

February 21, 2023

Phone: [REDACTED]

email: [REDACTED]

To Parks Victoria,

email: info@parks.vic.gov.au

I am writing to lodge a complaint with Parks Victoria regarding the actions of two authorised officers, Mr Connor [REDACTED] and Ms Hannah [REDACTED]. I feel that their behaviour was inappropriate in a number of ways that I will outline below. This letter also serves to register my complaint about the Parks Victoria policies which - presumably - underpin Connor and Hannah's actions.

The background is as follows:

Parks Victoria recently announced that sections of Taipan Wall were open for rock climbing, from December 17, 2022. My partner and I parked at Camp Sandy on December 18, 2022, at approximately 0830, and walked to Taipan Wall. We climbed a couple of routes that were designated to be "open". We did not see any other rock climbers on the wall that day.

We finished climbing at approximately 1230, and as we descended the track towards the Trackside Boulders, we met two Parks Victoria officers (who later introduced themselves as Connor and Hannah). The two were very friendly and asked us some questions about the climbing that we had done, and what we thought of the changes to the track at the base of the wall. The questions gradually became more probing, such as asking us where else we climbed in the Park, and where we lived. My partner and I became increasingly uncomfortable with the questions we were being asked, especially when the intent behind their peculiar questions was not apparent. I explained to Connor and Hannah that I felt uncomfortable about their questions. I referred to the "tense relationship" that has developed between Parks Victoria and climbers in recent years, explaining that – although I knew they weren't personally responsible – Parks Victoria have released some reports that have (in my opinion) contained gross misrepresentations about climbers damaging Gariwerd National Park (such as the bolts shown in Aboriginal artwork at Billimina Shelter, and the report by Ben Gunn which referenced graffiti on rocks "clearly done by climbers"). I explained that I had worked alongside Parks Victoria a number of times in years past in Gariwerd National Park (for tasks such as restoring the tracks to the Stapylton Amphitheatre after the 2014 bushfires), and more recently I had attended two Parks Victoria scotch thistle removal days at Djurrite. I explained this to show that I have a strong desire to take care of Parks, and to work alongside Parks Victoria to achieve this, and that I was keen for the relationship between Parks Victoria and climbers to be restored.

Connor responded by asking "What car did you drive here today?". I immediately felt under attack. I asked Connor "Why are you asking this?". He said "We have intelligence that a car was recorded in a closed location on Red Rock Rd in Grampians National Park yesterday; that car is currently parked in Camp Sandy, and your face matches the registered owner of that car". Now I was absolutely confused: I knew that I had parked on Red Rock Road the previous day, but there were no apparent road closures. So what had I done wrong? As anyone who has been pulled over by the police (even when obeying the law) can relate to, there is a heightened sense of danger in these situations; one automatically starts trying to work out what it is that one could have done wrong. I felt incredibly anxious and confused. It's important to note that this is a standard experience when one is informed that you have done something wrong – regardless of your level of innocence.

At this stage Connor explained that he was going to give me an official caution. He explained that this could be done quickly and easily on the spot, or he could take my details and it could be a longer process if I elected to take that option. With my mind spinning I agreed to do the interview then and there. This was in no small part because – as far as I knew – I hadn't broken any rules, so I figured it would be over very quickly. Little did I know it would be at least another half hour before the interaction had concluded.

We descended a short distance to the vicinity of the Love Boulder, where there is a cleared area. Connor advised me that he was going to record the conversation. He did not ask for my permission. I interrupted to ask why he wasn't even asking for my permission, and he acquiesced that I could elect not to have it recorded. At this stage I voiced that I was finding this interaction extremely heavy handed; I still had no idea what I was being accused of. I advised that I was happy for the recording to be made, however the fact that I hadn't even been offered a choice seemed extremely officious, and added to my sense of bewilderment and concern.

Connor then asked for my driver's license, and I explained that I didn't have it with me. Connor advised me that "It is an offence to not provide your details to an authorised officer". I asked if I could provide my details verbally, and he advised that we would need to meet again to verify my identity. I queried how it could be an offence not to carry photo identification, when I had never seen reference to this requirement at an entry to a National Park. He did not address my question.

I provided my full name; date of birth; address.

Connor then advised me that he was giving me cautions, both in relation to my vehicle being found on Red Rock Rd yesterday, and also in relation to failing to provide details to an authorised officer (despite me having freely provided him with my full details verbally).

I exclaimed that I was absolutely shocked that I was being given a caution for not having photo identification with me while in a National Park. I was interrupted to be told "you do not have to do or say anything, but anything you may say or do may be given in evidence. Do you understand that?". I expressed my disbelief that this was occurring. My mind was spinning, and I had trouble gathering my thoughts.

I was asked again "do you understand the caution?". This was extremely baffling for me: I was not aware of having done anything wrong the previous day, and yet I was being asked whether I understood the caution. How could I possibly understand the caution when no one had explained to me what I had done wrong? I felt my mind race through all the things that I could have possibly done to be receiving this caution, but I came up blank. It was not only bewildering, but it was also very scary. I had no idea what was going on, but it was clear that I was in serious trouble.

It was only at this stage that, after expressing again that I did not understand what this was about, that Connor finally mentioned that I was being cautioned for "driving around gates". Frankly this detail provided me with a great sense of relief, because – for the first time since the interrogation began, approximately 20 minutes earlier – I finally understood the offence that I was being charged with (and, incidentally, I knew that I had not gone past/through/around any gates indicating closures of any sort).

Connor persisted with his questioning: "Do you understand the cautions I have given you?". Once again, how could I understand the cautions, when

- a) The first caution relating to "driving around gates" didn't make sense, because I hadn't driven around any gates the previous day.
- b) The second caution for not providing photo identification didn't make sense either, because – as far as I knew – there is no requirement to carry photo identification in a National Park.

I was asked questions about where I had been the previous day, and what I had been up to. I was asked about the details of my car, including the make, model, rego number, colour.

I was asked about how I accessed Red Rock Rd; I explained that I had not driven through any gates indicating closures, either open or closed. I had difficulty expressing myself clearly because my mind was racing. I was asked to state the name of the road that I had used to enter Red Rock Rd, and because I couldn't think straight, I wasn't able to remember the name of the road (even though I use it often). A map was produced, and I was able to identify the road (Andersons Rd), which links the Henty Hwy to Red Rock Rd. I explained that there was no sign or gate or any notification about closures on the route that I took to indicate that Red Rock Rd was closed via this route.

At this stage the interrogation took a most unusual turn. Connor advised me that my car has been observed in the National Park on two other dates earlier this year (as far back as February). I was asked to explain what I had been doing in the National Park on those days. The intonation was clear: that I had been flouting the bans on climbing in that region.

It was difficult for me to clearly and comprehensively answer Connor's question as to what I might have been doing up to ten months ago: I had taken my two aunts (who were visiting from interstate) to visit Billimina Shelter around that time; I visit the area to birdwatch; I aspire to complete the Kokoda Track and I am training for this; and more generally, this is an area that I simply like to visit, even if there is no "purpose" for the day other than to escape the daily grind and be entranced by the untempered majesty and beauty of the region. Being put on the spot to state what I had been doing on dates many months ago felt extremely hostile and intimidatory.

I was informed that on one occasion when my car had been observed, there had been climbing paraphernalia in the back of the car. I was asked to explain this – once again with the underlying suggestion that I must have been rock climbing. I responded by explaining that if I was going rock climbing, then naturally I would have taken the rock-climbing equipment with me, rather than leave it in the car.

It is worth noting that I am always particular to never leave any climbing material visible in my vehicle, so that I can avoid being labelled as a climber by Parks Victoria employees and so avoid incrimination. I was also told that I had a note left on my car advising that I was not allowed to climb in the area, and I dispute that this occurred (although I am aware of it happening to other people who have parked in the area).

At this point in time, two climbers that I am acquainted with happened to walk past and say hello to all of us (it was apparent that these acquaintances also knew Connor and/or Hannah). The picture would have been very clear to these climbers, seeing me and my partner sitting below two Parks Victoria authorised officers: it would have seemed that we had been "caught in the act" breaking rules. This was extremely embarrassing for me and my partner. I can advise that I have since reached out to these acquaintances, to let them know the full details of what happened, in an effort to ensure that neither my name, nor my partner's, is tarnished.

The interrogation continued. Hannah asked a follow up question about the walking I had done yesterday, asking in a casual manner "so you were doing off-track walking?". It was obvious what Hannah was attempting to do: to lead me to state that I was doing some form of bushwalking which is breaking rules.

Eventually Hannah and Connor advised that the interview could be closed. I was not provided any written notifications or warnings. I was not advised whether my cautions remained in place. I was not advised whether any follow up, or letters, would be arranged for me. I was not advised whether I would be required to present to a Parks Victoria office to confirm my identification (as Connor had advised would be required).

At this point I asked if I could make a suggestion: I explained that I was feeling shaken by the interrogation (I believe I said I was still "jittering"). I asked whether they thought approaching me on a track on a Sunday was the best way to manage this sort of situation. I stated that I felt that it was entirely appropriate for anyone who parks on a closed Parks Victoria road to be notified, and suggested that this should be done in a systematic manner that was less confronting (such as via letter). Hannah advised that they considered approaching me on the track to be the best way; she pointed out that this approach had enabled them to

get a quick resolution to the matter. However, the cost that this placed on me and my partner was not appraised as a factor worth considering. I believe that the lack of regard for my well being, and my partner's, reflects extremely poorly on the conduct of the Parks Victoria Officers (and Parks Victoria if this is an approach that is in accordance with policy).

At the end of the interaction, I can recall telling Hannah and Connor that I felt "really good". Indeed, I felt absolutely elated! The reason for this was because I had just endured a most horrible ordeal; but it had become apparent that the interrogation was over. After feeling so threatened, scared, bewildered and powerless, it was a massive relief for it to be over, and – as a result – I felt euphoric. Please understand that this sense of relief and euphoria that I experienced does not justify the treatment that the Parks Victoria employees inflicted on me and my partner.

I estimate that the interaction took between 40-45 minutes. As noted above, the recording made by Parks Victoria covered most of the interaction (although it did not capture the start), so it can confirm the majority of the details I have provided.

After this meeting I had trouble sleeping. I have met with a social worker to discuss the situation and the effect it had on me. Both me and my partner are still feeling distressed about the events that happened. We feel anxious about going to the Gariwerd National Park now, which hurts because it is important for both my physical and mental health. I am extremely concerned that I will be approached by Parks Victoria Officials in a National Park with further accusations. Indeed, I have noticed that I am ill at ease when entering any National Park, even those far from Gariwerd National Park.

I have asked for support in the climbing community and have been provided with help and advice from a number of people. This has helped me to put this complaint together.

It is also important to note where my car was parked on December 17th, which was not in the Gariwerd National Park. I have attached a map showing where this was (see Appendix 1). As you will see, this is outside of the National Park, on a road that is in the Southern Grampians Shire.

It is worth noting that I have attempted to resolve the hurt caused by this interaction, by reaching out to Connor and Hannah via email. I have asked for a copy of the recording they made, to help me process the experience; I was advised that I did not have the right to access it.

Furthermore, Connor advised via email "we have since visited the area and confirmed that Andersons road is open and trafficable and can be used to access Red Rock road". He also advised "the investigation in relation to the offence is closed as no offence was committed and no further action will be taken". However there was no mention made as to whether the "offence" of failing to provide photo identification remains under investigation. There was no apology made for harm caused.

My complaints are:

1. Members of the public (including rock climbers) should be able to go into a Park without fear of being interrogated by a Parks Victoria officer about an alleged minor offence (especially when the alleged offence didn't even occur the same day).
2. The delivery of the caution was very heavy handed. The interrogation was unnecessarily intense and out of proportion to the alleged crime of parking on a closed road.
3. I was given a caution for driving onto a closed road, when
 - a. There was no indication that the road was closed (via the route I took), and
 - b. The area where I parked was not within Parks Victoria jurisdiction.

I acknowledge that Connor has since advised via email that no offence was committed, however that appears to be in relation solely to point 3.a.

4. I was given a caution for not providing photo identification, when there is no indication that this is a requirement of entering a Park.
5. It is unacceptable for Parks Victoria to keep a record of where I have parked my vehicle (unless it is illegally parked), simply because rock climbing locations are nearby. Put simply, this is intimidating and makes me feel unwelcome. I access areas close to rock climbing venues for a variety of reasons, and making it known to me that my car registration has been noted in these locations makes me feel unwelcome to these spaces.
6. It appears that Parks Victoria have profiled me as a rock climber, taking into consideration
 - a. Where I park my vehicle.
 - b. What has been allegedly observed within my vehicle.

This profile appears to have been used to target me. It is readily apparent that the officers were not solely interested in delivering a caution about parking on a closed road. They came prepared with details in an attempt to further incriminate me. The profiling of rock climbers, and subsequent targeted attacks, is unacceptable. Parks Victoria's profiling of climbers has led to Authorised Officers assuming people who are climbers are conducting illegal activities in the Park when they are visiting for any number of other activities.

7. Hannah and Connor employed a variety of strategies or behaviours that were unacceptable from Parks Victoria Authorised Officers:
 - a. Starting a conversation under the appearance of being friendly and conversational, when they had a hidden agenda. They are not undercover agents, so they should not behave as such.
 - b. Using an alleged minor misdemeanour as a reason or justification for a lengthy, probing and intimidating interview.
 - c. Failing to ask me for permission if they could record the conversation.
 - d. Failing to provide a clear explanation as to what I was being cautioned for at an early stage in the discussion. It appears they were working off the assumption that I was aware of the rule I had broken; this was not the case.
 - e. Accusing me of breaking a rule in a park (i.e., failing to provide photo identification), yet refusing to respond to my query whether this is indeed a rule.
 - f. Pressing me to accept a caution, when the caution had not been adequately explained.
 - g. Holding the interrogation in a public location, increasing the likelihood that I would be observed by members of the public (and therefore embarrassed or humiliated).
 - h. Asking questions with the clear insinuation that I have been disobeying Park rules.
 - i. Asking questions in an apparent attempt to get me to incriminate myself.
 - j. Failing to consider the impact that their interrogation style interview would have on the wellbeing of those being interviewed.
8. Although Connor has advised via email that no offence was committed with regards to driving around gates, there has been no advice provided as to whether I have an offence against my name for failing to provide photo identification.
9. There has been no follow up from Parks Victoria to advise me that I would not be required to attend a Parks Victoria office to prove my identity, as Connor had claimed would be necessary.
10. There has been no official notification to advise me that all charges against me have been dropped, and that I have no "record" with Parks Victoria.
11. The experience that Hannah and Connor subjected me and my partner to, caused harm. We no longer feel welcome in Gariwerd National Park. We are afraid of further interactions with Parks Victoria employees (indeed, of any Parks employee), even though we continue to follow the rules. I have experienced anxiety and difficulties with sleep as a result of this interaction, leading me to seek help from a health professional.

From Parks Victoria I request the following:

1. The immediate cessation of tactics that unfairly target rock climbers. This includes:

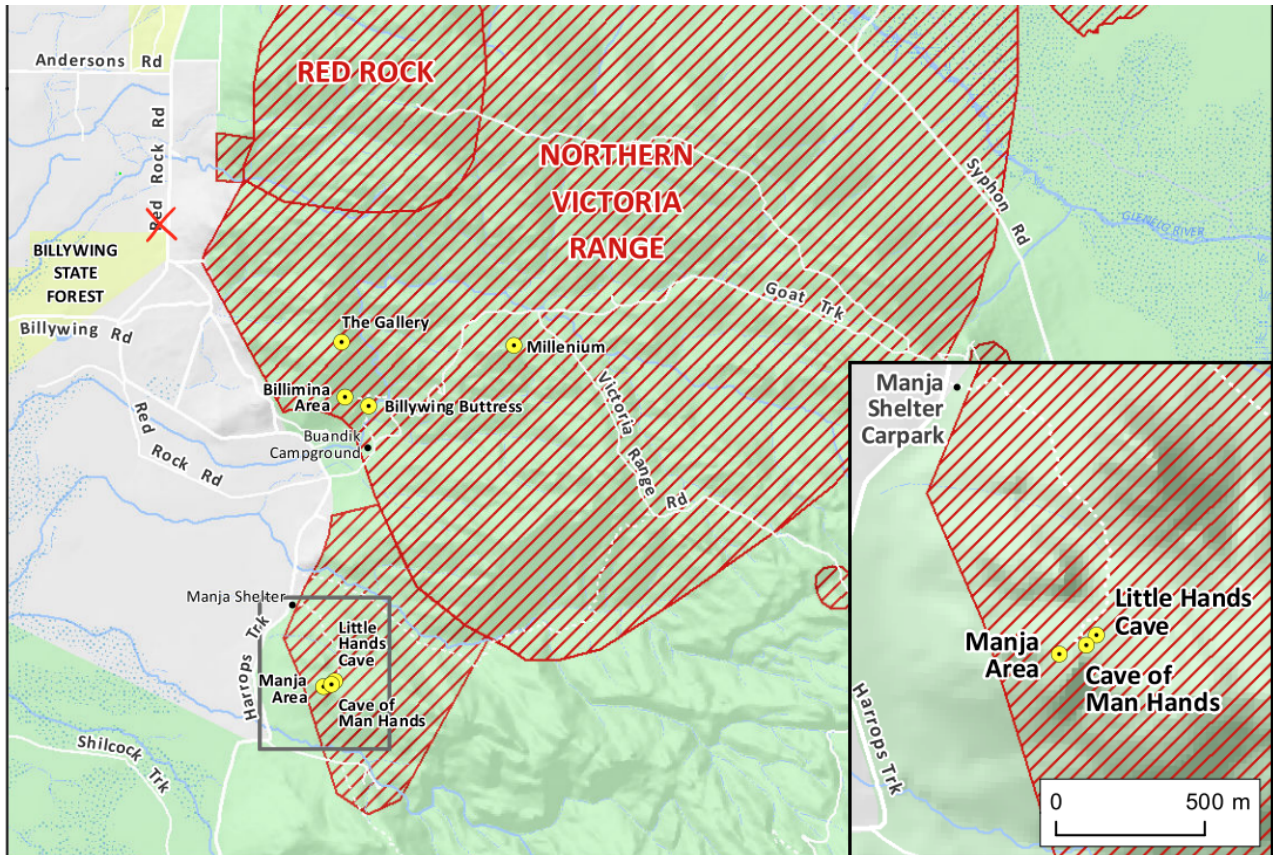
- a. approaching climbers with the purpose of discussing offence(s) that are alleged to have occurred some other day.
 - b. leaving notes on cars advising that climbing is not allowed, when no climbing is observed to have occurred.
 - c. developing records for the purpose of profiling climbers. This includes using such means as keeping a record of vehicles that are parked (legally) in the Park, or looking into cars to determine whether their contents include rock climbing equipment.
 - d. using said profiles to target rock climbers when they are not breaking, and have not broken, any rules.
2. Engagement by Parks Victoria with Victorian climbing peak bodies, to explain changes they will make so that other rock climbers do not have an experience similar to that which my partner and I endured.
3. If Hannah and Connor acted in accordance with Parks Victoria policy, then I request that those policies be reviewed and changed in accordance with this complaint.
4. If Hannah and Connor did not act in accordance with Parks Victoria policy, then their suitability to the role of Authorised Officer should be reviewed. Should their behaviours be based on advice from more senior officers, then those officers should also have their roles reviewed.
5. A written apology to both myself and my partner, for harm caused. I would hope that such a letter would include a commitment by Parks Victoria to ensure no other rock climbers have an experience similar to that which we endured.

Regards,

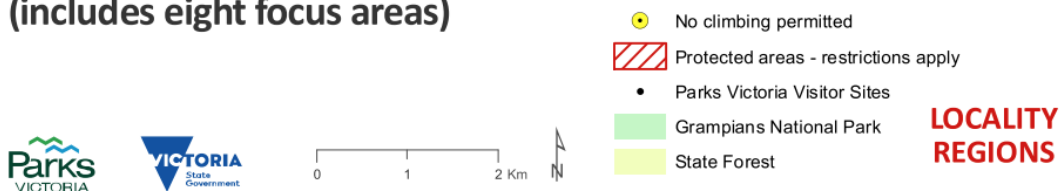
[REDACTED]

Appendix 1

Map indicating the location where I parked on Red Rock Road (marked by a red X) on 17th December 2022. This location is outside the Grampians National Park.



Northern Victoria Range - Rock Climbing Exclusions Zones (includes eight focus areas)



Disclaimer: Parks Victoria does not guarantee that this data is without flaw of any kind and therefore disclaims all liability which may arise from you relying on this information.
Data source acknowledgements: State Digital Mapbase, The State of Victoria and the Department of Environment, Land, Water and Planning.

27/08/2020