




Speech By  
**Stephen Andrew**

**MEMBER FOR MIRANI**

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**AGRICULTURE AND OTHER LEGISLATION AMENDMENT BILL**

 **Mr ANDREW** (Mirani—PHON) (4.21 pm): I rise to speak on the Agriculture and Other Legislation Amendment Bill. Up-front, I am most disappointed that yet another piece of legislation has been presented as a bundled up, omnibus bill covering a range of often unrelated matters. Some of these legislative changes are being proposed solely in response to certain illegal actions taken by some of the more extremist elements of the animal rights crowd.

In general, I am in full agreement with and have sympathy for the mood and aims of this bill. Coming from a farming background myself, everyone knows that I am a strong supporter of farmers and agricultural workers and have been calling for the government to be more supportive of these industries for some time now. However, as the Queensland Law Society pointed out in their submission on the bill, I believe that all laws, particularly those criminal offences and penalties, should be evidence based and not purely reactionary.

This bill was given a very short consultation period and a number of interest groups were not consulted or given a chance to respond. There has in fact been very little publicity or public discussion on the bill at all. Many Queenslanders have therefore had no chance to understand the bill let alone have a say on the important changes being made in it.

Good laws are not rushed through under the guise of large and complex administrative bills with misleading monikers like this one—bad laws are. Hasty reactions or overreactions by governments, riding on the back of community outrage, can be a very dangerous thing in a people focused democracy. History shows that it leads to only one thing—more control and power centred in the state and a further erosion of civil liberties for the people. I think the government knows this. I also think the government is using the public's sympathy and support for farmers for its own ends.

Farmers have been exposed to dangers in their workplaces and even violence and abuse, and that is of concern. I know it is because I visited the member for Hinchinbrook's electorate and spoke with farmers over three days concerning a different branch of the tree—poaching and trespass. People go onto people's properties at night in a nefarious and insidious way. They run around those properties and take their dogs to hunt pigs or illegally poach deer. This gets farmers' backs up.

It presents another danger. Drug fuelled and alcohol fuelled people are going around telling farmers that if they are not allowed to keep poaching or hunting on their land that they will burn the farmer out. They have been held at gunpoint. They are also threatened when it comes to their cattle. They have found cattle gut shot and run over on country roads so people can hunt off them. There is a lot to do in relation to the issue of trespass.

I had a lady come to me last night and tell me about the environmental officers who will be running around with body worn cameras. She is a nurse. She said, 'What about nurses in rural and regional areas that have to lock themselves into rooms because people come in drunk or under the influence of ice and threaten them?'. It is a very difficult environment to work in. Where are the laws being rushed in to protect nurses and people like that on the front line? Where are the calls for body worn cameras

to help them? There are none because presently governments have nothing to gain from such laws. They ostensibly protect the farmers, but the government does not care about farmers, just as it does not care about nurses or any other honest, hardworking people who deal with hardship, risk and no reward on a daily basis. They only care when it suits them to care.

Clause 132 of the bill broadens criminal offences for unlawful assembly and unlawfully entering farming land. It greatly increases the penalty for such offences. The clause also expands considerably the criteria for what is deemed an offence under the act across a wide range of areas. Clause 132 states that an offence has been committed in the event that a person in the vicinity and not necessarily the owner of the land holds a fear or belief that an action is likely to cause economic loss to a business carried out on the land. This sets a precedent for the legal legitimacy of the economic harm principle which could open up a can of worms around the issues of free speech and the right to peaceful assembly in this state.

The increased penalties for an offence are also of concern to me. This bill does not distinguish between peaceful or violent activities which means the harsher penalties will apply across the board. In other words, peaceful protesters will be jailed for the same amount of time as those involved in violent protests. In terms of the provision in the bill relating to an action that causes economic loss which is to be determined by someone in the vicinity, not the farmer, the following example is given—

conduct that stops, or interferes with, the operation of equipment or machinery that is necessary for a business's production of a product

Exactly whose business are we talking about here? The wording specifically denotes a business carried out on the land. It does not specifically say that this business relates to farming or agriculture or circuses, just a business. In other words, any business operating on the land would be protected under this clause—a mining business, for example.

There are no limits on this provision. It is cleverly and loosely worded in such a way that there are a number of openings for misuse. Firstly, it sets a precedent for criminalising activities that cause economic loss. This is a very dangerous precedent indeed in a democratic country. Secondly, it uses ambiguous language and leaves the door open for an interpretation where mining companies could potentially seek legal redress and compensation from farmers and agricultural workers or even their own mine workers in the event that their actions interrupt the business taking place on the agricultural land which, peaceful or otherwise, causes them any level of economic loss.

I will turn to the issue of the poisoning of dogs. The member for Gympie will move some amendments in this regard. This is a very relevant issue to consider. I have had many dogs killed in my electorate. I found that it is easy to go and buy 100 1080 baits for \$273. These baits are needed in the community. There is no doubt about that. There still needs to be a lot more information and education provided to farmers and others who go out and disperse these baits. The actual animal one is trying to get should be identified. We have hunting cameras and cameras that we can put up prior to the baits being put out, especially when it is close to peri-urban areas and around the outskirts of towns. I have seen some terrible ways that dogs have died.

I have had a lot of people in my electorate try to console baited dogs and they have destroyed their whole house. It has taken hours in some cases. There is considerable emotional stress on the people who own these dogs and their children. There certainly needs to be increased penalties for people who are doing this to animals. They are part of the family. They are also working dogs. They are valued in the community because of what they provide. This issue is certainly worth looking at and the House should back the amendments to be moved by the member for Gympie.

This bill is being sold to us as legislation that will protect farmers. There is a good chance that it could end up disempowering them instead. I just wanted to make that quite clear.