

14/06/2022

QLD Parliament – State Development and Regional Industries Committee
Inquiry into the Animal Care and Protection Amendment Bill 2022

Animal Care Australia Opening Statement

Good afternoon,

Chair – I ask that this statement be tabled.

I am Michael Donnelly – President of Animal Care Australia or ACA. ACA is a national incorporated association established to lobby for real animal welfare by those who keep, breed and care for animals.

Our goal is to promote and encourage high standards in all interactions with the animals in our care.

In May 2021, ACA provided a submission to the **QLD Review of Animal Care & Protection Act (ACPA) 2001** and we welcome the opportunity to provide further feedback on the proposed Amendment Bill here today.

ACA is in general in support of the proposed changes to the ACPA and the majority of the Amendments within this Bill. However ACA has concerns on the inclusion of clauses within this Amendment that were not part of the May 2021 review, in particular the ban of restraint devices.

Attempts to insert clauses without proper public consultation are not supported by ACA and are not aligned with The Queensland Governments Guide to Better Regulation May 2019. Also of concern is the lack of the provision of any scientific or documented evidence to support the inclusion of restraint devices without public consultation. The lack of draft Regulations for review is inexcusable when the Amendments continually refer to the Regulations – of which there is no inclusion within the current Regulations. The examples provided in the Amendment Bill not only included prong collars but also collars, leads, harnesses and the like. All of which are vital devices in the everyday functioning of animal handling, husbandry, exercise and training. While ACA recognises some of these may be used incorrectly by those not experienced all of these should not be banned.

With this in mind ACA strongly recommends the deletion of Clause 14 (and subsequently Section 37A) as there is provision provided by and is already enforceable using the existing offence under Section 18(2)(a). Should proper public and stakeholder consultation result in further amendments in the future, ACA would consider those.

For compliance and enforcement of the Act, does not support this being carried out by the RSPCA QLD, and we strongly recommend the inspectorate be placed with the Department of Agriculture and Fisheries. The RSPCA QLD and across Australia has time and again proven they are not the appropriate organisation to carry out this task – one which must place animal welfare and higher welfare outcomes above profit and prosecution – one where the animals needs must come first.

Should our recommendation not be supported by government and regardless where the inspectorate are situated, ACA supports the enhanced accountability provisions of the inspectorate. We reinforce our support for restrictions of entry by the inspectorate, particularly with regard to any land used for residential purposes, whether or not such land is also used for commercial purposes.

ACA recommends an appeal process to the chief executive (or delegate) is implemented to provide oversight and a reasonableness mechanism for persons who disagree with compliance decisions made against them. We recommend all prosecutions are under the direct control of the chief executive and performed by a government employed delegate.

Animal Care Australia would like to thank the QLD State Development & Regional Industries Committee for providing us with the opportunity to provide feedback for this Inquiry, and we welcome your questions.

Kind regards,

Michael Donnelly
President, Animal Care Australia.
0400 323 843