



Speech by

**Mrs LIZ CUNNINGHAM**

**MEMBER FOR GLADSTONE**

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Hansard 17 October 2001

### **ANIMAL CARE AND PROTECTION BILL**

**Mrs LIZ CUNNINGHAM** (Gladstone—Ind) (3.41 p.m.): In rising to speak to this bill I also pass on my appreciation to the minister for the opportunity to be briefed by his staff. They cleared up quite a number of issues that I was uncertain and concerned about. I value that opportunity.

A previous speaker quoted the United Kingdom's Farm Animal Welfare Council statements on the humanitarian approach to animal welfare. The five tenets were freedom from hunger and thirst by ready access to fresh water and a diet suitable for maintaining health and vigour; freedom from discomfort by providing an appropriate environment, including shelter and a resting area; freedom from pain, injury and disease by prevention and rapid diagnosis and treatment; freedom to express normal behaviour by providing sufficient space, proper facilities and company of the animal's own kind; and freedom from fear and distress by ensuring that conditions and treatment avoid mental suffering. I am very pleased that the minister did not couch the current bill in those same terms.

Whilst I am very much an animal lover and have had animals, both large and small, for many years, if I was presented with those five tenets for caring for animals, subjective as they are and able to be interpreted in a plethora of manners, I would be very, very concerned. The first of those I will mention is for an animal to be free to express normal behaviour. We have a dog that is a dipstick, to say the least. If it was free to express its normal behaviour we would have everything that it could lay its teeth on strewn around the yard and the house. John would be more than beside himself.

Those sorts of broad motherhood statements are very poorly translated into any individual's genuine attempt to provide good housing and a good environment for an animal to live in, particularly animals that are pets. However, the objectives of the bill are listed as to promote the responsible and caring use of animals; to provide standards for the care and use of animals; to protect animals from unjustifiable, unnecessary or unreasonable pain and acts of cruelty; and to ensure that the scientific use of animals is accountable, open and responsible under a nationally accepted standard involving compliance with a code of practice. When this bill was tabled I expected to see a reasonably high level of concern expressed. I believe in great measure that, because it has not been couched in those very subjective terms, the minister has so far received cooperation in relation to this bill.

In common with other speakers, I would commend the many societies, both the RSPCA and other smaller groups, that have looked after animals and provided housing and a humane death to those that could not be relocated to new homes. Over many, many years they have worked hard, usually on a shoestring budget, to ensure that as many animals as possible were relocated and were wanted and that for those for which a home could not be found or which were injured beyond rehabilitation their last time on earth was as comfortable as possible.

A number of offences have been listed that I want to touch on. The cruelty offences that have been listed include ill treating an animal; failing to provide suitable food, shelter or drink; failing to treat an injury—and I will deal with the others later. Those first ones are very easily achieved, providing the various expectations of owners are kept in perspective. Somebody who has those little pooncey dogs—the little hairy ones that just live inside on the bed all the time—might provide fresh chicken or prime beef cuts, and for them that is suitable food. Somebody who has a working animal has to provide a high carbohydrate load for them. For them, another style of food and certainly another style of eating container is much more appropriate. I would hope that, in interpreting this new act, not only the RSPCA officers but also the DPI officers would ensure that their interpretation is appropriate and flexible.

I think that most people would have no problems with the opposition to fighting and baiting of an animal. Cockfighting is inhumane; as far as most people are concerned it is subhuman. I have seen dogs that have been blooded for pig hunting. I actually lived next door to somebody who used to pig hunt. The dog itself was fine when it was out pigging, but it was so frustrated with not getting enough work that any of their stock that got within mouth range used to cop a thrashing from this dog. It nearly killed quite a number of stock, including their goats, which had to be saved from it. The dog became a little bit indiscriminate. So the control of blooding of dogs for that purpose is certainly appropriate.

There is one issue on which I would request clarification or at least some explanation. The bill specifies that a dog that is confined for 24 hours a day has to be exercised for two hours a day. I wonder why that was drafted as specifically as that. Some animals may be confined for the whole day, but two hours exercise would just about wipe small dogs out. Large dogs that are extra active, such as cattle dogs or border collies, run around like mad hares. I do not think the owner would be able to provide two hours of exercise. They pack a lot of energy into a fairly short period. I wonder how literally that provision is going to be interpreted.

I turn now to the docking of tails and de-barking. Coming from a local government background, I know that things like de-barking—not de-clawing—are always going to be an emotive issue. Barking dogs are an endemic problem in local government. Owners who want to be responsible owners are just about beside themselves trying to stop a dog from barking. Some breeds are more prone to it than others. Some years ago up in the Calliope shire we introduced citronella collars, and they worked very effectively. I do not believe in the ones that give the dogs electric shocks. These citronella collars were very effective. The dog's actual barking caused a spray of citronella to go up the dog's nose. They apparently do not like that smell.

**Mr Palaszczuk:** They hate it.

**Mrs LIZ CUNNINGHAM:** Yes, they hate it. That was sufficient to control the dog's behaviour. Some dogs had to wear the collar for only a short period and the behaviour was controlled over a longer period. For others, the owner ended up having to actually purchase the collar and keep it on the dog permanently. However, de-barking is the only alternative in a few cases, but not many.

**Mr Palaszczuk** interjected.

**Mrs LIZ CUNNINGHAM:** I will get to that. I understand the fact that under very controlled circumstances de-barking has continued to be allowed. It would be unfortunate for it to be banned outright without any option. The necessity for it does not occur very often, but when the necessity does arise it gives relief to not only the local council and environmental health officer but also the owner and neighbours. It should be an option that is kept for those extreme situations.

I turn now to the issue of cropping. I did not think that animals in Australia could ever be cropped. We owned Dobermans years ago and they were never allowed to be cropped, but the Americans think that cropping looks good for some reason. Therefore, I was surprised to see that it is still listed in the bill, but if it were not listed some dog owners may wish to have it done because they like the look of the dogs in America when they stand to attention on guard. Most people would support the provisions in the bill relating to the administering of drugs and abandonment. A few years ago abandonment may have been an option which may not have been opposed by the community. With the number of local councils with pounds, the number of RSPCAs and similar refuges now, there are options for people to dispose of unwanted animals responsibly. It is a telling sign of human nature that every Christmas a horrendous number of small animals such as puppies, kittens and the like are purchased without the person thinking ahead that that animal will grow up. I do not understand that mentality. I would be misleading the House if I tried to say that I understood people who bought an animal but were not interested in keeping it two months later. However, the statistics show that that obviously happens a lot.

I do not have a problem with the fact that abandonment is listed, simply because that is compensated by the fact that there are so many other alternatives. It makes the disposal of litters of kittens in forest areas completely wanton because there are other options. There are still pet shops, feed barns and the like that are prepared to try to find homes for litters of kittens, dogs, et cetera. Abandonment is not something that should ever be considered as acceptable, particularly in this day and age.

The other issue I want to raise relates to the use of animals for scientific purposes. Like many members, I have children, two of whom are passionately opposed to any scientific use of animals. When I go shopping I have to buy shampoo that has 'Not tested on animals' written on it. If it is not on there they will not use it, and I stand in a daze at the supermarket looking for such products. There are amazingly few products on the shelves in the toiletry aisle which have that written on them. If members do not believe me, I say go and try to find them, because very few exist. When the minister's staff gave me a briefing on it, I was about to wax lyrical on this very issue before they told me that in Queensland

no animals have been used for scientific testing for five or six years. I promptly let my children know that, but they have not let me off the hook.

I commend the minister for the constraint on animal testing. The bill does not preclude it, but it does put very tight restraints on the use of animals for testing. It is spelt out very clearly and is transparent so that those who wish to use them have to be able to document and keep good records. There are certain areas where their use is prohibited altogether, and I commend the minister for that. In our age of technology and in our age of science, there should be other ways to ensure that products proposed for human use are safe other than through animal testing.

This bill bans three offences outright: dogfighting, cockfighting and the blooding of greyhounds. Again, I believe there is broad community support for those practices being banned altogether. There is only one other issue I want to comment on, and others have commented on it, and that is the intention for the RSPCA to police this legislation and DPI stock inspectors and veterinary officers to police it in other areas. In some instances, the RSPCA has some ground to make up in respect of policing animal welfare issues. The member for Darling Downs listed one of the most public incidents where the RSPCA has been deemed to have acted inappropriately. It is seen in that instance not to have understood the husbandry of animals, but I do not know the details of that. However, there is concern amongst country people, particularly those with large livestock, that officers based in the city who are used to dealing with small domestic animals will take their responsibilities under this act too far and transpose conditions that may be acceptable and achievable with one or two animals to intensive livestock husbandry. It is appropriate that DPI stock inspectors and veterinary officers take on that responsibility, and that is contained in the bill.

Like other members of this chamber, I look forward to the time when access to a DPI stock inspector is more readily available. We have had a reduction in the number of DPI inspectors available in our locality. It would be fortuitous and, more than that, important that the number of stock inspectors increases in the short term rather than the long term. I again commend the minister for this bill. I thank him for the opportunity he gave me to understand it more clearly. I look forward to its passage.

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