

National Victoria [Forestry](#)

OPINION

Andrews government's forestry bill puts logging over liberties

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The Andrews government is proposing [alarming increases to penalties](#) for peaceful protesting and citizen science surveying in Victoria's native forests. The *Sustainable Forests Timber Amendment (Timber Harvesting Safety Zones) Bill 2022* has just been introduced to the Victorian lower house.

The bill proposes doubling the penalties for non-violent direct action and citizen science surveying in areas designated for logging, known as coupes, or Timber Harvesting Safety Zones. The proposed changes mean protesters attempting to prevent or disrupt native forest logging in Victoria would face a whopping 12 months' jail, or \$21,000 in fines.



Protesters attempting to prevent or disrupt native forest logging in Victoria would face 12 months' jail, or \$21,000 in fines. LOUIE DOUVIS

Why the need to introduce these changes you may ask? Minister for Regional Development and Agriculture, Mary-Anne Thomas, takes aim at “dangerous” protesters: “We want to make sure workers go home to their families each day”.

No evidence has been given to support this claim that peaceful protesting poses any physical risk to forestry workers whatsoever.

As president for Lawyers for Forests, I have handled dozens of cases involving protest activity in Victoria's native forests for over a decade and I am not aware of a single instance of protesters preventing forestry workers from going home safely to their families.

This bill has nothing to do with forest worker safety and everything to do with preventing public scrutiny of VicForests' activities while further criminalising legitimate community protest and citizen science surveying.



The bill proposes doubling the penalties for non-violent direct action.

Peaceful direct action and surveying activities are legitimate exercises of the right to freedom of expression and peaceful assembly under the Victorian Charter of Human Rights. Such activities are protected by the implied freedom of communication under the Australian constitution.

These regressive changes to forestry laws are a direct attack on such institutions. Liberty Victoria president Michael Stanton has stated that “such draconian measures are plainly inappropriate” and appeared to be “intended to have a chilling effect on protest activity”. They strike at the heart of democracy and aim to demonise the importance and legitimacy of non-violent protesting and surveying by Victorian citizens.

Victoria’s state-owned logging agency, VicForests, [reported a \\$4.7 million loss](#) – despite being given \$18 million by the state government – which it attributed to an unprecedented number of legal challenges by environmental groups. VicForests is routinely negligent in conducting proper surveys, or any at all, instead relying on “desktop surveys”. Time after time, citizen scientists are finding endangered species and holding the government accountable to the law through the courts to have their habitats protected from logging.

In a landmark decision in 2020, the Federal Court [delivered scathing criticism](#) of VicForests and declared that the agency’s logging of Leadbeater’s possum habitat would have a critical impact on the endangered species, Victoria’s faunal emblem.

Ironically, there are many examples of peaceful direct action and surveying taking place within areas scheduled for logging, which has resulted in many areas becoming protected. One such example is protest activity at coupes at Riley’s Ridge in The Otways, which resulted in dozens of coupes ultimately being declared by the state government to be part of the Otway Ranges National Park.

The proposed amendments to the Act also threaten tourists, bushwalkers, firewood collectors, graziers and cattlemen conducting legitimate activities within areas scheduled for logging.

Australia has the dubious distinction of having the highest record of species of fauna and flora driven to extinction since colonisation, currently at over 100 species. That number is set to increase dramatically due to the compounding effects of climate change, logging and the effects of catastrophic bushfires.

Nowhere is the extinction crisis more evident than in Australia's native forests, which are subject to extremely weak regulation and legal exemptions, allowing for clear-fell and salvage logging of native forests to continue unabated.

Rather than shutting down their rogue logging agency, the state government has chosen to introduce these extraordinary penalties, to stop concerned citizens from surveying for endangered species. If this bill is passed, we have to ask whether the Victorian government is really working for the community interest in protecting public forests and the right to public assembly, or the interests of the logging industry.

CORRECTION — An earlier version of this story said the bill has been passed by the lower house. It has just been introduced to the lower house.



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