



# REVIEW OF QUEENSLAND'S ANIMAL CARE AND PROTECTION ACT 2001



The Queensland Government is reviewing the *Animal Care and Protection Act 2001* ("ACPA") and is seeking views from the community. The ADO hopes you will have your say about what you think should be reformed.

*Have your say!*

**COMMENTS DUE:**  
midnight  
Friday, 21 May 2021

**You can write a submission  
to the Review.  
Find out more here:**  
[daf.engagementhub.com.au/  
animal-welfare](https://daf.engagementhub.com.au/animal-welfare)

**Make sure you read the  
Discussion Paper!**

This information sheet contains our views on some of the subjects in the review's Discussion Paper to give an idea of issues that could be raised.

## 3. PURPOSES OF THE ACPA

The ADO disagrees that the current purposes of Queensland's ACPA are suitable. The ACPA should recognise that animals are sentient beings and have intrinsic value, as in the ACT's *Animal Welfare Act 1992* (s4A(1)).

## 6. REGULATED SURGICAL PROCEDURES

The ADO disagrees that the current list of surgical procedures restricted to veterinary surgeons is adequate. Castration and mulesing are very painful procedures usually performed by farmers without pain relief or anaesthetic. These practices should be done only by veterinarians in the interests of the animal and with ongoing pain relief.

## 7. POSSESSION/USE OF TRAPS OR SPURS

The ADO disagrees that the current provisions for traps and spurs are adequate. In our view, the possession and use of steel-jawed traps should be completely banned as in other places such as NSW.

## 9. USING ANIMALS FOR SCIENTIFIC PURPOSES

The ADO agrees that the scope of when an animal is considered to be used for scientific purposes should be expanded to include the two additions proposed in the Discussion Paper.

The ADO would change the provisions in the ACPA relating to the scientific use of animals to require that all projects using a laboratory animal must consider rehoming the animal at the end of the project.

## 11. COMPLIANCE AND ENFORCEMENT

The ADO agrees that Penalty Infringement Notices ("PINs") should be introduced as a compliance option for first-time offenders in low-level offences, if the only other enforcement option is prosecution.

## 13. ESTABLISHING APPROPRIATE PENALTIES

The ADO agrees that the maximum penalties for animal welfare offences under the ACPA are appropriate in that they are substantially higher than anywhere else in Australia. However, there is always room for improvement and to increase penalties in line with community views and expectations. This is particularly the case for offences other than 'animal cruelty' such as breach of duty of care (s17), participation in prohibited event (s21), and live baiting (s32).

## 4. PROHIBITED EVENTS

The ADO agrees with the list of events already prohibited, but believes it could be expanded to include:

- A *complete* ban on releasing animals from captivity in order to be hunted (ACPA s20(1)(d)).
- All rodeos as in the ACT; or at the very least, the rodeo event known as 'calf roping'.
- Circuses with exotic animals as in the ACT.
- Dolphin and orca displays should be banned.
- Jumps racing should be explicitly banned.

## 8. DOGS

The ADO disagrees that the current offence relating to the use of dogs to kill or injure another animal is adequate. Pig dogging is a highly aggressive form of hunting and should be an offence. It is banned in the ACT as a prohibited violent animal activity.

The ADO disagrees that the current offence relating to confining a dog is adequate. Tethering dogs should also be an offence, unless for a short period when the carer is in attendance.

The ADO suggests that it should also be an offence to use shock collars and prong collars on dogs, as elsewhere in Australia.

The ADO also suggests the prohibition on baits or harmful substances under s36 of ACPA should be extended to 1080 poison baits (used to poison wild dogs and other animals).

## 10. INSPECTORS

The ADO disagrees that it is appropriate for the Queensland Government to authorise private charities (eg RSPCA) to enforce the ACPA. This function should be given to a government funded body such as a specialist unit within the police, or an

Independent Office of Animal Protection to ensure adequate independence from animal use industries and at least the same levels of accountability and transparency as apply to public servants.

