

## DRAFT SECOND READING SPEECH

HON. ELISE ARCHER MP

### THREATENED SPECIES PROTECTION AMENDMENT BILL 2018

*\*check Hansard for delivery\**

Madam Speaker, I move that the Bill be now read a second time.

The purpose of this Bill is to amend the *Threatened Species Protection Act 1995* to increase the penalties for taking threatened species in Tasmania.

The shooting of three threatened eagles since May last year has provoked community outrage and resulted in significant media attention on the penalties for taking these, and other threatened species.

The penalties relating to taking (or killing) threatened species are set out in sections 51 and 61 of the Act. The current maximum fine is 100 penalty units which currently equates to \$15 900, and there is no provision for a custodial sentence.

Monetary penalties for taking threatened species in other Australian jurisdictions range from \$10 000 in South Australia to \$500 000 in Western Australia. Custodial sentences – as well as, or instead of, fines – also apply in most other States and Territories.

Recent changes to threatened species legislation in other Australian jurisdictions have consistently involved increasing penalties, with legislators pointing to growing community expectation that Australia's threatened plants and animals should be appropriately protected.

In Victoria, New South Wales and Queensland, the penalty for taking a threatened species can be a 24 month imprisonment term in addition to a substantial fine. In the Northern Territory, the penalty can include imprisonment for up to 10 years.

Increasing the penalties for unlawfully taking threatened species in Tasmania will make Tasmania's legislation comparable with those other Australian jurisdictions that have contemporary threatened species legislation.

The Amendment Bill I put before you today will increase the number of penalty units for unlawfully taking threatened species from 100 to 629 penalty units. This represents an increase in the maximum penalty from \$15 900 to more than \$100 000. The amendment also provides for a custodial sentence for up to 12 months imprisonment.

The current daily penalty that may apply for each day during which an offence continues after conviction will also increase from 20 to 126 penalty units; an increase from \$3 180 to \$20 034.

The substantial increase in fines and the threat of a custodial sentence will send a clear message about the seriousness of unlawfully taking threatened species in Tasmania and will provide a significant deterrent, and enhanced protection of Tasmania's unique flora and fauna.

I commend this Bill to the House.