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MEDIA MONITORING TRANSCRIPT

PROGRAM: ABC MORNINGS - 8.54 AM

DATE: 25 AUGUST 2022

TITLE: ANTI-PROTEST LAW

PRESENTER: MEL BUSH

SPEAKER: RUTH FORREST
(MLC for Murchison)

TYPED BY: SK **CHECKED BY:** DJ

BUSH: Tasmania's Upper House has struck out a key element of the government's controversial Anti-Protest laws. The Workplace Protection Bill was going to increase fines for protesters who obstructed business activities and penalise them for creating a public nuisance by blocking roads, but the Upper House refused to pass that last section. It is going to go to a final vote today. Independent MLC Ruth Forrest has led the charge to make those changes. Ruth Forrest, good morning.

FORREST: Good morning, Mel. How are you?

BUSH: Well, thank you. Can you explain simply what changes were made, and why?

FORREST: There was quite a number of changes made, and some of the other members, or Mike Gaffney actually, also moved some amendments - and they were successful - to reduce some of the penalties. And the changes I was focusing on was

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narrowing the effect of this right down to focus on the situations where workers are prevented from accessing their workplace. Their lawful work. And I think generally I think all of us expect to go to work where we are paid to work, or if you go to work and you are not paid unless you do the work, that is problematic, obviously, as well. So my intention was to narrow this right down to an aggravated trespass penalty to only apply to people who actively and intentionally stop people going about their lawful work. So the person who would attract a higher penalty would be someone who has already committed a trespass and then, if they stop someone going to work intentionally, they can attract a higher penalty for that extra aggravated offence, I guess.

The Clause 4 amendment that you referred to, that was the obstruction of public roads, I did amend that as well, and that was supported. But, for me, it is a fraught clause in that it is likely to capture many more people than people protesting around workplaces and things like that. It can pick up a whole range of people on public roads. So there are other laws that should be used to deal with that. And, if they really aren't working, then come back and demonstrate that to us, which wasn't done.

BUSH: So, the vote that's happening today in the Upper House, is that the final step?

FORREST: When we go into our House today, there is a process where we re-agree, if you like, to the amendments that were made. It is a process that we go through. Then we go straight on to what is called the third reading which is the final

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stage in the bill in this House. And members can speak on the third reading around new matters or matters that have occurred since the second reading which happened a few weeks ago now, and assuming that it is supported in the third reading, it then - because it has been amended - it goes back to the Lower House where they will consider the amendments there.

BUSH: So can it be changed any further than it has been already?

FORREST: Well, notionally, the Lower House could seek to amend it. But, if they did that, it would need to come back to us again. So it sort of gets a bit circuitous at that point. So generally when bills are amended in our House, they are generally accepted by the government even though they are not entirely keen with some of them. But it is a matter for the government to decide how they deal with that.

BUSH: So the government has tried several times to pass this bill, with these amendments. Do you get the sense that the bill will eventually pass?

FORREST: I think it will. The government have tried several attempts to legislate along these lines. But they have brought in standalone offences. And I have been entirely consistent in my approach that I have rejected standalone legislation that targets a particular group of people in that way. I have said consistently that we have trespass laws. If you think they're not working adequately to deter people from preventing people to go safely to work, and access law for work, then strengthen the trespass laws. So that's what this

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has done. The amendments I made narrowed it down to that effect. We did - some people used the word "carve" out industrial action because I do believe that workers have a right to obstruct their workplace related to industrial matters. This is about workers, this legislation. It should be. It is about ensuring workers can work safely and access their work and continue to work safely at the site but also, if they are undertaking industrial action, particularly where it relates to things like workplace safety or safe staffing levels and things like that, a lot of their actions don't obstruct a business. They do it in many other ways. But, if they do obstruct the business, that's the only way to really draw attention to a very serious matter they can still be subject to trespass but not to the aggravated penalty.

BUSH: Ruth Forrest, thank you for your time this morning. Ruth Forrest there, the Independent MLC for Murchison talking about the government's Anti-Protest laws.

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