



18 April 2018

Mr Mark Warner
Committee Clerk
Standing Committee on Legislation
4 Harvest Terrace
WEST PERTH WA 6005

Dear Mr Warner

ANIMAL WELFARE AMENDMENT BILL 2017 – WAPU SUBMISSION

The WA Police Union (WAPU) would like to comment on the following clauses in the proposed *Animal Welfare Amendment Bill 2017* ("the Bill").

Part 3, Clause 7 – Assaults on police animals

The existing *Animal Welfare Act 2002* ("the Act") would be amended to include Section 18B(2) providing a list of things that the regulations may authorise, prescribe, prohibit, restrict or otherwise regulate. WAPU argues the proposed list should also include assaulting a police animal.

In early 2017, WA Police canine and mounted section had approximately 41 dogs and 20 horses. Police animals provide alternatives to using lethal force and it has been said by officers from those units that a police dog is worth six police officers and a horse is the equivalent of 10.

WAPU is advised that police horses are worth approximately \$150,000 after their initial purchase and associated training. The monetary worth of a general duties puppy can also be as much as \$15,000.

Research suggests that there are approximately four police dogs injured per year. However, replacing a police animal that can no longer perform work duties is a massive impost on officers because of the time and effort required to select, retrain and constantly work the animal.

Police animals are often deployed in dangerous situations for the purposes of law enforcement. The Act should be amended to reflect the gravity of assaulting one. Specifically listing it under Section 18B(2) would provide greater legal protection for police animals as well as giving their handlers and riders more peace of mind.

Part 3, Clause 9 – Penalties for assaulting a police animal

Recommendation 11 in WAPU's 2017 Pre-Election Submission (PES) advocates stronger penalties for offenders found guilty of assaulting a police animal.

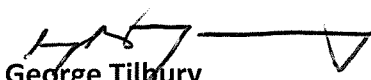
Currently, there is no provision under Section 19 of the Act for offenders convicted of harming a police animal to pay costs associated with training and/or replacing a police animal, if they are unable to continue to perform their duties. WAPU argues this is against the trend of other jurisdictions:

- The South Australia *Criminal Law Consolidation (Protection for Working Animals) Amendment Act 2013* provides protections for all working dogs, including guide dogs, police and corrections dogs. Section 83J allows the court to order an offender to pay all associated costs for the dog including vet bills, rehabilitation, or the cost of retraining another dog if the animal was killed or can no longer be of service.
- Section 53 of the *New Zealand Policing Act 2008* makes it an offence to kill, maim or injure a police dog. Offenders face a fine up to NZ\$15,000 or up to two years imprisonment or both.
- Second Reading of *The Service Animals (Offences) Bill* is currently underway in the House of Commons. Wilfully killing or injuring a service animal (including guide, police, fire and military) would become an offence attracting a penalty of up to five years imprisonment.
- Offenders found guilty under the *US Federal Law Enforcement Animal Protection Act 2000* face penalties ranging from US\$1,000 for attempting to harm animals employed by federal law enforcement agencies (FBI, DEA and Secret Service) to 10 years imprisonment for crippling or serious harm.
- Some 27 US States including also have statutes making it a criminal offence to kill, maim or injure police animals. Penalties can range from US\$2,000 and/or up to three years imprisonment in California to a US\$10,000 fine and/or up to 20 years imprisonment in Texas for intentionally killing a police animal.
- In July 2015, Canada adopted federal legislation protecting all animals that work with police and the military, as well as service animals. Offenders found guilty face up to five years imprisonment including a mandatory minimum of six months if the animal was intentionally injured.

WAPU believes Section 19 should be amended to follow suit. At the very least, it should aim to deter attacks on police animals with a heavy financial impost similar to Section 83J of the SA Act.

If you have any further queries in relation to this matter, please do not hesitate to contact me.

Yours sincerely ,


George Tilbury
President