



Speech by

ROSA LEE LONG

MEMBER FOR TABLELANDS

Hansard 17 October 2001

ANIMAL CARE AND PROTECTION BILL

Ms LEE LONG (Tablelands—ONP) (4.31 p.m.): I rise to speak on the Animal Care and Protection Bill 2001. I do not believe that there would be a member of this House who has not had a great deal to do with animals, whether they be farm animals or pets. In 2001 we do not use animals for work purposes as they were used in 1925, but I note that nine amendments have been made to the bill since then.

Animals have always played a very important role in our society. Domestic animals usually become part of the family. Commercial animals are well looked after, because if they are not looked after one does not get a return on one's investment. It is as simple as that.

I am sure that we would all agree that the role the RSPCA has played has been a very important one. Now it seems that the government is beginning to take over the role and broaden the base and the powers associated with it. The Department of Primary Industries will initially provide an additional 120 inspectors and there is provision for other agencies to supply more to increase the numbers on the ground if and when necessary.

Like the member for Mulgrave, I am concerned about the enormous powers conferred on inspectors and authorised officers to enter property. Once entry is effected, they will have wide-ranging powers to obtain information and documentation. This is of great concern to the privacy of ordinary householders and owners of commercial businesses. Those powers will extend well beyond situations where the occupier consents or where a warrant has been obtained and can be used where an inspector 'reasonably suspects' a search is warranted.

Recently I have received a number of complaints about standover and arrogant tactics used by some inspectors from the Environmental Protection Agency, the Queensland Parks and Wildlife Service and the stock squad. The concern is that we may get the wrong types of people in those kinds of jobs. Fresh in our minds is the controversy over a kangaroo which was taken from a family in south-east Queensland recently and the resultant untimely death of the roo soon after. I note that the minister assures us that all inspectors—government or private—will have to meet strict training standards.

Also of concern is clause 12(1)(c) of the bill, which extends the meaning of 'persons in charge of an animal'. This is where an employer is aware that an employee is using the employee's own animals to carry out work for the employer. The employer is responsible for the treatment of those animals. For example, a property owner employing a contractor who uses working dogs and horses for mustering cattle is responsible for the treatment of those dogs and horses. I believe that this is too great a responsibility for the employer, that is, the property owner, and is most unjust.

It is interesting to note that 9,411 complaints of alleged cruelty were made in Queensland in 1999-2000, but of these only 70 prosecutions were made. That is less than one per cent. This is a very small number and indicates the number of false alarms that are reported. Those false alarms still have to be investigated and investigations are time consuming and cost money. Too often complaints are made for malicious reasons; for example, by an aggrieved employee, a person with whom one has had a disagreement, or maybe there has been a marriage breakdown and someone makes a complaint just to cause a mischief. Therefore, the role to be played by inspectors and authorised officers is a very specialised one indeed, as great anxiety can be caused to innocent people if they are wrongly accused.

Another area of concern is the huge increase in penalty levels. For individuals, the maximum was increased to \$75,000 or two years imprisonment. There has been a fifty-fold increase. Maximum fines have now increased 2,400 per cent for individuals and prison sentences are also substantially increased.

I also note that the Queensland branch of the Australian Veterinary Association is concerned with the nature of the definitions in clause 18(2), which defines 'animal cruelty' as being somewhat subjective. This could make it difficult for its officers if they are required to give evidence in court. They also have concerns that a decision to destroy an animal does not require a veterinary diagnosis. Organised blood sports, such as dog, cock and bull fighting are certainly repulsive to most people. I agree with the banning of those activities. We all know there can be many variations in what can be called cruelty and neglect. One person's idea can be vastly different from another's definition of the same. This is very often the case with city people versus the country people.

In conclusion, there are always a few rotten eggs who make it bad for the rest. We have to be careful that we weigh up the real benefits and costs so that we do not burden the majority of law-abiding citizens with added costs and inconvenience to catch a few.
