



Legislation Committee

From:
Sent: Friday, 20 April 2018 1:31 AM
To: Legislation Committee
Cc:
Subject: Animal Welfare Amendment Bill 2017 - Submission to Committee

Mr Mark Warner
Committee Clerk
Standing Committee on Legislation
Parliament House, 4 Harvest Terrace
West Perth WA 6005

Submitted via email: lclc@parliament.wa.gov.au

20 April 2018

ANIMAL WELFARE AMENDMENT BILL 2017 - SUBMISSION TO COMMITTEE

Dear Sir and Honourable Members,

I thank the Committee for the opportunity to comment on the proposed Bill.

The amendments will dramatically improve the lives of animals and introduce desperately needed transparency and accountability of animal businesses. It will also benefit the community in restoring expectations of the industry; and reputable operators in the industry by safeguarding their reputation.

Furthermore, it is simply the right thing to do.

We recommend passage of the Bill.

Summary benefits of the proposed Bill

This Bill is a big step to improve the legal protections for our stock and animals generally however has important benefits for the industry, community and our State.

Amendments to the Act and new regulations will:

- **Provide clear guidance to industry and the community** on minimum standards, which will bring us into line with other States, allows industry to act with clarity and helps strengthen public confidence in the livestock sector.
- **Restore community expectations** of welfare standards so that consumers can be confident when shopping for humane products. This prevents poor operators in the industry from engaging in misleading and deceptive conduct by false labelling, jeopardising the entire industry's reputation.
- **Act as a tangible deterrent** against future breaches by providing clear investigative and enforcement actions in ensuring the protection of animals and livestock.
- **Morally correct thing to do** as we are a wealthy progressive nation with a reputation for looking after those who cannot speak for themselves. It is simply the right thing to do.

Provide clear guidance to industry and the community

The current Animal Welfare Act is very limited in its capacity to regulate matters relating to the health, safety and welfare of animals.

Currently, the Industry follows livestock transport Codes of Practice. Codes are voluntary and it is very difficult to use them to prosecute for cruelty whereas the Standards and Guidelines can be used to prosecute for breaches.

The Amendment Bill will allow the adoption of the Land Transport Standards and Guidelines into law including the more recent Sheep Standards, Cattle Standards and Saleyard Standards.

Codes are insufficient in providing clear guidance in comparison to Standards. These amendments will ensure industry and the community have clear guidance on minimum standards to be met and will help to strengthen public confidence in the livestock sector.

All States except but Western Australia have adopted the Standards and Guidelines into legislation. One must question why Western Australia has not. Have we not adopted it because it makes it easier for transporters to transport animals without rules hindering their operations?

It is unacceptable that the industry wants the outdated, irrelevant and ineffective voluntary Codes of Practice to remain. Furthermore, adopting this legislation will bring us into line with other States, reducing inconsistent regulation between States.

Restore community expectations

The community demands transparent and accountable animal businesses. The public wants to know that breeder animals and animals produced for the wool, meat or milk they buy, have had basic legislative protection. It is imperative that WA has strong, enforceable legislation as well as routine checks for compliance.

There is overwhelming community support of the amendments because there is immense concern by Western Australians for animals' wellbeing, particularly now that inhumane practices in live export are in the spotlight. These breaches have occurred with shocking regularity and in great number.

These amendments will also prevent customers who are thinking they are doing the right thing from an animal welfare perspective, from mistakenly paying a premium to companies making these false claims. There are multiple recent cases of this occurring, for example egg producers Snowdale Holdings, or livestock shippers Emanuel.

This unfortunately has the effect of tarring reputable operators with the same brush, jeopardising their standing with consumers.

Act as a tangible deterrent

Western Australia's current animal welfare legislation does not permit routine, unannounced inspections to ensure compliance at a private business; be that a cat or dog breeding farm, pet bird breeding premise, sheep, cattle, rabbit, pig, poultry farm, feedlot, slaughterhouse, live animal export premise or live animal export vessel. An Inspector may only gain access if they receive a complaint and as a result they believe cruelty may have or is occurring.

This is inefficient and ineffective at enforcing the law. It makes mockery of the particularly law and our legal system and government more generally.

It is not acceptable that the industry has objections to unannounced visits as an invasion of privacy and too much regulatory power. Other industries have not successfully been able to use privacy as an excuse for cruel or misleading behaviour.

How can privacy considerations be of more importance than reducing animal suffering? Any animal business must be fully accountable to consumers and this will only happen with increased powers for inspectors.

The Amendment will allow inspectors to randomly (without notice) and routinely check to ensure that animal welfare legislation is being followed and will act as a deterrent, raising standards. This is especially significant at this time given the revelations concerning the terrible conditions on live export ships on which animals are currently suffering; including the images of sheep dying in their own faeces and pregnant ewes giving birth on live export vessels to the Middle East.

Morally correct thing to do

This is morally the right thing to do. We are a wealthy, progressive nation. We should jealously protect our deserved reputation for being a leading light in the world on for looking after those truly without a voice to defend themselves.

We as a society have the means and resources to enforce these laws therefore we should. This is particularly important in promoting Western Australia's image both nationally and overseas. We have seen the international backlash against Australia, once a progressive nation who appears to have lost its mantle.

This will only work against Australian trade in the future by losing a key product differentiation with other markets.

Recommend passage of the Bill

We respectfully urge this Committee to recommend that the Bill is passed in the Legislative Council to satisfy community expectation and trust in the agricultural and pet industries.

We understand the difficulty and responsibility in making these decisions, being relatives of a former Member of the Legislative Council. We also know that the correct moral decision is also the easiest to justify.

We thank you for considering our submission and trust you will make the right decision.

Yours Sincerely,
Sam Piantadosi
Colleen Piantadosi

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