



15 July 2019

Committee Secretary
Legal Affairs and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Sir / Madam,

CRIMINAL CODE (TRESPASS OFFENCES) AMENDMENT BILL 2019

On 1 May 2019, Mr Dale Last MP, Member for Burdekin, introduced the Criminal Code (Trespass Offences) Amendment Bill 2019.

Mr Last submitted the Bill in response to wide-ranging community concern resulting from the recent spate of trespasses conducted by activists directed at farmers and those in the primary industries and similar style illegal disruptions to train services associated with the coal sector. In effect, the draft Bill seeks to discourage the recent trends, by increasing the severity of the penalty for illegal trespassing, including both those who undertake to trespass and also those who organise the trespass.

The Bill has been referred to the Legal Affairs and Community Safety Committee for detailed consideration, with the committee scheduled to report on the draft Bill by 1 November 2019.

The Queensland Major Contractors Association (QMCA) supports freedom of speech and representation, so long as this is conducted in accordance with the laws (and prescribed processes) of the land; which after all are formed through our political process whereby the democratic voice of collective people are listened to, debated and ultimately where appropriate, converted to legislation.

The rise of unlawful protesting, including private property invasion or trespassing, creates a range of potentially very serious issues, the least of which is a blatant disregard for our legal processes. The impacts for business, due to unlawful protesting, are wide-ranging and include at a minimum, the fundamental ability of businesses to operate. An inability to conduct lawful business operations has in turn significant knock-on effects for employees, shareholders and broader business stakeholders.

Longer term, regular and sustained illegal activity has the potential damage business brands and reputations (despite the business having complied with the Law) as well as undermining investment attractiveness, which could ultimately see companies close down or enter periods of reduced activity. This could have significant impacts on local communities, particularly in regional Queensland, where much of the recent protest activity have been focused.

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Illegal trespassing or invasion also leads to very real safety risks, not only for the trespasser but also those responsible for managing the resultant situation. Whether the affected site is a farm, a rail yard, locomotive or a construction site, uncontrolled or unsupervised entry jeopardises safety across the board, the consequences of which could lead to permanent injury or even a fatality.

QMCA members and our wider supply chain in the infrastructure, construction and resources sector deliver a significant number of major construction projects annually throughout Queensland for a range of government and private sector infrastructure, resource and energy Clients. With over \$50B of projects in the infrastructure pipeline and employing a workforce in excess of 20,000, the safe and legal control of work sites, project workforces, supply chain and community interface points alike is fundamental to the economic sustainability and safety of our Industry moving forward.

For these reasons, the QMCA supports the introduction of stiffer penalties through the introduction of the Criminal Code (Trespass Offences) Amendment Bill 2019, to further deter people from undertaking such illegal activities.

Yours faithfully

A handwritten signature in blue ink that reads 'Jon Davies'.

Jon Davies
Chief Executive Officer
Queensland Major Contractors Association

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