December 2005

The Secretary
Senate Standing Committee on Rural and Regional Affairs and Transport
Parliament House
CANBERRA ACT 2600

Animals Australia submission to the inquiry into the National Animal Welfare Bill 2005

Animals Australia (AA) welcomes this opportunity to provide its view on the National Animal Welfare Bill 2005 (NAWB).

General Comments:

We welcome the provision of this Bill for debate and eventual adoption by the Senate.

Such legislation is needed to 'plug the gaps' that have occurred in regard to the welfare of animals on Commonwealth land and institutions (airports, Department of Defence land, Commonwealth research institutions etc), and to ensure that a consistent standard of welfare prevails regardless of State and Territory borders. This national initiative is sorely needed. Australians care about animal welfare, and the welfare of millions of animals can be enhanced by this Bill.

AA also welcomes many of the provisions of this Bill which, once enacted, will increase transparency, increase the monitoring of animal welfare, involve greater data collection and reporting, lead to consistency of standards, and improve standards of keeping and treatment of animals.

Interaction with Australian Animal Welfare Strategy (AAWS):

It is the strong view of AA that the provisions of the NAWB will assist with the 'delivery' of the objectives of the AAWS.

AAWS Goal 1
- *Achieve an enhanced national approach and commitment to ensure high standards of animal welfare based on a concise outline of current processes.*

And under that Goal –Activity 4 suggests:
Promote the adoption of a harmonised approach to the development and application of clear, contemporary, adequate and consistent animal welfare legislation and codes of practice across all state, territory and local government jurisdictions, for appropriate and agreed outcomes

AA believes that this Bill will assist specifically with this 'goal' and 'activity' and with other aspect of delivery of the AAWS.

It has been surprising to see that some stakeholders have suggested that the development of the AAWS has in some way negated the need for the NAWB; in fact the opposite is more accurate and it is timely that the NAWB is now drafted and available.

The **AAWS is merely a plan** (a framework), at best it is an indication of the structures needed and changes that should be undertaken to improve animal welfare in Australia; in itself AAWS does nothing to advance animal welfare. The **NAWB and other initiatives**, as set out in the AAWS draft 'implementation plan', and the detail which is to be devised by the six AAWS 'sectorial groups', **will be required** to actually deliver the changes that are required by the architects of the AAWS and desired by the broader Australian community.

Committee Terms of Reference:

We understand that the Committee is to consider **'whether a more consistent and enforceable national framework for animal welfare issues is required'**, in addition to considering the provisions and adequacy of the National Animal Welfare Bill.

It is our strong view that the current myriad of State/Territory animal welfare laws provides an inconsistent and inadequate framework to protect all animals. As stated above, the fact that the Australian Animal Welfare Strategy recognizes that work in this area is required, and gave it the 'highest' priority ranking (in its draft implementation plan), indicates that national animal protection law is required.

Advances in animal welfare are terribly slow in Australia, and this is for the most part due to there being no fewer than 8 jurisdictions which must consider and adopt long overdue changes. Even when change is agreed (miniscule though it may be) at the national level, as occurs through the Primary Industries Ministerial Council (formerly ARMCANZ), each jurisdiction must then go through its own processes. An example of the huge lag time is the decisions in regard to battery hens taken in August 2000 by ARMCANZ; still only three jurisdictions of the eight have enacted those changed through regulations – despite agreeing to do so five years ago. It is little wonder then that New Zealand (our closest neighbour, and trade competitor) is consistently said to have a superior animal welfare system - having a single jurisdiction to consider and enact animal welfare initiatives.

A comprehensive consideration of the inadequacies of the current State and Territory animal laws, and their monitoring and enforcement, is provided in the '**Voiceless'** submission (submission 15) to this Inquiry, and we refer you to that paper rather that repeat that detail here. However, in the following section (comments on specific clauses of the Bill) we will provide comments where appropriate relevant to the inadequacies of current arrangements.

Comments on Sections of the Bill:

Part 1: Preliminary

Section 2. Commencement

(2) It is not clear why Section 81 (relating to certain scientific tests) should be delayed in its implementation. There are already validated alternatives for each of the Draize eye irritancy test, LD 50 and similar tests, and the use of animals to test cosmetics in Australia would not even now be in accord with the enforceable Code of Practice for the Care and Use of Animals for Scientific Purposes (i.e. it would be unjustifiable and unnecessary and therefore not permitted by an Animal Ethics Committee). This **section 2 (2) should be deleted** to enable S 81 to be enacted at the same time as the other Sections.

Section 3: Purposes of Act

The Bill, in its current form, reinforces the current paradigm that animals are only property (no different to an inanimate object) and therefore have no intrinsic rights.
The Purpose should be reworded to recognise that animals have intrinsic value and have a <u>right</u> to responsible care and use, and to protection from cruelty.

S3 (a) (ii) should read 'prohibit the capture **or** killing…' to ensure that either capture or killing alone, or both, are covered in the 'Purpose'.

Definitions: Some of the words used in the 'Purpose' and elsewhere in the Bill are not defined. For example, what is 'pain' for the purpose of the Bill (it is defined for Part 8 only, at S96) – does it include distress? What is 'cruelty'? What is "wildlife" – does it include introduced wild animals? All of these terms and others require definition in Schedule 2 of the Bill.

S3 (c): Whilst it may be necessary in some sections or specific provisions of the Bill to provide catch-all defences such as 'necessary', 'reasonable' and 'justifiable', it should <u>not</u> be necessary in the Purposes. Surely the **purpose** of the Bill should be to protect animals from pain, per se. It may not always succeed in doing so, but that should be its purpose.

Section 4: How purposes are to be primarily achieved

S 4(a) and (b) This section refers to Codes of Practice and proposes that Codes of Practice will be regulated and compliance required. The likely motivation for the inclusion of those clauses is welcomed, i.e. an acknowledgement that the current Codes system is not providing any benefit to the animals intended to be covered. However, AA believes that animals in Australia would be benefited only by the total deletion of Codes from the current purported system. [The only exception to this would be the current fully regulatory Code for the use of animals in scientific procedures (see comments under Part 8].

Codes of Cruelty: The current codes for both agricultural animals and for unwanted native (e.g. kangaroos) and introduced wildlife (i.e. 'feral' animals) essentially sanction cruelty through the current systems in each of the States and Territories.

Existing Codes of Practice provide both public defences (animal users purport that as a Code exists, they *ipso facto* conform with good practice) and specific legal exemptions to cruelty

allegations or offences, and thus deny those animals the legislative protection afforded to other animals (e.g. companion animals). The current Codes in fact describe and thus enable (through the legal exemptions) practices that would otherwise be considered cruel under the general provisions of animal protection legislation. To keep a dog in a manner that you are permitted to keep a breeding sow, for example in a 'dry sow stall' for 16 weeks where she cannot even turn around, would be a cruelty offence. The only difference is the existence of the Model Code of Practice for the Welfare of Animals – The Pig which describes this system.

A selection of things that can be done only because they are described in a Code of Practice:

- Castration of 'farm animals' without anaesthetic
- Cutting the toes off emu chicks without anaesthetic
- Cutting the teeth of piglets without anaesthetic
- De-horning of adult cattle without anaesthetic
- Hot iron branding of cattle without anaesthetic
- De-beaking of chickens with a hot iron without anaesthetic
- Transporting cattle can be for up to 48 hours, and up to 30 hours for sheep
- Giving hens less than the equivalent of an A4 page/space, no perch, no nest, no peace
- Allowing pregnant sows just a cement stall, where they cannot even turn around
- Allowing sows to give birth and nurse piglets in farrowing crates (even smaller) for another 4 weeks
- Mulesing sheep (cutting the skin from their behind, with no analgesia)
- Flank spaying of adult cattle (without analgesia/anaesthesia)
- Tail docking of adult (dairy) cattle, lambs, piglets (without pain relief)
- Raising of meat chickens at about 20 birds per square metre

N.B. is should be noted that State and Territory animal protection legislation also exempts (fails to protect) whole classes of animals – e.g. recreational and commercial fishing, wildlife (including destruction permits and recreational open shooting seasons) and 'feral' or 'nuisance' animals which come under specific Acts – but rarely include welfare requirements

In addition there is negligible monitoring and an unknown level of compliance of commercial animal industries (particularly of farming enterprises) even with these (unacceptable) Codes of Practice. A system which permits legislative inequities that are scientifically and ethically unjustifiable and in conflict with the standards of accepted care as defined by the purpose in state animal welfare legislation, should not be considered acceptable by government, industry, welfare groups or the community.

A full account of the problems of the current 'Code of Practice' system has been provided as a submission by Animals Australia to the current 'Neuman' review of Codes of Practice in Australia. It can be provided to the Committee if required.

Due to the inadequate nature of Codes of Practice, and the cruelty that they permit, AA cannot support these sections 4(a) and (b), and instead believe that all practices should simply be measured against the general cruelty offences of the State /Territory legislation, and of Division 3 of this Bill.

S5. Application of the Act
S5(1) The provision should also apply to all animals at sea or in the seas of Australian waters.

7.Act to bind the Crown
S7 (2) – It is not clear why the Crown shall not be liable to be prosecuted for an offence. Without some reasonable explanation, we could not support this section. If an animal has suffered in a manner which offends against this act, then action should be taken.

10 Constitution of Authority (the National Animal Welfare Authority)
S10 (3) It is likely to assist with consistency and experience if a longer period is permitted for the term of a chair of the Authority – i.e. a 12 month appointment with the option of a single further term.

17 Powers of inspectors – general powers
S17 (2) Random inspections of animals should be permitted without prior notice.

Division 2 – Entry to places other than vehicles
S18 (1) Power of Entry
This section appears to contradict the earlier general powers of inspectors to randomly inspect animals at a premises – here either a warrant or a 'reasonable suspicion' of animal suffering, injury, imminent death etc. is required. This would mean the intent of the Bill – to enable routine inspections to monitor the welfare of animals would not be possible.
This must be altered to reflect the ability for random and unannounced visit by inspectors. Without this power the Bill will not achieve its purposes.

19 Limited entry to provide relief to animal
S19 (1) (a) (i) An animal suffering from extreme heat or cold should also be grounds for an inspector to enter.
S19 (1) (b) Provision must also be provided in some part of the Bill for access to a residence, otherwise a person may move an animal to that area to avoid detection and charges.

Division 4: Powers for entry to all places, Section 33: General powers.
S33 (i) This section allows an inspector to brand, mark, tag or otherwise identify an animal but not so as to damage or disfigure it. Identification by a method that causes pain or distress, even if it does not injure or disfigure the animal, should also be excluded.

Division 5: Seizure and forfeiture, Section 39: General power to seize evidence
This section treats a seized animal exactly the same way as a seized thing, rather than as a sentient being.
AA suggest it would be more appropriate to have entirely separate sections relating to the seizure of animals and the seizure of things (for evidence). This is an opportunity for the Bill to begin the reclassification of animals as beings having intrinsic rights, rather than as 'things' having no rights.

This Division also needs a section providing provisions to protect the welfare of a seized animal that may constitute evidence.

Section 41: Seizure for welfare of animal
S (1) (a) (iii) refers to 'undue pain'. It is not clear, nor defined elsewhere, what undue pain is. 'Due' implies 'owed' and this is inappropriate when the vast majority of animals rely totally on humans in regard to their treatment and it is difficult to imagine any circumstances in which any animal is owed pain.

It may be more consistent to use the words 'unreasonable', 'unjustifiable' and 'unnecessary' as used in the 'Purpose'.

Part 3: Inspection, Division 5: Seizure and forfeiture, Section 49: Return of seized animal

Subsection 49 (2) needs an additional clause allowing the inspector not to return the animal if the inspector reasonably believes the animal's welfare would be at risk if the animal were

returned to its owner. Subsection 49 (2) (e) is obviously intended to cover this possibility but it does not do so adequately. Even though an animal welfare order may have been complied with, there may be other risks to the animal if it is returned to its owner.

Part 3: Inspection, Division 5: Seizure and forfeiture, Section 54: How animal or property may be dealt with

Again, AA suggests separating the treatment of the animal from the treatment of property.

This Section also needs to ensure that the Commonwealth or the inspector should not deal with the animal in a way that causes it pain or otherwise compromises its welfare.

Part 3: Inspection Division 6: Animal welfare directions, Section 58: Power to give animal welfare direction

Subsection 57 (1) (b) (ii): Again suggest replacing "undue pain" (see section 41 comments).

Suggested new section 57 (3) – Tasmania has a clause which would assist to prevent a situation deteriorating to the point where animals suffer significantly:
*7 – A person… must not use **a method of management of the animal which is reasonably likely to result in** unnecessary, unreasonable or unjustifiable pain or suffering to the animal.*

AA recommends this concept be included in the Bill.

Part 4: Animal welfare offences, Division 1: Breach of duty of care, Section 64: Animal cruelty prohibited

Subsection 63

The suggested penalty is very low and should be increased significantly.

As suggested above – the Tasmanian 'management of animals' clause should also be used here – see Sect 57 above.

Subsection 64 (1)
The penalty units here are again low – in comparison the EPBC Act has penalties for taking action that does or is likely to impact on endangered species (not necessarily killing them) is up to 5000 penalty units.

Subsection 64 (2) (f) (iii)
Several State statutes (e.g. Victoria, Western Australia) add the important element – confines or transports .. an animal in a manner that causes, **or is likely to cause** injury, pain….
The 'likelihood' clause can play an important role in preventing suffering and should be used in this context.

Subsection 64 (2) (g): We suggest adding a clause making it an offence to kill an animal unnecessarily or unreasonable or unjustifiably – irrespective of whether the killing causes pain. The NSW PoCTA has such a provision and the amendments to the ACT Animal Welfare Act currently before the ACT Legislative Assembly will introduce a similar provision.

Subsection 64 (2) (h) (iii): It is not clear why the proposed prohibition on breeding female dogs "without sufficient rest between litters" applies only to the first estrus cycle (and this appears nonsensical anyway, given it relates to only one cycle).

AA also suggests the word "overbreeding" be replaced by "breeding". The purpose of this clause seems to be to define "overbreeding" in relation the intentional breeding of dogs. The current wording may allow a breeder to argue they were breeding from every estrus cycle but were not 'overbreeding' because the particular bitch was fit and well and capable of coping – and therefore undermine the intent of the law.

Subsection 64 (2) (l): AA suggests the words "or cause them to be killed" be added to the end of this clause.

65 Alleviation of pain
Subsection 65 (2): This seems an entirely separate issue to 65 (1) and would be better with it's own heading to ensure it is easily understood.

Part 4: Animal welfare offences, Division 3: Prohibited conduct, Section 69: Releasing an animal for injury or killing by a dog

Why only a dog? It should be an offence to release **an animal** to be injured or killed by **any other animal**.

Part 4: Animal welfare offences, Division 3: Prohibited conduct, Section 73: Baits or harmful substances

This section does not make it a specific requirement that baits may only be laid if an assessment has been made that they are justified in the circumstances, and that the most humane and effective method is to be used. This should be the basis for the action, and the requirements of 73 (1) (a) – (d) would then form the conditions if a program is deemed necessary.

The authorised exceptions apply to the administering of a poison to an animal but not to the laying of poison baits. Indeed 73 (1) (b), (c) and (d) would seem to apply to the laying of baits rather than to the administering of poison to an individual animal. This needs review to indicate the real intent.

This Section should also **require detailed and independent monitoring** of baited areas after baiting to determine which species and numbers of animals have taken the bait. The current section 73 (3) should be expanded to ensure the independence of the audit.

Sections 75 through to 78 refer to specific surgical mutilations undertaken. AA suggests a general clause prior to these sections making it an offence to undertake a surgical intervention on an animal for purely cosmetic purposes.

Section 77: This section as currently written is insufficient – there must as a minimum be evidence of two or more separate parties significant nuisance complaints, and a specialist veterinary report that no training or other measures can reduce the nuisance issues.

Section 78 (2): Cat's can be prevented from physical access to native wildlife and so AA rejects this 'reason' for declawing, and recommend it be removed.

Part 4: Animal welfare offences, Division 3: Prohibited conduct, Section 81: Use for certain scientific purposes unlawful.

The prohibition on testing of cosmetics and sunscreens is welcomed, but there are other purposes for which researchers are known to use animals that should also be prohibited (with the full support of the general public). For example: household cleaners and other household products, weapons testing and motor vehicle accident testing.

The Bill would also benefit by stipulating that where a protocol is likely to cause pain to an animal, some form of anaesthesia or analgesia must be used.

As stated earlier – it is not clear why this section is only to be enacted in 2010. This should not be delayed in its enactment.

Part 4: Animal welfare offences, Division 4: Prohibited events, Section 82: Meaning of prohibited event

Subsection 82 (f): AA suggests deletion of the word "public" from this subsection. There should be no distinction and the risk is that it could be interpreted that people may be permitted to cause pain for private entertainment or enjoyment.

Rodeos: Rodeo events such as calf roping, bull riding, buck jumping (horses) and steer wrestling all cause great stress, distress and often injury and even death to the animal competitors. Given they are held primarily for entertainment, they cannot be justified and should be banned in Australia.

If and whilst some rodeo events and practices continue, it should be understood that some events pose a higher risk than others. AA therefore recommends that this Bill as a minimum:

- Prevent 'calf' roping by the prohibition of any animal under 200kg from taking part in a rodeo (such as under the Victorian POCTA); and
- Prohibit the use of electric prods at rodeos. The use of the electric prods is totally inappropriate at an event which is conducted for entertainment purposes, and at many rodeos our colleagues have documented the routine use of these devices, often outside even the current guidelines. If prods are available, then the temptation to use them continually leads to added stress and distress to the animals – only a prohibition on their possession at a rodeo can improve this situation.

Part 4: Animal welfare offences, Division 5: Regulated conduct, Section 86: Feral animals or pests

AA has concerns about this entire section. The proposed defences for breaches of the cruelty provisions in relation to these animals are already more than fully covered by the general defences of "reasonable", "justifiable" and "necessary". Singling these animals out for additional and more specific exemptions from the cruelty provisions reinforces the notion that they, and their welfare, are somehow of less intrinsic value than currently "owned" animals, or native animals, or animals whose ancestors have never been domesticated. These animals are equally able to suffer pain and distress.

If this section is retained (and AA believes it is unnecessary and reduces the worth of the Bill), the definition of "feral" for the purposes of the Bill is acceptable, although we would prefer that the term is omitted altogether as it is emotive, generally misunderstood and usually misleading.

The first part of the definition of “pest” should be deleted. It has the effect of exempting any introduced wild animal from the protection of the Bill. Additionally, because some animals of the same species are owned and some are not owned, it allows a potential defence for the harming of an individual member of the species, irrespective of whether the individual is living in a wild or domestic situation.

Part 4: Animal welfare offences, Division 5: Regulated conduct, Section 87: Animals used to feed another animal

This section is confusing as it provides a defence for an offence that has not specifically been proposed as an offence. Before the conduct is regulated, the Bill should clearly make it an offence to feed a live animal to another animal. This conduct has not been identified as an offence elsewhere in the Bill, and does not automatically flow out of the general cruelty provisions.

A useful addition to this section would be to establish that species that do require live food will be established by regulation, and it will be an offence to feed live animals to any animal that is not on that regulated list. Many members of the public are currently (and mistakenly) of the view that many raptors and reptiles require live food. Research into this issue by the ACT Animal Welfare Advisory Committee was unable to identify a single animal for whom this is true – dead food will be accepted by all species known to be in captivity in Australia, provided it is offered immediately after being killed. In our view, even if people were aware of this provision of the Act, they would continue to commit the offence of feeding live prey to captive animals that do not require it, out of ignorance of the biological, rather than the legal facts. By defining by regulation any species that require live food, this Bill would help to remove that ignorance and spare untold numbers of animals the denial of their natural right to a chance of evading the predator – and protect the welfare of the prey animal.

An additional provision that could protect the welfare of animals used as live food for other animals (whether lawfully because an animal has been listed under regulation as needing live food, or unlawfully because the owner mistakenly believes the animal needs live food) is that the food animal be rendered unconscious before it is fed to the other animal. Humane methods of rendering unconsciousness would need to be determined.

Part 5: Live Exports

AA (along with every other animal welfare organisation) has a strong policy against the live export of animals. Live export would breach many of the cruelty provisions in this Bill. The export of animals causes additional handling and transport time, suffering en route (whether by air or sea), and inevitable extra handling and slaughter beyond the control of Australian authorities in overseas countries.

Nothing in the Bill should permit the export of animals for slaughter. We therefore make no comment on the detail of this section.

Part 8: Animals used for experimental purposes, Section 96: Definitions

It is not clear why the definitions used in this part apply only to this part rather than to the whole Bill. AA suggests, in particular, the definition of “pain” be transferred to the general definitions under Schedule 2.

Nor is it clear why the definition of “animal” is different for this section and the rest of the Bill.

Part 8: Animals used for experimental purposes, Section 99: Matters of responsibility

Subsection 99 (1): AA suggests that the Authority also be given the power to prohibit a particular experimental protocol on the grounds that it is unacceptably cruel.

Section 108 Management of pain: This is a general requirement and would be best placed earlier in this section, rather than amongst matters relating to licensing and enforcement – i.e. before section 99.

Schedule 1:
Objectives

The objectives refer only to "animals which are under the control of humans". There are many animals whose welfare this Bill attempts to cover, who are not under the control of humans but who are very much affected by human actions. Wild animals that are harvested, pursued, persecuted, accidentally harmed or otherwise affected by human actions (e.g. land clearing) should also be covered by the objectives of a national animal welfare system.

An 'objective to promote merely to 'reach an acceptable minimum standard' is surely not sufficient. As an objective the Bill should hope to provide a higher than minimal standard.

Schedule 1:
Roles and Responsibilities of the key parties
The Ministerial Council should not be drawn from those State and Territory Ministers who have responsibilities for primary industries/agriculture. They should be drawn from the jurisdictional portfolios which include animal welfare. Currently these portfolios are not the primary industries portfolio in each of South Australia, Western Australia, the Northern Territory and the ACT.

Further, it is our strong view that as there is a significant and enduring conflict of interest where jurisdictions, including the Commonwealth, include both animal welfare and the promotion of animal industries (Departments of Agriculture and Primary Industries) in their responsibilities. We urge each jurisdiction to reconsider the placement of animal welfare units **within neutral** Departments, and to ensure the expertise required is provided to those Departments in due course.

The Ministerial Council should therefore be made up of State and Territory Ministers **responsible for animal welfare**, and the Authority should also be situated within a neutral Commonwealth Government Department.

Schedule 2: Definitions

As mentioned above, "pain", "cruelty" and "wildlife" are not defined for the purposes of the whole Bill.

"Control" is also not defined.

The definition of "animal" should be consistent across the whole Bill.

The definition of "Animal product" is inadequate. An "animal product" for the purposes of the Bill could also include a product whose physical constituents were largely or wholly derived from a live animal (for example, bear bile).

"Destroy" should not include disposing of the remains of an animal. This would be counter to most people's understanding of the term. Additionally, we would argue that the term "destroy" should not be used to mean "kill" and should be deleted from the Bill wherever it is used to mean this. Animals are alive and when their lives are taken from them, they are killed. Where the dead body of an animal is disposed of, the term "dispose of" should be used. (For example, if the body is buried, it is not destroyed.)

"Humane method of slaughter" should include only methods where the animal is painlessly rendered insensible to pain. Rendering an animal unconscious prior to slaughter may ensure that it does not feel the pain of slaughter – but the animal may have already suffered terrible fear or distress in the process of being rendered unconscious.

"Use", where it refers to an animal, should include hunting or harvesting a wild animal, whether for recreation or with the intention of using it, or any part of it, for any other purpose.

"Vehicle". Should also include a road transport.

"Welfare" this definition must be expanded to ensure it includes both physical and mental (psychological) suffering.

Additional consideration:

An important addition to the Bill and/or the role of the 'Authority' would be the establishment and keeping of **a register** of State, Territory and national cruelty convictions under the National Animal Welfare Bill/Act, and particularly any banning orders (banning the ownership or charge of animals). Currently State and Territory convictions and banning order are either not available or not readily available to officers in different jurisdictions, and thus convicted persons can avoid orders by simply moving to a new jurisdiction. Even if then detected again (allegedly) offending, previous history and orders may not be known.

A similar situation was just recently rectified in Scotland by the establishment of a national register, and this initiative has been considered and recommended by the National Consultative Committee on Animal Welfare in the past. A NCCAW position statement (1997) states that *'In the case of a banning order there should be reciprocity between States and Territories for the period of the order'*, but this will not be effective unless a register is established.

Concluding Comments:

Animals Australia welcomes the introduction of the Bill, and the Senate inquiry process which has ensued.

With the exception of some of the specific comments made above, a Bill amended to reflect the constructive comments made, would be an important addition to the legislative framework in Australia. Our primary concerns (outlined above) with the current Bill (and similarly with existing State and Territory laws) relate to ensuring that all animals are treated in a way appropriate to their needs, and that commercial and other interests are not permitted to discriminate against some animal classes and so debase that protection. In particular, this Bill (when amended) must not accept or enable the primacy of the provisions of 'Codes of Practice' where those Codes (as most currently do) allow animals to be treated in a manner that causes terrible suffering and deprivation of their needs.

We reiterate that this Bill will form an important part of the reforms required and envisaged by the Australian Animal Welfare Strategy, and we totally reject assertions made by some stakeholders that the AAWS negates the need for this Bill. In fact the AAWS requires reforms such as this Bill if it is to be effective in increasing the protection of animals in Australia.

Once passed, it will be crucial that the federal Government sufficiently resource the Authority to ensure adequate inspection and enforcement of the provisions of the (then) Act.

Yours sincerely,

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