




Speech By  
**Ann Leahy**

**MEMBER FOR WARREGO**

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

 **Ms LEAHY** (Warrego—LNP) (11.45 am): I rise to contribute to the debate on the Animal Care and Protection Amendment Bill 2022. I wish to advise the House in the interests of transparency that I am a member of the Queensland Working Sheep Dog Association which is declared in my pecuniary interest register. I want to thank the committee for its consideration of the bill and the secretariat staff for its work on the bill. A subcommittee of the committee travelled to my electorate and had a very productive meeting with producers at the Roma Saleyards. It then proceeded to drive out to Charleville to the Western Meat Exporters's sheep meat and halal goat abattoir. Producers were able to put their views and concerns in relation to the proposal in the legislation to ban CSSP, or SAP as it was commonly known.

At the outset I want to make it clear: although broadly supportive of the bill, the LNP will be opposing clause 16 with regard to section 42 that sets out the ban on the use of yellow phosphorous CSSP feral pig poison. The LNP does not support this ban, especially as there is no equivalent alternative readily available for primary producers. I have heard members opposite advising the House that 1080 is an alternative. That was not the view that was expressed by producers at the subcommittee meeting at the Roma Saleyards.

The main objective of this bill is to modernise animal welfare laws to reflect changes in contemporary science and community expectations. To achieve this the bill proposes a series of amendments to the Animal Care and Protection Act, and these are outlined in the explanatory notes and the bill. I will deal with the section 17 amendment that seeks to prescribe a new offence of aggravated breach of duty of care. This is a new offence that applies in situations where, for example, as a result of gross or significant neglect a person has failed to provide for an animal's care to the extent that the animal has died or suffered serious deformity, serious disability or prolonged suffering. There is concern that this amendment creates a reverse onus of proof obligation on primary producers who face extenuating circumstances such as floods and fires which will obviously prevent them from dealing with access to and inspection of livestock. An example of where this has occurred is in the north-west floods and my constituents have faced similar situations during prolonged flood events. AgForce outlined that this reverse onus of proof hanging over producers under extreme emotional and physically trying situations where 'if there is an exception, we will consider it at the time' is manifestly inadequate. The minister should clarify for primary producers that they will not be subject to these penalties in these extreme circumstances where they cannot actually get access to their livestock.

In relation to the banning of prong dog collars, I note that registered dog breeders are required under the Animal Management (Cats and Dogs) Act 2008 to obtain a breeder identification number, and I ask the minister: what consultation did the department undertake with registered dog breeders? I ask this because the first that many knew about this ban was in a Facebook post from the Premier. It must be noted that prong collars are already banned under federal laws unless given specific approval by the Minister for Home Affairs. It raises concern as to why the state would seek to duplicate how the federal government is already regulating the use of these prong collars.

If federal and state government bans do not mirror each other there is another risk of inconsistency. The new section 37A prohibits the possession of a prong collar or another restraint device prescribed by regulation unless the person has a reasonable excuse. There is concern as to what is 'another restraint device prescribed by regulation'. We do not know what the other restraint devices are because we do not have visibility of the regulation. The government needs to clearly articulate what it is determining as 'other restraint devices'. I will give members an example. For instance, my neighbour has a restraint device for his Alsatian around his property. That dog wears an electric collar. Will his device be considered 'another restraint device prescribed by regulation'? Many others use electric collars for certain dog training activities. Are these captured? This needs clarification from the government. I ask the minister to clarify in his summing-up what are the other restraint devices referred to in this legislation. Minister, so there is no confusion with this clause, I would urge you to table a list in your summing-up.

I will now turn to the ban of the CSSP feral pig poison which is not supported by the LNP. One reason raised by the government as to why they want to ban the feral pig poison is because they state it is slow acting and inhumane. At Roma we heard from producers who are regular users of CSSP and their experience was the poison was a quick and effective method of destroying feral pigs. I ask the government which one is more inhumane—a quick death from a poison or being eaten alive by feral wild pigs, which is often the fate of young lambs and goats when they are preyed upon by feral pigs. Which one is more inhumane? CSSP is a targeted, accessible, efficient and cost-effective feral pig poison for both livestock and grain producers. There is no equivalent alternative. I have rung various different CRTs and rural suppliers. They do not have any alternative to it. Nicky from Morven emailed me about her family's experience—

I just want to express our frustration regarding the impending CSSP ban. We run 5,000 meat sheep and 2,000 goats at Morven and Mitchell. CSSP is essential and we are heavily reliant upon it for our pest control program. It enables us to be a more productive business achieving lambing and kidding rates of over 140 per cent. It is also a valuable tool for environmental outcomes.

In relation to the good climatic season which we are now experiencing in much of Southern Queensland, grain producers are telling me that they are being absolutely smashed by feral pigs. I have had calls from some who have lost up to \$50,000 in crop losses and they have no alternative feral pig control mechanism following this ban.

AgForce in its submission raised a number of very valid questions about the proposed ban. For instance, what research is the government relying on to demonstrate that CSSP is inhumane; what research is the government relying on to demonstrate the level of secondary poisoning caused by CSSP and what bird and animal species is the secondary poisoning occurring in; how many incidents of abuse with regard to the use of CSSP has the department investigated; how many offences have been prosecuted as a result of the investigations; and with the exotic diseases of African swine fever, lumpy skin disease and foot-and-mouth disease nearing Australia's borders, where control of feral pig populations may become critical in containment and eradication of these diseases should they reach Australia's shores, can the department advise which control toxins will be used to reduce the feral pig populations? I would like to hear the responses the department, the minister and the government have to AgForce's concerns because those concerns are shared by producers right across Queensland. We want to hear if this ban is based on evidence or is this ban based on trying to appease impractical and ill-informed activists.

AgForce stated in their submissions that they oppose this ban and that government and landholders require every available tool to manage feral pig populations, especially in the event of an outbreak of an exotic animal disease. That sentiment was echoed by the producers in my electorate. Those landholders say they need every tool available to them to control feral animal populations and, in particular, feral pigs. All this Labor government is doing is taking away these tools. It will cause further damage to agricultural industries and the environment. Given there is no equivalent alternative and the extreme threat of foot-and-mouth disease, lumpy skin disease and Japanese encephalitis to human health, this ban on CSSP should not be implemented and the LNP will not support it. Queenslanders and our agriculture industries and the environment deserve much better from this Labor government.