

**Submission  
No 101**

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

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Legislative council select committee on Animal Cruelty laws in NSW

Legislative Assembly of NSW

**Submission to the select committee on animal cruelty laws**

I write in reference to the Prevention of Cruelty to Animals Act (1979) and its implementation in New South Wales, under the broader perspective of animal welfare on a state basis.

1) Enforcement of the Act

Currently, the majority of law enforcement falls to a charity, the Royal Society for the Prevention of cruelty to Animals (RSPCA). In addition, the Animal Welfare League (AWL) is able to seize animals, as is the NSW police force. The presence of the AWL is obviously limited to metropolitan areas.

There are fundamental problems with enforcing POCTAA on several levels, particularly in regional areas. The RSPCA inspectors may be based in regional centres, with a huge land area to cover. Inspectors are not necessarily trained in the finer points of biosecurity or zoonotic disease, and in many instances require a veterinarian to be in attendance with them. This will require a local veterinarian to leave their clinic and spend time for the RSPCA.

I suggest that a more cost-effective and efficient approach would be to have veterinarians from the Department of Primary Industries (DPI) to act as the initial inspectors, and the respective organisation more broadly to act as an enforcer of POCTAA. The DPI holds several portfolios on animal welfare and is more reasonably distributed to meet the needs of regional areas. This work could also be contracted to the Local Land Service (LLS) but DPI is a more appropriate umbrella department than the RSPCA in regional and rural areas.

2) Companion animal management under the POCTAA and Companion Animals Act

Both Acts appear to be lacking in enforcement with respect to companion animals in regional NSW. The wording of the Act specifies "aggravated cruelty" for intention to maim an animal, but little is done for animals kept chained or tethered, or in otherwise absolutely inappropriate conditions. While local councils field many complaints about barking dogs, council staff are not necessarily educated in the basics of animal handling or welfare. My submission is that all council staff working in animal management should hold the Cert IV in Companion Animal Services, and be able to visit owners whose animals are permanently

chained in order to educate owners on the legal and ethical responsibilities of animal ownership.

### 3) Equine management under drought conditions

Regional Australia has traditionally faced the problem of feed supply for horses. Any investigating body (DPI/RSPCA/Local councils) should be able to intervene if there are reports of horses in poor conditions. Owners should be educated and supported to move horses on if they cannot be appropriately fed and cared for. Horses require to live in small groups, with shade, water and a constant supply of roughage feed.

### 4) Droving pregnant cattle

Cattle droving is not infrequent in the Riverina. I have seen mobs of cattle with heavily pregnant females, and actually seen cattle calving down at the side of the road. This is unacceptable from any health and welfare perspective.

### 5) Livestock production- battery caged hens

Battery cages provide hens with a very poor quality of life. Enriched cages would be preferable.

### 6) Livestock production- Farrowing crates for pigs

Sows have a very strong nesting and mothering instinct. Farrowing crates do not allow them to exhibit this behaviour at all. There are plenty of alternatives, for example farrow-free has a 360 degree pen for sows.

### 7) Livestock production- carbon dioxide stunning of pigs

Evidence suggests that pigs find carbon dioxide stunning aversive. As carbon dioxide drives the respiratory centres, this is a hideous way to induce unconsciousness. High frequency stunning would be a strong preference.

### 8) Livestock production- welfare at slaughter

Not a contradiction in terms. There is requirement for legislation to cover point of slaughter for stock. In addition abattoir design needs a review to ensure curved walkways and this reduce stress.

Happy to discuss and provide scientific paper references if required,

Yours sincerely

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