



Tasmanian Minerals, Manufacturing
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8th April 2022

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

Via email: haveyoursay@justice.tas.gov.au

To Whom it May Concern,

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

The Tasmanian Minerals, Manufacturing & Energy Council (TMEC) represents the state's minerals, manufacturing and energy industries and provides leadership, effective issues management and cooperative action on behalf of its members. Our mission is to promote the development of sustainable exploration, mining, industrial processing, and manufacturing sectors which add value to the Tasmanian people and communities.

TMEC's membership base represents an important wealth creating sector within the Tasmanian economy. Minerals exports alone account for more than 60% of Tasmania's commercial exports and is the foundation stone of many regional communities with 5,600 direct jobs.

TMEC's principle of inclusion

An underlying principle of TMEC's approach is one of inclusion. Inclusion has many dimensions and should include consideration and understanding of views which may be diametrically opposed to one's own view. TMEC asks, how can we work cooperatively with both the supporters and the detractors of this industry?

This requires TMEC (and its members) to consider the full range of views being shared about a particular business or development. TMEC subscribes to doing this in a respectful way and acknowledging agreement on all points may not be possible.

The practical application of this principle requires the consideration of all perspectives when determining a pathway forward. Having individuals and groups enabled to put forward their perspectives is important for the formulation of industry plans and therefore TMEC is not supportive of moves which would silence the views of all lawful perspectives.

The right to protest versus the obligation to protect workplaces

The *Police Offences Amendment Bill (Workplace Protection) Bill 2022* is sensible solution leveraging on the long serving and well experienced approach taken in other public and private settings with addressing public annoyance, trespass, and obstruction as well as where matters have escalated, and warrant being addressed as an example of aggravated behaviour.

Under this amendment, protestors who do not support a development or a business will still be able to lawfully have their views heard, attract donations, and demonstrate the support they have for a cause WITHOUT invading or impeding a workplace.

TMEC's key point is the proposed changes, outlined in the *Police Offences Amendment Bill (Workplace Protection) Bill 2022, does not preclude protestors from having their views heard.*

In summary, this amendment seeks to address the mental health issues suffered by workers and other personnel who are having to deal with people acting provocatively, it permits Tasmanian companies to carry out the work which has been lawfully approved, it does not preclude protestors to have their views made public and it enables investors and job creating employers to know establishing an enterprise in Tasmania can be done, provided the relevant laws are followed. Additionally, these changes will:

- ❖ Substantially discourage the confrontation, intimidation and anxiety which is currently occurring when workplaces are invaded, and employees prevented from carrying out their lawful duties. TMEC's member companies applaud any move which reduces adverse mental health outcomes.
- ❖ Addresses the current confusion and lack of clarity for all parties (protestors, mining employees and contractors and the police) with respect to what enforceable rights each other has
- ❖ Serve as a deterrent for individuals who currently adopt this course of action in the belief they will not be prosecuted for their behaviour. The escalation of penalties in cases of harmful behaviour is appropriate and will recognise the seriousness of these types of offences
- ❖ Send a clear signal to existing businesses and potential businesses provided the actions of the company are within all legal requirements, a business can proceed in Tasmania while acknowledging opponents can still voice their concerns.

Therefore, TMEC supports the proposed amendments listed as part of the Police Offences Amendment (Workplace Protection) Bill 2022.

If you have any questions or require further input, please do not hesitate to contact us.

Yours sincerely,



Ray Mostogl
Chief Executive Officer