

Question on Notice

No. 40

Asked on 4 February 2020

MR T NICHOLLS ASKED THE ATTORNEY-GENERAL AND MINISTER FOR JUSTICE (HON Y D'ATH) –

QUESTION:

With reference to fines and restitution paid under section 13 of the *Summary Offences Act 2005* (Qld)—

Will the Attorney-General outline (a) the total amount of fines and restitution issued under section 13(1) for 2017 to 2019 (reported separately by year), and (b) the total amount of fines and restitution issued under section 13(2) for 2017 to 2019 (reported separately by year); and (c) the smallest and largest fines and restitution amounts paid by individuals under these offences,(d) the number of individuals handed imprisonment under these and (e) the shortest and longest length of imprisonment ordered under these offences?

ANSWER:

I thank the Member for Clayfield for his question.

The Palaszczuk Government has passed new laws aimed at deterring animal activists from invading farming premises and breaching biosecurity regulations. This legislation was passed by the Queensland Parliament on 6 February 2020. This new legislation replaced section 13 of the *Summary Offences Act 2005* and increased the maximum penalty to 20 penalty units or 12 months imprisonment.

These amendments are in direct response to a series of incidents early last year that saw animal activists invading farming operations and potentially compromising the biosecurity of those premises and food safety for consumers.

While the Palaszczuk Government supports the right to protests lawfully, it is not acceptable for people to go onto private or commercial property without authorisation, no matter their cause. Everybody has the right to feel safe and protected in their workplace and in their homes.

In respect of the Members question which relates to section 13 prior to its amendment by the Queensland Parliament earlier this year, I am advised that:

(a) total amount of fines and restitution issued under section 13(1) of the *Summary Offences Act 2005* (SOA) for 2017 to 2019 is:

Year	Total amount of fines and restitution ordered
2017	\$9,339
2018	\$5,941
2019	\$18,250

- (b) There were no fines or restitution ordered for offences against section 13(2) of the SOA between 2017 and 2019.
- (c) Fines and restitution ordered by the Courts are referred to the State Penalties Enforcement Registry (SPER) for collection and enforcement. Any payments received are recorded against the debt at SPER and not the Courts database. Therefore I am not able to provide this information.
- (d) Five individuals were sentenced to imprisonment under these sections.
- (e) The shortest term of imprisonment ordered was seven days. The longest term of imprisonment ordered was six months.