

Prosecution Bulletin no. 8/2020

Summary

- On 25 September 2020, a 26-year-old man (the male individual) and a 25-year-old woman (the female individual) pleaded guilty in the Maryborough Magistrates Court to offences against the Nature Conservation (Protected Areas Management) Regulation 2017 (NC Regulation) for unauthorised disturbance of a dingo, contrary to section 130, and the male individual to a second offence of unauthorised feeding of a dingo, contrary to section 128.
- Both individuals were camping on K'gari (Fraser Island) when they interacted with the dingo.
- The male individual was fined \$2,000 and ordered to pay \$500 in legal costs. A conviction was not recorded.
- The female individual was fined \$1,000 and ordered to pay \$500 in legal costs. A conviction was not recorded.

Facts

On or around 27 February 2019, both individuals were camping on K'gari in the Govi and Wongai areas.

While camping, the female individual disturbed a dingo by:

- (a) approaching it twice
- (b) allowing it to lick/sniff her head
- (c) taking photographs in close proximity to the dingo.

While camping, the male individual disturbed and fed a dingo by:

- (a) approaching it
- (b) extending his hat towards the dingo
- (c) providing the dingo with food to eat out of a plastic container.

Images of the unlawful dingo interactions were posted on both of the individuals' social media accounts and came to the attention of the Department of Environment and

Science (the department) when it received an email from a concerned local community operator.

On 28 February 2019, the day after these offences, the same dingo the individuals had interacted with, along with another dingo, mauled three tourists on Eurong Beach. The same dingo was later caught and humanely euthanised.

Following a number of dingo attacks, penalties for deliberately feeding or disturbing dingoes were increased in June 2019 to act as a significant deterrent to human-dingo interactions.

Outcome

On 25 September 2020, the Maryborough Magistrates Court accepted guilty pleas made by the individuals to the charges against the NC Regulation.

The male individual was fined \$2,000 for the two offences and ordered to pay \$500 in legal costs. A conviction was not recorded.

The female individual was fined \$1,000 for her offence and ordered to pay \$500 in legal costs. A conviction was not recorded.

In sentencing, the magistrate took into account certain mitigating factors including the early pleas of guilty and remorse. The magistrate specifically noted:

- feeding dingos, whether intentionally or inadvertently, is problematic as it disturbs the natural ecological balance
- the amount of available information on being-dingo-safe, including the process by which national park users are notified of the dangers in relation to dingoes and also their obligations in avoiding or limiting interactions with dingoes
- the seriousness of the offending
- the fine was intended to personally deter the individual and to provide a general deterrent effect to other people.

The penalty is a reminder to others to comply with the

laws enacted to prevent human-dingo interactions and ensure the welfare of the animals and the safety of visitors on the island.

November 2020

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