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# SUBMISSION TO THE SENATE AND REGIONAL AFFAIRS AND TRANSPORT COMMITTEE

## VOICE FOR ANIMALS (INDEPENDENT OFFICE OF ANIMAL WELFARE) BILL 2015

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We were known as **WSPA**  
(World Society for the  
Protection of Animals)

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## **ABOUT WORLD ANIMAL PROTECTION**

World Animal Protection is one of the world's leading animal welfare organisations, and has been protecting animals around the world for over 50 years. We passionately believe that animal welfare matters. We uncover and oppose the exploitation and suffering of animals. We believe animal cruelty must end, whether that is animal is in the wild, living in the community, caught up in a disaster, or being farmed.

We work in over 50 countries, collaborating with local communities, NGOs and governments to passionately, responsibly and sustainably change animals' lives for the better. We also act for animals at a global level, using our United Nations consultative status to give them a voice and put animal welfare on the global agenda so we can demonstrate that what's good for animals is good for the world.

We are an ambitious and growing organisation which employs over 380 people across the world, including campaigns, veterinarians, media, fundraising, operations, finance and administration staff.

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Firstly World Animal Protection would like to share our appreciation for the opportunity to provide a submission to the Senate Rural and Regional Affairs and Transport Committee in relation to the *Voice for Animals (Independent Office of Animal Welfare) Bill 2015*.

World Animal Protection endorses the bill and commends Senator Rhiannon for introducing legislation to address this important public concern. Within this submission we have made additional recommendations for the Bill.

### **New frameworks are needed to progress national animal welfare policy**

In Australia we have stewardship responsibilities for the lives and welfare of over 76 million sheep, 29 million cattle, almost 99 million chickens, and 2 million pigs, not to mention companion animals and more (ABS 2012-2013). As a major animal producer, the enormity of our stewardship responsibilities are felt deeply by the Australian community and expectations for their level of care are growing. As a result, retailers are recognising the business benefits of good animal welfare and are increasingly marketing higher welfare produce, as well as starting to remove some of the worst practices from their product lines. A well-co-ordinated national regulatory environment for animal welfare is needed to support that trend.

Recently Australia was marked down in the global [Animal Protection Index \(API\)](#) largely due to the removal of Commonwealth funding for the Australian Animal Welfare Strategy (AAWS) and the dismantling of national consultative frameworks in 2013.

These frameworks saw the Commonwealth government facilitate and coordinate the development and review of animal welfare standards and codes of practice that are implemented by the states and territories. Today, the Animal Welfare Task Group meets to discuss animal welfare policy however it is comprised only of Commonwealth, state and territory officials, with no channel for community or expert consultation and without the Commonwealth providing funding or playing a coordination role.

A lack of national leadership and coordination for animal welfare let Australia down in the API scoring, as this was seen as a barrier for improvement for many of the indicators. To restore this coordination function and Australia's position as a leader in animal welfare, World Animal Protection is calling for the establishment of an Independent Office of Animal Welfare at the federal level.

### **What benefits would an Independent Office of Animal Welfare bring?**

1. Safeguard Australia's reputation and investment opportunities, by keeping pace with international benchmarks

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An Independent Office of Animal Welfare would provide a platform for objectively assessing and consulting on standard setting to keep pace with best practice.

Farm practices are increasingly considered and scrutinised by consumers, investors and other stakeholders, and internationally tools like the [Business Benchmark on Farm Animal Welfare](#) are making it easier to do so. These and other indicators like the [Animal Protection Index \(API\)](#) are also publicly available to a range of stakeholders, including major asset owners who are beginning to incorporate animal welfare into investment policy. Government needs to provide a regulatory environment that keeps pace and supports progress.

Whereas, the pace of animal welfare improvement in Australia is likely to stall without reinvigorated and active Commonwealth leadership and coordination. It has already taken five years to develop updated standards and guidelines for sheep and cattle. Cruel practices that were allowed by animal welfare codes in 2002 are still allowed in 2015. For example the poultry code allows layer hens the space of an A4 piece paper for their entire lives. Tail docking piglets can still be carried out without pain relief.

Standard setting is also needed to provide rigour to claims such as free range that are made in response to consumer demand for higher welfare and to avoid disputes leading to arbitration by such bodies as the Australian Consumer Competition and Consumer Commission (ACCC).

In other parts of the world national animal welfare frameworks are being invested in and restructured. In particular there is a movement of countries transferring animal welfare departments out of agencies where it is a secondary responsibility to either a new or an existing agency that does not possess a conflicting organisational priority. The EU is an example of this, having transferred some responsibility for animal welfare to the Directorate-General for Health and Consumers. New Zealand has its National Animal Welfare Advisory Committee - a *statutory* committee advising the Minister, and more historically India's Animal Welfare Board - a statutory advisory body advising the Government is another example.

A dedicated statutory Office, with its independence protected and providing leadership and coordination in our federal system and working to progress our animal welfare standards in line with international benchmarks and trends, would safeguard Australia's reputation and investment opportunities.

## 2. Eliminate conflict of interest and provide a channel for community involvement

With the Commonwealth stepping back from domestic animal welfare issues, a further shift towards industry bias is likely. The Animal Welfare Task Group (AWTG - successor to the AAWS Animal Welfare Committee) was established to oversee the development of national animal welfare policies. The AWTG is comprised of officials from the Commonwealth, state and territory governments at Deputy Secretary level. There is no NGO or public interest representation which risks industry dominance over standards and guidelines, particularly within agricultural sectors. The current structure inhibits animal welfare

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groups and the community from providing input on animal welfare issues and the development of standards.

An Independent Office (as structured below) would address perceived and real conflicts of interest in current animal welfare administration and provide an avenue for more balanced decision making and community involvement. Its independence and balance would help increase public and consumer confidence in the national administration of animal welfare.

### 3. Ensure public funds are used more efficiently and effectively

The current animal welfare system does not represent an efficient nor effective use of public funds. There is a lack of defined roles, responsibilities and formal agreements between state, territory and Commonwealth Governments. The system is unnecessarily complex and has process duplications that result in an inefficient use of resources. The Office would address inefficiencies in the current system and reduce and remove unnecessary financial costs.

### 4. Reduce risk by being proactive instead of reactive

A lack of alternate viewpoints can lead regulators to underestimate risks within the environment they are regulating, as their views are partial to one perception of reality (McDonnell, 2011). With a dedicated Office, a more proactive, harmonious and effective way for industry and animal protection groups to work together could be instilled.

Rather than law suits going back and forth, or mass disruption after issues are uncovered, the Commonwealth could proactively facilitate productive discussion and collaboration. This would ensure a more balanced view which would remove perception biases, and reduce business risk.

### 5. Ensure animal welfare policy is based on independent, reputable science

An issue related to the standard-setting process is the development of science upon which standards are supposed to be based. The degree of influence and control exerted by industry funded Research and Development Corporations (RDCs) has raised concerns within the scientific community. RDCs give the largest proportion of funding to research, funded by industry levies that are matched dollar for dollar by the Commonwealth government.

Professor Clive Phillips (2011) stated that due to funding pressures, 'some (researchers) may be tempted to undertake work that has the objective of confirming that the status quo does not damage animal welfare...' Research by van der Schot and Phillips (2012) supports this claim, finding authors' assessments of animal welfare tend to support the interests of the funding agency.

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A dedicated Office would ensure funding is reserved for 'animal welfare science' that would support substantive improvements to welfare standards, not just industry productivity needs.

### **World Animal Protection recommends the following role and structure of the Independent Office of Animal Welfare**

To be effective, we believe Commonwealth administration on animal welfare should:

- be created to lead and coordinate animal welfare policy, by undertaking an advisory and standards setting role
- not have a conflict of interest, nor be subject to regulatory capture
- enable democratic legitimacy for animal welfare by achieving an equitable balance between commercial and community interests in standard setting
- work cooperatively with the states and territories to coordinate and harmonise animal welfare policy, legislation and compliance across the country
- provide better and more cost-effective animal welfare outcomes that are science-based, internationally recognised as best-practice, and meet community expectations that all animals must be treated humanely

Key processes to be handled by the Office should include:

- development and progression of the animal welfare Standards and Guidelines (S&G)
- development and progression of general animal welfare policy under the Australian Animal Welfare Strategy (AAWS)
- provision of expert advice on animal welfare matters to the relevant Minister and Australian Parliament
- reviewing and monitoring of animal welfare responsibilities that fall to the Commonwealth and to undertake inquiries and prepare reports on these matters

The Office should:

- be an independent statutory authority, established by enabling legislation
- have an independent CEO and Chair, people with recognised authority and independence on animal welfare matters
- provide reports to the relevant Minister that are tabled in parliament
- include specialist policy, legislative, investigative and administrative support staff

Whilst we would support the Greens structure in relation to the standard setting committee, World Animal Protection believes the Office should be underpinned by an advisory and standard setting committee, consisting of:

- members representing the Commonwealth, States and Territories

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- members representing industry interest, 1 for each production animal group; 1 for companion animals; 1 for aquatic animals; 1 for animals in the wild; 1 for animals in sport/on display; 1 for animals in research
- members representing community interests - for each production animal group referenced above and one each for companion, aquatic, wildlife, sport and research.
- members representing academia and the law
- expert scientific and technical members

### Conclusion

Without national leadership, community consultation and balanced dialogue, progress on animal welfare is at risk of stalling. World Animal Protection supports the establishment of an Independent Office of Animal Welfare to fill this void and help to reinstate a leadership position for animal welfare. World Animal Protection would welcome the opportunity to discuss this submission further with any of the senators.

### References:

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