




Speech By  
**Michael Berkman**

**MEMBER FOR MAIWAR**

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

 **Mr BERKMAN** (Maiwar—Grn) (4.13 pm): I rise to contribute to the debate on the Animal Care and Protection Amendment Bill. The Queensland Greens welcome any reform that will further the wellbeing of life, including animals, and we support the modernisation of animal welfare law as set out in this bill.

Animal welfare advocates have for years been asking for more prohibitions on inhumane practices. I am glad to see that this bill acts on at least some of those calls. Banning the use of poisons that include carbon disulphide and phosphorous, marketed as CSSP, will stop the massive amounts of unintentional animal deaths and unnecessary suffering caused by using these poisons in pig baiting. By banning the use of prong collars, this bill reaffirms the common knowledge, I believe, that if you want a good dog you have to treat them with love and respect, not react with pain and punishment.

While the Greens welcome these positive steps, there are a lot of gaps in this legislation that will mean that the unnecessary suffering of animals continues in our communities. For example, as was pointed out by the Animal Welfare League in its submission, our current laws mean that veterinarians can be charged with breaking the law if they desex a stray cat and residents can be fined by local governments for feeding strays. It stands against reason to continue criminalising actions that could actually improve the welfare of animals. This bill was an opportunity to consider striking these provisions from our animal welfare laws, but it fails to do so.

It was also an opportunity to enforce welfare standards at animal entertainment venues and events like rodeos. While rodeos are an important social and cultural event for many people in our state, they should protect the animals, spectators and workers involved and meet community standards. For the life of me, I cannot understand why the government would explicitly exclude the rodeo code of practice from these reforms, instead focusing solely on the non-binding animal welfare standards and guidelines for rodeos. Those guidelines for rodeos are wholly inadequate and do not address issues such as misropings or injuries sustained by calves that trip and fall over. In recent years, tens of thousands of people have made their opposition to calf roping clear and, in consultation on these reforms, several animal welfare organisations, including the RSPCA, have highlighted the significant distress and pain that animals experience during some rodeo events like calf roping or rope-and-tie. The ACT, Victoria and South Australia have already banned, or effectively banned, calf roping. It is just not good enough for Queensland to lag behind on this issue.

The review of the act also excluded any consideration of mandatory shade and shelter requirements for animals in Queensland, despite this being an issue of concern to a number of advocates in this area. It is hardly surprising, given the minister's clear ideological attachment to shark nets, that the review of the Animal Care and Protection Act completely skipped over the exemptions for animals caught in shark nets and drumlines. We have just come off the worst recorded season yet for whale entanglements in Queensland shark nets. At least 15 whales were entangled this season, and that is despite the department's own Shark Control Program Scientific Working Group recommending that nets be removed for the whale migration season.

**Mr FURNER:** Mr Deputy Speaker, I rise to a point of order relating to relevance. The matter before the House is to do with the Animal Care and Protection Act; it has nothing to do with the Shark Control Program under the Fisheries Act.

**Mr DEPUTY SPEAKER** (Mr Krause): That is a valid point of order. It is a different piece of legislation, as I understand. Whilst you have made observations about what is not in the bill, I ask you to please remain relevant to the long title of the bill relating to the Animal Care and Protection Act.

**Mr BERKMAN:** Thank you, Mr Deputy Speaker. What I will do, at the very least, is take a moment to table the cover page of a change.org petition that has now garnered more than 125,000 signatures. I have avoided tabling the entire petition that now runs to more than 2,700 pages. I will not encumber the Table Office with the requirement to keep those 2,700 pages indefinitely, but I will table the cover sheet to show those 125,090 signatories who have called on this government to end 85 years of shark culling and to remove the nets and drumlines in Queensland's waters.

**Mr FURNER:** Mr Deputy Speaker, I rise to a point of order. Not having seen the document that the member has tabled yet, no doubt you made it clear in your previous ruling that this bill is specific to the Animal Care and Protection Act and has nothing to do with the Shark Control Program, which is administered under the Fisheries Act. I consider it appropriate to rule that out of order.

**Mr DEPUTY SPEAKER:** Thank you, Minister. I will take some advice. Member for Maiwar, I have taken some advice and, in line with my previous ruling about relevance, I will ask you to refrain from further references to the provisions of another act. Also based on the advice I have received, the document is unable to be tabled as it is not relevant to the debate before us here today. You have time on the clock and if you could keep your comments relevant that would be appreciated.

**Mr BERKMAN:** Indeed; thanks, Mr Deputy Speaker. As so many other members have in this debate, I refer to some of the earlier comments by the member for Moggill and reflect on the value that our pets bring to our everyday lives. When I met and moved in with my wife I was lucky to adopt a cat known affectionately as Bixby—a delightful Persian grumpy cat. He now only has one eye because our fantastic vet had to remove one that he was suffering a bit of pain from recently. I note as well that the member for South Brisbane is the proud owner of an adopted greyhound named Buddy. I make these observations not because they bear any relevance to the bill whatsoever but simply to make the point that no-one gives a damn when we are carrying on with these kinds of ridiculous and inane—

**Mr DEPUTY SPEAKER:** Order! Member for Maiwar, that is unparliamentary language and I ask you to withdraw that word and to refrain from using it again.

**Mr BERKMAN:** I withdraw. I note that the minister remains seated. He is comfortable on his leather over there. He has taken no effort to get up and object to the relevance or the irrelevance of any observations about the pets in our lives. The sensitivity of this government to its failed Shark Control Program—

**Mr FURNER:** Mr Deputy Speaker, I rise to a point of order. I take great offence to the language the member has directed in relation to the manner in which I care for animals as a dog lover and an animal lover, and I ask him to withdraw.

**Mr DEPUTY SPEAKER:** Member for Maiwar, the minister has taken personal offence and I ask that you withdraw.

**Mr BERKMAN:** Naturally I withdraw.

**Mr DEPUTY SPEAKER:** Thank you.

**Mr BERKMAN:** With the four minutes I have left I could continue to regale the House with stories about Bixby and what a useless cat he is. In a contest with any one of the geckos around the house he is likely to come off second best; he is really not a hunter. But again I am literally allowed to stand here and the minister is going to continue to sit opposite. It does not matter how irrelevant the commentary becomes about my cat and geckos and his surgery; we are not going to hear a word of objection from the minister about any of that, but the Shark Control Program is such—

**Ms KING:** Mr Deputy Speaker, I rise to a point of order. I put it to you that the member's comments are reflecting on the ruling of the chair made previously.

**Mr DEPUTY SPEAKER:** Member for Pumicestone, thank you. The advice I have received from the Clerk is that indeed you do have a point of order. Member for Maiwar, you still have time to go to be relevant to the bill and you are welcome to resume your contribution. Please refrain from commenting on the issue of relevance, especially in terms of how I have ruled. You have also made comments which indicate that you consider that some of the things that you are saying are irrelevant to the bill. If that is the case you should not be saying them, but you do have three minutes and 29 seconds to go.

**Mr BERKMAN:** Thanks, Mr Deputy Speaker. I think the point has been made well enough. With that, I will conclude my comments on this bill.

**Government members** interjected.

**Mr BERKMAN:** I would take the interjections, but I cannot quite—

**Mr Smith** interjected.

**Mr BERKMAN:** Christ! You would hope that this bloke is a better performer in his electorate than he is in the House!

**Mr DEPUTY SPEAKER:** Order! Member for Maiwar, would you please withdraw that unparliamentary language?

**Mr BERKMAN:** I withdraw. In the name of my Lord Jesus Christ, I hope he is an even better—

**Mr DEPUTY SPEAKER:** Member for Maiwar, would you withdraw that unparliamentary language?

**Mr BERKMAN:** I withdraw.

**Government members:** Sit him down!

**Mr DEPUTY SPEAKER:** Member for Maiwar, you are warned under the standing orders. Member for Maiwar, I ask you to resume your seat.