



Speech by

**RONAN LEE**

**MEMBER FOR INDOOROOPILLY**

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Hansard 11 December 2001

**LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT BILL [No. 2]**

**Mr LEE** (Indooroopilly—ALP) (5.38 p.m.): I do not know if I will be able to provide as entertaining a speech as that, but I will do my best. St Francis held the view that the way we as humans treat animals is a fair indication of how in time we will treat each other as humans. It is for that reasons that the issue of dogs that have been bred to be dangerous and to fight poses a number of ethical questions that I think are worthy of consideration. Firstly, these animals never asked to be bred to be vicious. In fact, they had no say in that process at all. However, we have animals that have been bred in such a way as to be a danger not only to other animals but also to humans.

The bill provides for amendments to the Local Government Act 1993. Among other things, it will introduce a state regulatory framework for dog breeds which are subject to the Commonwealth's importation ban. It will also expand the membership of the Local Government Grants Commission from five to six to include, importantly, a person with particular knowledge of Aboriginal and Torres Strait Islander local government issues. The bill will also enable the state to supervise the financial arrangements of local government owned corporations under the Statutory Bodies Financial Arrangements Act 1982.

I was concerned to hear the member for Maryborough tell the House that he owns a dog which will bite on command but which is perfectly safe because, if he does not give the command, it will not bite, and it has not bitten anyone yet. I do not intend to have a dig at the member. I will say that one of the biggest problems of dealing with dangerous dogs is the attitude of their owners. Whether someone owns a Chihuahua or a dogo Argentino, over time the owner of an animal develops an affection towards it and a feeling that the animal will never do anything nasty. Dog owners can develop the view that their dog has never done anything bad and it will never attack someone in a vicious way—it is just their friendly little pooch. That is a problem because to say that a dog of this breed is not dangerous, has never bitten someone and that it has never attacked or maimed someone is not the point. All it takes is for the dog to attack once. It could be a two-year-old dog that attacks someone; it could be a ten-year-old dog that attacks someone. However, it is foolish to adopt the view in relation to some breeds that a particular dog is well trained and will not do anything silly.

The dog breeds banned from importation by the Commonwealth are bred for the purpose of fighting and are particularly nasty. Personally, I think it is a great shame to treat an animal in that way. It is a terrible thing. Science has advanced to a point where animals can very easily be bred to be very nasty or to be docile. Cats can be bred to have no hair; cats can be bred to have lots of hair. I am sure similar things can be done with dogs. It is a terrible thing to breed a dog to be vicious and to fight. To its credit, the Commonwealth government has taken steps to ban the importation of four breeds of fighting dogs and this state government has taken a wonderful step in regulating those breeds. The provisions in the bill for the regulation of those breeds will complement the existing regulatory controls on dangerous dogs which are already administered by local governments through local laws. The bill applies a regulatory framework to those breeds of dog which are banned from importation by the Commonwealth in the interests of public health and safety. The way in which this government is seeking to achieve those objectives is not only appropriate but quite reasonable. In the circumstances, there is no realistic alternative to the steps this government is taking. I am pleased to note that there are no significant administrative costs to the government in implementing this legislation.

I will speak briefly about proposed new section 1193E of the bill, which provides the definition of 'restricted dog' to be one of four specific breeds or types of dog and crossbreeds of those dogs. The specified breeds of dog are banned by the Commonwealth from importation into Australia under the Customs Act 1901. Provision is being made for a regulation to prescribe other breeds of dog as a 'restricted dog' but only where the Commonwealth amends its legislation to prohibit the importation of an additional breed or type of dog.

Also worth mentioning are proposed new sections 1193K, prohibition on acquisition or supply; 1193L, prohibition on breeding; 1193M, permit required for restricted dog; 1193N, compulsory desexing; and the permit conditions provided in sections 1193ZA to 1193ZG. Those sections impose various prohibitions and restrictions in relation to restricted dogs such as a prohibition on breeding, sale or exchange and a requirement for compulsory desexing. An obligation is placed upon owners of restricted dogs to obtain a permit and to comply with a range of conditions attached to the permit. Those provisions are considered necessary in order to provide a means of controlling existing dogs whilst also progressing towards the ultimate aim of a reduction in the population of those breeds in Queensland.

There has been a significant amount of consultation on this bill. It has been undertaken with numerous state agencies, local government representative bodies, local governments, professional associations and community groups as well as members of the public. I have received a number of emails and one letter in relation to this matter, as I am sure did many other members of the parliament. For the most part, the emails expressed concern about this very good legislation. I could not work out whether the letter I received was expressing support for the legislation or was not in favour of the legislation, although it did contain some interesting facts about dangerous dogs.

The Department of Local Government and Planning released a draft legislative proposal for the state regulatory framework for restricted dogs in mid-September and called for submissions in response to the proposals. A total of 293 submissions had been received when the date for closure for submissions arrived on 2 November. Of these, 34 were supportive of the proposals while 218 were opposed. However, of the 218, 179 were one of either of two versions of a form letter. All of those were received via the department's email address which had been specifically set up to aid in the consultation process. Interestingly, once the form letters received by email are removed from the analysis, one finds that submissions in support become 34 and opposed, 39.

I think the legislation is very good. I think it is high time we have legislation of this nature. I am very pleased to see that the Royal Society for the Prevention of Cruelty to Animals, the RSPCA, while having some concerns with the concept of banning particular breeds, has understood the need for the Commonwealth to ban the importation and for the state to regulate these dangerous breeds. The dangerous breeds are the dogo Argentino, the fila Brasileiro, the Japanese tosa and the American pit bull terrier or pit bull terrier. The RSPCA deserves some credit for taking a fairly community focused stand on these issues. I think we all know that the RSPCA is very forthright in its support for animal rights and would never support legislation that it did not feel was warranted.

I commend the minister and her department for producing a wonderful bill of this nature. I am absolutely honoured to be here to vote in favour of it. It is high time that the state of Queensland sought to regulate dangerous dogs. It is sad that we are seeking to regulate dangerous dogs when these dogs were created to be dangerous. It would be so much easier if people who say they love animals and say they love dogs would acknowledge that by creating a dangerous dog they are really not doing the animal any favours at all. I am very pleased to support the bill.

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