

13th April 2022

Department of Justice
Office of the Secretary
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TFPA Submission: Police Offences Amendment (Workplaces Protection) Bill 2022

I write in response to Department of Justice' call for public feedback on the *Police Offences Amendment (Workplaces Protection) Bill 2022*.

The Tasmanian Forest Products Association (TFPA) is the peak body for forestry that undertakes policy development, lobbying and advocacy for members interests. TFPA represents all elements of the value chain from the sustainable harvesting of plantations and multiple use natural forest resource including forest establishment and management, harvesting, processing of timber resources and manufacture of pulp, paper and bioproducts.

The TFPA highlighted in its previous submission to the *Workplaces (Protection from Protesters) Amendment Bill 2021* that a key part missing from existing pieces of legislation related to obstruction. If we are dealing with a peaceful assembly, they are not wanting to obstruct people from doing their job, instead they are there to highlight an issue or cause.

Unfortunately, some protestors somehow think it's okay to impinge on the rights of Tasmanians seeking to earn a lawful living, by invading their workplace. Therefore, TFPA support amendments to the *Police Offences Act 1935* with the proposed *Police Offences Amendment (Workplaces Protection) Bill 2022* that applies additional legislation and penalties to those within society that are putting at risk public safety and the protection of the rights and freedoms of others.

Comments to the proposed amendments:

Section 13. Public annoyance

We support the additional wording under the new subsection (1)(ea), 'unreasonably obstruct the use of any street'. We recognise people's right to protest peacefully on a public street¹, but not when that imposes on a worker's ability to undertake their job or enter/exit their place of work.

¹ Traffic Act 1925 interpretation: public street means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise

Section 14B. Unlawful entry on land

We agree with clarifying the wording for trespass to cover conduct such as a person who climbs onto machinery or attaches themselves to specified things, also known as locking on, which is a common practice for protesters who want to disrupt and stop others undertaking their daily business.

We also support the further aggravated penalty provisions relating to committing other offences while trespassing. We are hopeful that this will deter a minority within society who think it is ok to disrupt and intimidate, as their primary means of pushing a message. Where the majority know that there are nonintrusive ways through peaceful assembly or protest to get your point across publicly.

We should all be able to respect the rights of people to organise and participate in peaceful protests. This gives everyone the opportunity to voice their opinion or concerns through public assembly. The *Police Offences Amendment (Workplace Protection) Bill 2022* will not stop people being able to undertake peaceful protests, but it will impact on those that protest to physically obstruct access to or the operation of a business.

If you would like any further information, please don't hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Nick Steel', with a stylized flourish at the end.

Nick Steel
Chief Executive Officer