




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 1 April 2014

CRIMINAL CODE AND ANOTHER ACT (STOCK) AMENDMENT BILL

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.06 pm), in reply: I thank all honourable members for their contributions to the debate on the Criminal Code and Another Act (Stock) Amendment Bill 2014. The bill implements the recommendations of the expert Stock Working Group. I anticipate the stock disposal order provisions and the increased minimum fines will assist in the administration of justice and the deterrence of stock offenders. I further anticipate that the forced muster order provisions will assist our farmers in the area of neighbourly relations.

I will now address some of the matters raised by some of my honourable colleagues. The member for Mackay raised the issue of forced muster orders. The order lasts for six months. This is set by the bill. Consideration was given to making a shorter expiration period with the ability for owners to make submissions to the court for further time where necessary. However, advice from the Queensland Police Service stock squad was that cattle cannot be mustered during drought or flood. As such, it would be impractical to limit the order to a shorter period, given the unpredictable weather conditions prevalent in Queensland. The weather can rapidly change after an order is handed down by the court.

Police are not required by the bill to be present for the forced muster. But police procedure will be heard both on the application and accompanying the stock owner to keep the peace. General safeguards in the bill include the ability to order costs of the application including after the muster, police have a right to be heard in the application and the court must be satisfied that the landowner was unreasonably refused access.

In terms of how the penalty review was conducted, DJAG reviewed the penalty rates in 2013. Our penalties were found to be on a par with or higher than those in other jurisdictions. It was also found that the maximum fine imprisonment levels for stock offences were significantly increased in 2002. In contrast, the minimum fine amounts for most offences have not been increased since their inception in the 1980s. To this end, minimum fine amounts were increased to take account of the significant period of time since their insertion in the 1980s and the increases in stock values since that time.

In recommending the increases, regard was had to the ranges of values of stock most commonly the subject of offending. The rationale for keeping the Animal Valuers Tribunal rather than scrapping it was that the Stock Working Group found that there was still a need for the Animal Valuers Tribunal, despite a 2008 report by Simone Webbe and Professor Matt Weller. This is because significant reliance is placed on their expertise by the QPS and the DPP. However, the tribunal was renamed the Animal Valuers Panel by the bill to reflect the fact that it is not a tribunal within the true sense of the term.

I thank the opposition for supporting the legislation. I also pay particular tribute to my colleague the Minister for Agriculture, Fisheries and Forestry, John McVeigh, who I recall joined with the Premier and me at Longreach at the agricultural college there, where we announced this legislative policy position of the government. And I do thank the Minister for Agriculture—

Mr Rickuss: They didn't give you any elbow gloves?

Mr BLEIJIE: No. We had a good time with the cattle and on the tour we had of the agricultural college. The minister was right: this is not about a government making sure that those on our streets in our cities are safe; it is about making sure that rural and regional Queenslanders are safe as well and also making sure that those who commit these types of activities and crimes are held accountable for their actions. I thank honourable members for their contributions to the debate. I commend the bill to the House.