

Criminalizing Activism in Australia: Fossil Fuel, Protest and Climate Change

By [Dr. Binoy Kampmark](#)

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On August 1, protesters against the Burrup Hub expansion in Western Australia, a project of one of Australia's most ruthless fossil fuel companies, took to the Perth home of its CEO, Meg O'Neill. The CEO of Woodside was not impressed. In fact, she seemed rather distressed.

"It doesn't matter if you're a member of the business community, in professional athletics, or just a school kid... everybody has the right to feel safe in their own home," [she subsequently told](#) a breakfast event. "What happened Tuesday has left me shaken, fearful, and distressed."

In distress, opportunities for revenge grow.

Members of the Disrupt Burrup Hub have had Woodside in their sights for some time. Their primary object of concern: the [Burrup Hub project](#), consisting of the Scarborough and Browse Basin gas fields, the Pluto Project processing plant, and various linked liquified gas and fertiliser plans found on the Burrup Peninsula in the Pilbara region.

On this occasion, the group's practical efforts proved stillborn. One of the protestors, Matilda Lane-Rose, found herself facing over a dozen counter-terrorist police lying in wait on O'Neill's property. Lane-Rose, along with three other members of Disrupt Burrup Hub, were charged with conspiracy to commit an indictable offence.

The howl of indignation has been eardrum splitting. Mark Abbotsford, Woodside's executive vice president, [stated](#) that there was a line, and it had been crossed. Former Greens MP, Alison Xamon, [questioned](#) the wisdom of the protest, suggesting that there "is a sense that people's homes should almost be off limits." The media imperium owned by the mogul Kerry Stokes expressed fury at the antics of "eco fanatics".

Seven West Media also took the national broadcaster to task for having covered the actual

protest as part of an intended program for *Four Corners*. Their journalists, for one, suggested that the ABC had overstepped, despite those from their own stable having done precisely the same thing on two previous occasions. In 2021, for instance, Channel Seven found itself [covering](#) a protest that blockaded Woodside's facilities on Burrup. They even got live crosses into the market ready for breakfast television.

The Western Australian Premier, whose electability in that state is determined by fossil-fuellers, was also critical of the ABC. In a letter to its chair, Ita Buttrose, Roger Cook [wished](#) to "express [his] serious concerns about the ABC crew's actions and urge you organisation to reflect on the role it played in this matter."

The prosecuting police, holding their side of the bargain protecting a citizen of such sweet purity as O'Neill, painted a picture of sinister domestic insurgency at her doorstep. In the Perth Magistrates Court, WA Police prosecutor Kim Briggs [had stern words](#) for two of the protestors seeking bail, Jesse Noakes and Gerard Mazza.

"They prepared their actions in detail including surveillance and reconnaissance." They also "parked near the residence and Ms O'Neill's departure time was worked out to maximise disruption."

The intention of such conduct, Briggs alleged, "was to damage the property using spray paint and lock themselves [to a gate] with a D-lock to hinder the ability of Ms O'Neill to leave the property."

Whatever the immediate merits of the publicity seeking exercise by the Disrupt Burrup Hubbers, Woodside had a devilish card to play. After all, anything that might divert, or at least stifle interest in an expansionist agenda that promises to produce billions of tonnes of carbon dioxide by 2070, would prove inevitable.

Despite already having protective bail conditions in place that would prevent the protestors from approaching O'Neill in any capacity, let alone any Woodside property, the company wanted more. A legal remedy to effectively extinguish speech and coverage on the executive, the company and the protest, would be sought. The target, in other words, was publicity itself. In a novel, even shocking way, Woodside sought Violence Restraining Orders against the protestors. A VRO [is intended](#) to restrain a person from any one of the following: committing an act of abuse, breaching the peace, causing fear, damaging property or intimidating another person.

Through August, VROs were served on Lane-Rose, Emil Davey and Gerard Mazza. The [relevant clauses note](#) that the campaigners are not to "make any reference to [the Woodside CEO] by any electronic means, including by using the internet and any social media application" or "cause or allow any other person to engage in conduct of the type referred to in any of the preceding paragraphs of this order on your behalf".

This could only be taken for what it was: a violent effort to stomp on speech, especially of the critical sort. Barrister Zarah Burgess, representing Disrupt Burrup Hub, [described](#) it as "a transparent and extraordinary attempt to gag climate campaigners from speaking about Woodside's fossil fuel expansion." Never before had she seen the VRO system used in such a manner. "The intended purpose for granting VROs is to protect people, predominantly women and children, usually in the context of family violence."

A dismayed Alice Drury of the Human Rights Law Centre [was blunt](#):

“Woodside and the multibillion dollar fossil fuel industry are trying to send a chilling message to anyone who dares to speak out: you will be intimidated and silenced.”

This brutal reaction from O’Neill and company says everything about Woodside and its place in Australian society. It [advertises itself](#) as “a global energy company, founded in Australia with a spirit of innovation and determination.” And, just in case you forget, the company provides “energy the world needs to heat and cool homes, keep lights on and enable industry.” To that, can be added another jotting: it will seek to prevent, and even criminalise free speech and protest on the environment if permitted. The legal authorities in Western Australia, at least pending appeal, agree.

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Dr. Binoy Kampmark was a Commonwealth Scholar at Selwyn College, Cambridge. He currently lectures at RMIT University. He is a regular contributor to Global Research and Asia-Pacific Research. Email: bkampmark@gmail.com

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