

**Sue Foster**  
BVSc MVetClinStud FANZCVS

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**WA ANIMAL WELFARE AMENDMENT BILL 2017  
SUBMISSION TO COMMITTEE**

The Western Australian Animal Welfare Act is very limited in its capacity to regulate matters pertaining to the health, safety and welfare of animals. The Act in its current form is still essentially based on prohibition of cruelty to animals rather than on setting standards to ensure the health and welfare of animals.

This Amendment Bill is important to improve the legal protection for stock and companion animals.

Adoption of Standards and Guidelines

It is concerning that in 2018, that Western Australia (WA) is the only state not to adopt the Land Transport Standards and Guidelines (LTSG) into legislation. The LTSG were written in 2009 as a national document to replace the Codes of Practice and allow regulatory consistency. Agricultural ministers from each state subsequently agreed that the LTSG would be adopted into their relevant animal legislations but WA has thus far failed to do so. Currently, WA cannot enforce the same level of regulation over land transport that is present in all other states.

The Amendment Bill should enable modification of the current WA legislation so that regulations that will facilitate the LTSG and other livestock standards (Sheep Standards, Cattle Standards and Saleyard Standards) can become law.

Inspections for Compliance

The current WA Animal Welfare legislation does not permit routine inspections to assess compliance at any private facility. As such, animals for commercial use have no routine protection with respect to compliance to welfare standards. This applies uniformly to small animal facilities, livestock farms and feedlots, live export facilities (feedlots and vessels) and slaughterhouses.

Currently, an inspector may only gain access to any animal holding facility if a complaint has been made. Unless these complaints come from within an industry, which is unlikely due to conflict of interest, then there is almost no legally enabled inspection process thus no legal means of obtaining evidence for a complaint. Unless poor animal welfare occurs along a property boundary evident to passing public, or occurs in a public space, evidence of poor animal welfare standards is invariably obtained illegally by property trespass and covert investigations. This should never be necessary and would be contrary to the much higher levels of inspections possible in other parts of the world such as Europe where compliance officers are able to conduct random inspections to ensure that animal welfare standards are being followed.

In order that animal welfare is genuinely addressed and assessed in this state, there must be compliance to the national standards and guideline. The Amendment would allow Compliance Officers to be appointed. These officers would be able to randomly and routinely check to ensure that animal welfare standards and guidelines (once legislated) are being followed. The Amendment would enable these officers to enter any non-residential place or vehicle to check compliance with the Act and regulations.

Opponents argue that their privacy must be respected but currently, this is not the case. The lack of transparency in the livestock industries in particular (but also small animal facilities eg greyhound trainers, puppy breeders etc) actually promotes illegal surveillance as the only option for obtaining evidence of poor practice. Far better to have government officers following strict guidelines than illegal covert raids by individuals or groups who may not fully understand the other implications of their actions eg breaches of biosecurity.

Commercial animal industries in Australia have a poor track record with respect to animal welfare. Animal industries Australia-wide have been repeatedly exposed by covertly obtained footage as being negligent or cruel with the latest example being that of shipboard conditions for live export sheep. The public in 2018 are demanding transparency and accountability and are reasonably aware that currently there is neither. There is a high level of distrust, which has not been helped by the live export exposés. Most people are not supportive of illegal trespassing and covert surveillance. They expect that the government should be active in performing the role of inspection for compliance to animal welfare standards.

#### Conclusion

Western Australia, along with all Australian jurisdictions, has agreed to implement the National Animal Welfare Standards and Guidelines for livestock. Currently, the Animal Welfare Act is unable to give full regulatory effect to these guidelines. The proposed amendments to the Animal Welfare Act 2002 will enable the implementation of the national welfare standards for livestock and provide the capacity for inspectors to monitor compliance in both the livestock industry and other commercial animal industries.

The amendments to the Act are a significant step towards improving the welfare of animals in WA. New regulations will give industry and the community clear guidance on minimum standards to be met and will help to strengthen public confidence in the livestock sector. Most importantly, it will help ensure that vulnerable and unprotected animals in all commercial facilities are treated appropriately with respect to recognised welfare standards and guidelines.



Dr Susan Foster BVSc MVetClinStud FANZCVS

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