

Inquiry into the Animal Care and Protection Amendment Bill 2022

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Submitter Comments:

Although this Bill offers some important improvements for animal welfare in Queensland, it does not represent contemporary animal welfare legislation or the rapidly changing community expectations around animal welfare. This Bill fails to address:- to properly consider an Independent Office of Animal Protection-it does not ban calf roping - instead it clarifies that rodeos events (under the Code of practice) are allowed-it does not introduce mandatory reporting of suspected animal cruelty- it does not ban 1080 poison- it does not acknowledge the sentience of non-human animals- it does not extend the statute of limitation for animal cruelty offences (currently 12-18 months)- it does not make any meaningful changes to factory farming and other farmed animal welfare, including transport or slaughter (other than CCTV for horses at slaughterhouses)- it does not make any major changes to monitoring and enforcement of animal welfare, particularly for farmed animals.I urge the committee to consider changes to the following amendments:-(3) I would like to see inclusion of some Malacostraca such as crabs, crayfish, lobsters and prawns in line with modern animal welfare science.-(7) Calf roping should be banned. Rather than changing the Act to specifically allow what would be acts of animal cruelty at rodeos, the Bill should instead seek to ban calf roping as a prohibited event.-(10) I have strong concerns that allow spaying surgery on cattle to be performed by non-vets and allowing pregnancy tests by laypersons is a backward step for animal welfare.-(12) I would recommend the committee listen to advice from rescue organizations and shelters when considering obligations places on those that care for dogs. In particular, the penalty for supplying a dog from a shelter without a certificate being greater than the penalty for illegally performing debarking procedures on a dog in the first place seems disproportionate.-(22) CCTV required at 'livestock slaughter facilities'. The definition of livestock slaughter facilities should be expanded to include all facilities that slaughter livestock and not just horses. There seems to be a lack of any scientific justification for CCTV use on horses yet not recording other animals who are just as capable and likely of suffering. I also urge for an independent monitoring regime to be put in place to monitor the CCTV footage. If the CCTV recordings are only accessed on the basis of a complaint, then they are largely meaningless and will result in minimal animal welfare improvements if any.-Similarly, powers for inspection to enter a slaughterhouse without a warrant or permission from the owner should not be restricted to only when horses are at the facility. It is vital that inspectors have the power to enter slaughterhouses (as well as factory farms) without notice.I question the rationale for changes to s178. This is a backward step for animals and concentrates all power to prosecute in one person. Notably, the person who authorizes prosecution also has responsibility for the viability and growth of animal agriculture industries, which may at times represent a conflict of interest. Instead, s178 (3) should be amended to explicitly allow private prosecution of animal cruelty offences, as well as by Queensland Police and RSPCA Qld. s178 (b) should also be amended to increase the statute of limitation of animal cruelty offences (currently 12 months or 2 years in some circumstances). I note that some animal cruelty investigations take close to 12 months, so the current statute of limitation is completely unworkable. Currently, if someone commits a horrendous act of cruelty, but is not discovered until 2 years later, they cannot be prosecuted under the Act.In addition to the points raised above, I urge the government to commit to further reviews and amendments to the Act and to properly consider:- An independent Office of Animal Protection, separate from the Department of Agriculture.- Banning calf roping and other cruel events in the name of entertainment.- Give further consideration to mandatory reporting of suspected animal cruelty cases.- Specifically acknowledge the sentience of non-human animals in the Act.- Make

meaningful changes to factory farming and other farmed animal welfare, including transport or slaughter, and ensure codes of practice do not provide excuses for committing acts of cruelty.- Major changes to monitoring and enforcement of animal welfare, particularly for farmed animals. This should include increased transparency around enforcement action taken by the Department of Agriculture.-With regard to the ban on prong collars (14), I would recommend the Bill go further and ban other cruel devices including tethering while unattended, electric collars and other cruel training devices.-With regard to the ban of CSSP pig poison, I question why this is limited to CSSP pig poison and recommend that this be extended to include other cruel poisons including 1080.