



8 April 2022

Department of Justice  
Office of the Secretary  
GPO 825  
Hobart TAS 7001

via email: [HaveYourSay@justice.tas.gov.au](mailto:HaveYourSay@justice.tas.gov.au)

Dear sir/madam,

**Re: *Police Offences Amendment (Workplace Protection) Bill 2022***

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The Tasmanian Aboriginal Legal Service (TALS) welcomes the opportunity to provide comment on the *Police Offences Amendment (Workplace Protection) Bill 2022*.

TALS is a community legal centre that specialises in criminal, civil and family law matters for Aboriginal people in Tasmania. We are a member-based, independent, not-for-profit, and incorporated organisation that advocates for law reform. Our goal is to halve Aboriginal Tasmanians' rate of negative contact with the justice system in a decade.

We seek to provide two brief comments in respect of the proposed amendments:

1. The increase in the financial penalty for s 13(1) is of concern given that these types of offences are often proceeded with against itinerant or impecunious people. This leads to those living near or below the poverty line being further disadvantaged financially when they cannot afford to live as it is. There is little evidence in criminogenic studies to suggest that increases in penalty result in much if any practical deterrence from offending, particular for persons in this demographic.
2. The language used in respect of circumstances of aggravation for s14B offences lacks clarity, particularly the use of 'undertaking' and 'serious risk'. We see that they would likely require judicial exposition if left undefined. 'Undertaking' particularly is seemingly very broad in scope, and there is no specific need for such to expand on 'business' that can be understood. There is also, as highlighted, a lack of evidence/justification for increases in penalty in cases such as these. The alternative is increased targeted resourcing of police, if required, to assist with swifter responses to ensure minimal disruption to businesses if impacted.

If you have any queries or would like to discuss our submission in greater detail, please do not hesitate to contact us.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'HP' or similar initials, written in a cursive style.

Hannah Phillips  
Acting State Manager  
**Tasmanian Aboriginal Legal Service**

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