30 October 2026

Department of Justice
Office of the Secretary
HaveYourSay@justice.tas.gov.au

To the Department of Justice

Re: Workplace Protection Orders Bill 2026

TasCOSS welcomes the inclusion of safeguards in the consultation draft of the *Workplace Protection Orders Bill 2026*, particularly provisions requiring courts to consider diversionary and therapeutic alternatives, the best interests of children, and access to essential services.

However, the draft Bill does not adequately address several significant concerns raised in TasCOSS' July 2026 submission relating to the potential for the scheme to increase the criminalisation of children and young people, particularly those experiencing disadvantage, trauma or unmet support needs.

Of particular concern is the proposed application of workplace protection orders to children as young as 10 years of age. TasCOSS maintains that children under 14 years of age should be excluded from the scheme and that responses involving older children should prioritise rehabilitation, diversion and therapeutic support.

TasCOSS is also concerned that the Bill does not expressly exclude schools, health services and justice facilities; provide for Aboriginal-led design and oversight; or require annual reporting on the scheme's impacts on children and young people.

While TasCOSS recognises the importance of protecting workers and workplaces from violence, legislative responses must be proportionate, evidence-informed and consistent with Tasmania's broader youth justice reform commitments.

TasCOSS therefore recommends that the Government amend the Bill to:

1. Exclude children under 14 years of age from workplace protection orders, including interim orders. This is consistent with the Commission of Inquiry recommendation to raise the minimum age of criminal responsibility to 14 years, that the Tasmanian Government has accepted, and the Government's commitments in the *Youth Justice Blueprint* to raise the minimum age of criminal responsibility from 10 to 14 years.

2. Introduce annual public reporting on applications, orders, breaches and outcomes, including disaggregated information by age, in particular children and young people, and older Tasmanians.
3. Exclude schools, health services and justice facilities from the scheme, or introduce equivalent statutory protections for access to essential services.
4. Strengthen mandatory legal representation, diversionary and therapeutic safeguards for respondents under 18 years of age.
5. Require meaningful participation by Tasmanian Aboriginal organisations in implementation, oversight and evaluation.
6. Establish funded prevention, diversion and therapeutic support pathways alongside implementation.
7. An earlier review of the Act, after three years if annual reporting is introduced, to assess the legislation's effectiveness and ensure that unintended consequences are identified and addressed promptly. An earlier review is necessary to assess the effectiveness of safeguards, potential impacts on access to essential services and disproportionate impacts on people experiencing vulnerability.

TasCOSS considers these amendments necessary to achieve a legislative framework that protects workers while upholding the rights, safety and wellbeing of children and young people.

Workplace safety and the prevention of unnecessary criminalisation must be pursued together, rather than treated as competing objectives.

Yours faithfully



Paula Wriedt
Chief Executive Officer

Ground Floor, 91-93 Macquarie Street, Hobart, TAS, 7000 | GPO Box 291, Hobart, TAS, 7001 | p (03) 6231 0755 | ABN 69 078 846 944