

Want to have your say in improving environment laws?

Get involved and write a submission!

When governments are developing new legislation or amending existing legislation it is very important that they hear views from a range of stakeholders, including the community.

A good way to put forward your case in a meaningful way is to write a submission to government outlining your views on the proposed law and how it could be improved. You do not need to have any particular legal expertise to do this – submissions do not have to be overly technical or legal to be effective.

Governments will often specifically call for public submissions when amending or bringing in new laws, however you do not need to wait for a formal process. You can write to government at any time if you think a law should be changed or improved.

This information sheet will help you to write your submission. Environmental Justice Australia often produces briefing papers on current law reform proposals to help you understand the proposed changes. Visit <http://envirojustice.org.au/reports-and-submissions>

Preparation

If the submission is in response to a review, check if there are terms of reference for the review. If there are, try to focus your comments on the terms of reference.

Agencies often release a background paper or discussion paper to help submitters focus on the issues. These can be found on the agency's website or call and ask for one to be sent to you.

Joint submissions between different groups or different individuals are often a very effective way to show that a number of people in the community are concerned and have agreed views on the issue. Make it clear in the submission that it is from a number of people.

If there are terms of reference or a discussion paper:

- Read and annotate the paper
- Mark up the bits you know you will agree or disagree with
- Make a list of things to follow up. For example, people you need to speak to to get more information, areas where you will need to do some research, case studies or examples that you want to follow up.

Writing the Submission

Style and format

Submissions do not have to be in any particular format. A simple template is sometimes provided by the agency which you can follow. Alternatively you can write the submission in letter format or report format with a cover letter. Some agencies will accept audio submissions.

Submissions can be varied in style but try to write in a concise, clear way.

- Make it as easy to read as possible with clear style and punctuation, however do not be put off if you do not have confidence in your writing ability. It is still important to put forward your views even the grammar and punctuation are not perfect.
- Make strong clear statements e.g. "the legislation should be amended to include..." rather than "it is submitted that the government should consider making changes to the legislation...".
- Proof read, or ask someone else to do a final read for you.

The submission does not need to be long. Leave out the things you don't know about, or have not much to comment on. One key point with some key examples is often more effective than a long and rambling submission. Address themes in order. Explain why you will only be looking at some things, or particular things.

Structure

If there are specific consultation questions in a discussion paper, it is best to follow their structure, even if you don't answer all of them. Government agencies almost always record public submissions using the same structure as the discussion paper or terms of reference (if any). They will record how many submissions received and how many were in favour or against a particular point. They will try to summarise responses into categories that relate to the terms of reference or the questions in the discussion paper. The most effective way to have your submission count is to make it easy for the agency to record your views. They will be able to do this better if your submission is structured in the same way they will be recording responses.

If the terms of reference or the questions ignore vital issues or miss the point, state that. It is important to note these deficiencies and comment on them, however rambling comments that do not clearly fit within a question or term of reference may be ignored. Make concise, clear comments as to the issues that have been missed and your response to them.

What to include

- Briefly introduce yourself or your group at the beginning. State what your interest in the issue is and why it affects you or your group. If the submission is from a group or a number of people state how many people the submission is on behalf of.
- Include evidence or case studies or stories of how the issue is relevant to you or your group. Give specific examples of how the legislation has failed you in the past or the problems it caused or why the lack of regulation is causing problems. This is what makes a submission particularly persuasive. If you can, collect stories that support your argument from others in the community.
- Refer to past submissions you have done, or those that have been made available to you. Cite reports, but be sure to footnote appropriately. If something can not be cited (something unofficial), append it or include an internet link to it.

- If you can, make recommendations, not merely suggestions. The more concrete the better. However if you don't feel you have enough knowledge to make recommendations it is still valuable to make a submission outlining your concerns.
- Think about the reality of the government's position. How will they implement what you are asking? Change is hard, change is scary. Acknowledge this and suggest a way around it. If you can, identify workable solutions to complex problems.
- If there are positive or good things to say, say them. There may be other stakeholders who will be attacking the same point with a view to getting rid of it so it is important to support the things you like.

Don't:

- parrot back what is in the consultation paper - analyse it.
- write a thesis. If you've done a thesis, attach it.
- Spend three pages criticising the consultation process. If you have criticisms try to limit it to one paragraph.

Finishing it off

If you are willing to meet with the agency to discuss the submission or appear at a hearing to speak to the submission, indicate this. In general, all submissions will be public documents. If you want your submission to remain confidential you must state that in your submission.

If the deadline is looming and you need extra time, contact the agency before the due date by phone or email and ask for an extension. Many will say yes. It is better to do this than not submit.

After you have made a submission

If you feel really strongly on the issue and think you have things to say that would be useful to discuss in person, consider calling the contact person to arrange a meeting.

If you would like to keep track of the progress of the review, call or email the agency and ask how it is progressing. This is a good way of letting the agency know there is ongoing public interest.

Consider meeting with your local State or Federal member (depending on whether the legislation in question is State or Federal) to discuss your views and get their support.