



Your strong and independent
voice for livestock producers

LIVESTOCK SA...

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9L138

4 October 2019

The Hon Vicki Chapman MP
Attorney General South Australia
GPO Box 464
Adelaide SA 5001

Dear Attorney General

Re: Proposed Amendments to Trespass Legislation.

Thank you for the opportunity to respond to the proposed amendments to the Summary Offences Act regarding farm trespass.

Livestock SA wishes to acknowledge and thank the steps being taken by government to attend to this serious issue.

Recently farmers across Australia have seen the arrival of the Aussie Farms animal activist website. When it was established the site implicitly advocated for trespass onto farming land by activists. The existence of this site and the increased level of activity that it heralded has caused Livestock SA to consider the trespass laws in South Australia. We are concerned that they do not adequately protect the rights of land holders, particularly primary producers.

We do note the briefing you provided recently regarding the amendments in the Commonwealth parliament. These seem to have had a pronounced impact on the operation of this website as it has moderated its content to reflect the impact of the proposed Commonwealth legislation regarding the use of carriage services to encourage or advocate committing trespass related offences. Nevertheless, the website remains committed to the cause of targeting South Australian farms by a radical fringe who have scant appreciation or concern for property rights as well as no understanding of the biosecurity threats that they pose to industry.

Currently, trespass laws in SA are an amalgam of the common law and statute addressing particular types of trespass captured in the *Summary Offences Act* and the *Criminal Law Consolidation Act*. There are also variant trespass provisions accommodated for in the *Pastoral Lands and Conservation Act* and the *Crown Lands Act*. However, the Summary Offences Act would be the legislation most likely used by the police were charges to be laid.

Livestock SA wholeheartedly supports the amendments as proposed.



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Livestock SA does note the submission by the South Australian Dairyfarmers' Association (SADA) and Livestock SA is particularly attracted to the notion of banning notices issued by farmers against trespassers. SADA envisages that where a farmer is able to identify an individual who is trespassing, or a person in company of such an individual, the owner can issue a simple notice in writing advising that person that in the opinion of the land owner that the individual has trespassed and that they are restricted from doing so for a period up to two years in duration.

We also note the other submissions made by SADA regarding their suggestions and Livestock SA would have no issue with the introduction of SADA's suggestions.

Again, thank you for your timely intervention in this very important issue and we would be pleased to publicly support the measures being taken by the South Australian Government.

Yours faithfully,

Andrew Curtis
CEO