

**INQUIRY INTO ANIMAL CRUELTY LAWS IN NEW SOUTH
WALES**

Name: Name suppressed
Date Received: 11 November 2019

Partially
Confidential

The Honorable Mark Pearson MLC
Chair of the Select Committee on
Animal Cruelty Laws in NSW

Dear Sir,

Thank you for conducting the inquiry into Animal Cruelty Laws in New South Wales. I write with specific reference to the prevention of cruelty to Australian wildlife in direct relation to the Terms of Reference of the inquiry and intensive farm operations.

I have been a wildlife rescuer and carer for more than thirteen years, researched farm animal welfare for a doctorate degree and conducted desktop research in 2014 on pro-environmental behaviour. I am also a partner in a commercial grazing enterprise in the Southern Tablelands of NSW.

1. *The effectiveness of non-government organisations in achieving the objects of the Act in relation to wildlife.*

A cursory exploration of websites, reports and strategies, and telephone enquiry to RSPCA and AWL indicates that wildlife is not their core business. Their 'branding' is focused on domestic animals and livestock. Neither organisation visibly sets a community standard for the prevention of cruelty to wildlife. A member of the public reporting a case of wildlife cruelty to a wildlife rescue organisation will find the case referred to inspectorates of RSPCA or AWL. The inspectorates of these organisations are the public face for the prevention of cruelty to all animals. Therefore, it is important that the inspectorates are publicly advocating for wildlife as well as domestic pets.

2. *Ability of investigative and enforcement powers in relation to commercial premises and intensive farm operations.*

We should expect the same standard of humane treatment for all animals across all sections of society. The treatment of farmed animals should reflect the same societal norms for the treatment of all animals.

The industrialisation of our livestock production has required farm labour to undertake more invasive and surgical-like procedures on sentient animals that display stoicism in response to injury. For example, practices like ear-tagging, tail-docking, castration and mulesing are examples of painful procedures. Farmers and farmhands are told to over-look the animals' discomfort because the procedure is necessary or mandated by the supply chain. Despite any cognitive dissonance, the farmers do what is expected of them in that situation. My point here is that we systematically teach people to ignore animal suffering, potentially resulting in lack of empathy for animals' more generally and a slackening of husbandry codes.

Any attempt to prevent inspection of intensive operations works against a society-wide standard for the prevention of cruelty. If operators are employing the highest standards expected by Australian society then they have nothing to fear from an inspector and, could gain a premium for branding their product accordingly. Besides, to ignore society's demand for transparency just motivates more covert investigations.

3. Establish a special unit to investigate animal cruelty complaints and enforce animal protection laws.

In my view, the concept of a special unit to investigate cases of animal cruelty has merit largely because designated officers could have specific training to better assess the impact on the animals. Also, police services are mostly focused on people and community. To raise the bar for the prevention of cruelty to wildlife, cases should be the investigating officer's priority and not run the risk of being viewed as secondary to their main role in the community.

A special unit could relieve local community police of the cruelty cases but should not replace the inspectorates of non-government organisations. Plaintiffs (and the broader community) need to be confident of the independence of any investigation from the political pressure that may be associated with certain issues or cases. For instance, culling of wildlife in drought conditions or inspection of intensive farm operations.

There are other issues around the effectiveness of the enforcement of the law for the protection of wildlife from cruelty that may fall under **(g) other related matters** of the committee's Terms of Reference.

Over the past thirteen years I have heard of and witnessed the impact of horrendous intentional acts of cruelty perpetrated on wildlife species, ranging from **illegal** recreational shootings of various species where the animal hasn't been humanely euthanised, the kicking and beating of wombats and sharing the episode on Facebook, to 'pet' wombats living inside on carpet, unable to burrow. Underlying these acts is the perception that the animals don't matter and that there is no consequence for cruelty towards wildlife.

I have to say the community perception of government regulation in response to the drought has coincided with more frequent brazen acts. About three years ago I attended a Landcare meeting where landholders were calling for culling licenses to be relaxed due the drought conditions and soon after other landholders told me that they can shoot hundreds of kangaroos (not just Eastern Greys) without any 'paperwork'. Since then, I've had an instance of trespass on my property where 15 kangaroos were shot, some left to die, which I've reported to authorities. I've also heard other first-hand accounts of what appears to be illegal culling.

I suggest we need to reinforce community expectations of humane treatment of wildlife with education about the laws and license conditions, and more visible prosecutions to make it clear that cruel behaviour is not condoned by government or society.

I will watch with interest on your deliberations and wish you all well in finding improvements for the protection of our unique wildlife that are currently facing multiple pressures on their populations and very existence.

Kind regards