



Speech by


**Hon. Glen Elmes**

**MEMBER FOR NOOSA**

Hansard Wednesday, 12 September 2012

---

## **ANIMAL CARE AND PROTECTION AND OTHER LEGISLATION AMENDMENT BILL**

 **Hon. GW ELMES** (Noosa—LNP) (Minister for Aboriginal and Torres Strait Islander and Multicultural Affairs and Minister Assisting the Premier) (4.40 pm): I rise to speak in support of the Animal Care and Protection and Other Legislation Amendment Bill 2012. It is a privilege in this my third term to be in government and to be able to give effect to some of the burning issues which I saw ignored for so long under the previous Labor government. Some members who have been around here for longer than a couple of weeks will remember the repeated calls I made over the years for the cruel treatment of turtles and dugong to be stopped and for the commercial killing of these animals to be eliminated. Let me make it very clear from the outset that I am not trying to curtail traditional hunting by Indigenous people which is permitted under native title. This bill supports traditional hunting practices but seeks to ensure they are carried out as humanely as possible and that the product of that hunting is used for local people, for their community or for ceremonial use. We want to see an end to cruelty to turtles and dugong without limiting native title hunting rights. We also want to end the black market trade which has seen quantities of turtle and dugong meat shipped from the Torres Strait to Cairns and other mainland households.

I understand that the speed with which we are making these changes is faster than some people like, but this is not a new issue. The fact that it is not a new issue is why we feel comfortable in moving quickly on it. I acknowledge the desire of some Torres Strait Islanders for there to be longer and wider consultation about the bill. Can I say that I was in the Torres Strait some weeks ago speaking to various members of councils and mayors and so forth in the Torres Strait and they gave that message to me very clearly.

**A government member:** And you're going back up again.

**Mr ELMES:** And I am going back up again. My department has conducted consultation with Indigenous communities and groups up and down the coast and in the Torres Strait since the bill was introduced. From my own point of view, I have made a number of trips to various communities within the cape and I will be doing so again next week. My promise to each and every mayor and council throughout the cape is that I will continue to consult with them personally on this particular matter.

My assistant minister, the member for Cook, and I have both made separate trips to the Torres Strait to meet with traditional owners and elected leaders to hear their points of view on the bill and its likely impact on their communities. Leaders of the Kaurareg traditional owners in the Torres Strait expressed to me their own regret that many young Indigenous people were not being taught traditional hunting of turtles and dugong. I commend the traditional owners who have taken it upon themselves to monitor and patrol sea country to ensure turtle and dugong hunting is not abused.

The consultation we have undertaken has resulted in a doubling of the proposed amnesty period from six to 12 months after the bill is passed before enforcement is instigated. We will also undertake ongoing education and consultation—personally by me and my department—during that period. The consultation has also resulted in there being no change in the way turtles and dugong can be transported and consumed for family and ceremonial occasions.

The member for Cook will also continue to work with cape and Torres Strait communities to ensure the intent of the legislation is realised and its provisions are implemented. It is in no-one's interest for turtles and dugong to be hunted to extinction. Native title hunting rights are in place to allow traditional hunting to be undertaken as part of a traditional lifestyle and diet. It was never intended that native title be used as a ruse for commercial hunting of turtles and dugong, even if not on a large scale.

I believe Indigenous leaders when they tell me that the transportation of dugong and turtle meat to traditional owners and family members outside of their communities is part of traditional custom and is important to maintain cultural identity and links amongst Indigenous people. Some Indigenous communities already have community plans which include limits and restrictions on the transportation of turtles and dugong. The cruelty inflicted on turtles and dugong which I have railed against in this place on a number of occasions is inhumane and intolerable in a civilised society. All people—no matter what their cultural heritage—should not inflict unnecessary pain and suffering on animals, regardless of where the animals are and where the animals live.

This bill is made necessary to deal with the rogue element, and there are rogues in every community. I wish there were not, but there are and we must deal with the consequences of their regrettable actions. The bill does not diminish the entitlement of traditional owners, the traditional inhabitants, to hunt for non-commercial use under the Native Title Act 1993. This bill is there to ensure that community standards for animal welfare are observed. Currently, there is a loophole in the Animal Care and Protection Act 2001 which provides an exemption for traditional hunting which, unfortunately, some people have exploited for inappropriate killing of dugong and turtles. The bill before the House removes that exemption and makes it illegal for anyone and everyone to mutilate, torture or unnecessarily prolong the death of an animal.

This government's concern is to ensure the sustainable take—and I mean the sustainable take—of turtle and dugong species, while preserving the rights under native title of Indigenous people to pursue traditional hunting practices. The current take of dugong and some species of turtle is unsustainable. I have spoken to people and I have seen more video evidence than I ever wanted to see on this subject in terms of some of the unsustainable take, particularly of dugong species in North Queensland. All of that makes this bill a very important piece of legislation.

While this bill seeks to do away with cruelty, individual communities have to do more to ensure that the take is sustainable for future generations of Indigenous people. This is an eminently fair and just position. It preserves the rights of those members of traditional subsistence communities, traditional inhabitants, to hunt using traditional methods and it ensures the safety and humane treatment of our precious dugong and turtles. Further, it gives us the ability to prevent rogues from using a loophole to hunt dugong and turtles commercially to extinction. It will not allow the barbaric custom of keeping a partially butchered animal alive to maintain, via the sequential further butchering of a live animal, a supply of fresh meat. It will not allow the commercial sale of eskies full of poached dugong and turtle meat.

Further, I will be urging the mayors of Aboriginal and Torres Strait Islander councils to support the great work of the Minister for Agriculture and his departmental officers in eliminating the rogue poaching element within their communities as well as engaging in the related education program. This second aspect recognises the need for an education campaign—for which I and my department will be responsible—to raise awareness of just what the effect of these legislative changes are so that the traditional communities, the traditional inhabitants, are reassured and understand their obligations.

I would like to place on record my thanks to members of the Agriculture, Resources and Environment Committee for their consideration of the bill and for the advice they have provided. In conclusion, I want to pay special tribute to two people who have campaigned even longer and harder than I have to see this legislation come before this House. To Colin Riddell, better known as 'Colin Who Cares', this bill is a reward for the tireless work which he has done over a very long period now and continues to do. The second person I wish to acknowledge is Bob Irwin. Bob needs no introduction as he is already famous for a lifetime of caring for the environment and for all of the creatures that inhabit it. He, too, has lent his considerable public weight and profile to the cause of dugong and turtles for he, too, lives the cause. It is people with great heart and genuine soul like 'Colin Who Cares' and Bob Irwin who give voice and action to caring for our vulnerable and mostly trusting and defenceless wildlife. In doing so, they make our society better than it might otherwise be.

I will be voting for this bill on their behalf and on behalf of the constituents I represent. I commend the bill to the House, and I encourage all members to join me in supporting its passage.