

Prosecution Bulletin no. 7/2014

Summary

- Four men have each been fined \$7,000, and ordered to pay legal costs totalling \$1,500, for shooting, killing and skinning a crocodile in Home Hill in 2012.
- The men each pleaded guilty to one offence of taking a protected animal without authorisation, contrary to section 88(2) of the *Nature Conservation Act 1992* ("the Act").
- They were sentenced by Magistrate Mosch at the Townsville Magistrates Court on 15 April 2014.

Facts

Four men were travelling in a small boat along Groper Creek, with the intention of going pig-shooting on a nearby island, in January 2012.

While travelling through the creek, the men came across a float, which had a live estuarine crocodile attached to the end of it. The men shot and killed the crocodile, which was filmed on a mobile phone belonging to one of the men.

Their conduct, as depicted in the video footage, was as follows:

- One man was pulling a line that was attached to the float, which had the live crocodile attached to the end of it. The line was attached to the crocodile through its mouth, with a hook likely embedded in its digestive tract.
- One man shot the crocodile multiple times using a rifle, while it was being pulled to the surface of the water.
- One man stood looking on from the rear of the boat.
- One man filmed the event using his mobile phone.

The crocodile is pictured thrashing about during the incident.

The men then transported the crocodile to a shed in Home Hill, where it was skinned by three of them. The skinning of the crocodile was photographed using the

same mobile phone.

The mobile phone containing the video footage and photographs was seized by officers of the Queensland Police Service during the execution of a warrant for unrelated matters in February 2013.

Outcome

The four men each pleaded guilty to one offence of taking a protected animal without authorisation, contrary to section 88(2) of the Act.

Magistrate Mosch ordered each of the men to pay a fine in the amount of \$7,000, and ordered them to pay legal costs totalling \$1,500. A conviction was recorded for one of the men, having regard to his criminal history, and no conviction was recorded for the other three.

The Court considered the following matters in sentencing:

- the totality of the activity took place over a short period of time
- it was an exceedingly dangerous activity.
- any cruelty to the animal was unintentional.
- there were other options available for the safe and humane treatment of the crocodile.
- the purpose of the Act is to conserve nature and Parliament has seen it fit to include crocodiles as protected animals.
- there is a need for personal and general deterrence.

April 2014

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