

22 October 2024

Department of Police, Fire and Emergency Management  
GPO Box 308  
Hobart TAS 7001

By email: [submissions.strategy.support@DPFEM.tas.gov.au](mailto:submissions.strategy.support@DPFEM.tas.gov.au)

**RE: TasFarmers' Submission – Consultation on the *Police Offences Amendment Bill 2024***

TasFarmers is the peak representative body for agriculture in Tasmania and is dedicated to advocating for Tasmanian farmers across a range of commodities including meat, wool, dairy, vegetables, grains, forestry and horticulture. Agriculture is the key pillar of Tasmania's economy, and we are committed to ensuring the sector remains profitable and sustainable.

TasFarmers appreciates the opportunity to provide feedback on the *Police Offences Amendment Bill 2024*.

Overview

Farmers, as occupiers of more remote areas with limited policing resources, are particularly vulnerable to criminal activity. Landholders in rural areas are routinely exposed to a range of criminal activity including theft of stock, machinery, tools, equipment, firearms and diesel. Armed trespass, quaintly referred to as 'poaching', is also a regular occurrence on farms which threatens personal safety, biosecurity, animal welfare, wounding of livestock and game and damage to gates and fences.

TasFarmers believe the current penalties being handed down for farm related crimes including theft and armed trespass are insufficient and do not effectively deter offenders, nor do they reflect the seriousness of the offence. Such offences would not be treated lightly in urban areas and equally should not be treated lightly in rural areas.

Proposed Amendments to the *Police Offences Act 1935*

The proposed amendments relating to trespass with a firearm include:

*Trespass whilst in possession of a firearm, from twice the penalty for a trespass offence to three times the penalty. That being:*

- *For a dwelling house – from a fine not exceeding 100 penalty units and imprisonment for a period not exceeding 2 years to a fine not exceeding 150 penalty units and imprisonment for a period not exceeding 3 years, or both, and*
- *For any other land, building, structure, premises, aircraft, vehicle or vessel – from a fine not exceeding 25 penalty units and imprisonment for a period not exceeding 6 months to a fine not exceeding 75 penalty units and imprisonment for a period not exceeding 18 months.*

The proposed amendments relating to the destruction of property and livestock include:

- *Destroy or injure property or kill, maim or wound an animal (being property of another person) – from a fine not exceeding 10 penalty units and imprisonment for a period not exceeding 12 months to a fine not exceeding 50 penalty units and imprisonment for a period not exceeding 2 years.*

In relation to the proposed amendments listed above, TasFarmers believe these increased penalties are still not high enough and should be further increased. These penalties need to be increased to ensure they are sufficient to act as a deterrent and for a Magistrate to give reason why they should differ from the guidelines.

#### Recommendations

1. Increase the penalty guidelines for convictions of armed trespass on land to the same level as the penalty for a dwelling.
2. Include kill or wound wildlife in addition to animal being property of another person.
3. Increase the penalty guidelines for convictions of theft in rural areas.

#### Conclusion

Armed trespass is an offence which puts at risk the lives and well-being of landholders, their families, their employees and their livestock. TasFarmers believe the penalties for farm related crimes, particularly armed trespass and theft, are currently inadequate and should be increased to match the seriousness and impact of such crimes.

If you have any queries about the content of our submission, please do not hesitate to contact us.

Yours sincerely,



**Nathan Calman**

