

**Submission  
No 53**

## **INQUIRY INTO ANIMAL WELFARE POLICY IN NEW SOUTH WALES**

**Organisation:** Australian Veterinary Association

**Date Received:** 28 February 2022

---



# Parliamentary Inquiry into Animal Welfare Policy in NSW

Submission of the  
Australian Veterinary Association Ltd

February 2022

## The Australian Veterinary Association (AVA)

The Australian Veterinary Association (AVA) is the only national association representing veterinarians in Australia. Founded in 1921, the AVA today represents 8500 members working in all areas of animal science, health and welfare.

Veterinary roles extend far beyond caring for the health and welfare of our pets and production animals. Veterinarians are the pathologists, field officers and inspectors that secure the safety of our food, ensure market access for our exports, and help to safeguard the human population from zoonotic diseases.

### AVA Statement of principles with respect to Animal Welfare<sup>1</sup>

*Animals are sentient beings that are conscious, feel pain, and experience emotions<sup>2</sup>. Animals and people have established relationships for mutual benefit for thousands of years.*

*Humans have a duty of care to protect animals. Where a person does not meet his or her obligations to animals in his or her care, animals may suffer. When this happens, the law must be able to adequately intervene to enforce compliance and prevent suffering.*

*Animals have intrinsic value and should be treated humanely by the people who benefit from them. Owned animals should be safe from physical and psychological harm. They need access to water and species-appropriate food and shelter and should be able to fulfil their important behavioural and social needs. They must receive prompt veterinary care when required and have as painless and stress-free a death as possible.*

*Animals can be used to benefit humans if they are humanely treated, but the benefit to people should be balanced against the cost to the animal. They should not be used in direct combat or for purposes where suffering, injury or distress is likely to be caused.*

*Humans should strive to provide positive experiences to promote a life worth living for the animals in their care. We should strive for continuous and incremental improvement in the treatment and welfare of animals.*

*Humans have a responsibility to care for the natural environment of free-living native animals. People should take steps to preserve endangered species and protect native animals from disease where possible.*

## Background

The NSW Parliamentary Standing Committee on State Development is inquiring into animal welfare policy in New South Wales. The Terms of Reference for the Committee have two key components, to inquire into and report on:

---

<sup>1</sup> <https://www.ava.com.au/policy-advocacy/advocacy/improving-animal-welfare/>

<sup>2</sup> Mellor DJ, Patterson-Kane E, & Stafford KJ. *The Sciences of Animal Welfare*. UFAW Animal Welfare Series. Chichester UK: Wiley-Blackwell. 2009: 34-52



- The State's animal welfare policy, regulatory and legislative framework, including any measures required to:
  - streamline animal welfare laws in New South Wales,
  - reduce and remove unnecessary regulation, and
  - ensure existing policy and regulatory arrangements remain appropriately balanced.
- Review the proposed Exposure Draft *Animal Welfare Bill*
- The draft regulations associated with the proposed *Animal Welfare Bill*<sup>3</sup>

The exposure draft of the Animal Welfare Bill 2022 was published by the Department of Primary Industries in early 2022. It is expected that the regulations will not be developed until the Bill progresses further. The deadline for submissions to this Inquiry is 28 February 2022, hence this submission focuses on the first two points noted above.

We also note that it can be difficult to thoroughly comment on a proposed Bill when there is little detail on the regulations that will eventually accompany the new Act. The drafting of the regulations are critical in the application of the legislation.

### Recommendation

**The AVA strongly encourages further public consultation on the development of regulations when that occurs.**

The *Prevention of Cruelty to Animal Act 1979* is over 40 years old and has not had significant updates in that time. Coupled with the *Animal Research Act 1985*, the *Exhibited Animals Protection Act 1986*, and to a lesser extent the *Crimes Act 1900*, these Acts form the suite of legislation that govern animal welfare in NSW.

Since their inception, the science around animal welfare and community expectations have shifted significantly. As such, it is timely that the NSW Government undertook a substantial review of this legislation. This review has been underway over the past couple of years. Following an initial consultation period, and a further consultation period with the release of, "NSW Animal Welfare Reform Discussion Paper", the results have informed the development of new draft legislation.

### Discussion

Current animal welfare legislation was initially developed with a focus on prohibiting harm to animals. This was reflected in the historic titles of the legislation, 'Prevention of cruelty to animals acts', many jurisdictions have in recent years moved away from this description in favour of incorporating wider perspective of 'Animal Welfare', which includes recognition that society's responsibility to animals goes beyond simply refraining from cruelty, and includes the concept of the more proactive 'duty of care'. Many jurisdictions included either broader definitions of cruelty or specific additional offences relating to the welfare of animals which were broadly aligned with the 'Five Freedoms', these being:

- Freedom from hunger and thirst
- Freedom from discomfort
- Freedom from pain, injury or disease
- Freedom to express normal behaviour
- Freedom from fear and distress

---

<sup>3</sup> <https://www.parliament.nsw.gov.au/committees/inquiries/Pages/inquiry-details.aspx?pk=2853#tab-termsofreference>



However, since the identification of the five freedoms, there has been significant development in our understanding of biology and interpretations of the meaning behind the five freedoms. The five freedoms are generally focused on alleviating negative states, whereas the Five Domains<sup>4</sup> move towards also providing positive states for animals, as well as assessing the combined impact of each domain on the animal's overall experience. These Five Domains are:

- Nutrition
- Environment
- Physical health
- Behaviour
- Mental state

Domains 1 – 4 relates to and assess the likely impact of physical components or restrictions on how the animal *functions*, and domain 5 assesses the likely integrated impact of the first four functional domains on the animal's mental state and takes into account how the animal feels. Under the five domains considerations, one seeks to include the 'quality of life' and the 'life worth living' concept.

In the following section we discuss the specific issues raised by the Inquiry through consideration of key elements of the Exposure Draft of the Animal Welfare Bill 2022.

### *Animal Welfare Bill 2022*

The AVA has made a number of submissions throughout the consultation over the review of the legislation. We are encouraged to note that a significant proportion of the recommendations made by the AVA have been adopted into the Exposure Draft of the Bill.

### *Objects of the Bill*

The draft Bill details the objects of the Act as (Clause 4):

- *(a) providing for the care and protection of animals by—*
  - *(i) establishing a baseline of acceptable conduct, by persons who are responsible for animals, to ensure animals are provided with an acceptable standard of care (the minimum care requirements), and*
  - *(ii) developing standards for the care of animals and certain actions or activities involving animals and establishing a mechanism to give effect to the standards, and*
  - *(iii) requiring information about dogs and cats to be provided when the dogs and cats are advertised for sale or to be given away, and*
- *(b) protecting animals from cruelty and harm by—*
  - *(i) prohibiting certain actions and activities that will always constitute animal cruelty, and*
  - *(ii) restricting when and by whom certain activities that may cause harm to animals may be performed, and*
- *(c) providing a licensing framework to regulate and oversee the conduct of certain activities involving animals, including—*
  - *(i) the use of animals for research purposes consistent with the principles of replacement, reduction and refinement, and*
  - *(ii) the keeping and use of animals for the purposes of exhibition*

These objectives give clarity around the operations of the proposed legislation. Significantly, the inclusion of a recognition of minimum care standards is an improvement on the current Act. The detail

---

<sup>4</sup> Mellor & Beausoleil (2015)



with which this is spelt out in the Objects and further statements in the Bill help to clearly communicate the responsibility that those caring for animals have in ensuring that these minimum care requirements are met.

### *Sentience*

Recognition of the sentience state of animals appreciates that animals can have negative or positive feelings and emotions and be conscious of their environment and situation<sup>5</sup>.

While the Consultation Outcomes paper states:

*The draft Bill acknowledges the concept of animal sentience through reference to protecting animals from harm, which is defined as including distress, pain, and physical and psychological suffering.*<sup>6</sup>

This interpretation of the term is extremely narrow and misses the overall significance of the term. It reflects the old philosophy of cruelty prevention rather than the move forward to the modern approach. The term 'sentience' does not appear in the body of the draft Bill. The AVA position is that the term and formal definition of it should be formally incorporated into the new legislation. It would be helpful to include a definition of sentience in the legislation. The definition used by the Australian Animal Welfare Strategy would be a good start. This defines it as:

*...a sentient animal is one that has the capacity to have feelings and to experience suffering and pleasure. Sentience implies a level of conscious awareness.*

The United Kingdom parliament has introduced an *Animal Welfare (Sentience) Bill* that is currently being debated in the House of Commons. The objective of this Bill is to make provisions for an Animal Sentience Committee with functions relating to the effect of government policy on the welfare of animals as sentient beings.

### **Recommendation**

- **That reference to sentience be made in the objects of the Bill.**

### *Definition of animal*

Different jurisdictions offer different definitions of animals and specific exemptions and conditions for specific classes of animal. The main area of difference appears to be in regard to fish, crustaceans and cephalopods.

The current definition in the NSW Prevention of Cruelty to Animals Act 1979 includes:

- a member of a vertebrate species including any
  - amphibian,
  - bird,
  - fish,
  - mammal (other than a human being),
  - reptile

---

<sup>5</sup> PROCTOR, H S, CARDER G & CORNISH A R. 2013.. Searching for Animal Sentience: A Systematic Review of the Scientific Literature. *Animals*, 3, 882.

<sup>6</sup> NSW DPI (2022) NSW Animal Welfare Reform Consultation Outcomes



- a crustacean but only when at a building or place (such as a restaurant) where food is prepared or offered for consumption by retail sale in the building or place.<sup>7</sup>

The draft Bill expands this definition to also include cephalopods and decapods, and also removes the caveat on the later that limited it to crustaceans for sale.

Current animal welfare science has demonstrated that fish are sentient. Fish respond to pain with physiological responses similar to mammals. Even more importantly, fish show behavioural responses to pain which indicate conscious awareness of the aversive stimuli<sup>8</sup>. This is why the OIE has guidelines on humane handling, management and slaughter of farmed fish in their Aquatic Code. This is also true for some of the invertebrates including Cephalopods and at least the Malacostraca class of Crustacea, and is reflected in legislation in other Australian states (eg ACT).

Failure to include fish, cephalopods and at least the Malacostraca class of Crustacea in a modern review of animal welfare legislation would not reflect current animal welfare science, and would be a missed opportunity to bring this legislation into the 21<sup>st</sup> century.

The updated definition in the Bill also defines an animal:

*...in relation to animal research—includes other animals or forms of animals prescribed by the regulations<sup>9</sup>*

While the AVA supports this, such regulations are generally informed by the Australian Code for the Care and Use of Animals for Scientific Purposes. We note that the current Code was last updated in 2013 and, as such, needs to be considered for review.

## Recommendation

- **That the Australian Code for the Care and Use of Animals for Scientific Purposes be reviewed.**

### *Minimum care requirement*

The AVA supports the inclusion of a duty of care or minimum standard of care in the legislation. Part 3 of the Bill sets out minimum care requirements in some detail. These will then be supplemented by regulations that will be made under the Act. The AVA will be interested in being involved in the setting of this additional detail.

The Bill sets out the minimum care requirements as (Clause 13.2):

- (a) the animal has access to appropriate food and drink, and
- (b) the animal has access to appropriate shelter, and
- (c) the animal is kept in an appropriate environment, and
- (d) the animal is provided with appropriate treatment for disease, illness or injury, including—
  - (i) veterinary treatment being provided in a timely way when necessary, and
  - (ii) preventative treatment being provided, and
- (e) the animal is provided with appropriate opportunities to exercise, and
- (f) the animal is provided with appropriate opportunities to display normal behaviour, and
- (g) the animal is handled and transported in an appropriate way<sup>10</sup>

<sup>7</sup> <https://legacy.legislation.nsw.gov.au/~pdf/view/act/1979/200/whole>

<sup>8</sup> Broom and Fraser (2011) Domestic Animal Behaviour and Welfare, 4<sup>th</sup> Edition, DM

<sup>9</sup> <https://www.dpi.nsw.gov.au/animals-and-livestock/animal-welfare/animal-welfare-reform>

<sup>10</sup> Part 3 – Exposure Draft Animal Welfare Bill 2022



In preparing minimum standards, sufficient detail should be included in the legislation and supporting documentation to avoid individual interpretation of what is acceptable welfare and to provide guidance for enforcement, legal entities and education of animal owners. We note that the Bill uses the term 'appropriate', which should be more clearly defined in the regulations.

With respect to food, water, shelter and exercise, the Bill sets a default requirement of this being provided within each 24 hour period. The Bill has provisions for this to be altered for species through regulations. This is valuable to spell out in the Act, however there is a risk that this creates the impression that animals only need to be fed and watered once a day. Animals should always have access to clean water and there are many grazing animals that require access to food more regularly. As such, it is crucial that the additional regulations are prepared and in place for key species and classes of animals for which 24 hours is not appropriate.

It is important to recognise that the minimum care requirements can vary between species. They should be science based and be determined in consultation with veterinarians and persons expert in the care of that species.

The Bill recognises this in Clause 14, where it notes that minimum care requirements need to take into account the animal's:

- Species
- Environment (including a dynamic climate)
- Behavioural needs
- Particular circumstances

These help to anchor expectations in different situations, though it is unclear what is referred to in the final point, 'particular circumstances'. The animal's age may be taken into consideration through the final two points, however the AVA believes that it would be prudent to specifically include 'age' as one of these factors. The needs of an animal change considerably across its lifetime.

### Recommendation

- **Clause 14 be amended to include, '(e) the animal's age'**

### *Definition of cruelty*

The Bill defines cruelty as (Clause 7):

- (a) *unreasonably or unnecessarily harmed, or*
- (b) *unreasonably or unnecessarily killed, or*
- (c) *abused, beaten, infuriated, kicked, maimed, mutilated, terrified, tormented, tortured or wounded, or*
- (d) *overloaded, overworked, overdriven, overridden or overused, or*
- (e) *unreasonably or unnecessarily exposed to excessive heat or excessive cold*

The term harm is further defined as including distress, pain, along with physical suffering, and psychological suffering (Clause 11).

Aggravated cruelty (Clause 8), which carries a higher penalty, is defined as the above where the cruelty results in, "the death, deformity or serious disablement of the animal, or the animal being so diseased or severely injured, or in so poor a physical or psychological condition, that it is cruel to keep the animal alive."





The proposed new definition is clearer and removes the ambiguity in the existing legislation. The expansion to include psychological suffering is an improvement as it acknowledges the mental domain of the animal. However, it is important that this is interpreted and implemented using accepted animal welfare science-based methodologies that are based on the needs of individual animal and not just the species. This is particularly important to avoid inappropriate assessment of the psychological assessment of the animal and the point at which a negative psychological impact is unreasonable or unnecessary, and causes long-term suffering.

The Bill also details four specific cases of cruelty, being:

- (a) carrying, conveying, driving, riding or using an animal that is unfit for that purpose,
- (b) advertising, promoting or taking part in an activity in which an animal is released from confinement for the purposes of people catching, chasing, confining or shooting at the animal,
- (c) authorising the use of, controlling, managing, receiving payment for admission to or using premises for a game park,
- (d) advertising, promoting or taking part in an activity in which an animal participates in a steeplechase or hurdle race

It also allows for other activities to be prescribed as cruelty via regulations.

The AVA supports these with exception of point (d) relating to steeplechase or hurdle racing. AVA position on equine jumps racing states:

*Hurdle and steeplechase (jumping) races are comparable to other legitimate forms of strenuous equestrian activity.*

*Horse racing over obstacles is not opposed, provided that racing authorities continue to implement measures to minimise incidents that might endanger the welfare of the competitors. Horses permitted to compete in these specialised events in public must display a suitable level of training and ability.<sup>11</sup>*

In point (b), further clarification should be made around what is meant by, “...taking part...”, particularly in regard to viewing this material through livestreaming or taking part in online gambling. These should be included in the meaning.

### Recommendation

- **That Clause 7(2)(d) be removed from the Bill.**

### New offences and enhancing existing offences

Offences under animal welfare legislation generally fall into two categories: acts of cruelty; and duty of care. In addition to the general clauses, many jurisdictions also provide a number of specific welfare related offences.<sup>12</sup>

Listing a set of specific offences is helpful in the enforcement of the legislation and in ensuring there is no ambiguity around certain areas. The Bill amends a number of existing specific offences and introduces some additional ones.

Whether in the legislation or in accompanying educative material, the explanation of why and the situations when these acts are considered unnecessary and unreasonable should be published. The

---

<sup>11</sup> <https://www.ava.com.au/policy-advocacy/policies/horse-health-and-welfare/equine-jumping-races/>

<sup>12</sup> Cao (2015) Animal Law in Australia 2<sup>nd</sup> Edition, Thomson Reuters, Australia



legislation should also outline clearly when some acts are escalated as aggravated cruelty. This would assist interpretation by enforcement and legal agencies and assist in education of animal owners.

#### *Animal fighting (Clause 32) and greyhound baiting (Clause 33)*

The AVA supports the enhanced offences around animal fighting and greyhound live baiting.

#### *Tethering (Clause 34)*

With respect to tethering, animals should never be tethered where their welfare may be compromised. Tethering should only be a temporary method of restraint and be involved with increased supervision and surveillance. It is not suitable for long-term confinement. It made be done on a temporary basis for accepted production animal husbandry practices, but the tethering of animals requires a high standard of animal husbandry and exceptional care, including regular and frequent inspections (daily is not sufficient here). Where this is used, animals should be appropriately trained to tether. Generally other confinement methods appropriate for the species should be sought

The Bill provides additional guidance around the tethering of animals and the situations in which it is unacceptable. The Bill acknowledges a number of risks raised in the previous AVA submission and sets out a series of key situations in which tethering is inappropriate. These include where the animal is:

- unable to access water
- unable to obtain shelter from climatic extremes
- unable to evade attack from other animals
- exposed to environmental hazards, such as road traffic
- injured by the tether - for example, where there is no swivel in the chain.

The Bill also makes it clear that tethering an animal for longer than 24 hours is not appropriate. This should be further refined to take into account a cumulative effect over time (i.e., regular tethering of an animal for long periods should also be deemed inappropriate).

#### *Dogs in vehicles (Clause 37)*

The provisions for dogs in vehicles are also supported. AVA Policy states,

*A companion animal should not be confined to a parked or stationary vehicle where it is at risk of developing hyperthermia. Law enforcement officers or other individuals entrusted with the protection of animals should be supported in their actions to remove affected animals from these situations.<sup>13</sup>*

With regard to providing insulation on trays of open-back vehicles, the current exemption for dogs being used to work livestock should not be mirrored here. It is equally important that they are protected from burns to the feet and other body parts from exposure to hot metal

The Bill incorporates these provisions in the new offence prohibiting the leaving of dogs in cars for longer than 5 minutes in temperatures of 28 degrees or above. Similarly, it prohibits the transport of dogs on trays of vehicles unless the tray has insulation from heat.

The AVA notes that while this is a step forward, the threshold temperature is set too high and should be removed or revised down. A recent study performed in California to monitor temperature changes within closed or partially closed vehicles. Temperatures rose by 22 degrees Celsius within sixty minutes on average. Even in cool ambient temperatures, internal temperatures were recorded as high as 47 °C. Opening windows to 40mm had no significant effect on the speed of temperature increase or

---

<sup>13</sup> <https://www.ava.com.au/policy-advocacy/policies/companion-animals-management-and-welfare/companion-animals-confined-to-vehicles/>



the temperature reached<sup>14</sup>. Other studies<sup>151617</sup> have shown similar results (including a study in Brisbane, Australia<sup>18</sup>) indicating that temperatures within enclosed vehicles, and those with a small amount of ventilation, rise to levels that will seriously threaten the health of contained animals.

## Recommendation

- That the 28 degrees 'Hot Weather' threshold be reviewed in Clause 37 of the Bill.

### *Production or distribution of animal cruelty material*

The AVA condemns the creation, publication and distribution of media showing gratuitous animal cruelty. Clauses 38 and 39 in the Bill set out the proposed offence. It includes a series of situations that are exempt from the provisions. These centre around legitimate enforcement, research, education and whistleblowing.

It also includes an exemption where the person could not reasonably have known the nature of the material. Video footage is an increasingly common and useful tool in animal management. These uses should not be prohibited under this proposal.

### *Prohibited and restricted procedures*

The AVA supports the prohibited and restricted procedures set out by the draft Bill. These are:

Procedure	Restriction
tail nick a horse,	Prohibited
grind, trim or clip the teeth of an alpaca, llama or sheep,	Prohibited
hot iron brand the face of an animal,	Prohibited
fire or thermocautery on an animal,	Prohibited
surgical artificial insemination on a dog	Prohibited
ear cropping	performed by a veterinary practitioner for the purpose of treating disease, illness or injury
declawing	performed by a veterinary practitioner for the purpose of treating disease, illness or injury
clitoridectomy on a dog	performed by a veterinary practitioner for the purpose of treating disease, illness or injury
tail docking of cattle, a horse or a dog	performed by a veterinary practitioner for the purpose of treating disease, illness or injury
debarking	performed in circumstances prescribed by the regulations
dewclaw removal on a dog	performed in circumstances prescribed by the regulations
pinioning	performed in circumstances prescribed by the regulations

<sup>14</sup> McLaren, C., J. Null, and J. Quinn, Heat stress from enclosed vehicles: moderate ambient temperatures cause significant temperature rise in enclosed vehicles. *Pediatrics*, 2005. 116(1): p. e109-12.

<sup>15</sup> Gibbs, L.I., D.W. Lawrence, and M.A. Kohn, Heat exposure in an enclosed automobile. *J La State Med Soc*, 1995. 147(12): p. 545-6

<sup>16</sup> Surpure, J.S., Heat-related illness and the automobile. *Ann Emerg Med*, 1982. 11(5): p. 263-5.

<sup>17</sup> Roberts, K.B. and E.C. Roberts, The automobile and heat stress. *Pediatrics*, 1976. 58(1): p. 101-4

<sup>18</sup> King, K., K. Negus, and J.C. Vance, Heat stress in motor vehicles: a problem in infancy. *Pediatrics*, 1981. 68(4): p. 579-82



We are aware of the current debate regarding surgical artificial insemination in dogs. The procedure is in current use in NSW dog breeding including the use of frozen semen insemination in the greyhound industry. It is prohibited in the United Kingdom (2020) and some European countries. A recent letter to the Australian Veterinary Journal<sup>19</sup> by veterinarians experienced in reproductive technology, have presented an argument for similar prohibition on animal welfare grounds. An alternative technology for canine artificial insemination, Trans-cervical Insemination (TCI), is available and has been shown to be effective for frozen semen insemination<sup>20</sup>. However this procedure does require specific equipment and training which may not be available to all veterinary practices currently carrying out canine artificial insemination. In the United Kingdom, the prohibition was phased in over a 12 month period before total prohibition took effect. A similar introduction period would be required in NSW.

#### *Provision of authorised officers with new powers to administer sedatives and/or pain relief to animals (Clause 72)*

While the AVA supports the proposal for granting permission to authorised officers to administer pain relief, it is important that this is done with veterinary advice where possible. Except where mobile communications are not available, the authorised officer should contact a veterinarian and obtain their advice on the appropriateness of the pain relief and the triage of the animal. This is chiefly with respect to ensuring, within the context of how far the animal is from veterinary care, that pain relief and transporting is in the best welfare interest of the animal.

The draft Bill has incorporated these concerns into the proposed provisions. Clause 72(4) of the Bill indicates that where an authorised officer intends to administer sedatives or pain relief, they must first consult a veterinarian if practical. Further, following the administration of the sedative or pain relief, they must arrange for the animal to be seen by a veterinarian.

There is an additional question around the need to ensure that the authorised officers are able to be appropriately trained to give pain relief. The Government Consultation Report notes that in addition to being authorised officers, these officers will need to be accredited by the Veterinary Practice Board.

#### *Provide Local Land Services and council officers with powers in critical situations*

We recognise that a significant number of the current Local Land Services officers are veterinarians. This assists them in these situations. In all cases the officers should be appropriately trained to deal with the emergency situations and seek veterinary advice where needed.

The method of euthanasia is particularly important. The draft Bill does not address the methods available to these officers. Pentobarbitone or similar drugs registered for the euthanasia of animals should only be administered by a registered veterinarian. Non-veterinarians should utilise alternative humane means of euthanising animals and be appropriately trained to carry out the procedure.

#### *Enforcement arrangements and oversight of animal welfare enforcement activities*

The AVA supports that continuation of current enforcement arrangements and the enhanced oversight provisions. These are detailed in Part 7, Divisions 7 & 8 of the Bill. However, we do raise concern of the level of funding that is made available to enforcement agencies. It is important that they are sufficiently resourced to fulfill these roles on behalf of the community. The recent Legislative Council inquiry on animal welfare enforcement in NSW identified the funding of the charitable agencies

---

<sup>19</sup> Gunn Et Al (2021) "The animal welfare aspects of surgical artificial insemination in the canine", Australian Veterinary Journal

<sup>20</sup> Mason SJ, Rous NR (2014) Comparison of endoscopic-assisted transcervical and laparotomy insemination with frozen-thawed dog semen: a retrospective clinical study. Theriogenology 2014;82(6):844–850.



identified as enforcement agencies under the existing Prevention of Cruelty to Animal Act to have considerably less funding than RSPCA, carrying out similar enforcement activities in other States,

#### *Broadened application of Stock Welfare Panels*

Part 6 of the bill sets out the provisions in relation to Stock Welfare Panels. The AVA supports educative and collaborative approaches to improving animal welfare outcomes. The Stock Welfare Panels generally operate on this basis providing educative advice to animal owners. The AVA is supportive of this extending to poultry facilities, piggeries, feedlots and intensive dairies. However, it is important that in doing so, all appropriate biosecurity procedures are adhered to.

In regard to allowing stock owners to restock 30 day after having had animals seized, it is important that follow up activities are undertaken to ensure that behaviour of the stock owner that led to the original seizure of the animals is not repeated. For this reason, additional monitoring and inspection should be undertaken.

#### *Enforcement of restricted acts*

The *Veterinary Practice Act* regulates veterinary services in NSW. Incorporated within the subordinate legislation is a list of restricted acts of veterinary science. These are procedures that may only be performed by veterinarians. While there is some overlap with the *Animal Welfare Bill* in these, there are also a series of procedures that are unique to the *Veterinary Practice Act*. Where these are restricted to protect the welfare of animals, there should be scope for enforcement through the Animal Welfare legislation. This may be addressed through regulation, however it is unclear from the Bill as to whether this will be accommodated.

## Contact:

Graham Pratt  
National Manager, Advocacy & Campaigns  
Australian Veterinary Association