

Hon. Matthew Swinbourn MLC  
Chair, Standing Committee on Environment and Public Affairs  
Legislative Council Committee Office  
Parliament House  
4 Harvest Terrace  
WEST PERTH WA 6005

Dear Chair,

**Petition in relation to rural crime and associated penalties**

Thank you for the opportunity to comment on the petition in relation to rural crime and associated penalties. I started the petition because I have been significantly impacted by trespassing and poachers stealing my commercial marron stock. I would like to expand my marron business and increase on-farm production by putting in more dams but this is simply not viable whilst poaching is so prevalent. Recently my wife witnessed trespassing on our property in broad daylight. A vehicle crossed through three different properties without permission, leaving gates open between adjoining properties. Trespassers can bring dieback or other diseases onto properties, or spread noxious weeds by not complying with biosecurity protocols. If my sheep had gone through the gates that were left open, they could have destroyed the crop on the adjoining property. As well as damage and biosecurity concerns, trespassing needs to be taken seriously as often trespassers are on the property to scope it out for later crimes such as theft, poaching or hunting without permission.

This latest incident prompted me to contact my neighbor, who reported that he had been threatened with a block splitter when he confronted two people on his property without his permission. In another incident, timber floorboards were stolen from a house on his property. He also reported that a recent trespasser on his property was charged, but not convicted, as the accused claimed that his GPS ran out of signal and that he thought he was on a main road, despite the biosecurity and 'no trespassing' signage.

Some farmers in the Mcalinden district are having ongoing trouble with illegal hunters and have reported having fences cut, gates removed and being threatened if they confront the intruders. Myself and others have experienced stock theft and I have spoken to a station owner who estimates he has lost approximately \$1,000,000 worth of cattle from a property near Laverton over 14 years.

A friend at Mumballup told me of an incident where he went to check on a mob of ninety sheep, only to find them in a pile up the bush with the back legs cut off. He has also had a boundary gate damaged, causing his cattle to escape into the bush.

I hope the committee will read and consider The NSW Stock Theft and Trespass Review (the Bradshaw Review) that looked into the crimes of stock theft, rural trespass and illegal hunting and made a number of recommendations regarding rural trespass and rural crime offences and the associated penalties. In the United States there is a Federal law called the Animal Enterprise Terrorism Act that provides protections to livestock businesses against activists and some aspects of it are worth considering, particularly given the recent spike in problems following the "Aussie Farms" online campaign.

Country police do a great job with limited resources, but even if trespassers go to court, the most severe penalties are not being applied, even to serial offenders. We need appropriately severe, mandatory penalties and the court system needs to understand the enormous impact that these crimes have on isolated families. Feeling vulnerable or scared can have a severely detrimental effect on the personal wellbeing of those affected or feeling at risk, and because of this, the geographical isolation of victims should be an aggravating factor that is considered in the sentencing of crimes.

I have heard too often that offenders are let off with a slap on the wrist, warning or minimum penalty. In the Bridgetown-Greenbushes area there is one individual who has been mentioned in many conversations that I have had with people about the petition. He has terrorised the area with acts of trespass and theft for over 20 years, getting off the hook with expensive lawyers. The significant under reporting of rural crime indicates that farmers feel they can't rely on the justice system.

Drones are increasingly being used by thieves scoping out rural properties as well as their use by anti-animal production extremists. This is distressing many people who feel that their privacy is breached and there are numerous stories of drones spooking cattle which could both harmful to animal welfare and dangerous to people working with the livestock. We need to increase privacy protections for people who live and work on rural properties. Regulation of drone use should be strengthened to ensure that all drones, whether recreational or commercial, are registered and identifiable.

I'd like to see more resources for the police to tackle rural crime. A specialised unit of rural crime investigators within the police force should be reinstated. Consideration should also be given to subsidising rural property security systems, such as alarms and cameras.

I appreciate your consideration of these issues. If you would like any further information please do not hesitate to contact me.

Your sincerely,

Geoffery Charteris