

ANIMAL ACTIVISM — MISCONDUCT RESTRAINING ORDERS

334. Hon RICK MAZZA to the Leader of the House representing the Attorney General:

I refer to an article that appeared on page 49 of *The West Australian* of Tuesday, 26 March 2019, titled “Vegan activists could face restraining orders”, regarding possible consequences that vegan activists may face in the future for trespassing and disrupting lawful businesses. Recent offenders were fined amounts that will largely be covered by crowdfunding. This effectively diminishes the penalties that were imposed. The Attorney General has stated that the introduction of misconduct restraining orders means that “if they commit any act of trespass in the next five years, they will be arrested, thrown in the cells and brought before the court” where the magistrate can impose a misconduct restraining order.

- (1) If the magistrate decides to impose a misconduct restraining order, will only those individuals who were charged be prevented from entering a property for five years?
- (2) If yes, given that these individuals are invariably members of militant groups and organisations with many members and supporters ready and willing to commit civil disobedience, can the Attorney General advise how the proposed misconduct restraining orders will protect primary producers from other members of organisations likely to use guerrilla tactics to trespass on their properties?

Hon SUE ELLERY replied:

I thank the honourable member for some notice of the question.

- (1) Yes.
- (2) Under the current provisions of the Restraining Orders Act 1997, a police officer may apply for a misconduct restraining order on behalf of the public generally under section 38(3). Amendments to the RO act to enhance the operation of MROs in these circumstances are under development. The Attorney General is also considering further reforms, which will be announced in due course.