



24 January 2020

Linda Black  
Chair

Independent panel for the review of the *Animal Welfare Act 2002*  
Department of Primary Industries and Regional Development WA  
Locked Bag 4  
BENTLEY DELIVERY CENTRE WA 6983

Via email: [AWA.reviewpanel@dpird.wa.gov.au](mailto:AWA.reviewpanel@dpird.wa.gov.au)

Dear Ms Black,

**RE: Review of the Western Australian *Animal Welfare Act 2002***

The National Farmers' Federation (NFF) welcomes the opportunity to provide a submission to the review of the Western Australian *Animal Welfare Act 2002*.

The NFF was established in 1979 as the national peak body representing farmers and the agriculture sector more broadly across Australia. The NFF's membership comprises all of Australia's major agricultural commodities across the breadth and the length of the supply chain. Operating under a federated structure, individual farmers join their respective state farm organisation and/or national commodity council. These organisations form the NFF.

The NFF and its members are committed to continuous improvement in animal welfare, and to working in partnership with governments to ensure best practice animal welfare outcomes that meet the expectations of the community. Animal welfare is a fundamental part of farming, and livestock farmers understand the responsibility they have for the animals in their care. Good animal welfare also makes business sense.

In Western Australia (WA), the *Animal Welfare Act 2002* (the Act) and its accompanying regulations provide the legal framework for ensuring all animals in WA have appropriate standards of care. While the NFF supports the intent of the Act to promote and protect the welfare of animals, we believe that amendments are required to improve the operation of the Act and to provide for the management of livestock as a distinct animal class. It is also important that the Act provides for the appropriate enforcement of the Australian Animal Welfare Standards and Guidelines.



The NFF supports the Australian Animal Welfare Standards and Guidelines process as the best mechanism for regulating minimum standards for animal welfare. The standards and guidelines aim to streamline livestock welfare regulation across Australia, ensuring it is practical for industry and results in improved welfare outcomes. Implementation of national minimum welfare standards also underpins access to overseas markets, and enhances Australia's international reputation. Industry actively drives adoption of the standards and guidelines through assurance programs, and it is important that the standards and guidelines are implemented under relevant legislation in all states and territories. We note that this was made possible in WA through amendments to the Animal Welfare Act that passed in late 2018, and that the WA Government is consulting on regulations to adopt the land transport standards. It is important that all of the endorsed standards and guidelines are implemented under WA legislation.

As the regulation of farm animal welfare is primarily a state and territory responsibility, the NFF has worked closely with our member organisation the Western Australian Farmers Federation (WAFarmers) in the development of this submission. WAFarmers have a sound on-ground knowledge of animal welfare regulation in WA, including how it affects their producer members and its effectiveness in achieving animal welfare outcomes. The NFF supports the WAFarmers submission, and makes the following comments in relation to specific matters raised by WAFarmers, for consideration by the panel.

### **Regulation and enforcement of farm animal welfare**

As per the recommendation of WAFarmers, the NFF suggests the Act should be amended to clearly define different classes of animals – including commercial livestock, companion animals and native fauna – and to recognise those classes of animals, and the context in which they are managed, in the provisions that promote and protect their welfare, health and safety. As noted above, the setting of minimum welfare standards for livestock is most appropriately done by enforcing the endorsed Australian Animal Welfare Standards and Guidelines, and this should be recognised in the Act and supporting regulations.

Effective compliance and enforcement arrangements are essential for the Act to achieve its intent. For farmers, it is critical that inspectors responsible for investigating and prosecuting farm animal welfare incidents understand welfare in the context of commercial animal production. Enforcement of the Act should be handled by the most appropriate party to each class of animals, with commercial livestock most appropriately managed by the Department of Primary Industries and Regional Development (DPIRD). Segregation of these responsibilities would allow for the most effective enforcement of the Act's provisions. The NFF supports WAFarmers' call for a Livestock Response Unit to be deployed under DPIRD, working in concert with the existing Livestock Compliance Unit. It is essential that these functions are adequately resourced.



**Capability**

The NFF supports WAFarmers' comments regarding the need to build specialist livestock welfare capability within DPIRD. Compliance and enforcement personnel must have specialist knowledge within their area of enforcement to be able to provide assurance to livestock producers and animal owners. Establishing a minimum training standard could assist with building the industry-specific knowledge required to effectively enforce farm animal welfare standards, build trust with producers and drive practice improvement.

**Direction notices**

The NFF supports WAFarmers' recommendation that provisions for direction notices be included in the draft amendment bill. This would provide for reoccurring incidents to be better managed and prevented, and allow inspectors to follow up on incidents of animal welfare breaches. Prescriptive timeframes for direction notices may assist with improving compliance.

**Closing remarks**

Industry has a pivotal role in driving continuous improvement in animal welfare, through industry-led initiatives and programs and also by working closely with governments to ensure regulation is fit for purpose, delivers on its intent and does not create an unnecessary regulatory burden and expense. The NFF looks forward to engaging with the panel as it develops recommendations to improve the operation and effectiveness of animal welfare regulation in WA.

Should you require any further information in relation to this submission, please contact Adrienne Ryan, General Manager Rural Affairs at the National Farmers' Federation, on 02 6269 5666 or [aryan@nff.org.au](mailto:aryan@nff.org.au).

Yours sincerely,

**ADRIENNE RYAN**

General Manager – Rural Affairs