

**Submission
No 228**

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

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NSW Government Animal Welfare Bill 2022

SUBMISSION

Thank you for the opportunity to make a submission. I grew up on a farm for 18 years, so I know what I am talking about.

I made an earlier submission on the 'Animal Welfare Action Plan', which promised to modernise the 40-year-old framework underpinning the protection of animals in NSW, under the Prevention of Cruelty to Animals Act 1979.

The NSW government had committed to improving compliance and enforcement, applying contemporary scientific evidence to ensure positive animal welfare outcomes, and promised that it would listen to feedback from the community.

My family is bitterly disappointed that after two stages of community consultation, this Animal Welfare Bill 2022, has been put forward to replace the old Act.

Despite government rhetoric and promises, nothing has changed.

The draft Bill offers no meaningful change to ensure stronger animal protection.

As we read daily in the newspapers and on social media, exploitative industries, such as factory farming, broad-acre farming and forestry, exposes animals to miserable and dangerous lives as well as abject cruelty.

NSW has the most intensive chicken farms in Australia! Whenever my family sees crates of chickens trucked along the road, we are filled with horror, and we do not eat chickens because we know how they are treated.

The number of intensive farms continues to increase. The number of pigs confined in NSW has increased by 45% in the past decade. NSW has the most commercial duck farms in Australia. Imagine what horrible lives these poor ducks have – they are trapped in large sheds and never see open water. What a travesty!

But the terrible treatment of animals does not only include farm animals in intensive factory farms, because NSW has pushed nearly 1000 ecological communities to the brink of extinction. Habitat is bulldozed to make way for intensive farms and expanding human developments.

Those native animals that survive the encroaching farms and housing developments face increasing risk from bushfires and floods. They are shot at and unprotected. Our beloved kangaroos are still hunted for their meat and skins or are exterminated as pests – to the horror of many people around the world.

And still, despite legislation to outlaw puppy farms in Victoria, and mooted in other states, NSW is still these cruel dog factories to thrive. Moreover, the pounds and shelters are overrun with discarded pets; the conditions in these pounds are inadequate and antiquated.

Thousands of healthy companion animals are killed in them every year. So why let puppy farmers keep churning out litter after litter in the most conditions?

Then there is the abhorrent cruelty and terrible treatment of animals because of scientific experimentation, as well as commercial exploitation by entertainment industries in racing, circuses, and zoos.

Animals deserve better – and the people want their animals to be protected, not exploited and treated so cruelly.

My family wants the following:

1. any new law must contain explicit recognition of animal sentience - failure to do so is a structural inadequacy that goes against all modern science.
2. the proposed Act must prevent the differential treatment of animals based on their species or their intended purpose - the law must apply equally without prejudice or discrimination
3. the animal welfare framework must be appropriately and transparently enforced - conflicts of interest must be abolished so that the government department responsible for overseeing animal protection is not influenced by interests that rely on their commercial production
4. legislation must be consistent and adhere to contemporary and emerging community expectations - Australians expect and deserve stronger legal protections for all animals
5. an independent Office of Animal Welfare must be established to guarantee consistency and accountability.

It is extremely disappointing to my family that NSW has failed to institute a functional framework to guarantee meaningful protections for animals. Protections are neither encoded under law nor included.

Other states have listened to the community on this - but NSW has ignored the wishes of the community on animal welfare.

It is a basic tenet, **but** the proposed legislation does not even recognise animal sentience. instead, it claims that merely acknowledging animals experience pain is sufficient to meet scientific evidence, international standards, or community expectations. IT DOES NOT.

The new bill continues to permit inadequate and weak codes of practice. This means it will legalise cruel animal procedures and practices that would otherwise constitute cruelty. I refer in particular to routine husbandry procedures that are inflicted without pain relief (which I saw for myself growing up on the farm) as well as the intensive confinement of animals in crates and cages

Shamefully, the regulation and enforcement of animal protection remains under the control of a charity, the RSPCA. What a cop-out by the government. It is relying on people like me to

fund the charity that must protect these animals, instead of accepting responsibility and putting in codes and procedures and funding itself.

Instead of protecting animals in a modern Act, the result will be that the people inflicting cruelty remain protected, not the sentient animals in harm's way.

All animals are entitled to be safe and free from harm by self-interested users who are driven by profit.

This new rewrite of the Act was a valuable opportunity to acknowledge and enshrine our moral obligation to protect ALL species and get rid of the double standards where certain species are offered some protection while others like farm animals and those called 'pests' are exploited and killed.

In conclusion, it is not too late to change this bill for the better. Please do so.

Jan Kendall

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