

**Submission
No 95**

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

Name: Miss Johanna Evans

Date Received: 30 September 2019

SUBMISSION/OBJECTION ON THE RIGHT TO FARM BILL 2019

Dear Committee,

I am writing as a member of a community that is vehemently opposed to coal seam gas mining. I am a citizen of New South Wales and am deeply concerned about the Right to Farm Bill 2019. The right to peacefully protest is a fundamental right of a healthy and functioning democracy, that right is being undermined and decimated 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. This bill is a trojan horse of immense proportions. It is a knee jerk reaction to events around so called farm invasions by vegan activists that did not occur broadly in the state of New South Wales.

Laws of trespass already protect landholders from the sorts of illegal activities the government claims this new bill seeks to address.

I request 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. I request that statistics of these farm invasions in the state of NSW be published to provide justification for this bill.

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. This is an astronomical and unnecessary increase on the back of previous amendments. It also brings in a new three-year sentence for the offence. Existing trespass already cover what this bill is attempting to do. 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 designat-ed 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. This bill is abhorrent in that regard.

The provisions of this bill are anti-democratic and impose upon our fundamental rights. I stand with numerous civil liberties groups and individuals who oppose this Bill in its current form. Coal seam gas mining in particular has absolutely no social licence in NSW, tens of thousands of people are opposed to the industry and numerous Local Councils across NSW have expressed that they do not support the industry in any form.

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.

Kind regards, Johanna Evans