



**Hon Tim Mulherin MP**  
Member for Mackay

Reference 04585/11



**Queensland  
Government**

**Minister for Agriculture, Food  
and Regional Economies**

**- 9 JUN 2011**

Mr Neil Laurie  
The Clerk of the Parliament  
Parliament House  
Corner Alice and George Streets  
**Brisbane Qld 4000**

Dear Mr Laurie

Thank you for your letter of 13 May 2011 concerning Parliament of Queensland petition number 1672-11 concerning animal cruelty and sentencing.

The following wording is provided as the ministerial response for tabling, responding to the principal petitioner and publishing on Parliament's website.

I acknowledge the concerns of the petitioners. However, it is important to note that government, while able to determine penalty provisions in legislation, cannot dictate to the judiciary how they are to sentence. The courts have the full responsibility in determining what sentences to impose.

I acknowledge that incidents such as the ones identified are of great concern within the community. Please be assured the Queensland Government is committed to ensuring that all animals in Queensland have appropriate standards of welfare. Acts of animal cruelty will not be tolerated and significant penalties are in place under the *Animal Care and Protection Act 2001* (ACPA). The ACPA is one of the world's most advanced pieces of animal welfare legislation and affords high levels of care and protection to all animals in Queensland.

The ACPA has significant penalties compared to equivalent legislation in other Australian states and territories and maximum penalties were increased in January 2009. A breach of the duty of care provisions or unreasonable abandonment or release of an animal can potentially result in a fine of \$30,000 or one year imprisonment. A breach of cruelty can potentially result in a fine of \$100,000 or two years imprisonment. The fines for a corporation can be up to five times these amounts.

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Further, the Queensland Government has recently announced its intention to introduce a new offence of serious animal cruelty, with a maximum penalty of seven years jail, which will apply to anyone who intentionally inflicts severe pain or suffering on an animal.

If you require any further information regarding this matter, please do not hesitate to contact Nicole Seils, Acting Principal Advisor in my office on 07 3239 3000.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Tim Mulherin'. The signature is written in a cursive, flowing style.

**TIM MULHERIN, MP**  
**Minister for Agriculture, Food**  
**and Regional Economies**  
**Member for Mackay**