

To: Strategy Support (DPFEM) <strategy.support@dpfem.tas.gov.au>

Subject: Organised Criminal Gang Legislation paper consultation

To The Inspector, Legislation & Development Review Services, Tasmania Police, William Hodgeman MP & Michael Ferguson MP.

I am hereby writing to you to voice my opinion and concerns in regard to this "Organised Criminal Gang Legislation" paper that is going to go forward, regardless of how the consultation with the public fares.

I will start with a piece of information from the Australian Human Rights Commission.

(<https://www.humanrights.gov.au/quick-guide/12030>)

Discrimination:

Discrimination happens when a person, or a group of people, is treated less favourably than another person or group because of their background or certain personal characteristics. This is known as 'direct discrimination'.

It is also discrimination when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share. This is known as 'indirect discrimination'.

Discrimination can be against the law if it is based on a person's:

- age
- disability, or
- race, including colour, national or ethnic origin or immigrant status
- sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding
- sexual orientation, gender identity or intersex status.

Discrimination on these grounds is against the law in a number of areas of public life, including: employment, education, getting or using services or renting or buying a house or unit. Some limited exceptions and exemptions apply.

Employers have a legal responsibility to take all reasonable steps to prevent discrimination on these grounds. Employers can also be liable for the discriminatory acts of their employees. This is called 'vicarious liability'.

Under the Australian Human Rights Commission Act, individuals can also lodge complaints with the Commission concerning discrimination in employment because of their religion, political opinion, national extraction, nationality, social origin, medical record, criminal record or trade union

activity. Complaints will be reported to Parliament where the Commission finds a breach of the Act.

This above transcript written above, states in the very first paragraph that it is discriminatory to a person and/or a group of people when they are treated less favourably than everyone else.

This implies that the Organised Criminal Gang Legislation is whole heartedly discriminating against a group of individuals who are part of a group, that the Government has just pulled out of a hat and decided that they should all be tarnished with the same brush and be labelled as criminals.

If the Government attempted to do with with ANY other minority group, there would be a public uproar.

Any one of you would automatically turn down any legislative proposals from parliament members if it had anything to do with another minority group, such as homosexuals, Muslims, coloured folk and the like.

How is this legislation that you are attempting to pass be any different?

Politicians and members of Parliament, inclusive of our own Prime Minister Malcolm Turnbull, have quoted in the past that they cannot tell a citizen of Australia what they can and cannot wear (re: the argument on banning the Burqa/Niqab) within limitation. All that is described is the following:

The Australian Newspaper (August 26, 2017)

(<https://www.theaustralian.com.au/national-affairs/parliament-cannot-ban-burka-says-malcolm-turnbull/news-story/2bd422954a51727556ec09bc1f063064>)

Federal parliament does not have the power to ban the burka, Malcolm Turnbull has declared, after Pauline Hanson's divisive stunt reignited the debate in Australia.

The Prime Minister yesterday endorsed comments by Defence Industry Minister Christopher Pyne and said it appeared to be a means of oppressing women, but people were free to wear what they chose, within limits.

"They obviously have to show their face when the law requires it for identity, whether they're in court or a police officer requires to check identification or something like that," he said.

The Prime Minister himself has said that people were free to wear what they chose. Yet the Tasmanian Government is saying the opposite in this new legislation, that members of Motorcycle Clubs cannot wear what they choose to wear. The Liberal Government needs to make a decision and stand as one. It's either one way or another... You either can wear what you like or you cannot.

Personally, I am not a member, associate or a hangaround of a Motorcycle Club. Do I know people within these Clubs? Yes I Do.

Are my two best friends from highschool within a Motorcycle Club? Yes they are.

Are they bad people with serious criminal histories? or am I for being their mate? No. We have clean criminal records. we pay our taxes, we have families, we have jobs, we have respect for one another and the community...

Please take into consideration what i have written, especially the information from the Australian Human Rights Commisiion in regards to Discrimination.

The Legislation can only work if its for all types of clubs, groups or entities, like sports clubs, old age clubs, chess groups, poultry clubs etc etc..

One for all or None for all...

Regards

Jarrold Crisp