

CRIMINAL CODE AMENDMENT (PREVENTION OF LAWFUL ACTIVITY) BILL 2015

131. Mr J. NORBERGER to the Minister for Police:

Can the minister please advise the house how the government proposes to address the growing incidence of dangerous behaviour by some protesters?

Mrs L.M. HARVEY replied:

The Liberal–National government introduced legislation in the other place aimed at addressing the exact behaviour that the member for Joondalup raises. I appreciate the member raising this matter. This government believes that although people have a democratic right to protest, companies and employees of those companies also have the right to conduct their business. In the past few years, we have seen the radicalisation of a lot of these protest actions. We are seeing protesters using lock-on devices —

Mr D.J. Kelly interjected.

The SPEAKER: Member for Bassendean, I call you to order for the first time.

Mrs L.M. HARVEY: We are increasingly seeing the action of protesters designed in such a way as to prevent the lawful actions of other people. We have seen protesters stick their arms into pipes, lock their thumbs into thumb locks and lock themselves onto roads, preventing the lawful activity and the lawful progression of machinery and equipment to undertake exploration activity, for example. I have some pictures of these lock-on devices. Mr Speaker, I asked you whether it was all right to bring these pictures into the chamber. These are photos of the sorts of devices that people are using. This one has big lumps of concrete with chain intertwined through it. A pipe goes through the middle. It is a 44-gallon drum. The edge of the drum has been cut away. Locked into the middle of that, if members take a close look, is a protester's arm.

Several members interjected.

The SPEAKER: Member for Mandurah, I call you to order for the first time. Member for West Swan, I call you to order for the first time. I do not want the minister drowned out.

Mrs L.M. HARVEY: As I said, police officers tried to extricate the arm of that protester from inside the lock-on device without causing injury to that protester. It required significant resources of our emergency services and our police officers to release these protesters.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the first time.

Mrs L.M. HARVEY: This government says that that is no longer acceptable. We believe in people's right to protest but not their right to prevent the lawful activity of other people in our community. We have introduced legislation that will now make it an offence for people to possess, manufacture or use one of these lock-on devices that can prevent the lawful activity of other people. That offence will be punishable by up to 12 months' imprisonment and/or a \$12 000 fine.

Dr A.D. Buti interjected.

The SPEAKER: Member for Armadale, I call you to order for the second time.

Mrs L.M. HARVEY: A circumstance of aggravation, importantly, could be that the protester has been injured in the course of being removed from a lock-on device that has become problematic for police to remove them from, and for circumstances of aggravation we are looking at doubling the penalty. The reason we are doing this, and I think this is really important, is that —

Mr W.J. Johnston interjected.

The SPEAKER: Member for Cannington, I call you to order for the first time.

Mrs L.M. HARVEY: We are doing this because protesters will lock themselves onto these devices in the middle of a road that may be the only access road to a site where a company has a lawful right to conduct its activities. It is not good enough that they can do that. In remote locations and in certain circumstances, this sometimes requires police officers to deploy fire trucks. They have to send up a specialist crew of police officers; we have to fly them to remote areas from Perth to remove these protesters from lock-on devices that they have chosen to lock themselves onto. We sometimes have to bring in cranes and police officers then have to try to cut thumb locks off people using angle grinders. That is not a job that I think police officers should have to do, but in this day and age, with radicalised protesters, that is what we need to do. It is not good enough. We have introduced legislation to prohibit this activity. Protesters who have been charged with these offences will also

need to pay the costs to the community of their removal from devices. This is great legislation and it will help the state progress.