




Speech By  
**Adrian Tantari**

**MEMBER FOR HERVEY BAY**

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

 **Mr TANTARI** (Hervey Bay—ALP) (5.21 pm): I rise in support of the Animal Care and Protection Amendment Bill 2022. The bill has been drafted by the Palaszczuk government to ensure that the framework for animal welfare in this state is contemporary, compassionate and consistent with today's societal expectations regarding the care and treatment of animals. The Animal Care and Protection Act 2001 has been the principal legislative framework for animal welfare since its commencement over 20 years ago. Since that time there have been significant advances in animal welfare science which have led to a better understanding of animal biology and behaviour, which in turn has assisted in developing improved animal husbandry practices and in general has reduced risk to the welfare of all animals.

The bill acknowledged the great awareness of animal welfare requirements influencing community expectations which demand more humane care in the use of animals, including livestock. During April of last year the government released a discussion paper titled 'Review of the Animal Care and Protection Act 2001'. The broad tenure of the submissions received during this consultation process was that the current legislative framework is generally appropriate; however, they noted that it required updating to reflect contemporary standards and to address several other identified issues.

The Martin inquiry, an independent inquiry commissioned by the government into the management of retired racehorses, delivered its report in January 2020. In response, the government supported each of the recommendations either in part or in full. Although the government's commitment to implementing the recommendations was not part of the review of the act, the commitments given relate to animal welfare and are appropriate to be included in this bill, which provides for more effective monitoring of the welfare of retired racehorses.

Further, the Queensland Audit Office commenced an audit in March 2021 to assess the effectiveness of the department's oversight of the Royal Society for the Prevention of Cruelty to Animals—which we know as the RSPCA—to deliver services and exercise powers under the act, and a report titled *Regulating animal welfare services* was tabled in November 2021. All of these reports have been considered and their recommendations and actions included in this bill.

As stated in the explanatory notes, the main policy objectives of the Animal Care and Protection Amendment Bill 2022 are—

The main policy objective of the Bill is to modernise animal welfare laws to reflect contemporary science, community attitudes, and expectations by:

- facilitating the ethical use of animals for scientific purposes while ensuring that animal welfare is not compromised
- *strengthening enforcement powers* to address risks to animal welfare ...
- prohibiting inhumane practices ...
- providing for an approved cattle procedures ...
- clarifying the law and removing redundant provisions ...

With regard to strengthening enforcement powers, amongst other changes the bill amends the act to strengthen powers to reduce risks to animals' welfare by introducing new offences such as aggravated breach of duty of care. The powers are further strengthened by clarifying the meaning of 'unreasonable abandonment' to remove any doubt that the person in charge of an animal remains responsible.

With regard to prohibiting inhumane practices, the bill amends the act and introduces new offences which will prohibit: the inhumane practice of firing or blistering a horse or dog, which are painful and ineffective methods of treating tendon injuries; and possessing or using a prong collar which is designed to bruise or pierce an animal's skin or other prescribed restraint on an animal.

One of the more contentious issues raised in this bill is the banning of prong collars. In my electorate of Hervey Bay constituents have made representations to me regarding this matter. I have witnessed firsthand when dogs have been restrained by this device, and I must say that, having observed the animals with their carers, they look on the outside to be under no duress. But first appearances can be deceiving, and this is where the arguments put forward by submitters to the State Development and Regional Industries committee hearings start to fall away.

The opposing view to the ban says there is no damage done to the animal in wearing these collars. This is where I ask: but how do you really know? I know this may sound absurd because we know it to be true, but can we hear the evidence of affected animals? The answer is no. Why is that? Because they cannot give it. This is why we as human beings need to approach these matters by trying to understand that these living creatures deserve to be treated with the respect and dignity that we afford each other as humans. To say that somehow we know what an animal is feeling based on preconceived perceptions during observations so that we can alleviate our own emotional positioning on why we are constraining an animal with a device is again a conceited position adopted from a sense of human superiority. Do we allow prong collars on human beings to control their actions? Of course we do not. This would be abhorrent to us all, so why do we believe it is okay for animals?

I understand that professional trainers believe that prong collars are an essential tool for the training of dogs who have behavioural issues, but surely before the introduction of these collars animal trainers used other techniques that were less invasive. The point of view of those who support the use of prong collars is not supported by RSPCA Queensland, Dogs Queensland, Pet Industry Association of Australia, the Australian Alliance for Animals, Pet Professional Guild Australia, and many other groups and organisations. As well, over 150 individuals also outlined their support for the proposed ban.

In its report the committee acknowledged, and has considered, the various views presented by inquiry stakeholders on the banning of prong collars. On balance, the committee was satisfied that the prohibition of prong collars is appropriate. The committee has recommended that the Department of Agriculture and Fisheries work with their colleagues in the Australian government as appropriate in relation to the prohibition of the importation of dog collars that incorporate protrusions designed to puncture or bruise an animal's skin.

I am also pleased to see that the bill will introduce a new aggravated breach of duty of care offence in situations that result in the death or prolonged suffering of an animal. The offence will attract a significant penalty, and so it should. A penalty of 2,000 penalty units, or three years imprisonment, should hopefully deter this sort of behaviour. There is nothing minor about situations that result in the death, serious deformity, serious disablement or prolonged suffering of an animal. Treating animals in any way other than with care and respect should be punished hard. It is about stamping out this cruelty and undoubtedly reflects the community's attitude towards this behaviour.

In its dissenting report the opposition said there was not enough consultation on this bill. There were nearly 2,353 responses from the discussion paper that was released and stakeholder meetings and 1,495 written submissions on the proposed legislation. How much more consultation was needed?

Before I finish, I want to recognise the great work done by all veterinarians, veterinary nurses, animal rescue volunteers and animal carers throughout this state, in particular in my electorate of Hervey Bay, for their compassion, service and care to our animal friends. These individuals show extraordinary commitment by working all hours, be that weekends or public holidays, to ensure animals are given humane care, fed, rescued or cared for after accidents. They are the unsung heroes of animal care and compassion. They are the ones who deal with extraordinary situations of cruelty and trauma felt by animals and humans alike. I want to thank them all. Without you, the world would be a darker place for animals.

I congratulate the committee for the work on the bill, led by the chair, the member for Bancroft. They undertook extensive consultation and research to bring in legislation that goes a long way towards ensuring that our animal friends are treated with compassion. To Benny, Pagan, Cuffy, Merlin, Coota

and all the animals and creatures we love, this legislation is about and for you. It goes a step further towards ensuring that animals are given the respect and compassion deserved of precious living creatures. I support the bill before the House.