

**Submission
No 299**

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

Name: Ms Cheryl Forrest-Smith

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To NSW Animal Welfare Laws – Reform Review Panel



Lucy needs your help.

From the moment Lucy was born, her life was full of fear, pain, and suffering.

Lucy and her siblings entered the world on a cold metal and concrete floor. They shivered in the barren cell and struggled to walk on the slatted floor. Lucy's mum couldn't move in the small space, and it was difficult for Lucy and her siblings to seek nurturing comfort.



When she was just a few days old, Lucy had her ears brutally notched, her tail cut off, and her teeth clipped, without any pain relief. She screamed and wiggled around trying to make them stop hurting her, but no one listened. Lucy became very distressed watching her sick and under-sized siblings be killed by workers in a brutal and uncaring manner.



When she was only a few weeks old, Lucy was taken away from her mother and separated from her siblings. She was placed in a cramped pen with others that she didn't know. With no natural enrichment, everyone was frustrated and bored, and some bullied and tormented others, just to pass the time.



When Lucy was eight months old, she was forcibly impregnated and placed in a stall that was only slightly bigger than her body. She couldn't feel the sun on her skin, smell the fresh air, forage, explore, or stretch her legs. All she could do was spend her time chewing on the metal bars in an attempt to escape.



When the door of her cell opened, Lucy thought she was finally free - but this fleeting moment of happiness ended as she was forced to walk into another cell - one that looked just like her mother's...

It has been proven that pigs can tell the passing of time, dream, have excellent memories, rational thought, and suffer both mentally and physically on farms.² Despite knowing this, current animal

welfare policies continue to condone cruelty for farmed animals but now is our chance to change this.

More than 800,000 pigs like Lucy in NSW desperately and urgently need the law to catch up with community and global expectations by preventing cruelty to animals.

In 2018, the NSW State Government released its 'Animal Welfare Action Plan' with a promise to modernise the forty-year-old framework underpinning the protection of animals in NSW, under the Prevention of Cruelty to Animals Act 1979. In the process, it committed to improving compliance and enforcement, applying contemporary scientific evidence to ensure positive animal welfare outcomes, and listening to feedback from the community.

After two stages of community consultation, the Animal Welfare Bill 2022, has been prepared to replace the existing animal welfare and protection legislation in NSW. Despite government rhetoric and promises, nothing has changed and the draft Bill offers almost no meaningful change to ensure stronger animal protection. Animals will remain defenceless in the face of the law.

In homes, exploitative industries, and from the farm to the forest, all animals are facing growing threats. NSW has the [highest number](#) of chicken farms in Australia and the number of animals crammed in food production and commercial sheds continues to increase. The number of pigs confined in NSW has [increased by 45%](#) in the past decade. The majority of commercial duck farms are [located in NSW](#). In vast sheds, ducks are confined to large, dry sheds and [refused access to open water](#).

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NSW has pushed around [1,000 species](#) and ecological communities to the brink of extinction. Despite this damning figure, their habitat is bulldozed to make way for intensive farms and expanding human developments. Our homes are where theirs once were.

Meanwhile, others face increasing risk from bushfires and floods caused by the climate change our actions and diets produce. Those that survive are seen through shotgun sights. Iconic kangaroos are still hunted for their meat and skins or are gunned down as “pests”.

In NSW, puppy factories continue to thrive, and our inadequate and antiquated pound and shelter system continues to fail thousands of healthy companion animals every year. Other species continue to suffer abhorrent cruelty and harm from experimentation or commercial exploitation by entertainment industries in racing, circuses, and zoos.

Our state is hell on earth for animals.

I strongly recommended:

- any emerging law must contain explicit recognition of animal sentience - failing to do so reflects a structural flaw that disregards modern science
- the proposed law must prevent the differential treatment of animals based on their species or their intended purpose - the law must apply equally without prejudice or discrimination
- 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 isn't influenced by interests that rely on their commercial production
- legislation must be consistent and adhere to contemporary and emerging community expectations - Australians expect and deserve stronger legal protections for all animals
- an [Independent Office of Animal Welfare](#) must be established in order to ensure consistency and accountability.

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The basic requirements to make the framework functional and ensure meaningful protections for animals are neither encoded under law or included. Unlike other recent reforms in other Australian states, NSW has refused to listen to the community.

- the new law fails to recognise sentience - instead, it claims that merely acknowledging animals experience pain is sufficient to meet scientific evidence, international standards or community expectations
- the new framework continues to permit inadequate and weak codes of practice - this reliance legalises acts and practices that would otherwise constitute cruelty, including routine husbandry procedures without pain relief and the intensive confinement of animals in crates and cages
- the regulation and enforcement of animal protection remains under the control of a charity - no other public interest law is overseen by an underfunded charitable organisation

The NSW Government has simply rewritten and compressed an outdated law so that the people inflicting cruelty remain protected, instead of the animals they harm. But all animals are sentient – capable of feeling joy and happiness, of suffering fear and pain. All are entitled to be safe and free from harm by self-interested users driven by profit at the expense of the well-being of animals at their mercy.

This is a valuable opportunity to acknowledge and enact in law, our moral obligation to end the double-standards and hypocrisy of protecting certain species over others on the basis of how we choose to ‘use’ them, and replace this with consistent, non-discriminatory laws that will meaningfully protect all animals.

Yours faithfully – and in hope,
Cheryl Forrest-Smith
Contact details supplied

