




Speech by
Jon Krause

MEMBER FOR BEAUDESERT

Hansard Wednesday, 12 September 2012

ANIMAL CARE AND PROTECTION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr KRAUSE** (Beaudesert—LNP) (5.39 pm): I rise to speak in support of the Animal Care and Protection and Other Legislation Amendment Bill. At the outset I thank the members of the Agriculture, Resources and Environment Committee for their contribution to the examination of this bill and the work that was undertaken through the committee and also in a public hearing conducted here in this chamber some weeks ago. In particular, the chairman, the member for Lockyer, and also the member for Thuringowa made strong contributions to the committee.

This bill ensures that animal welfare obligations under the Animal Care and Protection Act 2001 apply to dealings with animals under Aboriginal tradition or Torres Strait Islander custom. This amendment will bring Queensland into line with other states, removing blanket exemptions for hunting and other activities which impact on the welfare of animals conducted pursuant to native title rights. In particular, those amendments have been brought before the House to address community concern about the alleged cruelty by traditional and customary hunters towards sea turtles and dugong.

This bill will repeal section 8 of the act, which currently excludes acts done by Aboriginal and Torres Strait Islander people in accordance with Aboriginal tradition or Islander custom from the application of generally applicable animal welfare obligations under the act. Let us consider this provision for a moment. At present a specific section of the Queensland community has a different law applied to it in relation to animal care and protection legislation than applies for the broader Queensland community. This bill before us today will remove that distinction. Good policy and the principle of the rule of law require that laws have a general application—that is, they apply to all parts of the community equally so that no section of the community is particularly advantaged or disadvantaged by the implementation of legislation.

As a member of the Queensland parliament representing not only the Beaudesert electorate but also the people of Queensland as a whole, I support measures which ensure laws apply generally to all sections of the community. It is simply not right that a person in my electorate belonging to a particular section of the community could be prosecuted under the act for the same actions or inaction for which a person in another part of Queensland could have immunity under the act. If there is going to be legislation making it unlawful to commit certain acts of cruelty against animals, this legislation must apply to all citizens. The provisions of the Animal Care and Protection Act demonstrate a will on the part of the Queensland community to criminalise certain behaviour. If there are parts of the community which consider that certain acts should be permissible then this place can repeal or amend the act. However, the same law should apply across the state and across communities.

Can I touch briefly on the hypocrisy of those in the opposition and their fellow travellers in the Labor Party and the Greens in the federal parliament? We have heard in this place today various contributions to this debate, essentially arguing that cruelty to certain animals should be continued to give a free pass to members of certain communities to carry out such acts of cruelty. No doubt if we had members of the Greens in this place—and thank goodness we do not—they would argue for the same thing. But I remember the outcry from all of these people, the Labor Party and the Greens, when there was a story on

Four Corners on the treatment of cattle exported to Indonesia. We saw cattle being horribly treated at an abattoir in Indonesia. It was on *Four Corners*. And what happened? Labor minister Joe Ludwig got a case of the butterflies and, true to form for the federal Gillard government, who regularly jumps and dances to the commanded tune of their Greens paymasters, Minister Ludwig suspended the live cattle trade immediately. How much consultation did Joe Ludwig undertake with graziers? Absolutely none.

Mr Johnson: How many people did he break?

Mr KRAUSE: I take the interjection from the member for Gregory. How much consultation did Joe Ludwig undertake with exporters and with abattoirs in Indonesia to work through these issues? None. No, he simply shut down the industry immediately and it cost Australian farmers millions, if not billions, of dollars. This decision of Joe Ludwig was an outrageous exercise in executive power which destroyed people's livelihoods overnight and resulted in the evaporation of an export market into Indonesia.

Mr Johnson: That the industry created itself.

Mr KRAUSE: The live industry trade has still not recovered from this knee-jerk reaction. I again take the interjection from the member for Gregory.

So let there be no doubt that all of the protests of the members of the opposition are simply politicking on the issue—they are hypocritically opposing a measure to prevent cruelty and mutilation to animals for base political reasons and they should be ashamed of themselves. Just as they were playing politics with the live cattle trade and Joe Ludwig's panicked decision to suspend the trade, the Labor Party is playing politics with this issue. They are not interested in policy, only in politics. And, on an issue like this, they should be ashamed of themselves. I will say it again because it needs to be said: they should be ashamed of themselves.

I want to mention one further thing about the bill before the House here today. It does not prevent all traditional hunting undertaken in accordance with native title customs. There is an exemption in the bill for acts that are done in a way that causes the animal in question as little pain as is reasonable. This is an important exemption which recognises the historical hunting and other customs which exist in Aboriginal and Torres Strait Islander communities. This achieves a good balance between the legislative intent of the act, animal care and protection and the rights of those communities. It is right that we have those amendments and those exemptions in the bill.

I also note the amendments brought to the House by the minister today as a result of the committee's report including the minister's announcement that there will be a 12-month grace period on the implementation of this bill and also the certainty given to the communities by the specification of certain acts which will be deemed not to cause as little pain as is reasonable. This gives some certainty to Aboriginal and Torres Strait Islander communities in relation to the implementation of this bill.

I also welcome the fact that there will be further consultation and information sessions and information dispersal going on in those communities after the passage of this bill through this place. This is a bill which brings Queensland into line with all other states. It brings about a general application of animal care and protection legislation in this state. I commend the bill to the House.