

Dear Members

I would like to begin by sincerely thanking all of those people who turned out in force last week for the Property Rights Rally. Our strong turn-out sent a very serious message to politicians that enough is enough!



Since the Rally we have had two significant wins for our Members.

The first I refer to is the announcement that the Senate will hold an inquiry into land - clearing and environmental bans and their effects on farmers and landholders. This is a direct result of the very successful protest action in Canberra last week, and is very welcome. We have some concerns about the short time frames and limited towns (Wagga and Tamworth) allocated hearing dates, but no matter. We will be pooling all of our resources to write a strong and detailed submission, and we will present to the inquiry.

The next win I refer to is a crucial High Court decision which will provide greater fairness to farming employers in OHS prosecutions.

Through the Australian Farmers Fighting Fund and the National Farmers' Federation, the Association financially supported its Member Graeme Kirk's High Court appeal against prosecution for an on farm fatality. The High Court has ruled that the NSW Industrial Court had made a jurisdictional error in the way that it had reversed the onus of proof in the proceedings against Graeme Kirk and his company.

This win has helped create a common sense decision for NSW OHS legislation, which had reversed the onus of proof on farmers and other employers, requiring them to prove innocence. We have constantly called for the removal of the reverse onus of proof for OHS prosecutions.

Perhaps you are wondering why I think these two wins are related? The first relates to a clearly unconstitutional situation whereby the Federal Government is escaping paying just terms compensation to landholders for incursions on their land for environmental good. The second is a case where the Constitution was also clearly being breached.

In this second case, we have had a direct win that will flow on immediately to you as Members. In terms of property rights, we have made significant steps, and we will win eventually. Of that I have great confidence. Over the coming weeks you will see evidence of our continuing campaign, be it the petition you see in your local news agency, our new web page laying out these issues for everyone to understand, or an increase in coverage of these issues in the news. We're off, we can show you where we're going – stay with us.

Until next fortnight,
Charles Armstrong

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