

Patricia Abbott

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Committee Secretary  
Senate Economics Committee  
Department of the Senate  
PO Box 6100  
Parliament House  
Canberra ACT 2600

**SUBMISSION TO THE SENATE INQUIRY INTO THE PROVISIONS OF THE TRADE PRACTICES AMENDMENT (SMALL BUSINESS PROTECTION) BILL 2007**

I am deeply concerned at the proposed amendments to the Trade Practices Bill that would permit the ACCC to take legal action and pursue compensation on behalf of persons who have suffered or are likely to suffer loss or damage as a result of secondary boycotts. The proposed changes are so broad-sweeping that they would make reasonable persons advocating upon their well-considered conscience and supported by reputedly researched information, the target of legal action by the ACCC.

I write as a participant within a Christian group concerned with ethical investment. If passed, groups such as this could be the target of representative action by the ACCC. Recommending dis-investment from companies whose actions are unethical e.g. pornography, gambling, weapons or weapons systems, tobacco, serious environmental harm or violation of human rights; and supplying information and encouragement regarding the progress of any such advocacy and action, could make Christian and other ethical investment organisations the target of legal action.

To change the law so as to make reputable groups engaged in beneficial social action such as this, the possible targets of legal action is frightening. It would create a reality whereby well-informed persons and organisations acting on their considered, well-researched beliefs and for the benefit of the community, could be silenced and oppressed by persons solely interested in profits at any cost.

The grave implications of these changes to the Trade Practices Bill have not been considered. This legislation is being rushed. I believe most people and organisations are not fully informed regarding the legislation, because of the speed of its presentation to the Parliament and the lack of publicity surrounding the legislation. I only became aware of this matter yesterday – August 23 and was first able to speak of it with others this afternoon – August 24. At the first instance available to me I have sent this submission – 24 August and the closing day for submissions to the Senate Committee.

In 2007, the year in which we celebrate the 200<sup>th</sup> anniversary of the ending of the trans-Atlantic slave trade in England, it is worth remembering that organised boycotts of slave-plantation produced goods such as sugar, were integral to the fight against slavery. Would you take away the peaceful weapons used by William Wilberforce to end slavery? Will you create a reality in which Wilberforce and others, were they here, would be the target of malicious, morality-silencing complaint and legal action?

It is reprehensible that in 2007, you might take away the capacity of morally committed and educated persons and organisations to work against real social evils with these same peaceful tools. It is not sufficient to say: These groups are not the intent of the changes. These groups **will** be the target of punitive complaints to the ACCC and then, the object of mandated legal action. They will be silenced.

I ask the Committee to reject these changes and to call for further and wider public consultation on these proposed changes to enable fuller representation on the matter. I ask the committee to consider the critical civil role played by Church based and other community organisations working for a more ethically informed and engaged society. I ask and I deeply urge the committee to consider the kind of world that will be created if persons and organisations of well-informed conscience and commitment such as aid and development NGO's, ethical investment groups, lobby groups, community welfare groups, consumer advocate groups and human rights groups are silenced and emasculated by these changes.

Yours Sincerely

Patricia F. Abbott