

When citizens have to raise funds to take governments to court to make them follow their own laws something is dreadfully wrong. When the government then tries to change the law so they don't need to follow the law and citizens can no longer take them to court to make them (follow the law) then the government is completely operating outside of the ideas and practices of democracy. This is just a disgraceful act of petulance and environmental and legal vandalism by a government that has lied and frittered away any mandate for reform (if it had any in the first place). The problem we face in Australia is that environmental laws are not being followed by governments. Endangered species legislation requires that state governments should have actions plans for threatened species. This is not done. These action plans need to be updated after environmental change ie bush fires, logging etc.,but this is not done. Citizens have to raise money and take governments to court to make them follow these laws, as recently happened in Victoria. Governments and government agencies don't carry out independent flora and fauna surveys, particularly of areas to be logged. Often they sit in an office in a capital city and look on a computer to see if there are any threatened species in the proposed logging areas. This form of computer modelling does not always tell the full story. Citizens, locals know when mistakes are being made and it should be their right to make governments follow the law. The fact that citizens trying to get the government to follow the law have to initiate legal action shows that governments are not listening and really don't care that their decisions may be in breach of their own laws. The fact that governments don't necessarily want to follow their own laws is really the main problem and the one this committee should be trying to resolve. In Victoria, local citizens trying to protect an area of rainforest from being illegally logged by a government contractor were themselves arrested by police. This is precisely what the Abbott government would like, citizens being arrested when they try to make the government follow the law. This is a situation where our institutions that should be protecting the law are actually protecting and facilitating the government breaking the law. This is fundamentally wrong, it erodes our democratic freedoms and should be something that all parliaments want to end. Another example is Maules Creek Whitehaven mine where the offset provided by the company was found to only contain at best 5% of the threatened habitat it was supposedly replacing. This shocking fact was not uncovered by the government as part of their approval process but by citizens. Surely governments should be compelled to ensure that their procedures and laws are being followed properly. Surely this is what we should be spending our time fixing. Please as a committee, please value our democratic institutions and our democratic right to question our government. Please allow us our right to protect our environment and make the government follow it's own laws.