



Speech by

**Dr PETER PRENZLER**

**MEMBER FOR LOCKYER**

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Hansard 25 March 1999

**ANIMALS PROTECTION AMENDMENT BILL**

**Dr PRENZLER** (Lockyer—ONP) (10.21 a.m.): I move—

"That the Bill be now read a second time."

As a veterinary surgeon, I generally support the work of the RSPCA in Queensland and I believe that there is definitely a legitimate place for the RSPCA. My reasons for introducing this private member's Bill to modify the Animals Protection Act of 1925 is not to nobble the RSPCA or stop it performing its essential functions. However, there are real concerns about some of the methods used by the RSPCA in Queensland, and this Bill has been introduced to correct most of these concerns.

As an example, I would like to draw the attention of the House to a raid conducted by the RSPCA on a dairy farm in the Wondai area owned by Ken and Ruth Schloss. On 26 February 1997, an RSPCA inspector visited the dairy farm on the basis of an alleged complaint. The owners asked the inspector for information and advice during the visit, but the inspector told the family to leave things as they were. The owners twice contacted the RSPCA in the following week asking for advice, but they were not given any additional information.

On 4 March, RSPCA officers made an unannounced raid on the property accompanied by a television crew, and I can assure the House that this was a traumatic and shocking experience for the family concerned, particularly considering the fact that the family had attempted to communicate with the RSPCA in good faith for three weeks before the raid. The RSPCA officers even searched the children's bedrooms looking for goodness knows what. Perhaps they were trying to find a heifer or two under the bed.

A cynical person would say that the RSPCA organised the raid on the first day a television crew was available. If the RSPCA was genuinely concerned about the welfare of the animals, then why did it wait all those days before commencing the raid? After the raid, the family was not informed of the offences that they were alleged to have committed for three weeks. In the meantime, the RSPCA had confiscated 18 heifers, four chickens, two dogs, six pups and five cats. The family was not convicted. They did not have the money to defend themselves and, as a result, they were forced to settle out of court. They were still out of pocket tens of thousands of dollars in legal fees, in addition to a \$9,000 bill from the RSPCA for the impounding of the animals.

I am concerned about the poor quality of some of the evidence presented in the case, the lack of scientific investigative techniques used by the RSPCA and the apparently inadequate qualifications and lack of experience of some RSPCA personnel. I seek leave for the rest of my speech to be incorporated into Hansard so that members can read it.

Leave granted.

The RSPCA in its present form is virtually unaccountable.

RSPCA officers are not required to possess any qualification or animal husbandry experience.

RSPCA officers can enter a property at will, without a warrant, and can confiscate any animal or anything.

There is no avenue by which a person can make a complaint against the RSPCA.

The current situation is untenable, and this bill will return a degree of transparency and accountability to the operation of the RSPCA in this state.

In brief, this bill will require the RSPCA to ensure that all inspectors have appropriate qualifications and experience to enable them to perform their functions correctly and objectively.

All inspectors will be required to carry photographic identification.

All inspectors will be required to obtain a warrant before entering a property.

An inspector will be able to obtain a 'special warrant' by phone or fax or other means, if the circumstances are justified.

The bill also removes the power of the Minister to order the forfeiture of any animal or thing regardless of whether or not a person is convicted under the Act.

A detailed explanatory note accompanies the bill, and I urge all Members to read it thoroughly.

I commend the Bill to the House.

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