



Speech by

Ms Grace Grace

MEMBER FOR BRISBANE CENTRAL

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GUIDE, HEARING AND ASSISTANCE DOGS BILL

Ms GRACE (Brisbane Central—ALP) (3.18 pm): In rising to speak in support of the Guide, Hearing and Assistance Dogs Bill 2008 and to participate in the debate, I would like to address the offences that are provided for in the bill. But before I do so, I wish to say that I fully support any measure that assists those members in our community who have a disability. I ask members to cast their minds back to that great campaign of a number of years ago, 'Breaking Down the Barriers'. It was a fantastic campaign. It was probably one of the best campaigns that went a long way towards improving the lives of people with a disability and vastly increasing their participation in the community.

Guide, hearing and assistance dogs assist people with a disability to go about their lives in the community. They deliver the independence those people so desperately seek. Equally importantly, this bill ensures that those Queenslanders who are assisted by these highly trained animals—animals that are much treasured and are a comfort and an aid to people with a disability—have clear and equal rights to be accompanied by their dogs.

In today's world one may think that these laws are not necessary, yet time and time again—and only just recently I remember seeing a news report where a guide-dog was denied access—we find cases which unfortunately make these laws not only necessary but soon to be a reality. It is also a sad reality that people with a disability can be more vulnerable to abuse, neglect or exploitation than other members of the community.

The main objectives of this bill, which I welcome, are to assist people with a disability who rely on guide, hearing or assistance dogs to have independent access to the community and to ensure the quality and accountability of guide, hearing and assistance dog training services. It is therefore imperative that this bill, particularly as it relates to the new type of assistance dog, includes effective offence provisions in order to deter or punish offenders who deny the rights of people accompanied by guide, hearing or assistance dogs.

The Guide Dogs Act 1972 provides for offences of failing to permit a blind or deaf person from entering a place or vehicle. The penalty for these offences is a maximum of only one penalty unit. The Anti-Discrimination Act 1991 makes it an offence to unlawfully impose a term that requires a dog to be separated from its handler. The penalty for this offence is a maximum of only 35 penalty units. That is the current legislation which this bill aims to change.

The current bill has a number of key offences included in it and clause 13 includes provisions prohibiting a person in charge of a public place from denying a dog handler or a trainer entry to a public place or public passenger vehicle or refusing service in the vehicle or place. These offences are based on the Guide Dogs Act 1972 offences. It also makes it an offence to impose a term that requires a guide, hearing or assistance dog to be separated from the person with a disability. That offence under clause 13 is based on the Anti-Discrimination Act 1991. Under clause 33 a person in charge of a public place commits an offence if holding out to be an approved trainer or training institution.

The above offences will carry a maximum penalty of 100 penalty units and are the key offences for enforcement of the act. These offences reflect the most common instances of denying rights to people with

a disability accompanied by a guide, hearing or assistance dog. Common examples of these types of offences are, unfortunately, a person with a guide, hearing or assistance dog being refused entry, say, to a shopping centre; a person with a guide, hearing or assistance dog being refused—and I think this was actually the case that I recently saw reported in the media—service by a taxidriver; and an organisation advertising that it is qualified to train guide-dogs in Queensland when clearly it is not.

Probably one of the most satisfying expeditions I had in my previous job was when I attended the training centre of the guide-dog service at Bald Hills. It was just so inspirational and fantastic. It is almost unthinkable that there would be people actually posing as fully qualified trainers of these dogs when clearly they are not. The people involved with the service that is provided by the organisation are extremely dedicated. It was one of the highlights of the field trips that we often undertook.

Setting a maximum penalty of 100 penalty units for these offences will provide an effective deterrent and punishment to offenders who would deny the rights of people accompanied by guide, hearing or assistance dogs. It is amazing to think that there would be people who would even do that.

Clause 13 provides for a defence to the offences for refusal of entry and imposing a term of separation where the person can prove that the contravention was reasonable in the circumstances. So there is an out if there was a genuine reason why the person with a disability was denied access while accompanied by their guide, hearing or assistance dog.

I take this opportunity to congratulate the minister and all the staff involved in the preparation of the bill—I know there was extensive stakeholder consultation—and for taking the issues affecting people with a disability seriously and providing what I believe is necessary legislative protection for some of the most vulnerable people in our society which enables them to have much greater access to the community. For these reasons I commend the bill to the House.