



Sutherland Shire Environment Centre

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19 October, 2022

The Hon Mark Speakman
Attorney General and Member for Cronulla
By Email: cronulla@parliament.nsw.gov.au

Dear Mr Speakman,

RE: CONSTITUTIONAL CHALLENGE TO NSW's ANTI PROTEST LAWS

Sutherland Shire Environment Centre is a not-for-profit community organisation that has been actively involved in advocating for the environment in the Sutherland Shire and our surrounding bio-regions since 1991. Environment Centre members are actively involved in many campaigns focused on environmental protection: these include climate change advocacy; shorebird protection, lobbying for wildlife corridors; and to stop the coal mining taking place directly under Woronora Reservoir, by a company responsible for allowing coal sludge waste to flow through the length and heart of our iconic Royal National Park.

We are writing to you, and other MPs in NSW State Parliament, to express our concerns and to ask you to reconsider the objectives of the law relating to the right to peaceful protest that resulted from the changes to the Road Amendment (Major Bridges and Tunnels) Regulation 2022 and the passing of the Roads and Crimes Legislation Amendment Act 2022.

These laws are disproportionate, and diminish our democratic right to peaceful protest. Potential penalties far outweighing protest actions have a chilling impact on our polity and process.

Sutherland Shire Environment Centre supports peaceful environmental activism: we have an annual award dedicated to this purpose. The Bill Ryan Award was named in honour of Sutherland Shire Environment Centre member and former Caringbah resident Bill Ryan, who passed away in 2019, aged 97. Ryan's non-violent action was carried out with civility, and wit. He had previously written letters and lobbied politicians about climate change: when that resulted in no substantive action being taken, he joined civil disobedience campaigns.

As with Bill Ryan we believe civil disobedience is an essential feature of democratic society.

We already see climate change impacts across Australia: drought, fires and floods that have, and are having a devastating effect of people's lives.

Australian citizens should not have to risk imprisonment or bankruptcy in order to protest, and to call on the government to take action about such issues.

Protest action over history has resulted in the end of slavery. We saw anti-apartheid protests in the 1960s and 1970s. Equal rights for women, and fair and safe working conditions all came about due to protest action. Not to mention Green ban actions and protests that saved many beautiful parts of our city from being obliterated.


Allowing unjustified penalties to be applied to everyday citizens disproportionate to their protest action is unfair and unconstitutional. For the Environmental Defenders Office to take up the current proceedings before the Supreme Court¹ signals there is a legal basis for these laws to be challenged.

Widespread community consultation prior to the amendments did not occur and the amendments were rushed through Parliament. As a result, the legal and political consequences were not fully understood by either the Parliament or the community.

On behalf of our members we ask you to take action to overturn these recent changes to the law.

We look forward to your response.

Kind regards,

A handwritten signature in black ink, appearing to read 'Catherine Reynolds', written in a cursive style.

Dr Catherine Reynolds
Secretary,
Sutherland Shire Environment Centre

¹ <https://www.edo.org.au/2022/10/13/climate-impacted-knitting-nannas-launch-constitutional-challenge-to-new-nsw-anti-protest-laws/>