



Hon Alannah MacTiernan MLC
Minister for Regional Development; Agriculture and Food; Ports;
Minister Assisting the Minister for State Development, Jobs and Trade

Our ref: 64-11439

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

Dear Mr Swinbourn

PETITION NUMBER 104 – RURAL CRIME AND ASSOCIATED PENALTIES

Thank you for your letter dated 21 March 2019 regarding Petition Number 104 inviting me to provide comment on the terms of the petition and the submissions received from the principal petitioner and the tabling member.

The McGowan government understands that the physical isolation of farmers can generate a particular sense of vulnerability. Trespass, theft and property damage are criminal matters which should be dealt with appropriately.

We note the petitioner raises stock and equipment theft, illegal hunting and trespass as the crimes at the heart of these concerns.

The WA Police Force is best able to provide information on how they are dealing with the first of these two issues. I will focus on the issue of trespass.

Activist Trespass

The member has expressed frustration that, even if successfully prosecuted the perpetrators of rural crimes only pay minimum fines.

It is important to note that in respect to trespass by animal activists, the recent incursion on a piggery resulted in very rapid apprehension and conviction of trespassers. Significant penalties of \$7,000 and \$3,000 were imposed on those convicted. It was pleasing to note that the 'national day of action' planned by animal activists two weeks after this conviction saw no criminal activities in Western Australia.

I have discussed this important issue with the Minister for Police and the Attorney General. The Minister for Police has assured me that if complaints are raised, the Western Australian Police Force will continue to promptly act upon that complaint. I understand from that recent events have resulted in the WA police increasing its preparedness to respond quickly to this issue.

At my request, the Attorney General is working on reforms to further support farmers, including courts to impose restraining orders on activists and stronger laws around trespassing on farms and abattoirs. The prosecution of two animal activists for trespass in WA last month, with significant penalties, serves as a warning that police and the courts will take action against trespass.

Although there is a legislative framework to discourage and punish the behaviour which is described in the petition, the McGowan Government is considering existing legislation to determine whether the current sanctions are set at appropriate levels to achieve the desired deterrent outcome.

In respect of my own portfolio, I note that the petitioner makes specific reference to the animal welfare and biosecurity risks which may result from unauthorised entry and movement on private property. The McGowan government takes its animal welfare and biosecurity obligations seriously and is in the process of reviewing *Animal Welfare Act 2002* and a review of the *Biosecurity and Agriculture Management Act 2007* will begin later this year.

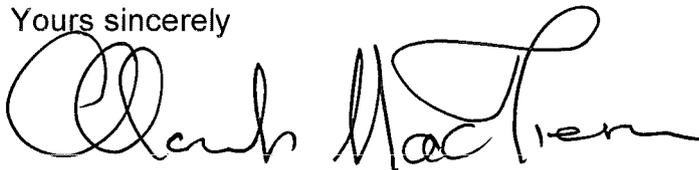
These reviews provide an opportunity to address the issues of trespass and privacy which have been identified as an area of concern.

The McGowan government will continue to work across all agencies and with industry stakeholders to ensure that there is an increased awareness of options available to deal with the behaviour which is the subject of the petition.

It is essential that our farming communities remain protected and that farmers who experience trespass, theft, damage, destruction, harassment or an invasion of privacy contact police to have their matter dealt with.

It is also important that our response is proportional and that we do not react in such a way that provides publicity the animal activists are seeking.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alannah Mactiernan', written in a cursive style.

**HON ALANNAH MACTIERNAN MLC
MINISTER FOR REGIONAL DEVELOPMENT; AGRICULTURE AND FOOD; PORTS
MINISTER ASSISTING THE MINISTER FOR STATE DEVELOPMENT,
JOBS AND TRADE**

11 APR 2019