




Speech By
Ann Leahy

MEMBER FOR WARREGO

Record of Proceedings, 18 April 2024

AGRICULTURE AND FISHERIES AND OTHER LEGISLATION AMENDMENT BILL

 **Ms LEAHY** (Warrego—LNP) (5.04 pm): I rise to contribute to the Agriculture and Fisheries and Other Legislation Amendment Bill, otherwise known by some of our other members as the ‘dog and fish bill’. In accordance with standing order 260, I declare that I am a member of the Queensland Working Sheepdog Association, and this is listed on my pecuniary interest register. I also hold a Queensland dog breeder registration.

The bill amends 14 acts and six regulations. It is a large bill. However, for the purposes of this contribution, I will focus on the amendments to the Animal Management (Cat and Dogs) Act as those amendments are the ones that are of great interest to Queensland local governments. It was very good to have all of the mayors at parliament yesterday, and I pass on my congratulations to all of them. There was certainly an enthusiastic feel in the room. They really want to get to work for their communities.

The amendments to the Animal Management (Cats and Dogs) Act 2008 are intended to strengthen dog control and management laws in Queensland to enhance community safety by imposing a new statewide ban on restricted dog breeds, reviewing penalties for the owners of dogs that cause harm, introducing a new offence that includes imprisonment as a maximum penalty for the most serious dog attacks, clarifying when a destruction order must be made for a regulated dog and limiting appeals to the Queensland Civil and Administrative Tribunal to matters of law regarding destruction orders.

In relation to the QCAT, on numerous occasions I have seen situations that drag on for many months in relation to destruction orders. It is really not good for anyone involved—not for the local government officers nor for the individuals involved in QCAT. It is probably better to deal with those things in an expedient manner than to have them drag out, and I have seen some drag out for 12 months. It is very difficult. I want to raise some concerns of Queensland local governments because I believe that there will have to be some further reforms and some more consultation with local governments in this area.

It is critically important that there is consistency from federal, state and local governments when it comes to bans and the operation of the restrictions. Ultimately, it is up to local governments to administer these laws at the frontline, and they have varied resources by which to do so. In some areas, local governments do not have access to veterinary services for the humane destruction of animals, and that can be quite problematic. Often there is only a visiting veterinary service once a month, which is important to keep in mind.

The City of Moreton Bay notes the bill does not establish how breeds can be identified in the event the owner of the dog disputes the breed identification. Any dog of size, breed or mix of breeds can be dangerous and dog management strategies should focus on the behaviour of the individual dog. This position is consistent with the large volume of evidence and global opinion. The committee consistently heard during the inquiry from stakeholders that there are challenges around identifying a dog breed. Measures could include a pedigree—that is, if there is one—its appearance or its DNA.

However, none of the methods for identification can be relied upon to enforce breed-specific legislation, and these sections of the act would be difficult to enforce and open to challenge. I hope we do not see them going back to QCAT because that would really defeat the purpose of this legislation.

In addition to the issues of identification, there is also the complex issue of dog behaviour. The council recommends that the onus needs to be on the dog owner to prove that their dog is not such a breed and that that should be placed in the legislation to support local government and the effective implementation of the act.

There is also cost and time involved with DNA testing. If it has to be done on a regular basis by a council, the question would be: who is responsible for that cost? I am speaking from personal experience because I myself have actually done DNA testing of dogs in conjunction with my veterinarian and I can certainly understand why councils want the onus placed on the dog owner.

The Logan City Council recommends that dog attacks occurring on private property due to ineffective control need to be addressed. We do see that, with the increasing crime rates under this Labor government, many private property owners have dogs on their properties for protection. The opposition also have reservations about recommendation 3 in the committee report. The committee suggests that the government amend section 127A in clause 67 to provide that, if a non-regulated dog has seriously attacked a person, the authorised person must make a destruction order in relation to the dog.

We support the destruction of an unregulated dog if a serious attack occurs in a public place; however, we request the department further investigate serious dog attacks by unregulated dogs on private property before acting on this recommendation. This is a complicated matter and we believe that further considerations are required around the behavioural instincts of a dog, particularly if they have been provoked or there is a break-in or crime incident and the dog seeks to protect the private property or its territory.

We have also had a look at the amendments from the minister. Minister, I would like a clarification that amendments regarding clause 25 specifically relate to only regulated dogs. Perhaps the minister might give some answers. I have a couple of questions for him in relation to areas that I see quite regularly, not only in my electorate but also across Queensland.

In relation to clause 25, will those changes apply particularly to show dogs? A lot of show societies actually have show dogs. We also have working sheep and cattle dogs participating in trial competitions at public showgrounds and other public lands as well. I want to get an understanding and some clear answers from the minister because that is particularly important to not only show societies but also those people who participate in those competitions and those shows. Those show dog competitions are very well-regarded and are quite an attraction for people.

The member for Gympie mentioned off-leash dog parks. I would like to add to that list. What about off-leash dog beaches? I think we need some clarification on that in relation to clause 25 and the application. There are quite a lot of off-leash beaches around the Sunshine Coast and there are also some down in the Currumbin area. Minister, I look forward to your clarification in relation to those matters.