

RESISTANCE TO ENVIRONMENTAL REGULATION IN RURAL AUSTRALIA –

The tragic case of R v IAN ROBERT TURNBULL

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**MONDAY 22 OCTOBER: 4.30PM – 6.30PM
(ROOM 67.208)**

Current legal and policy frameworks for environmental management fail to adequately address the complex social dynamics underpinning rural community notions of legitimacy and resistance (Kennedy, 2017). Australian farmers see environmental regulation as a significant infringement on their autonomy as land managers (Schirmer, et al., 2016). The ‘regulatory burden’ imposed by overlapping environmental regulation has recently identified as a significant source of conflict and tension in rural communities (Productivity Commission, 2016). Affected communities express concern about their ongoing economic viability and actively dispute the legitimacy of law and policy that is seen as unfair, complex or overly interventionist (Abel et al., 2016).

In 2014 these concerns erupted onto the national stage, when a NSW public servant engaged in environmental protection was killed in a confrontation over illegal land clearing. The perpetrator was a land holder with a history of non-compliance with the requirements of the NSW Native Vegetation Act 2003 and had been subject to a series of prosecutions in the NSW Land and Environment Court. Political suggestions that the crime was somehow justified by “bad legislation” (Coffs Harbour MP Andrew Fraser) and was the explosive expression of a long-standing “sore point” (NSW National Party leader Andrew Stoner), drew attention to the growing prevalence of civil disobedience, non-compliance and criminal activity linked to environmental law and policy in rural Australia. In 2017, the NSW Coroner ordered an inquest into Glen Turner’s death (scheduled for June 2018) to better understand the factors contributing to this tragic event.

This seminar situates this event in the context of broader research which explores the intersection of environmental law, rural sociology/criminology and natural resource policymaking. The rural landscape is changing as new coalitions emerge between interest groups that were previously antagonistic, prompted by increasing dissatisfaction in rural communities about the design and implementation of environmental law and policy. The link between increasing norms of civil disobedience in rural communities affected by land use conflict and other instances of law breaking and resistance requires deeper investigation in the Australian context.

BIOGRAPHY

Dr Tanya Howard is a research fellow at the Australian Centre for Agriculture and Law, and a lecturer in Natural Resource Management Policy at the University of New England. Tanya’s research explores the intersection between community interests, environmental decision-making and policy implementation. Her non-academic experience includes working with communities to develop and deliver quality natural resource management outcomes in rural and remote Australia. Tanya is passionate about the pursuit of environmental and social justice.

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