

Submission  
No 232

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

**Name:** Name suppressed

**Date Received:** 28 February 2022

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Partially  
Confidential

Submission to the Standing Committee Re Draft Animal Welfare Bill 2022  
- Deirdre Crofts

While I support robust legislation in regard to animal welfare, I wish to express some concerns I have over this Draft Bill.

It does not make any sense to me that opinion is being sought on the Draft Bill while the supporting Regulations referenced throughout the Bill have either not been drafted or are not available for consultation. This makes it very difficult to understand the intent in much of the Draft and to then provide informed feedback on much of the Draft Bill is not possible.

- Clarification of Part 1 Division 1 Section 4 (c) (ii) – “the keeping and use of animals for the purposes of exhibition”

For the past 48 years I have shown my purebred dogs at ANKC/Dogs Australia Championship Shows. I keep a small number of dogs that are fully health tested (ie DNA health tested and profiled plus veterinary specialist health checked), I only breed a litter when I am looking for my next show dog (ie 1 litter every 3 or 4 years) and the lack of clarity on exhibition and exhibited animals, coupled with the “licensing framework” leads me to wonder if there will be unintended consequences that will lead to me having to abandon my hobby in NSW. No Regulations are available to give any clarity to this.

- Part 3 Division 3 Section 22 Section 1 (e) – “surgical artificial Insemination on a dog”.

I have heard that the Minister Dugald Saunders MP has stated that this is to be removed from the Bill but I am yet to see any written confirmation of this. This is currently a procedure performed by Veterinary Surgeons and is done with the aim to enable dog breeders to avail themselves of the best genetically sound dogs located around the world. Millions of dollars have been invested by dog breeders in collecting and storing frozen semen. If this clause is not removed then there will be huge financial loss to all dog breeders that have invested in frozen semen to improve and preserve their breed of dog.

- Part 7 Division 3 Section 66 1 (f) – “at any reasonable time to investigate, monitor and enforce compliance with this Act or the regulations, if the authorised officer reasonably suspects an agricultural, commercial or industrial activity relating to animals is being carried out.”

And 2 – “For subsection 1 (f), the regulations may prescribe activities that do or do not constitute agricultural, commercial or industrial activities”

In the absence of Regulations and with those clauses being so broad I am concerned of the unintended consequences that this may bring into the conduct of authorised officers. There is currently no specified definition of Commercial in the Draft Bill, this needs to be addressed and further consultation with stakeholders to fully assess if there may be unintended consequences.

- Part 7 Division 7 Section 89 1 (a) – “The Secretary may, by written instrument appoint the following persons as an authorised officer for this Act – (a) a public service employee”

This is extremely concerning as a public service employee could extend to someone with no species/breed specific experience. This has the potential to extend to a huge number of

“authorised officers” that may not have any expertise in the handling or care of animals they face, someone that is convenient but has never dealt with animals in any capacity. This screams unintended consequences to me.

- Schedule 1 Restricted procedures, Column 1 Procedure “Dewclaw removal on a dog” and Column 2 Restriction “performed in circumstances prescribed by the regulations”

Again as there are no regulations available to give clarity to the intent in adding this procedure to “restricted procedures” and I could not see that this was a discussion topic in the “Animal Welfare Reform Discussion Paper”, consultation on the regulations on this procedure MUST be obtained from stakeholders. This should be a Veterinary procedure and not have heavy restrictions applied.

In conclusion, I absolutely support robust animal welfare legislation, but a fair framework is essential so that crippling unintended consequences of non-cruelty factors do not overtake and result in passionate, caring animal breeders and owners being burdened with legislation that will effectively end their hobby.