

This is an uncorrected proof of evidence taken before the committee and it is made available under the condition it is recognised as such.



AGRICULTURE AND ENVIRONMENT COMMITTEE

Members present:

Ms JR Howard MP (Chair)
Mr SA Bennett MP
Mrs J Gilbert MP
Mr EJ Sorensen MP

Staff present:

Mr R Hansen (Research Director)
Mrs M Johns (Principal Research Officer)

PUBLIC HEARING—INQUIRY INTO EXHIBITED ANIMALS BILL 2015

TRANSCRIPT OF PROCEEDINGS

MONDAY, 27 APRIL 2015

Brisbane

MONDAY, 27 APRIL 2015

Committee met at 10.32 am

CHAIR: I declare this meeting of the Agriculture and Environment Committee open. I start by acknowledging the traditional custodians of the land we are meeting on today and pay my respects to the elders, both past and present.

My name is Jennifer Howard. I am the member for Ipswich and the chair of the committee. The other members of the committee with me are Ted Sorensen, the member for Hervey Bay; Stephen Bennett, the member for Burnett; and Julieanne Gilbert, the member for Mackay. These proceedings are being transcribed by our parliamentary reporters and broadcast live on the parliament of Queensland's website.

The purpose of this meeting is to assist the committee in its examination of the Exhibited Animals Bill 2015. The bill was introduced by the Hon. Bill Byrne, Minister for Agriculture and Fisheries and Minister for Sport and Racing, and subsequently referred to the committee on 27 March, with a reporting date of 8 May 2015. The committee's report will help the parliament when it considers whether the bill should be passed. I remind everybody that the bill is not law until it has been passed by the parliament.

Today the committee will hear from four panels of submitters and other stakeholders who have views on the bill followed by a briefing by officers of the Department of Agriculture and Fisheries, the department responsible for the bill. We will start the hearing today with the first panel representing animal welfare groups. I welcome Dr Mandy Paterson, the Principal Scientist for the RSPCA Queensland.

PATERSON, Dr Mandy, Principal Scientist, RSPCA Queensland

Dr Paterson: Thank you and thank you for the opportunity to talk to you today. I have a few things I want to say and then I will be happy to answer questions. The RSPCA is really happy that the bill is bringing together all the different types of exhibited animals—whether it is zoos, circuses, demonstrations, petting zoos—under the one bill. We really think that is a great step forward. We believe that animals in any of those different circumstances deserve the same welfare requirements. If a lion, for example, is in a zoo or in a circus, it should in fact be looked after and cared for and have the same welfare. That is a basic tenet of our stance.

Although we really support the bill, I guess we do have a few concerns because the bill does say that it is going to treat all these animals in the different circumstances the same but it then does have provisions in it that actually allows them to be treated differently. For example, there is a 12-month travel permit—I cannot remember what it is called in the bill—where animals can go on the road for 12 months, which we believe is too long a time for an animal to be away from a static exhibit and therefore it is actually going to be having poorer welfare for that time. Twelve months is too long and also the bill does not stipulate whether in fact it could be 12 months and then another 12 months and then another 12 months, so in fact that lion or any animal could end up being on the road for maybe two years or three years. The bill also allows this for interstate circuses in that they can get a travel permit for 12 months. Again, we are worried about the welfare of those animals and that this bill appears to want to give them the same good welfare but then allows them to be travelling around the country for 12 months.

The other thing I wanted to point out was that in the definition of 'exhibited animal' the bill actually uses petting farms as an example of an exhibited animal, but in the FAQs that accompanied the release of this bill it actually says that petting farms—it implies in the way I read it—would not come under the bill. So I would like clarified whether animals in petting farms, whatever species they are, will be looked after because we feel that petting farms should in fact be included and that the animals in petting farms tend to be the most vulnerable because they tend to be young animals and they are often taken away from their mothers for extended periods of time and so therefore can suffer poor welfare, so they should be covered.

The final thing I wanted to say was that the bill recognises welfare as a risk, because it talks about risks, and one of the risks it mentions is welfare, which of course is great and we support that. But in itself this bill does not really have any welfare aspects. It relies on the Animal Care and Brisbane

Protection Act to pick up that welfare aspect. Of course, the Animal Care and Protection Act is a great act, but we feel that there needs to be direct animal welfare coverage, either directly by the bill or by associated rules, regulations or standards and guidelines or codes of practice—whatever—and we do know that the federal government is in the process of producing standards and guidelines for exhibited animals. We believe that this bill really needs to endorse those standards and guidelines to actually give more weight to this risk that they mention of welfare. Thank you.

CHAIR: Thank you, Dr Paterson. Mandy, overall the policy of the RSPCA is that no circus, no matter how well managed, can provide an appropriate environment for wild animals in general.

Dr Paterson: Yes, that is our position. Currently we find it difficult to believe that any circus could provide the right welfare for an exotic or, as you say, a wild animal. I guess this bill in its need for circuses to have a static exhibit is trying to move into that area of saying, 'Yes, these animals need to be rested and they can't be on the road all the time,' but that has now been changed to 12 months so that is where that problem comes in.

Mr BENNETT: I am just wanting to flesh out a comment about the welfare of the animals. Do you see any benefit in the management plans that are being proposed under this legislation?

Dr Paterson: Yes, we support the management plans, and that is definitely one area where we see that welfare would be protected by ensuring that those management plans had all the sorts of areas covered, because welfare is more than health. It includes health, so it includes having veterinary cover for the animals but it includes more than that—ensuring that their enclosures provide the right sort of environmental enrichment and enough stimulation for the animals. So, yes, a plan should be able to cover all those things.

Mr BENNETT: In relation to one of your comments about your concerns about the 12 months, is it not fair to assume that some of these animals specifically can tolerate that sort of activity and are usually bred and kept in those sorts of environments for that particular purpose in that they are robust? Would you be prepared to make a comment around that?

Dr Paterson: No, I am not prepared to accept that. I feel that even if a lion is born and bred in a circus it does not actually mean that, although it actually appears to be staying healthy and it appears to maybe even breed in those circumstances, that is a perfect welfare place for it. We only have to look into history and think that people have been in far from ideal circumstances but they have survived. That does not mean that they are somehow different—that they have been bred and therefore they do not need the same standards as another lion that was bred in a different circumstance. So I do not accept that argument.

Mr BENNETT: I was not arguing; it was just a comment about the suitability of some of the displayed and exhibited animals that may have the capacity to actually perform well in those circumstances. That was more my point.

Dr Paterson: It depends what you mean by 'perform well'. I feel that we can say that their welfare is still being compromised because they are being kept in these sorts of circumstances for that length of time that they are not going to be able to display all their natural behaviours and they are not given the environmental enrichment they need because they are on the road all the time. Yes, they may survive and they may actually perform, but it does not mean that they are in good welfare.

Mr BENNETT: One of the other things that I was reading in this legislation was that the industry has full-time carers and one would assume that they make wonderful representation for their animals and of course that would sometimes add value that they may actually be getting better welfare treatment under the support and provision and supervision of those full-time carers within that organisation.

Dr Paterson: I probably have to disagree a little bit with you on that one as well. In zoos the keepers are well trained and they do continuing education and their sole role in a zoo would be to care for a particular range of animals—big cats, for example. But in a circus I have yet to be reassured that the level of training and the level of continuing education for the people who look after the lions is at the same standard as those in zoos. Also, they have a whole lot of other roles that they have to play. Their sole purpose in life is not to look after the animals, so I just do not feel that they can argue that they are looking after them in the same way.

Mr BENNETT: Are there any examples you can give to the committee where the RSPCA has been involved, particularly with the circus industry, in terms of noncompliance or perhaps examples of welfare standards that may not meet your expectations?

Dr Paterson: Currently, as you know, there is a compulsory code of practice for circuses. That code has been in place for a long time, so when our inspectors go to a circus they can only judge that circus according to the law, which is that code of practice. If the circus is complying with that code of practice, of course they are not breaking the law. So I am not talking about that. I believe that that code of practice is well overdue to be reviewed. We believe that it does not protect the welfare of the animals well enough in this day and age and in the expectations that the public have. So, no, I cannot give you an example because they have not breached that code of practice.

Mr BENNETT: Thank you.

CHAIR: Dr Paterson, I would like to just ask another question. Is the RSPCA aware of the transport of exotic animals? Are drugs ever involved to help the transfer of animals? Are you aware of that?

Dr Paterson: I am not aware of drugs being used in the transport at all. If they were being used or being suggested, I would need to look into that suggestion before I could give a comment.

CHAIR: All right. Is the RSPCA aware of any animals that have been injured or damaged through travelling?

Dr Paterson: Off the top of my head, I would have to say no. I have known ones—I have heard of them from overseas circuses—but I do not know of any in Australia offhand.

CHAIR: Thank you, Dr Paterson. That brings questions to a close. Our next panel is from the circus industry.

JOYES, Mr Rob, Director, Wildlife Kingdom

ROBINSON, Mr Steve, Director, Darling Downs Zoo

CHAIR: Jasmine is not on the phone as yet. So I welcome Steve and Rob. Can you state your full names and positions for the benefit of Hansard.

Mr Joyes: Yes, my name is Robert Joyes. I am the director of Wildlife Kingdom, which is my animal display business.

Mr Robinson: I am Steve Robinson and I wear a number of hats—the owner of the Darling Downs Zoo with my wife but also for over 30 years a circus animal trainer and a circus owner.

CHAIR: Firstly, Rob, would you care to make a brief opening statement?

Mr Joyes: Sure. So as mentioned, I am the co-owner and operator of an animal exhibition business. I have worked in the animal exhibition industry for 23 years. I have held senior positions in both circuses and in some of Australia's larger zoos. I have operated our business now for over six years. Our home base establishment is in New South Wales. However, we are regular visitors to Queensland, displaying our animals at community events such as circuses. We hold a declared pest permit in Queensland authorising the display of our exotic species.

During the consultation process of this bill I supplied written submissions, attended workshops and sent follow-up emails to the department highlighting my concerns each time. It would appear that some of these concerns have been overlooked. My main concern is the proposal for circuses to apply for 12-month permits. The proposed requirement is an extra and unnecessary burden on our business and fails to take into account the unique nature of our exhibition activities. Planning a circus tour is not always straightforward. It may require leaving the state due to seasonal climatic factors and returning later, or leaving to fulfil interstate obligations or to avoid overlapping towns with other circus and the like. The proposed licence term of three years maintains consistency with other sectors of the industry and allows us some flexibility in our planning.

In the department's response, it is argued that a 12-month permit is necessary to manage the risks associated with itinerant collections. This may be justified if the permit holder is seeking to amend his permit to include additional species or to conduct additional exhibition activities. However, it is an excessive requirement for this industry if the species they exhibit and their business operations have remained unchanged since the previous 12-month permit was issued. Basically, this fails to take into account that the display of animals for a circus is the primary and routine means of exhibition, whereas a fixed establishment doing a mobile display periodically is essentially a secondary means. Therefore, the two should be viewed and subsequently treated very differently.

Another main concern is that the bill seeks to effectively prohibit a circus from being Queensland based in the future unless they have a fixed display for their animals. Circuses by definition are itinerant and this requirement is in stark contrast to the way circuses operate. This concern is further reflected in the proposed licensing structure by requiring a state based circus to obtain a three-year exhibition licence in addition to a special exhibition permit every 12 months when they are not exhibited on a fixed site.

It was suggested to the department by me that any future circus wishing to be based in the state should be required to provide a home based establishment for their animals during lay-over times that would comply with zoo size enclosures and appropriate security, but this discussion went no further. It is stated that a fixed facility as per the bill must have an annual minimum exhibition time of 900 hours and assumes that a circuit does not comply with this requirement. However, a circus not only conducts formal presentations but also exhibits their animals most days while the circus is set up at each location. This is confirmed by the circus code of practice in this state, which states—

All animals must have access to a display cage with the size dimensions as outlined in this document, for a minimum of six hours each day during daylight hours.

This static exhibition, similar to a zoo, is in addition to the other display activities conducted by circuses such as public training sessions, school excursions, community groups, circus workshops et cetera. That is pretty much all I have to say at the moment.

CHAIR: Thank you, Rob. I will ask the first question again. I am interested in your background. Thank you for talking about that.

Mr Joyes: Sure.

CHAIR: Are you aware of any specific animal cruelty cases involving exotic animals or others performing in circuses in Queensland?

Mr Joyes: As I have said, I have been involved in the industry for well over 20 years. We have had the circus standards in pretty much every state in Australia during that time and I am not aware of any noncompliance with what is stated in the code of practice. I believe that there have been little things that a circus might need to repair or fix or some minor alteration but no animal cruelty issues, no.

CHAIR: No. What about biosecurity issues?

Mr Joyes: I am not aware of any.

CHAIR: No.

Mr Joyes: Not at all.

CHAIR: We had the case of the boa constrictor at the Gold Coast that the police released.

Mr Joyes: Yes.

CHAIR: I do not think it has been found as yet. It is proof that that can happen.

Mr Joyes: Yes, it is proof that it can happen. I want to say a couple of things, though, if I may. The fact is that circuses live and work with their animals 24 hours a day. So the security for circuses, even though it can be pitched by some that this is potentially risky activity, I would argue otherwise. I have worked in both industries myself. I currently have animals on display in a circus and we have our mobile accommodation right where the animals are. So anyone who is coming on to the area after hours we are aware of. As far as security goes, I do not see how you could get any better than that.

CHAIR: Thank you.

Mrs GILBERT: Morning, Rob. We are interested in finding out what type of qualifications and training your handlers and carers have in your circuses and mobile exhibitions for your animals.

Mr Joyes: I think everybody comes from a fairly diverse background. My wife, for instance, has a Bachelor of Science degree. She worked at Sea World for many years before we started our business. I have worked in just about every large zoo establishment in Australia. I have worked in the United States and I have done what they regard as a TAFE zookeeping certificate. So I feel that we are appropriately qualified to display and present animals in the way that we do.

I cannot always speak on behalf of every circus, of course, but there are other circus people who have tertiary or university qualifications. There are a lot, too, who have a lot of on-the-job training. Most circus families, you have to understand, grow up with animals. They are born into it. It is not uncommon for a five-year-old circus kid to have a lion cub. So their experience is developed from a very young age.

CHAIR: Thank you.

Mr BENNETT: I am interested in what provisions you have within your licensing arrangements now. I come from Central Queensland. Currently, there are a lot of soil-borne fungi biosecurity outbreaks—animals' hooves and that sort of stuff. Can you explain to me how you feel so confident that biosecurity is being managed?

Mr Joyes: Do you mean because the animals are itinerant?

Mr BENNETT: Yes.

Mr Joyes: Because they are moving?

Mr BENNETT: Yes. Obviously, you are going into Queensland and back to New South Wales. I assume that you go further south. So this is about the protection of crops and other things.

Mr Joyes: Sure.

Mr BENNETT: I am just curious about that. Biosecurity is a key part of the bill. I am seeking your comments in regard to that.

Mr Joyes: Okay. We maintain detailed health records on all of our animals. They are available for inspection for any stock inspector or any government department or even the RSPCA that might require to inspect our animals periodically. Obviously, there are certain treatments that animals require as a compulsory measure when crossing state borders, as you are aware of, which we are compliant with.

As far as our management of the animals, certainly, with our hoofed animals, any bedding that is used when transporting them from one site to another is disposed of upon arrival at a new location. All the waste material is disposed of into big industrial bins and taken away. It is a requirement, not specifically for biosecurity but certainly for local councils and in any areas where we might be using privately owned land, that the site is left clean when we leave and move on. So the whole area is cleaned once our animals are loaded before we leave to the new site. I hope that answers your question.

Mr BENNETT: Thank you. You mentioned the concerns that you have personally about the 12-month licensing. You are not seeing any advantage in bringing the four current pieces of legislation under one umbrella legislative framework, which may, in fact, sometimes allow you some more flexibility with your licensing? In fact, it is sometimes up to two or three years, is our understanding, that you may be able to get some flexibility on your licensing. That is not your understanding?

Mr Joyes: No. My understanding is that, as an interstate operator, we need to apply for a new permit every 12 months. That is my understanding.

Mr BENNETT: We might have to flesh that out with the department, because we understand that any state operator, licensed wherever you are, just has an interstate permit that you have to apply for when you transport at the border. It might be a question that we may have to flesh out with the department.

Mr Joyes: Sure.

Mr SORENSEN: Reading between the lines in the submissions, the circuses really feel that they do not get a fair go in this bill compared to other animal exhibitors, particularly Queensland based circuses. Can you give us a few details of the difference between what you see in the bill between circuses and zoos?

Mr Joyes: Sure. Simply put, the government does not want to allow a circus that operates based in Queensland to hold any more exotic animals, full stop. It is as simple as that. Basically, although it might not directly affect my business because I am currently established interstate, if for whatever reason I chose to relocate my business to Queensland I would not be able to do that. Also, anyone in the future, regardless of their experience, wishing to start up a circus in this state would no longer be able to have those animals. I do not even see it as a slight disadvantage; it is prohibition. That is essentially what it is, so I do not see any value in it at all, especially when, as described to you, we comply with this 900 hours exhibition time and also because of the fact that we provide such a valuable community service to rural areas.

The circus that we currently work with travels the length and breadth of Queensland. We are on our way up to Cairns at the moment. We go to many towns where people do not have the ability to see these animals and they are very thankful that we come to their area to give them that opportunity. This bill would make it harder. Furthermore, this is not something that has been proposed in any other state in Australia. We question why Queensland even wishes to go ahead with this. We are concerned that, if it happens in Queensland, what is to stop another state from following suit and, before long, circuses with exotic animals are prohibited?

CHAIR: Rob, do you think that circuses are as well attended as they were in the past? Do you think they are becoming a thing of the past?

Mr Joyes: No, not at all. I see it firsthand every day. I know from the comments that we receive what people wish to see in a circus, so exotic animals in a circus were as important yesterday as they are today.

Mr BENNETT: Are there any animals that you are not allowed to exhibit in Queensland under current legislation, parking the proposed legislation to the side for a minute?

Mr Joyes: The code of practice sets out very clearly a section on animal suitability. There are actually only certain categories of animals that are currently—unless reviewed, of course—suitable to be displayed in a circus environment. They include big cats, primates and ungulates. Am I right, Steve? Is that pretty much it?

Mr Robinson: That pretty much sums it up. When we talk about primates, animals such as great apes, for example, are prohibited, not that circuses want to exhibit animals such as gorillas, orangutans and things like that. They are not suitable for this itinerant lifestyle. The species that are permitted are species that have been proven to be robust, are able to adapt or have been bred for many generations in this itinerant lifestyle and have demonstrated their suitability for it.

Mr Joyes: Might I add, when the standards were implemented almost 20 years ago, that was done in conjunction with the RSPCA. They had input into those standards.

Mr BENNETT: On the risk based approach to the management plans, you are not seeing any flexibility in there where you may see some opportunities for other animals to be exhibited that currently are not? I see a head shake, so I assume that that is a no?

Mr Robinson: From me that is a no.

Mr BENNETT: But you have not looked at the risk based approach where the management plans may offer you an opportunity? That is more of a question.

Mr Robinson: Can I answer that?

Mr Joyes: Absolutely.

Mr Robinson: The Public Service, not necessarily the government, has drafted a bill that specifically precludes the possibility of a Queensland based circus holding exotic animals. Irrespective of whatever risk mitigation programs they can put in place, there is no opportunity for us to do that. If I may very quickly, while I have the floor, address the risk mitigation areas that this bill seeks to provide. Animal welfare: history is on our side. In Australia, as you probably know, we have some animal activists who are very, very keen to score points against the exhibited animal industry, as well as animals in recreation, sport and everything else. They are very, very persistent in their observations. They have looked very closely at the circus for years and years and years, and they have not yet been able to even launch a prosecution, let alone bring a conviction against a circus. Our history, in terms of animal welfare, is excellent. It is 100 per cent.

When it comes to biosecurity, one of the major areas of biosecurity risk that the government looks at is the risk of an escape of an exotic species into our environment, either accidentally or on purpose. That has never happened from a zoo or from a circus. The boa constrictor you were talking about before did not escape from a licensed premise. It did not escape from a zoo, it did not escape from a wildlife park and it did not escape from a circus. It was obviously here illegally, because those exotic animals cannot be kept by private people. The industry, both zoo and circus, has a faultless record when it comes to that.

We also talk about human safety. The industry—and the circus industry particularly—also has an excellent record there. Where there have been negative interactions between humans and animals, in the circus industry they have always involved staff members. Never in my lifetime has there been an instance of an accident involving a member of the public and a circus animal. In all those areas that the bill is designed to control, the circus industry already has the runs on the board.

We are not averse to more regulation. We are not averse to regulations being upgraded, renewed and so forth. As a matter of fact, we think that is a good thing in the light of improving knowledge. We are not averse to that at all. However, we do think we have the runs on the board to start with and we do need to have meaningful consultation when those reviews are conducted.

To date, speaking from the circus industry's point of view alone, I really can say and agree with what Rob said earlier, that the circus industry's input into the consultation meetings has been ignored. It has been overlooked. What the government has been determined to do—and I can see where they are coming from and it is a worthy objective—is to create an act that will be an umbrella act over the entire exhibited animals industry, and it cannot be done. There is no one-size-fits-all solution to legislating for the concerns of the circus industry, the wildlife demonstrator industry, the zoo industry. Because they are such diverse industries, their activities cannot be controlled by a single piece of legislation.

If I may, while I have your ears, also point out a couple of things that really concern us. Within the bill at the moment it provides for 'entities': a chief executive must consult with relevant entities. Those entities include people who are philosophically opposed to the exhibition of animals in any form—zoos, circuses, wildlife demonstrators; the whole thing—yet the chief executive must consult with people who have an abolitionist agenda, people who are opposed to our activities. We find it very difficult to believe that those people will have anything positive to bring to the table when new regulations, for example, are being considered. Although we are having a parliamentary hearing here today on the bill, the real devil will be in the detail when we get around to the regulations that will be amended to that bill. As an industry, there are areas like that that we have really serious concerns with, with the way that the bill is framed at the moment.

Mr SORENSEN: I was going to ask a question on that. Did the department consult with your industry about what might be included in the management plans and that type of thing? How are those plans going to impact on your businesses?

Mr Robinson: The department has consulted with us since 2006 and I have been involved with those consultations right the way through. Consultation, by definition, is usually taken to mean a two-way dialogue and, certainly from the circus industry's point of view, we have not seen a lot of that. In terms of management plans, we think they are a great thing. We have no problems with management plans at all. However, we do think that, particularly from the overall industry—I am not talking about just the circus industry now—there needs to be drawn a line in the sand, because a lot of exhibited animal operators in this state hold many, many species and in many cases hundreds of species. As the bill stands at the moment, a management plan will be required for each one of those species, and not just a management plan for the species but a management plan from every zoo, every circus and every wildlife demonstrator holding those species. The impost on us as owners of those animals is going to be incredible. Quite frankly, from my zoo perspective, I do not have the resources to do management plans for each of my existing species, let alone any new ones that I might wish to acquire once the bill eventually becomes law.

The other thing of course, looking at it from the other side of the coin, is that the government does not have the resources to assess all the management plans either. The government, at the moment, is flat out keeping up with the present level of business, and by 'the government' I mean 'the department', of course. The department is flat out keeping up with the present level of business. There are provisions in the bill for an application to the chief executive to be deemed as failed if he has not replied within 30 days on one clause or within 40 days—it is a bit inconsistent there. At the moment, it is regular for us not to have any response back from the department on applications within 40 days and more. Basically, at the moment the department is chronically understaffed with its present workload level. Once this bill becomes an act and the department is obliged then to process all this paperwork that we are going to have to miraculously produce from somewhere, they are just going to pigeonhole it. They will not have the resources to handle it anyhow.

The management plans, in theory, are a great idea, but there are so many species existing already for which we have already done management plans. Every exotic species, for example, held in every circus or zoo in this state already has had to have a management plan done in order for us to get permission to hold it. The department tells us—and we have asked the specific question—'No, you are going to have to do new management plans for each of those.' It will be a nightmare in its present form.

CHAIR: Steve, you talked about how the bill seeks to provide an umbrella over all of them. You also mentioned that that cannot be done because the industries are too diverse. Would you expand on that a little? To someone like me, they do not seem that diverse, the areas that you mentioned.

Mr Robinson: I will look at the circus side, which is primarily my function here because there are speakers who will talk about their particular areas of expertise, as well. The circus side of things is like nothing else in terms of exhibited animal operators in this state. We are itinerant. We do move around. They do not. We do tend to have a lot of our positive points overlooked. We have heard Dr Paterson, for example, talking about enrichment but completely overlook the fact that every time a circus animal moves onto a new site its life is enriched by that move. New climates, new substrates underfoot, new sites and sounds, and do not ever underestimate them as being part of an animal's enrichment, either. Circus animals particularly have a much more enriched life than, say, animals in more static attractions.

When we are looking at, say, some of the provisions that are in there at the moment, which are really de facto provisions affecting the circus industry, they have been introduced into the bill to cover the operations of, say, wildlife demonstrators. At a previous hearing last year, Dr Paterson pointed out that wildlife demonstrators are in a particular position where their behind-the-scenes activities are not privy to public inspection; there is no oversight of what goes on. They might bring their animals out for a couple of hours a day and take them back home again, and nobody gets to see what happens at home. As Rob pointed out, with the circus we are on display all the time. We are in your park or your shopping centre or wherever. We live there. We live there with our animals.

Mr Joyes: That is why I stressed the point about this minimum exhibition time and the assumption that circuses do not meet this requirement. I live it every day. I see kids come down from before school in the morning right through until after the conclusion of the night show. Sometimes our animals are on exhibition for 12 hours a day. To say that we do not fulfil a role of providing the exhibition of our animals as a bona fide reason to have them is completely false.

Mr Robinson: I will make another point to answer your question. It was stated earlier, for example, that a 12-month permit to travel a circus is too long. We argue that it is not long enough. There should be consistency in this legislation if this legislation is going to go ahead in its present Brisbane

form—and I sincerely hope it does not. If there is going to be consistency in legislation, circus operators should be subject to the same time constraints as other animal exhibitors. The argument put was that the animals would become stressed travelling for 12 months or more.

Science is on our side here. There have been a number of scientific studies done on the impact of stress on travelling animals. Dr Theodore Friend from the university of Texas has done one, particularly relating to tigers and elephants. Recently cortisol stress testing was done on animal faeces from animals—lions and tigers particularly in this case—travelling great distances in Europe, which was an unusual occurrence for them. They wanted to see what the impact was going to be. Martin Lacey Jr arranged for scientists to come in. They did cortisol testing on the faeces of those animals all the way through from Germany to Monte Carlo for the beginning of the International Circus Festival and back again. The results came back in favour of the animals not being stressed.

Dr Marthe Kiley-Worthington, who is a behavioural scientist and ethologist from one of the Scottish universities, did a very exhaustive study—it lasted for 18 months—of circus animals. She concluded, as did the Radford report brought down in England just recently—and that report was actually done by a panel which included antianimal activists, if you like—that there is absolutely no proof and no reason to assume that circus animals are any more stressed in their travelling, in their lifestyle and in their performance than animals involved in any other form of animal husbandry. The science is on our side. This is not emotion now. This is not somebody's personal agenda or anything like that. This is actual science. This is actual proof.

You are talking about the differences for different types of animal exhibitions. The animals we are talking about now are well and truly conditioned to this particular lifestyle. All of us who have been and are still in the industry see this on a daily basis—for example, the horses that jump into the trailer as soon as the engine of the truck starts up. You say it is moving day. The lions, in my case, that moved up to the end of their trailer because they knew that I was going to load their exercise cage into the back. They moved up not because they were belted or whipped or anything like that; they moved up because it was a prelude to an enjoyable experience—the enjoyable experience being travelling.

How do I know? For many years I had an open-sided cage. I used to drive down the main street of towns and look in the windows of the shops to see the lions and tigers all sitting up looking out as we were going along. They were not cowering in the back or anything like that. They would be sitting up enjoying this part of the enrichment in their lives.

CHAIR: Steve, would you say that in your career none of the animals have ever exhibited any signs of pacing or any of the signs that exotic animals can often display when they are confined?

Mr Robinson: All animals will exhibit signs of pacing. I am going to be very technical here, but I am going to be totally honest as well. In an environment where I have kept animals—the circus or the zoo—usually pacing is in anticipation of something. You can go to Sea World and watch their polar bears or Dreamworld and watch their tigers all doing exactly the same thing in anticipation of an encounter. The ones we use for public encounters, photo sessions and so on will do that in anticipation of the encounter, whether it be a meal or moving from one area to another. It might be moving indoors for the night, for example. They know there will be treats and warmth in there.

All animals will pace. There are ones that pace in a neurotic manner. I have to, once again, be totally honest and say that over the years I have had one. I had a tigress and she hated the travelling environment. I actually secured her from a zoo. The understanding was that if she did not adapt she would go back to the zoo. That is exactly what happened. So, yes, it can certainly happen.

Mr Joyes: Can I just add to that. When we select animals for the purpose of travelling and being presented in a circus environment, not every animal has the disposition that would be suitable for that. That is not a government requirement on us; it is a requirement that we take on board ourselves. Obviously we want to present a very happy and healthy animal to the public. Anyone with animal experience will know that you cannot necessarily hide an animal's physical condition if it is suffering long-term stress.

Essentially, our main objective is to have an animal that is calm and comfortable in that environment. There may be a presentation area of a circus where the ring is not very high and we are presenting various species of exotic ungulates that can jump a lot higher than that, but the overriding importance is for that animal to be comfortable in that environment. A stressed animal is a potentially dangerous animal and it is not an animal that we seek to exhibit. If we are selecting an

animal there might be a number of animals to pick from and we might spend a period of time working a bit closer with each individual to work out which individuals will be most suitable for that purpose.

Mr Robinson: Can I give you a classic example of that, if I may. This will possibly serve to indicate that circus people are not all illiterate jobbos. We have recently imported into this country 10 zebra. Of those 10 zebra, some were destined for zoos, including our own, and a couple were destined to go to Rob and his wife to use in a circus environment.

To select those animals Rob and his wife went to America. They went in October and stayed there. They selected some animals and rejected other animals as being unsuited to the lifestyle that was ahead of them. They then stayed with them. Those animals finally came to Australia in January. From October to January Rob and his wife had no income. Rob and his wife had expenses at home for the animals that they had here. Rob and his wife did that to ensure that animals that came to this country were going to be suited to the lifestyle that they were going to live here.

They did that to condition those animals to the flight. Those animals transhipped through Changi Airport in Singapore. The people at the animal facility said that they had never seen zebras as contented as these 10 animals that were being transhipped through that airport. They are the levels that circus people regularly go to to ensure that they have the right animals for their environment and that they have animals that will present well and be good ambassadors for their species to the public.

CHAIR: Steve, I asked Rob the question a bit earlier about whether he thought that circuses were still as popular as they used to be. You have probably been in the industry a bit longer. Would you answer that question as well?

Mr Robinson: A lot longer. I have not had personal knowledge since the early 1900s, but I have been following this argument from the early 1900s. The *Age* newspaper in Melbourne has always been, as most of the Fairfax papers have been, very vocal against circuses particularly. They are not too keen on exhibited animals generally. I can show you the front page of the *Age* in 1908 or thereabouts which had a picture—once again a totally misrepresented picture—of a circus tiger in a cage at Wirth Circus. They were conducting a campaign to have circuses banned. That was over 100 years ago. The campaign is a little bit more hysterical now thanks to social media, the internet and other opportunities for people to take part in push-button campaigns. By the same token, the groundswell of public opinion is not there. If it were there, we would not be sitting here today.

Mr Joyes: To answer your question simply, why, then, are exotic animal circuses still economically viable?

Mr Robinson: They do not get grants.

Mr Joyes: They do not get any funding from the government. As Steve explained, can you imagine the cost involved with bringing those animals from overseas? It would not make any sense. It would not be viable for us—

Mr Robinson: You can look at it purely from a dollar and cents point of view. We were asked by Megan earlier to table some figures. We are reluctant to do so because we know that the animal rights people will be hanging on our every word and they will then use the argument, 'Look at this. They are only interested in the animals for the money.' By the same token, because we are not subsidised by any external funding at all—any government grants or anything like that—a traditional circus business has to be viable.

In the last week I asked around about this of all the circus owners with animals and some who do not have animals at the moment but who are seriously considering getting suitable animal acts into their program—and part of that decision will be influenced by the outcome of this legislation. To give you a figure, when the equine influenza epidemic was sweeping Australia and circuses were not allowed to travel a number of their species, the business of those circuses fell by on average 40 per cent. That gives you a pretty clear indication that people vote with their feet.

If the antianimal in circus lobby had as much momentum as their Facebook campaigns would like you to believe they have, we would not need to be sitting here today. We would be finding a home for our animals somewhere and we would be doing something else. The public demand is as strong as it ever has been.

Mrs GILBERT: You have outlined issue after issue that you have with this current bill. When you looked at this bill and the current legislation that is in place, was there anything where you thought an opportunity has been missed and we could have improved the current legislation?

Mr Joyes: That is a good point. As I said in my opening statement, I suggested to the department on a couple of occasions that if you would like to discuss further the possibility of a Queensland based circus coming on board in the future they would have to maintain a home base with certain facilities and security for those animals when they are not travelling. This is something that we have to comply with, for instance, in New South Wales. Say for argument's sake—and I do not have big cats—I have a lion and I have it on tour for 11 months of the year. I would still have to provide at my home base in New South Wales a zoo sized facility for that animal. That is the case even though it is only there for one month. That would be a licence requirement. As someone only recently setting up my business but obviously looking to be in it for a long time, that is something that not only provides for animal welfare but also complies with the other requirements of other sectors of the industry. More importantly, it gives us the opportunity to demonstrate to people who are negative about our industry that we are evolving and moving forward as well. This would be better than flatly saying that they should be prohibited and no longer happen.

Mr Robinson: To answer that same question, the area that I am most concerned about—and the area could have been addressed and was not—is that throughout the major part of this consultation period—and bear in mind that for nine years we have been doing this—the department itself and the public servants have consistently refused to seriously take on board any of the circus industry's suggestions. They have persisted from day one with the notion that they are going to ban circuses—in other words, prohibit—with exotic animals basing themselves in this state. This state will be the loser. There are two new circuses that are considering where they are going to base themselves. If this goes ahead in its present form Queensland will lose those circuses and lose that business.

It does not make any sense from the point of view that circuses with class C species—in other words, circuses with exotic animals—will still be allowed to be based, say, in New South Wales and hop over the border and work here. But you will not be able to have a circus based in Queensland with those species. It defies belief. We still do not know what the real reason behind that is. There has been no real consultation in those areas with the department at any of those consultative meetings.

Mr Joyes: There has been no further meaningful discussion about how we can possibly accommodate—

Mr Robinson: How we can address whatever their problems are.

CHAIR: Are there any more questions for Steve and Rob? Thank you so much. Jasmine Straga from the Australian Circus Week was supposed to be involved in that last session. We have just heard from her and she is ready to come in, so we might hear quickly from her.

STRAGA, Ms Jasmine, Australian Circus Week, via teleconference

CHAIR: Thanks for joining us.

Ms Straga: Thank you. I guess I have missed the majority. I have been waiting by the phone since 10 am though.

CHAIR: You missed a very comprehensive conversation. We did try to get hold of you, Jasmine. There might have been a mix-up there. We did hear from Rob and Steve. Would you like to start by giving us a brief opening statement?

Ms Straga: Basically we had already arranged with Steve to handle the opening statement for all of us, because we did not want to waste any time and we wanted to reach the most important aspects of our case we are trying to argue. I have not heard anything that has been spoken yet, so I am not sure where we are at.

CHAIR: You would be fairly aware, though, of Steve and Rob's submissions, and we have seen your own. So would you like to say something briefly about your position, just to get the questions rolling?

Ms Straga: Sure. I was a previous circus performer and went on to produce shows and currently sit on a lot of juries for circus festivals overseas. I guess the biggest thing I have experienced with the Australian circus since I have been back here is realising that they are extremely busy and unable to apply for these permissions when it is done every six months or every year. It is just not workable for them.

CHAIR: Does anybody have any questions for Jasmine? We asked quite a few questions before. It was a lengthy episode.

Ms Straga: I guess Steve has already touched on the fact that there has not been any previous biosecurity risk or any introduction of feral pests and things like that. I think the main thing that needs to be addressed is that they have to have legislation that suits each different industry—so one written specifically for the circus or one written specifically for the zoos.

CHAIR: Yes. Jasmine, you have asked to have some correspondence tabled at this meeting.

Ms Straga: Which one?

CHAIR: It is a general letter 'To whom it may concern' and it is about the Lennon and West families. Would you like to speak to that correspondence?

Ms Straga: Yes, that is fine. So this is the original letter I wrote to Rob; is that correct?

CHAIR: Yes.

Ms Straga: That would be great.

CHAIR: Would you like to speak to that letter?

Ms Straga: I am quite sure that I have covered all of the issues that I feel are facing traditional circuses with animals in Australia in that letter.

CHAIR: Would you like to speak to that letter for the benefit of Hansard and for the other people present here?

Ms Straga: Yes.

CHAIR: In the letter you talk about how during the equine flu epidemic, which is something Steve raised as well, 40 per cent of business was lost in profits because the ponies were out of the program. So there is nothing you wanted to add to that?

Ms Straga: Animals still play to a certain degree a financial role within the circuses' success. I think what is extremely important to state outside of that, though, is that the animals are much more than that. They are much more than a business to these owners. It is a part of their tradition, their culture and their way of life. While we do focus on the financial aspects, the traditional aspect of it and the importance of that to their everyday lifestyle also has to be taken into account.

Mrs GILBERT: I will ask you the same question I asked Rob and Steve. They outlined a lot of issues that they had with the bill. I asked them what it was that they would have put into the bill to support your industry. Have you got something there that you would have put into the bill to support the circus industry?

Ms Straga: Yes. The main problem they had was to have to apply for those permits—a six-month or a yearly permit. It is just not practical for them. The circuses are on tour a lot, and a lot of that time is spent in regional towns and things like that. To have to get them to travel across to

organise these things is quite difficult. I think as long as there is something done—if you take what Steve and Rob have said already into account with any new legislation that is written. I am already aware of what Steve said regarding the application every three years. I am just trying to remember all of the points. I have not been here throughout the whole conversation, so I am just going back through the notes.

Mrs GILBERT: Rob and Steve spoke a lot about what was wrong with the bill. You have been working in the circus industry. Is there anything that you thought would have been a good opportunity to change in the original legislation that we have in place now?

Ms Straga: I have stated all of the things that I have agreed with already and I have basically gone through all of the clauses. Clauses 24(1) and 26(3) make it compulsory for chief executives to consult. The issue that all of them had with that is that that gives a little bit too much freedom to animal rights people and others to impose expenses and legislation that just is not practical for circuses.

CHAIR: Are there any more questions for Jasmine? Thank you very much, Jasmine, for joining in. We might move on to the next set of witnesses.

Ms Straga: Everything that I have written down did cover the legislation. There should have been a letter addressed to Megan and Rob.

CHAIR: We certainly have that. Thank you very much.

ENGLE, Ms Kelsey, Curator, Australia Zoo; and Board Member, Zoo and Aquarium Association, Queensland Branch

MUCCI, Mr Al, General Manager, Life Sciences, Dreamworld; and President, Zoo and Aquarium Association, Queensland Branch

CHAIR: Do you have a brief opening statement for us?

Mr Mucci: Absolutely. Thank you for the opportunity for the Zoo and Aquarium Association to appear before the committee. The association has been working with government since 2006 to establish exhibited animals specific legislation. So we welcome the Exhibited Animals Bill. We do have a number of concerns in relation to the bill and these concerns largely centre on compliance related red-tape costs. Both the government and industry have limited resources, and the bill in its current form will impose substantial resource implications upon both which is clearly at odds if you are trying to reduce red tape to make doing business in Queensland easier.

The association believes that consultation for the purpose of developing codes of practice and guidelines should only involve government and affected members of the industry. In the bill consultation involves relevant entities such as community groups. Given that the stated position of groups such as Animals Australia and Animal Liberation Queensland—and we have heard this already today—is to see the demise of the exhibited animals industry, such consultation is an opportunity for them to impose costly and unworkable conditions affecting the operation of our legal and legitimate businesses. As these groups have no investment or jobs at stake, government should not provide the opportunity for them to undermine the industry. Some 14 million people visit Australian zoos each year—five million of them come to Queensland. So that is a large proportion—more than museum visits. So we are relevant and we are big part of the industry here in Queensland.

Management plans—and we have heard discussion on that—for each species will have a major resource implication on both government and industry. Under the current system, management plans are required for declared pest species. Due to the fact that the exhibited animals industry has operated with a strong welfare, safety and security record for many years without costly management plans, it is not appropriate for government to impose this major red-tape impost on our businesses—that is, by all means maintain the status quo and require management plans for authorised animals category 2; however, be cognisant that there is no real problem, so why are we throwing that into the mix? With some of our exotic animals we have management plans already that go with them as part of the zoo and aquarium industry holding those animals under their licence.

The association supports the government's work in minimising the possibility of exotic animals becoming pests through tightly controlling the types of facilities that are permitted to keep such species. We support the settings as they appear currently in the bill as we believe they will be effective in minimising the risks while also allowing reasonable exhibition of such exotic species in fixed place zoos, wildlife parks and aquariums. The association believes that the Exhibited Animals Bill with the necessary changes as detailed in our submission will provide for sound regulation of the industry.

Finally, I would like to acknowledge the process as well, particularly under Marguerite. A lot of the proposals that we have put forward have been absorbed into the bill and changes have been made throughout the process. On a positive note, I want to say that there has been good communication between the two organisations.

CHAIR: Did you want to add anything, Kelsey, to that statement?

Ms Engle: I think it is probably important to note that as the Zoo and Aquarium Association branch for Queensland we do represent the majority of zoo and aquaria within Queensland. So we have had a lot of consultation with our individual members, from very small facilities right up to quite large facilities across Queensland. So I feel that we do have a good representation across-the-board.

I would definitely like to reiterate the aspects of the management plans, particularly if you consider that there would be a requirement for zoos and aquaria, who are quite professional facilities, to submit management plans not only for species that we have already been approved to hold but also for species that people can hold as pets. So you can go to a pet shop and buy some of these animals under a recreational licence and there is no requirement from government for any sort of management plan in the same respect. I guess for a business like Australia Zoo or perhaps Brisbane

Dreamworld, which hold hundreds of species, requiring a management plan for these very low-risk species—they are evidently so low risk that an individual private person can keep them as a pet with very little reporting—seems a little bit at odds.

We absolutely understand the requirements that government places on lions, tigers and all of those sorts of things, obviously. As AI stated, we already have quite extensive management plans and requirements now—essentially what is being proposed—and retrospectively for many native species as well. To have to apply for management plans for animals that we already hold is going to be a very big burden, particularly on larger facilities in the interim. There is no real clear indication on what government is going to do when they get 100 management plans from Australia Zoo and 100 from Dreamworld et cetera, so it is a little bit unclear with what is going to happen with those management plans and how they are actually going to roll out in the interim as well. So I think that is probably the main aspect to reiterate in that respect.

CHAIR: Thanks for that. Would you be able to explain a little bit about how the 900-hour requirement and the minimum three-hour exhibition requirement in the bill are going to affect the way your zoos currently run?

Ms Engle: I am not sure that it is going to affect us greatly because, as a fixed establishment, as a zoo that is what you do. That is sort of your core business, so I do not believe that would affect any of our members.

Mr Mucci: We fit within the bill, so we do not have an issue.

Ms Engle: As AI mentioned, we have been in consultation with government since 2006 and actually pushed well before 2006 for some change to be instigated because of the limitations and the risk based process. We very much appreciate that because it has been difficult for us to understand why there are certain species that cannot be exhibited in Queensland but if you step over the border they can. So it certainly brings us back into line with our interstate counterparts of being able to put forward how we might mitigate risks and therefore be assessed on that basis rather than some arbitrary list that we are not sure where it came from.

Mr BENNETT: Kelsey, I want to flesh that out. Obviously the management plan issue has been talked about a lot this morning, but in essence you have probably alluded to a reason they are talking about the implementation of management plans in terms of allowing some flexibility for you to expand perhaps, and I am making assumptions here. But if you are able to put a management plan around a more exotic species, it may in fact allow your zoo to in fact exhibit. Is that a fair comment?

Ms Engle: Yes, it is and we do not have any issue with the overall concept of a management plan, and we have categories of particular animals listed in the bill already. If category A, for instance, did not require management plans, that would probably alleviate a lot of those issues. As I said, for all of the exotic species that are allowed in Queensland we already do management plans. So in essence we do not see that as an issue at all. But to require a management plan for blue-tongue lizards and carpet pythons and animals that people can keep at home as pets with no extensive reporting or planning required, that is where it becomes a little overburdened, I suppose, to that degree.

Mr BENNETT: Considering you have been in this consultation period for a while, do you acknowledge, though, that the management plans deal with three core things—safety, welfare and biosecurity? Whether it is community expectations or wherever it has come from, do you acknowledge that there is some extra work needed to be done in addressing those potential fears and concerns? I say 'potential' because we have heard a lot this morning that there have not been the breaches that we seem to be trying to manage. That is what I am trying to establish.

Ms Engle: No, that is correct. If you look at the history of Australia, there is no actual record of any pest being established through a zoo and all of those sorts of things that have been mentioned. We recognise that in this day and age certainly there are regulatory needs and processes that perhaps need to be put in place to ensure that people coming on board into an industry perhaps understand exactly where the playing field needs to be and should be, and I think Steve recognised that too. It is not that we are totally against regulation. However, we would like it recognised that essentially most of these aspects we have regulated largely ourselves up until now. So we would appreciate if that could be acknowledged and for it to be realised, I guess, that it is a professional industry and that we do contribute a lot to the economy and recognise that aspect and move forward in a sensible manner rather than put extra administrative burden in an area that is not required with some of these very low-risk areas. As far as biosecurity risk goes, the zoo and aquarium industry also works with Biosecurity Australia. We report wildlife disease aspects through Brisbane

all of our wildlife hospitals, so we are very proactive in presenting those aspects because our collections are our business. We certainly would not want to see any spread of any exotic diseases any more than the cattle industry or the poultry industry.

Mr BENNETT: Thank you.

Mr SORENSEN: In terms of the impact of this legislation on your business, what do you see as the most costly part of this legislation on your businesses? Does this legislation put you at a disadvantage compared to others in the industry across the country?

Mr Mucci: Management plans, as you heard in my opening statement, are the key one. Our history shows that we keep animals with welfare, with containment and with husbandry at top of mind and to impose management plans on us, particularly for native species and in retrospect with all the current species we have in Queensland, will be a cost burden on the industry. With regard to your second question, I guess from an industry perspective we believe we are meeting all the requirements now by adding further to it and we think the bill the way it stands now is a reasonable bill apart from those three items that I mentioned.

Ms Engle: I think some refinement on how the management plan is looked at with respect to some very low-risk species is probably our main aspect, because the management plan is also what gives us the good flexibility with other exotic species that currently cannot be exhibited in Queensland.

Mr SORENSEN: Do you think it should be just a standard for certain species and with exotic species? If you are going to introduce new species, I know that you would have to have a management plan and all of that. As you said, other people can have them as pets. Do you think there should be just a standard management plan given to everybody?

Ms Engle: For instance, if you were able to hold the species under a recreational permit under the NCA, if those animals did not require a management plan in the same facet, that would probably alleviate most of our concerns under a recreational licence or a special recreational licence. That would take away the animals that you can largely acquire in pet shops and so forth.

Mrs GILBERT: I think you were just answering my question as you were going along, because I was thinking about the licence process and the application. I was just going to ask what issues you have with that process.

Ms Engle: Currently?

Mrs GILBERT: Yes.

Ms Engle: In the bill you mean?

Mrs GILBERT: Yes, in the bill.

Ms Engle: In terms of the overall licensing, again we are unsure of what costs are going to be involved as that has not been rolled out yet and that will be rolled out in the regulation. I think largely we are happy with what is in the bill.

Mr Mucci: Yes, we were comfortable with the way it was but we do not know all of the detail yet.

Ms Engle: Yes, as far as those actual costs because that will be in the regulation. There is requirement for amendments in costs to amendments as well, so it is a little bit unknown as to what that rollout might be at this point. So I guess—

Mr Mucci: So it is hard to comment. We would be speculating.

Ms Engle: To paraphrase Steve, the devil is in the detail with the regulation.

CHAIR: As there are no further questions, is there anything further you would like to add?

Ms Engle: No, but just thank you for the opportunity to come and speak today. We very much appreciate it.

Proceedings suspended from 11.55 am to 12.07 pm

BAWDEN, Mr Ben, Cockatoo Chaos

CARTER, Ms Tania, Cool Companions, representing the Queensland Native Fauna Advisory Group

HASLING, Ms Jackie, Hands on Wildlife

CHAIR: Tania is going to make the opening statement.

Ms Carter: I began a demonstrator business, Cool Companions, 20 years ago. When I began there were three demonstrators operating in Queensland and today there are some 63. By comparison, there are 14 government, corporate and private zoos with many corporations owning multiple establishments, which I count as one. I have in the past applied for and received permission to display exotic animals by way of an alligator with no untoward effects. To cut to the chase, as there is not a lot of time, I believe that what is touted as a bill to ease red tape, open new trade areas and work together is a lie. In fact, I see that an anticompetitive bias has been written into every part of this bill which will disadvantage demonstrators. The bill was written by larger players for the larger players of the animal community. There was not proper consultation or consideration of anything we had to say.

As we all know, the exhibited animal industry brings in \$100 million to the Queensland economy every year. As one small demonstrator business, I spend five months per year as head of the animal department on the UK and German TV shows *I'm a celebrity...get me out of here* and this will be my ninth season in this position. This show operates 30 minutes from the Gold Coast and brings in over \$50 million per year to a small town. I have a full-time staff of five working seven days per week looking after my animals, which are used on the show. There is a full-time crew on site at any time of over 500 and, as this site works 24 hours a day, seven days per week, it means that, whilst 500 people are working, another 500 are in their hotels at Coolangatta. If passed, this bill will rob me of income from this show as many of the animals I keep are only for use during this five-month period. These animals will ultimately be sourced from interstate mobile operators as they will not have the same restrictions of displaying every species of animal once per month.

The proposed restriction will also make me and other demonstrators ineligible for many future TV jobs and film jobs in the industry. To acquire an animal suitable for this use takes time. Usually, the process begins with a pair of animals and then waiting for offspring. As the parents might not be suitable for demonstrations they would not be used. The proposed regulation of displaying every month would prohibit obtaining animals for the purpose of breeding suitable offspring for use. Australian zoos currently display less than 20 per cent of species native to Australia. How will the next generation ever know what lives in our country, let alone how to care for it?

Within the film and television industry the use of exotic animals is common practice. Currently, on this show exotic animals will be sourced from New South Wales which is also a loss to Queensland. With Queensland being renowned for red tape and long approval processes, being 30 minutes from the Gold Coast means that we are based over the border in New South Wales. With talk of moving location, the thought of minimising red tape is always a consideration. Currently, if we need a new species to come on site, one email and less than 24 hours later the animal has been sourced and it has arrived. Newspapers do not have to be contacted with threats of the show not happening and jobs being lost to allow for an animal which has actually been imported and filmed here before. If you want an example of how this bill will disadvantage this industry, here it is in black and white. If there was no such issue the last time, why on earth was it so difficult this time? The same risk, the same species and the same location: what an embarrassment.

No-one can run a business and wait six weeks or more to get an answer on an acquisition. If you are saying that it should not be a business then think again. Any zoo or demonstrator who does not run as a business cannot afford to feed their animals. We are certainly not going forward in any way in this industry. I look back when a new acquisition involved a phone conversation with the wildlife manager and all was okay. This was easily followed up by our regular inspections. We now need management plans, risk assessments, enclosure drawings and the experience of keeping. This is often for the same species that a 13-year-old can handle and keep an unlimited number of on their licence that they purchased online. The misconceived idea that mobile exhibitors cannot negate the risk the same as an exhibitor is short-sighted and antiquated and should have become extinct with the thylacine.

Before I went into business I spent time at the San Diego Zoo. I saw a working relationship between zoos and private keepers, of whom I would have been aligned, which helped with the study and breeding of animal species and ultimately engaged the general public, who then sought Brisbane

education. To date, I am yet to witness even a glimmer of hope that we are entering a time of cooperation. Demonstrators are seen as nothing more than private keepers by most zoos and, unfortunately, many government departments. Yet they have shown themselves to be professional, educated and very successful with their husbandry skills. In fact, historically, it has been this section of the industry that has had the greatest number of first-time breeding successes. Why should this section of the industry not be encouraged to continue breeding and sharing the ever-growing list of endangered species?

As demonstrators, we can display animals on our own premises already, but most of us choose not to. To have one code of practice as to housing animals when at their home base that would cover exhibitors and demonstrators seems simple. When exhibitors or demonstrators are taking animals off site, as both do, it is equally simple for one code to mitigate any risk of escape, injury or disease potential. Why, then, are there going to be two different rules other than the anticompetitive behaviour I speak of? Special exhibition approvals should be available across all members of the industry, not restricted to interstate and supposed fixed exhibitors.

As stated, an exhibition licence could be granted for any species if the chief executive were satisfied that relevant risks and relevant adverse effects would be appropriately managed under a plan. Why, then, has this been taken off the table for demonstrators? To rub salt into the proverbial, by allowing interstate demonstrators to come into Queensland with exotic and native species shows a lack of respect and makes a joke of any true risk management.

Being able to display an animal for 900 hours in no way proves one can manage risk any more than displaying an animal for nine hours. If animals are on display at shopping centres, schools or shows, there is no getting away from the fact that the animal is being exhibited. Yet I am being told that this is not going to be classified as an exhibition. If not, why, then, am I paying so much money to have this privilege? As mobile operators in Queensland enjoy an impeccable biosecurity record, why are we deemed not suitable to hold category C animals?

Demonstrators fulfil an important community service by travelling to many small schools and communities. With the majority of the residents of these towns and their surrounds not being able to access city zoos, they are disadvantaged—unable to see, experience or learn about Australian or exotic species. It is only this section of the industry that is able to and willing to go the miles to afford children and adults the enjoyment of the zoo visiting them.

I have come from a situation of enjoying one department covering zoos, demonstrators, circuses, pet shops and even young Tommy keeping his pet snake or lizard. We now have half the animals and licences being under one government department and the rest under another. One species will effectively have two codes of practice. We also have the situation of demonstrator A having to pay a lot of money for their licence and fulfil hundreds of hours for management plans, risk assessments and costly inspections to tick all the boxes, while demonstrator B is still able to get their licence at no charge for a period, no boxes to tick and no management plans.

The amount of time sorting through the paperwork that will be produced from what is being proposed will strangle the life out of many small businesses involved. There will be no increase in animal welfare. Previous inspections, which were covered within the cost of the licence, will now be charged at 15-minute intervals and, to put this into perspective, my inspections used to take eight hours. I may well be one of the ones who is strangled. The running costs are likely to increase by at least 100 per cent or more, yet we will not be able to cover those costs by way of increased fees. If there is truly a desire for business to continue and improve, then a vastly different view needs to be taken about what participants in the industry do, how we do it and who benefits. Thank you very much.

CHAIR: Thank you, Tania. For the benefit of the committee, what is an average week, say, in a mobile operator's life? Can you explain a little about your industry and how you operate?

Ms Carter: Basically, the animals live with us. One of the important things for me is the connection between animals and people. If there is a connection, there is an understanding that it is a living creature and it has feelings. There is a lot of hand raising that is done, which means that animals will spend a good amount of time literally with us, being fed through the night and through the day. The average working day basically for a demonstrator would be, if you are lucky, maybe 12 hours a day. When I am doing shows, I pretty much look for about three shows per day to cover the costs these days. The animals that go out to these shows, once again, are bred specifically for it. They are like people: not all people can be schoolteachers and not all animals want to deal with children. It is a case of judging the animal. I also find that on occasion certain species, once they get to an age, especially the boys—what do you do with them? They go, 'I've had enough,' and that is fine. That animal is then cared for for the rest of his life. It is not a case of moving them on.

CHAIR: How far do you travel?

Ms Carter: Personally, where I am situated it is very simple for me. I can have a show at either 9.00 or 9.30 in the morning in Toowoomba, Warwick, the Sunshine Coast, the city—pretty much anywhere within about three hours.

Mr Bawden: Just to interject, many mobile demonstrators also travel vast distances. I work as far west as Charleville, as far north as Mount Isa and up into Cape York as well. There are a number of demonstrators filling in those different niches in rural communities as well, so there are travel times and things allowed in those average weeks. I might do an exhibition in Mount Isa for three days and then come back and then go somewhere else. There is that whole range of travel associated with it as well. They are huge working weeks.

Ms Hasling: I am probably in-between these two. I am in a regional city, Townsville, but we go throughout North Queensland. We have gone far distances as well, but the vast majority of our business is probably within an hour or two radius. We average at least one program a day, per week. Often it is more than that. It is a full-time job with programs, as well as the travel and taking care of the animals, which is many hours of work.

CHAIR: Does this bill inhibit you in any way, if mobile operators want to come from other states into Queensland?

Ms Carter: They already do. What will happen with having to display your species once per month, with many of the species that I keep and with some of the breedings it has taken me sometimes five years to wait for offspring, but that is worth it, especially as I try to keep a number of endangered species. Your mobile operators from interstate can already bring those species in and they can also bring in exotic species, as they have done for many years.

Mr BENNETT: Tania, going back to your concerns around the category C exotics, can you give us some more examples of where you would see your business expanding if you had those opportunities? I want to flesh that out a bit more, if I may.

Ms Carter: I do a lot through the schools. There used to be a very popular school group that used to come through that did have some exotic species. What we try to do is work in with the different curriculums, so I am also approved with Education Queensland. With the exotic species through schools, you are able to look at animal adaptations and you are able to look at different animals adapting in different parts of the world and you are able to show children how it works. To be able to see a tortoise compared to a turtle, you are able to show a child how this animal survives in their own environment. It is fine to say that we can see it all on TV, but we are really losing touch with our living environment. When I take the animals out to schools, I am shocked and amazed every day at the lack of knowledge that even our teachers have because they do not get the chance.

Ms Hasling: I would add to that that our customers are local to Townsville. They might not often get a chance to travel to a big zoo where they can see some of these exotic animals. By providing that service to our community, it will offer them something different that they might not see. Exactly as with Tania, there are so many opportunities to compare and to expose children and people to the rest of the world, on top of everything that is happening here in Australia as well.

Ms Carter: So far as the movie industry goes, there are a number of mobile operators interstate that are used in the film and TV industry on the Gold Coast, because they can.

Mr BENNETT: Going back to category C, do you see the benefit in the management plans being introduced for category C, allowing you flexibility within your business to be able to keep, exhibit and use?

Ms Carter: Yes. The biggest problem for us with category C is saying that unless it is displayed in a static situation for 900 hours we cannot apply. I am saying that we are taking it out and displaying it for this many hours. In my opinion, an exhibit is an exhibit is an exhibit. If it is out and someone is looking at it and they are paying you money, it is an exhibit.

Mr Bawden: The other thing is that time and time again when we have mentioned that it has been said that fixed exhibits promote compliance, but we have never been provided with any information or proof that a fixed exhibit means that you are going to be compliant. Like we have talked about with the circus industry, we are more in your face and we are seeing a greater cross-section of people in the community who might not go to those major zoos and people who might not see that. We have people walking past who will not go to a zoo because they are animal activists and things like that, but they will see those kinds of things out in public incidentally.

Therefore, to say that a fixed exhibit promotes compliance with no proof of that, with the records presented by circus before and demonstrators of compliance over the past however many years, I find quite offensive.

Ms Hasling: I do not understand why 'fixed exhibit' equals 'automatic good welfare'. I do not understand why being in one exhibit your whole life means that you are meeting absolutely every welfare need of that animal. All of my animals are kept in zoo sized enclosures at our house, at our home base. They have access to those enclosures. I am not really sure why public viewing in a fixed exhibit equals good animal welfare. When I can provide good animal welfare for my native animals, I cannot see why I cannot meet those same needs and same risk mitigation measures. I have asked time and time again and I cannot get a clear answer on why fixed exhibit equals welfare and compliance. I cannot get my head around it.

CHAIR: Do you currently have exotic animals?

Ms Hasling: We cannot.

CHAIR: Under the current legislation, you cannot have them?

Ms Hasling: No.

Ms Carter: I have previously, but that was before biosecurity.

CHAIR: Why would you really want to have exotic animals?

Mr Bawden: The frequency at which permits are granted—as Tania was saying, 63 permits—and with the majority of those permit holders being in South-East Queensland, it creates a very saturated market. Demonstrators such as Tania and me specifically go for unique species that many people are not holding, but as we breed those unique species up in suitable numbers they no longer become unique. To create that extra element of competition in the industry, especially here in South-East Queensland, is something that is really required. We have multiple demonstrators going out with the same set of animals, the same this and the same that, and it is creating a saturated industry and it is anticompetitive, almost.

Ms Carter: For me, I would like to be able to include more species in the school programs to show the different adaptations that animals make in different parts of the world and also to be able to look at when the world was different—when it was all one, when it was Gondwana. It would also allow me to be able to speak to children about that. We need them to learn more about Australia and our close relatives. We can then look at, for example, animals from New Guinea when it broke away and how they have changed. This is a really interesting thing for kids to see and it is still close enough to us, looking at how our animals have changed as opposed to the ones that we have been broken away from.

Mr BENNETT: Can you give some examples of those exotics that you are referring to?

Ms Carter: With a lot of the animals between Australia and New Guinea, we have things such the Boyd's rainforest dragon in Australia and there is a similar lizard in New Guinea that has evolved or adapted differently. We also have a number of snakes, we have tree kangaroos and we have birds that you can literally put side by side and talk about when New Guinea broke away and how this has happened and how long this has taken. Yes, there are many examples: the Boyd's dragon, the different birds, especially the birds of paradise, the tree kangaroos, the echidnas. Sorry: I get really excited.

Mr BENNETT: It is education for us all.

Mr Bawden: To continue with what Tania was saying, interstate there are established businesses visiting schools with those exotic species already—not so much those species mentioned there but there are small cats going out to schools, there are small primates, there are different reptiles—and that risk is being effectively managed there. These programs are tried and tested already. There are people running them. If we look at the states, the majority of mobile demonstrators in America hold things such as lemurs and other small cats and other species. These are species that, just with the circus, are tried and true and they are species that adapt well to this. We are not saying we are all going to go out and grab a heap of tigers and go to a school and do a tiger show or something like that.

Ms Carter: Oh hell, I will!

Mr Bawden: I know you will. It is about creating that diversity within.

CHAIR: I guess the bill covers largely public safety, biosecurity and animal welfare matters. Judging by the name of your business Jackie, Hands on Wildlife, it is a bit more hands on—that is, there is more direct contact with some of the species? Have you had any public safety issues?

Ms Hasling: No. We have been operating for six years and all of our programs are very interactive with a wide variety of species—crocodiles, snakes, birds, lizards. We have never had a scratch or bite to a member of the public. We take some, but that is usually when we are working with them at home or training them or doing something like that. They are very minor. We have never had a negative incident. All of our programs include a hands-on component—holding, touching.

Ms Carter: With a small business, one of the things that you want to keep down is your costs, which means you do not have incidents so you do not have any issues with insurance.

Ms Hasling: It is very expensive.

CHAIR: There are no further questions. Thank you very much.

Committee adjourned at 12.32 pm