




Speech By  
**Hon. Jarrod Bleijie**

**MEMBER FOR KAWANA**

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Record of Proceedings, 5 August 2014

**CRIMINAL LAW AMENDMENT BILL**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (4.25 pm), in reply: I start by acknowledging all honourable members' contributions to the debate today. I also highlight a couple of the bigger issues in this bill—and that is of course dealing with the new animal cruelty laws which put a seven-year maximum penalty in place for serious animal cruelty in the Criminal Code. We have upped the ante in the Criminal Code because we do not have an offence in the Criminal Code that deals with these types of offences. I know under the animal care and protection legislation we have certain provisions but nothing as severe as serious animal cruelty. I note that once the parliament passes these provisions we will have the strongest laws dealing with animal cruelty in the country, because the violence against animals has to stop.

We have seen some great advocacy work from the likes of the RSPCA. On that note, can I thank the RSPCA for coming to Parliament House today with Cannon and Jasmine. Cannon is a little puppy dog and Jasmine is a three-legged dog. They highlight the great work the RSPCA does in terms of providing support to those animals that have been abandoned or assaulted or damaged physically by their owners. Mark from the RSPCA was telling me that at any given time they can have 600 animals. They do great work in adopting the animals out to families who can love and care for these types of animals. I think Queenslanders take a pretty dim view of animal cruelty.

I will talk about two cases. We had the alpaca case at Caboolture where two alpacas were viciously killed. No school student should have to go through that distress, as those alpacas grew up as part of their farming project which teaches about caring for animals. The other case I refer to was last week in Ipswich, if memory serves me correctly. A puppy was beaten and left for dead, but saved fortunately. So it was important that the RSPCA, in anticipation of the bill passing tonight, were here. They certainly have been a great supporter of these laws with respect to the change. Of course the change is to insert a new offence in the Criminal Code dealing with serious animal cruelty which can attract a seven-year maximum sentence.

The other thing it does is gives the courts a better sentencing regime. It gives the courts and the judges more options to deal with the worst of the worst offenders. I rightly agree with the community when they are up in arms when they read about cases of animal cruelty and a lot of people say they get slaps on the wrist. The reason for that is it has been very difficult for our courts to be able to apply the relevant penalties because they have not had an offence like this in the Criminal Code. Now we do, and that offence will be there following the passage of this legislation. I thank Cannon and Jasmine from the RSPCA for coming down. Incidentally, I am told Jasmine is a dog that has lost her leg but is available to be adopted out. If these animals have an orange scarf, that means that they are able to be adopted out to loving and caring families.

The other issue I want to deal with is the double jeopardy laws where we have made retrospective those provisions that the Labor Party made in 2007. Queensland, with the Labor Party in government, was the only jurisdiction in Australia not to make those provisions retrospective at the

time. Quite unsatisfactorily, and I think in a very disrespectful manner, the member for Nicklin raised the issue in this House about the Kennedy case and said that he would hope that the government is not giving false hope to the Kennedy family in terms of this particular provision.

I can recall a press conference when I was asked about these double jeopardy law reforms, and I specifically said that there is no intention for these laws to apply to any particular case; it would always have to be based on the facts and the evidence at the time. In these particular provisions, the Court of Appeal has to be convinced that there is fresh and compelling evidence for the prosecution to even take place. The shadow Attorney-General talked about the double jeopardy provisions, that they are concerned that people might make certain decisions based on an acquittal and might, for example, destroy relevant evidence. The Labor Party is ignoring the inbuilt safeguards whereby the Court of Appeal must be satisfied that there is fresh and compelling evidence, as I said.

This is a part of the government's reform package to revitalise front-line services, putting victims first and rebalancing the scales of justice. I thank all honourable members for their contributions to the debate tonight.