RTRA
RECREATIONAL TRAILBIKE RIDERS' ASSOCIATION WA

Dr Karl O'Callaghan
Commissioner of Police
Western Australia Police Headquarters
2 Adelaide Terrace, East Perth
Western Australia 6004

May 7, 2009

Dear Commissioner O'Callaghan

**Re: Wire set across trails**

I refer to the article in The West Australian of May 7 (attached) detailing the setting out of traps on trails in the Mundaring – Chidlow area.

If the assertions of this article are true, and we have no reason to believe otherwise, then our view is that anyone setting a wire or cable across a track at neck or head height of an approaching cyclist or trail bike rider is committing an act of premeditated attempted murder.

Our basis for this interpretation is S 279 (1) (b) and (c) of the Criminal Code which would support a charge of murder being brought against anyone who set such a trap in the event of a death, and S 552 (1) which holds that any person who attempts to commit an indictable offence is guilty of a crime.

At an absolute minimum, any person setting such a trap is clearly in breach of *Setting dangerous things for people* - S 305 (2) (a) and (b).

Rather than waiting for someone to be killed as a result of this practice, we urge the WA Police to actively investigate these cases of attempted murder and to prosecute any individuals or groups found responsible.

I am sure that our members would be prepared to assist in any way possible and I would appreciate your response so that we can inform our members about the actions Police will be taking in this matter.

Sincerely

Steve Pretzel
President

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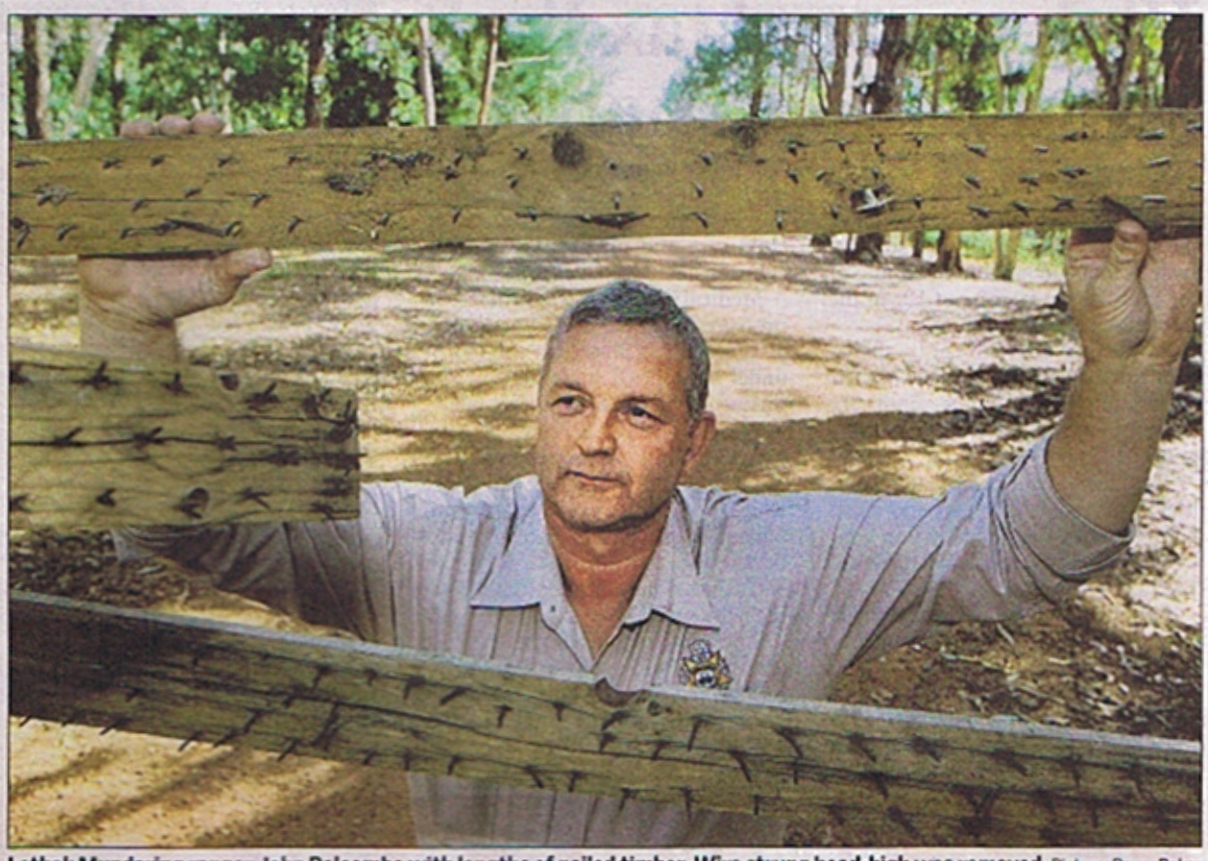

**Lethal: Mundaring ranger John Balcombe with lengths of nailed timber. Wire strung head-high was removed.** Picture: Barry Baker

# Bush vigilantes set traps for dirt-bikers

GABRIELLE KNOWLES

Vigilantes are stringing wire between trees and hiding spiked planks on a Mundaring bush trail in a dangerous bid to ambush illegal dirt-bike riders.

Rangers claim the traps are also threatening walkers, cyclists, horse-riders and others who are allowed to use Railway Reserve Heritage Trail between Glen Forrest and Chidlow.

Some devices have even been found on gazetted tracks open to registered and licensed motorcycle riders.

One rider, who did not want to be named, rode into a cable strung between two trees in March.

He claimed he was lucky to be alive, saying he just caught a glimpse of the wire glittering in the sunlight as he raced towards it. "I slammed on the brakes but I knew I would hit it and the wire was neck-high," he said.

He swung his handlebars down and tried to duck but the wire hooked on to his right bicep, ripping him off his bike and tearing through his padded clothing. His arm was numb and swollen for hours but the protective clothing saved him from permanent injuries.

Mundaring chief executive Jonathan Throssell said motorcycles were banned in some areas where the traps were found. But he said that did not excuse the actions of the trap-setters.

"The shire is appealing to those responsible to stop setting such traps before someone is severely injured," he said. People convicted of setting dangerous traps could face three years jail, a police spokesman said.