

**Submission  
No 150**

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

**Name:** Ms Jacquelyn Johnson

**Date Received:** 1 October 2019

---

Portfolio Committee 4 – Industry  
NSW Parliament  
Macquarie Street, Sydney  
[portfoliocommittee4@parliament.nsw.gov.au](mailto:portfoliocommittee4@parliament.nsw.gov.au)

1 October 2019

Dear Committee,

### Submission to the Inquiry on the Provisions of the Right to Farm Bill 2019

I am compelled to write because I am deeply uncomfortable with the proposed 'Right to Farm' Bill. This Bill is portrayed as legislation that will simply stop animal welfare activists trespassing on farms but hidden in Schedule 2 we can see the sinister and broad threat to democracy and our right to protest.

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 and brings in a new three-year gaol 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 occupying a space or locking on to coal or gas equipment, or even union officials' and members' activities on a work site will be impacted.

I join with unions, environment groups and civil liberties organisations who oppose the disproportionate and anti-democratic elements of this legislation. Peaceful protest has changed the world for the better. Please pursue sensible amendments to the Bill that won't inhibit our right to meaningful demonstration. It is the Government's job - your job - to listen to the people. Attempting to shut us down in this way is very, very concerning.

I ask you to recognise that farmers will almost certainly be negatively impacted by this bill. Farmers have been prominent in many environmental battles of the past decade, including to save the Pilliga forest and the Northern Rivers region from coal seam gas and protecting farmland and water supplies in the Hunter Valley, Bylong Valley, Gloucester Valley and the Liverpool Plains. Farmers need a functioning eco-system. If this Bill were have an impact on the community's ability to protest the failure of Governments to act on threats to the environment, farmers' livelihoods will experience more negative impact due to the climate crisis.

While not all farmers, or people more generally, resort to peaceful protest to express their views, many support those who do. For every person 'hitting the streets' there are thousands more who agree with those taking a stand on their behalf, risking fines and a criminal record.

Peaceful protest can **change** society. Engaging in Non Violent Direct Action is a reasonable choice that responsible individuals have the right to make. History, evidence and recent events demonstrate the **effectiveness** of persistent, peaceful protest, including enabling the

media to communicate complex but vital messages. It is a choice I have made several times and will continue to make, and a choice I will encourage my children to make as they head for a very uncertain future.

I am requesting that you seek to amend the Right to Farm Bill so that it:

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

Regards,

Jacquelyn Johnson