to the LNP, the Government is beholden to business and corporate interests before and above the interests of its citizens.

I am writing to you as a citizen of New South Wales to express my concern about the Right to Farm Bill 2019. The right to peacefully protest is a fundamental right of a healthy democracy, but that right is being undermined by provisions within this bill. Schedule 2 of the Bill, in particular, is a sinister and broad threat to democracy and the right to protest.

I am asking that you table a report that calls for sensible amendments to the Right to Farm Bill 2019 to be made to protect the right to engage in and organise peaceful protests.

The proposed legislation increases the fine for anyone who 'enters inclosed lands without permission' and 'hinders' a business when they do so, from \$5,500 to \$22,000. It also brings in a new three-year sentence for the offence.

The definition of 'inclosed lands' is so broad that it captures any land with a defined boundary, such as any building, a forestry coupe with a fence, land designated for coal or gas mining, or a work site.

The definition of hindering a business is similarly broad and would capture many forms of peaceful protest, such as a sit-in at a company's corporate headquarters, a farmer or knitting nanna who locks on to coal or gas equipment, or even union officials' and members' activities on a work site.

Additionally, the bill introduces a new offence of directing, inciting, procuring or inducing the commission of the aggravated offence. This would criminalise the act of organising a peaceful protest.

The provisions of this bill are anti-democratic and impose upon our fundamental rights. I stand with numerous civil liberties groups who oppose these elements.

I am requesting that you table a report that requires the bill to be amended so that it:

- Does not apply to people engaged in genuine peaceful protest;
- Does not increase the current penalties for aggravated unlawful entry onto inclosed lands; and
- Does not criminalise people who encourage others to participate in a peaceful protest.

I request that this submission be published in full on your website, with my name included.

Yours sincerely,
Kirsten Mackenzie
Coffs Harbour, New South Wales, 2450, Australia