

PETITION

**To: The Honourable Speaker and Members of
Legislative Assembly of Queensland**

THE PETITION OF RESIDENTS of the State of Queensland draws to the attention of the House the issue of the lack of justice as far as it relates to cruelty of animals.

Your petitioners therefore request the House:

- a. that there be truth in sentencing in respect of cruelty to animals
- b. proper evidence gathering take place in respect of alleged offences that involve cruelty to animals
- c. the Police and other prosecuting authorities be properly resourced and trained in respect of prosecution involving cruelty to animals
- d. the Police and other prosecuting authorities work in closer co-operation the R.S.P.C.A.

Principle Petitioner



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It's Just Not Good Enough!

When are the judiciary going to take animal cruelty seriously?

Shetland pony abusers avoid jail

Christine Flatley

March 15, 2011



Elf the Shetland pony recovers after being dragged behind a car on Christmas Day.

A man and a youth who severely injured a Shetland pony when they dragged it behind a car near Toowoomba in Queensland on Christmas Day have avoided jail terms. Zachery Hudson, 17, and Andrew Christopher Cook, 33, both of Murphys Creek, pleaded guilty in the Gatton Magistrates Court today to animal cruelty. Hudson received two years' probation with no conviction recorded, while Cook was given a three-month wholly suspended jail term, with a conviction recorded. The pair was charged after tethering the pony, dubbed Elf by RSPCA staff, to a car with a rope and dragging it along Murphys Creek Road, near Toowoomba. Elf's horrific injuries included severe abrasion wounds, some of which exposed its leg joints, and severely damaged and bloodied hooves. Vets initially thought they would have to put the pony down but it made a remarkable recovery.

RSPCA spokesman Michael Beatty said the organisation was disappointed with the men's punishment, but added that the magistrate was bound to follow sentences in other comparable cases. "We're obviously disappointed in the actual sentences," he said today. "We feel that the sentence didn't stand up to community expectations."

The attack on Elf was one of a number of sickening cases which had prompted the government to increase the maximum penalty for serious animal cruelty. The state's criminal code will be amended to create a new serious animal cruelty offence carrying a maximum seven years' jail, increasing the penalty from the current two-year maximum, Queensland Premier Anna Bligh said yesterday.

Elf's case has been followed closely by animal lovers via the RSPCA's Facebook page. The pony is likely to be adopted by a charity which uses horses to educate and build self-esteem in disadvantaged young people. Cook and Hudson have been ordered to pay \$3820 each in compensation, which will go to the equine surgery which cared for Elf.

Court frees Texan horse flogger amid calls for his deportation

Samantha Healy *The Sunday Mail (Qld)* March 20, 2011



NO HORSE WHISPERER: Texan Hugh Meixner leaves Townsville District Court with his legal team after successfully defending an appeal against an increase in his sentence for animal cruelty. Picture: Cameron Laird Source: The Sunday Mail (Qld)

COMMUNITY calls for a Texan musterer to be deported have intensified after he escaped a jail term last week for flogging a horse so badly it had to be put down.

Nearly 2800 people have signed an online petition calling for the deportation of Texan migrant Hugh Frank Meixner, 48, after he was convicted of animal cruelty for repeatedly striking a horse called Storm with a lariat after she refused to enter a truck for transport to Charters Towers in 2010. The case sparked widespread anger after Meixner was given a two-month suspended sentence after pleading guilty in a Bowen court in October last year.

In the Townsville District Court last Thursday, the prosecution argued the sentence was inadequate and requested to introduce photographs of the injuries to the horse as new evidence. But defence lawyer Harvey Walters said the sentencing magistrate had given "due weight to the matter" and had not treated the matter lightly. "He (Meixner) entered an early plea of guilty and in my opinion has shown remorse," he said. Townsville District Court Judge Stuart Durward denied the prosecution request and upheld the original sentence, dismissing the appeal.

RSPCA Queensland spokesman Michael Beatty said he was disappointed the sentence was not increased on appeal. "This just once again shows that the judiciary are totally at odds with community expectations," Mr Beatty said.

Court documents show Meixner, who migrated to Australia in 2004 on a 457 visa to work with horses, has a three-year-old child and no previous criminal history. The documents state he said to the horse's owner, Ian Carbis: "Don't go and look at her now, you won't recognise. If you had a look at her now, you'd bash me." The horse's injuries after the July 9 incident included swelling to the head, lacerations, grazes, welts, rope burns and internal injuries. The mare was eventually euthanased on August 11.

