

## Comments on the Criminal Code Amendment Bill 2022

---

February 2022

### Introduction

Engender Equality is a Tasmanian specialist family violence service providing counselling, psychoeducation and support for all people affected by family and intimate partner violence. Engender also delivers advocacy, community education and training to address gender inequality and gendered violence in all its forms.

### Response to the Bill

Engender Equality stands with the Tasmanian specialist family violence sector in support of the *Criminal Code Amendment Bill 2022* (the Bill).

We welcome with particular enthusiasm the introduction of strangulation as a stand-alone criminal offence in Tasmania. This new offence allows the Tasmanian criminal-justice system to prosecute acts of strangulation, choking and suffocation in a manner that is commensurate with the severe physical and psychological harm they effect. We acknowledge with gratitude the tireless work of family violence survivor and Engender Equality Advocate Deborah Thomson in campaigning for this meaningful legislative reform.

We also welcome the inclusion within the definition of consent of a specific provision relating to 'stealthing'. By explicitly recognising the act of stealthing as counter to "free agreement", this inclusion strengthens Tasmanian consent law and builds awareness of the subtle and pervasive methods via which sexual and reproductive coercion may be perpetrated.

Engender Equality notes that legislative reform is only ever as effective as its implementation, and that without accompanying training and/or culture change, new laws risk inconsistent application and unintended consequences for victim-survivors. We therefore recommend all Department of Justice personnel who may in the course of their work be required to act on or interpret any aspect of the Bill's amendments receive appropriate training.

### Recommendations

Recommendation 1	Introduction of the Criminal Code Amendment Act 2022 should be accompanied by training for all relevant personnel within the Department of Justice to ensure its equal and consistent application throughout Tasmania.

### Further information

For further information please contact:

Engender Equality

T: 03 6278 9090

E: [admin@engenderequality.org.au](mailto:admin@engenderequality.org.au)