

# **Australian Animal Welfare Strategy**

## **Final Summary Report**

**On**

## **Priorities for Action from Inventories of Animal Welfare Arrangements**

**Compiled by**

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**August 2006**

## Executive Summary

The Australian Animal Welfare Strategy (AAWS) covers the humane treatment of all sentient animals in Australia including:

- Animals used in research and teaching
- Companion animals
- Animals in the wild
- Aquatic animals
- Livestock/production animals
- Animals used for work, sport, recreation and on display

As part of the AAWS implementation plan, a working group has been established for each of these broad animal sectors. These working groups have each independently prepared a stocktake of existing animal welfare arrangements applicable to their sector with the assistance of consultants. The purpose of these separate stocktakes is to provide a basis on which to assess gaps or weaknesses in arrangements and to provide a platform for progressing change through an Action Plan to be implemented under AAWS.

To assist the AAWS Advisory Committee in overseeing the Action Plan the Department of Agriculture Fisheries and Forestry (DAFF) Animal Welfare Unit commissioned the preparation of a summary report compiled from the six stocktake reports that summarised:

- Current animal welfare arrangements
- Gaps, weaknesses and risks in the current arrangements
- Priorities for future action

Cross-sectoral animal welfare arrangements have been identified and a summary of arrangements applying within each animal sector has been compiled. Gaps, weaknesses and risks were brought out in each of the sector reports and have been further summarised in this report.

The following Priorities for Action were identified in a workshop involving each of the consultants involved in the preparation of the six stocktake reports. An attempt has been made to draw out those action priorities that apply across all sectors along with those seen as priorities within each animal sector.

### 1. Cross Sectoral Priorities

**Address State and Territory Differences regarding Animal Welfare** – all sectors raised the issue of differences between the States and Territories in the way they exercise their responsibility for animal welfare. These differences include:

- Nature of legislation
- The nature and role of Codes of Practice
- Ministerial and departmental responsibility
- The measures adopted to ensure compliance

- **Priorities within jurisdictions**  
The objective should be to achieve equivalence in outcomes and to avoid confusion rather than necessarily to have identical systems.

**Recognition of Animal Welfare under COAG** – currently there is no Ministerial Council for Animal Welfare and this responsibility resides within PIMC, where not all responsible Ministers are present and not all species are covered.

**Development of relevant standards and communication to stakeholders** – the availability of agreed standards or codes varies between sectors and continued efforts need to be directed to their development and dissemination as part of improving community and stakeholder awareness.

**Identification of Stakeholders** – Many sectors have had difficulty in identifying all stakeholders involved within their areas. This may impact on any program, including the effectiveness of awareness and education activities, and improving consultation on and ownership of animal welfare arrangements.

**Competencies and training** – there is an ongoing requirement for identification of competency standards at all levels in all sectors and developing education, training or awareness activities to achieve these standards. This has the potential to provide the basis or enhancements for accreditation, continuous improvement activities such as QA and ongoing expertise requirements.

**Identify and measure performance indicators for animal welfare** – It is difficult to measure the status of animal welfare in all sectors and to determine whether actions have contributed to progress or improvement over time. Performance indicators will provide the basis for individual sectors and the government to assess success of elements of the strategy and future directions.

**Research and Development** – R&D to support the continuous improvement in animal welfare standards and the development of objective measures and performance indicators. It is also important to ensure there is effective communication between sectors on research and coordination to avoid duplication

**Community education and awareness activities** - to demonstrate the importance of animal welfare. Improving community understanding of arrangements and measures with the appreciation that good animal welfare is essential for ecosystems, recreation, industry profitability and sustainability.

**Definition of Animal Welfare** – all sectors had difficulty identifying a consistent nature or definition of animal welfare. This has the potential to lead to confusion in awareness and communication activities and determining relevant performance indicators of progress.

## **2. Animal used in research and teaching**

The following priority areas for action were identified:

- Development of an agreed process for measuring animal welfare improvements to enable comparative assessment of statistics and data over time.
- Endorsement of the Australian Code under COAG facilitated by an RIS process. This will enhance the international standing of the Code and improve consistency of adoption within States and Territories.
- A firm commitment of ongoing funding to Code of Practice review.

## **3. Companion Animals**

The following priority areas for action were identified:

- Broad scale education of pet owners on the welfare of animals
- Greater orientation to animal welfare within local government
- Review of Codes of Practice to ensure the welfare of animals is adequately covered
- Support for the whole of government approach through AMRRIC to the specific issues of indigenous social disadvantage and pet care
- Ongoing research

## **4. Animals in the Wild**

The following priority areas for action were identified:

- Assured resources for research and development and fostering ongoing expertise within the R&D community
- Research into appropriate performance indicators to measure progress in welfare improvement
- Enforceable codes of practice for:
  - Vertebrate pest control
  - Control of over abundant native species
  - Rehabilitation, reintroduction and translocations of animals to the wild and the imperative of habitat quality

It was recognised that a balance has to be struck between the companion animal sector and the animals in the wild sector in relationship to availability of habitat.

## **5. Aquatic Animals**

The following priority areas for action were identified:

- The possibility of developing minimum fish welfare standards across all four principle aquatic sectors
- Improving industry awareness and ownership of arrangements

- Compliance mechanisms with cooperative adoption – not imposed
- Development of mechanisms for measuring fish welfare
- Communication to stakeholders

## **6. Livestock/Production Animals**

The following priority areas for action were identified:

- Incorporation of animal welfare components into existing industry quality assurance arrangements
- Development of core competencies within all sectors and initiation of training to achieve these competencies
- Addressing state differences in regulation
- Community education and awareness
- Efficient coordination of current and future R&D program

## **7. Animals used in work, sport, recreation and on display**

The following priority areas for action were identified:

- The development of standards covering the welfare of animals across the whole sector assisted by:
  - Identification of the full scope of animal uses within the sector
  - Identification and analysis of all activities and groups relating to the animal uses within the sector

**Australian Animal Welfare Strategy  
Integrated Summary Report on Animal Welfare Arrangements  
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# 1. Introduction

## Background

The Australian Animal Welfare Strategy (AAWS) covers the humane treatment of all sentient animals in Australia including:

- Animals used in research and teaching
- Companion animals
- Animals in the wild
- Aquatic animals
- Livestock/production animals
- Animals used for work, sport, recreation and on display

As part of the AAWS implementation plan, a working group has been established for each of these broad animal sectors. These working groups have each independently prepared a stocktake of existing animal welfare arrangements applicable to their sector with the assistance of consultants. The purpose of these separate stocktakes is to provide a basis on which to assess gaps or weaknesses in arrangements and to provide a platform for progressing an Action Plan to be implemented under AAWS.

To assist the AAWS Advisory Committee in overseeing the Action Plan the Department of Agriculture Fisheries and Forestry (DAFF) Animal Welfare Unit commissioned the preparation of a summary report compiled from the six stocktake reports that summarised:

- Current animal welfare arrangements
- Gaps, weaknesses and risks in the current arrangements
- Priorities for action

## Approach

An initial review of the stocktake reports was undertaken by the consultant. A workshop was then held in Canberra with each of the consultants involved in preparing the sector reports participating, along with DAFF Animal Welfare Unit staff. This enabled a comparative assessment of animal welfare arrangements, gaps, weaknesses and risks. It also facilitated the identification of areas of common ground and enabled a consensus on priorities for action to emerge. The outcome from this workshop process has been separately recorded in section 9 of this report - Priorities for Action.

## **Acknowledgements**

The following consultants for each of the working groups were responsible for preparation of the six animal use sector stocktake reports and participated in the workshop.

<b>Working Group</b>	<b>Consultant</b>
Animals used in research and teaching	Dr Steve Atkinson
Animals used in work, sport, recreation and display	Dr Steve Atkinson
Companion Animals	Ms Virginia Jackson
Animals in the Wild	Dr Lyndy Scott
Aquatic Animals	Dr Paul Hardy-Smith
Livestock/production animals	Mr Kevin Shiell

The preparation of this summary report relied largely on the work already completed by these consultants and on their reports to the respective Working Groups. Working Group participants also contributed significantly in this inventory development process. There has been no attempt to revisit or revise these outcomes in the preparation of this summary. Some of the Working Groups identified priorities for action and these have been shown in the relevant section.

The preparation of priorities for action (section 9) was an outcome from the consultant's workshop process and has not been considered in this form by any of the Working Groups.

## **Qualification**

Every effort has been made to provide a summary that captures the essence of each of the Working Group stocktake reports. It was evident in discussions at the workshop however that each animal use sector is unique, and that the six stocktake reports already summarise arrangements in a diverse range of animal considerations. This report is a further summation of this complexity and in no way provides a substitute for ongoing consideration of each of the stocktake reports. This important process remains the responsibility of the Working Groups.

## **2. Cross Sectoral Arrangements**

All animal sectors included under the AAWS exist within a very broad framework of animal welfare arrangements at the international, national, state and territory levels. Combined with this are a range of representative and other non-government organizations that contribute to this framework.

The following provides a brief overview of this framework:

### **2.1 International**

#### **2.1.1 World Organisation for Animal Health**

The Sanitary and Phytosanitary Measures Agreement (SPS) is the specific World Trade Organisation (WTO) agreement on food safety and animal and plant health standards and sets out the basic rules in this area. The SPS recognises The World Organisation for Animal Health (formerly the OIE) as the international body responsible for the development and promotion of international animal health standards, guidelines, and recommendations affecting trade in live animals and animal products. The OIE is an intergovernmental organisation of 167 member countries.

Animal welfare was identified as a priority in the 2001-2005 OIE Strategic Plan and Member Countries decided that the OIE was the organisation best placed to provide international leadership on animal welfare. Even though the WTO SPS Agreement does not cover animal welfare, Member Countries wished to have guidelines and recommendations to assist them in their international negotiations.

A permanent Working Group on Animal Welfare was established in October 2002 and the OIE decided to give priority to the welfare of animals used in agriculture and aquaculture, and that, within that group, the topics of transportation, humane slaughter and killing for disease control purposes would be addressed first, followed by housing and management. Other topics, such as research animals and wildlife, would be addressed as resources permitted.

The OIE Working Group has been involved in the development of policies and guiding principles from which to prepare draft recommendations and standards for the identified priorities.

In 2005, the International Committee of OIE Member Countries adopted the following four animal welfare standards to be included in the Terrestrial Animal Health Code:

- The transport of animals by land
- The transport of animals by sea
- The slaughter of animals for human consumption
- The killing of animals for disease control purposes

### **2.1.2 World Society for the Protection of Animals**

The World Society for the Protection of Animals (WSPA) is the world's largest non-government organisation (NGO) network for animal welfare. It brings together over 650 Member Societies in more than 143 countries.

WSPA's animal welfare programmes include a mix of direct fieldwork, campaigning, education and training, and member society development.

WSPA's approach is focused on four priority animal welfare areas:

- **Companion animals**- responsible pet ownership, humane stray management, and preventing cruelty.
- **Commercial exploitation of wildlife** - intensive farming, cruel management and killing of wild animals for food or products.
- **Disaster relief for animals** - providing relief to animals in distress from man-made or natural disasters.
- **Farm animals** - intensive farming, long distance transportation, and inhumane slaughter of domestic animals for food.

### **2.1.3 Other Animal Welfare and Animal Rights Groups**

There are many international animal welfare and animal rights groups seeking to influence the handling, management and community attitudes to animals. These groups include:

- Compassion in World Farming
- People for the Ethical Treatment of Animals
- Humane Society International
- Humane Society of the United States

## **2.2 National**

Australia's state and territory governments have primary responsibility for animal welfare and laws to prevent cruelty. The Australian (Federal) Government is responsible for trade and international agreements relating to animal welfare. The national, State and Territory governments have however agreed to participate in a number of inter-government forums with the objective of communicating and cooperating on issues including animal welfare. In the case of Animal Health Australia this partnership includes industry.

## **2.2.1 National Organisations**

### **Council Of Australian Governments (COAG)**

COAG is the peak intergovernmental forum in Australia, comprising the Prime Minister, State Premiers, Territory Chief Ministers and the President of the Australian Local Government Association (ALGA). Over 40 Commonwealth-State Ministerial Councils and fora facilitate consultation and cooperation between the Australian Government and state and territory governments in specific policy areas. The councils initiate, develop and monitor policy reform jointly in these areas, and take joint action in the resolution of issues that arise between governments. In particular, Ministerial Councils develop policy reforms for consideration by COAG, and oversee the implementation of policy reforms agreed by COAG

### **Primary Industries Ministerial Council (PIMC)**

The Primary Industries Ministerial Council (PIMC) is the peak government forum for consultation, coordination and, where appropriate, integration of action by governments on primary industries issues. There is no separate peak Council of Ministers specifically responsible for animal welfare and PIMC addresses matters in this area, although some state/territory Ministers responsible for animal welfare are not involved on PIMC.

### **Primary Industries Standing Committee (PISC)**

PISC's is made up of all primary industry government departmental Secretaries whose main role is to support the PIMC in the achievement of its objectives and to develop cooperative and coordinated approaches to matters of concern to the Council. PISC has established Advisory Committees including the Primary Industry Health Committee to provide specialist advice in specific areas.

### **Primary Industries Health Committee (PIHC)**

PIHC manage and report to PISC on national and strategic issues in relation to quarantine policy; animal, fish (aquatic animal), plant and forest health; agricultural and veterinary chemicals; and related matters.

### **Animal Health Committee (AHC)**

The AHC's primary purpose is to provide scientific and technical advice on animal health issues to PISC. In so doing, AHC contributes to national policy development on animal health issues. AHC conducts its business in close conjunction with Animal Health Australia, providing technical and policy advice and consulting over program development. AHC reports through PIHC to PISC.

### **Animal Welfare Working Group (AWWG)**

The Animal Welfare Working Group (AWWG) is a sub-committee of AHC and is responsible for the development of national standards for animal welfare with

scientific support from specialist working groups from government, relevant industry representatives and other stakeholders.

### **Department of Agriculture, Fisheries and Forestry (DAFF) – Animal Welfare Unit (AWU)**

The AWU is part of the Product Integrity Animal and Plant Health (PIAPH) division of DAFF and is responsible for animal welfare issues in general and in particular the implementation of the AAWS. The AWU also provides the secretariat for the National Consultative Committee on Animal Welfare (NCCAW).

### **Animal Health Australia (AHA)**

AHA is a not-for-profit public company established by the Australian, State and Territory governments and major national livestock industry organisations to ensure that the national animal health system delivers a competitive advantage and preferred market access for Australia's livestock industries. In fulfilling this role, AHA manages a suite of national animal health programs.

### **National Consultative Committee on Animal Welfare (NCCAW)**

NCCAW is a non-statutory committee that advises the Minister for Agriculture Fisheries and Forestry on:

- The national implications of welfare issues affecting animals
- The effectiveness and appropriateness of national codes of practice, policies, guidelines and legislation to safeguard or further the welfare of animals and protect the national interest:

### **Australian Animal Welfare Strategy (AAWS)**

The AAWS is a national strategy that aims to maintain and improve the high standards of animal welfare that currently exists in Australia. It describes a broad and comprehensive vision that covers the care of, use of, and impacts of human activity (direct and indirect) on, all sentient species of animals in Australia. AAWS was approved by the Primary Industries Ministerial Council in May 2004.

### **AAWS Advisory Committee**

The committee provides advice to the Minister for Agriculture, Fisheries and Forestry, through DAFF and is responsible for:

- Overseeing delivery of the plan's key priorities and targets
- Helping to facilitate communication with stakeholders and promote ownership of the Strategy
- Undertaking an advocacy role for implementation of the Strategy

The committee also provides advice on the content of specific action plans in each of the six animal sectors under the Strategy and possible mechanisms to progress these action plans with key stakeholders. Throughout this process the Advisory Committee consults with key stakeholders and the Australian community.

### **AAWS Sectoral Working Groups**

AAWS outlines six sectors covered by the strategy and separate working groups have been established for each of these sectors; namely:

- Livestock/Production animals
- Animals in research and teaching
- Aquatic animals
- Companion animals
- Animals used for work, sport, recreation or on display
- Animals in the wild

### **Australian Veterinary Association**

The AVA is a National Association representing members of the veterinary profession to all levels of government, in the media and within the community on important veterinary related issues. As such they provide professional veterinary policy input at various levels of government and industry.

### **RSPCA**

The Objectives of the Society are:

- To prevent cruelty to animals by enforcing the existing laws.
- To procure the passage of such amending or new legislation as is necessary for the protection of animals.
- To sustain an intelligent public opinion regarding animal welfare.
- To take whatsoever steps are necessary to educate the community with regard to the humane treatment of animals.
- To diffuse information about the care, protection and treatment of animals by publishing and circulating literature and conducting lectures, seminars and competitions.
- To conduct, manage, operate or encourage clinics, hospitals, homes or shelters for the care, treatment, maintenance and protection of animals, and to acquire and conduct ambulance and/or other means of relevant animal transport

RSPCA is a member of WSPA

### **Animals Australia**

Animals Australia is the Australian arm of the Australian and New Zealand Federation of Animals Societies (ANZFAS). Animals Australia currently represents more than 40 member groups and individual members throughout Australia and has representation on all major animal welfare committees.

Animals Australia is a member of WSPA.

### **National Peak Industry bodies**

There are many peak industry councils and organisations that provide active input to animal welfare arrangements through:

- Policy development and position statements

- Industry awareness activities
- Codes of Industry Practice and Conduct
- Industry Standards and quality assurance schemes
- Representations to government, other industry and welfare stakeholders and to the broader community

### **2.2.2 National Animal Welfare Codes of Practice**

National Model Codes of Practice for Animal Welfare have been prepared and are reviewed on behalf of PIMC by the AWWG, reporting through AHC and PISC. States and Territories either call up these Codes under animal welfare legislation or have prepared state codes based on these models.

AHA has developed a Business Plan to rewrite the Model Codes to incorporate both the national welfare standards and industry “best practice” guidelines for each species or enterprise. The initial task will be to review and re-format as necessary each of the 22 existing Model Codes into a document that combines Australian Welfare Standards and supporting Guidelines for that species or enterprise, using a standard template.

### **2.3. States and Territories**

Under the Australian Constitution, State and Territory governments have primary responsibility for animal welfare within Australia. Each State and Territory government has laws to prevent cruelty and to promote the welfare of animals by legislating standards for their care and treatment. Most States and Territories have incorporated the Australian model codes of practice for the welfare of animals under their jurisdiction's 'Prevention of Cruelty to Animals' legislation. The Australian (Federal) Government has responsibility for trade and international agreements.

Each State and Territory has legislation against the offence of cruelty to animals and all have an Animal Welfare Advisory Committee to provide advice on animal welfare issues and on state legislation. In most States and Territories the Primary Industry department is responsible for administration and enforcement of the legislation although this is not the case in all situations.

Integral to each of the state animal welfare processes is the role of authorised officers under the State Act. These may be departmental personnel, Police, RSPCA inspectors or Animal Welfare League Inspectors in some States and Territories. Whilst police hold the powers under the animal welfare (POCTA) legislation, they often tend to defer to authorised inspectors from the relevant government department or other organisations.

### **3. Animals in Research and Teaching**

#### **3.1 Overview**

The scope of the Animals in Research and Teaching Working Group (ARTWG) covers all animals used in research and teaching.

#### **3.2 Current animal welfare arrangements**

The broad framework set out in the section on cross-sectoral arrangements in Section 2 of this report applies to this sector.

No Commonwealth Legislation covers the use of animals in research and teaching and each of the States and Territories has developed its own form of Legislation in this area. A national Code of Practice, the *Australian Code of practice for the care and use of animals for scientific purposes* (the Australian Code, or the Code) has been produced and compliance with it is now a requirement in all jurisdictions. Other State/Territory Legislation, Commonwealth/State/Territory Codes of Practice and Guidelines also apply.

ARTWG members have identified that the Research and Teaching Sector is very well structured across all States and Territories of Australia, and that the legislative and other controls currently in place are significant and the outcomes in welfare for animals involved is reasonably consistent. Processes are in place in most of the States and Territories to ensure compliance with the Code and State and Territory Legislation.

Support of the process to maintain the Code is largely provided by the National Health and Medical Research Council (NHMRC) supported by the Australian Government Department of Health and Ageing (DOHA). Other stakeholders with demonstrated interest in the application of the Code have less direct commitment to the process of the Code review and endorsement.

Processes to ensure compliance with the Code and State legislation.

- a. Through Deeds of Agreement, the NHMRC requires mandatory compliance with the Code by accredited institutions. There is a requirement for all NHMRC accredited institutions, in receipt of NHMRC funding, to sign an annual deed of agreement in which the head of the institution must declare that all research carried out in that institution complies with all NHMRC Codes, guidelines and statements.
- b. For institutions using animals in research; statements of compliance must be completed at the end of each calendar years and include details of Animal Ethics Committee (AEC) membership, meeting procedures, use of certain types of animals for research, treatment of grievances and non-compliance with the Code, frequency of reporting to the Institution and to the State government regulatory agency and whether an independent review has been undertaken.
- c. The State authorities in Western Australia have asked the NHMRC to act as the body to review compliance by all researchers in that State. An annual statement of compliance will have to be completed by researchers.

- d. The Code (Section 2.1.2) states “To enable the institution to assess whether the care and use of animals by the institution complies with the Code, an external triennial review should be undertaken.” Appendix 1 of the Code outlines how such reviews should be undertaken.

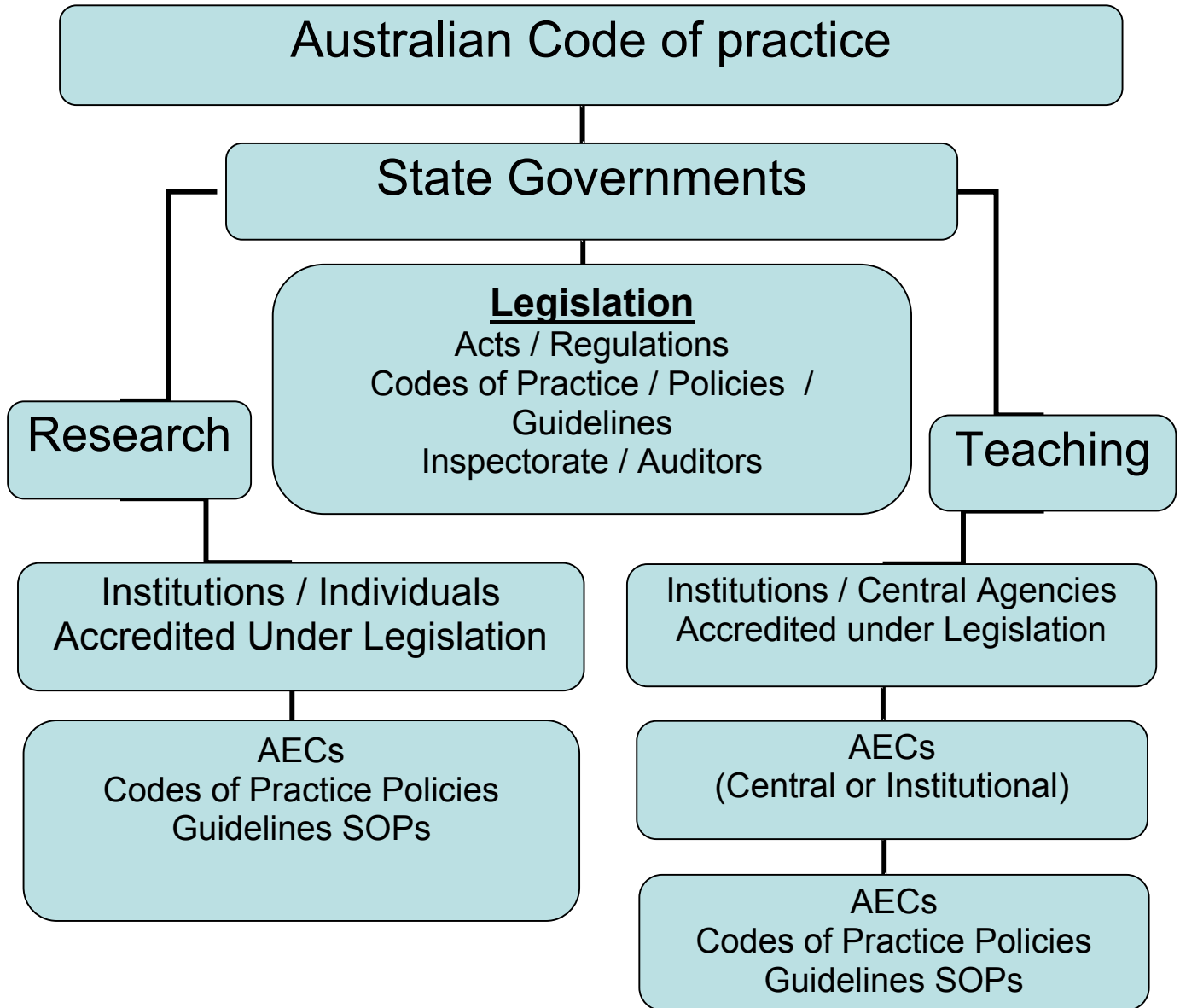
NOTE: There is recognition that where in place, existing State government compliance processes that are carried out as part of the administration of State and Territory animal welfare legislation might achieve the desired outcomes in regard to regular reviews. This needs validation and verification.

The processes defined within the various State and Territory legislations differ with respect to the method and regularity of reviews of compliance with the Code and their legislation. NSW, Victoria and Tasmania had mechanisms in place prior to 2005 to undertake regular reviews of AECs as part of the process of maintaining a high level of transparency in the process. NSW was at the time the only jurisdiction to publish matters relating to compliance as part of the Annual Report of the ARRP.

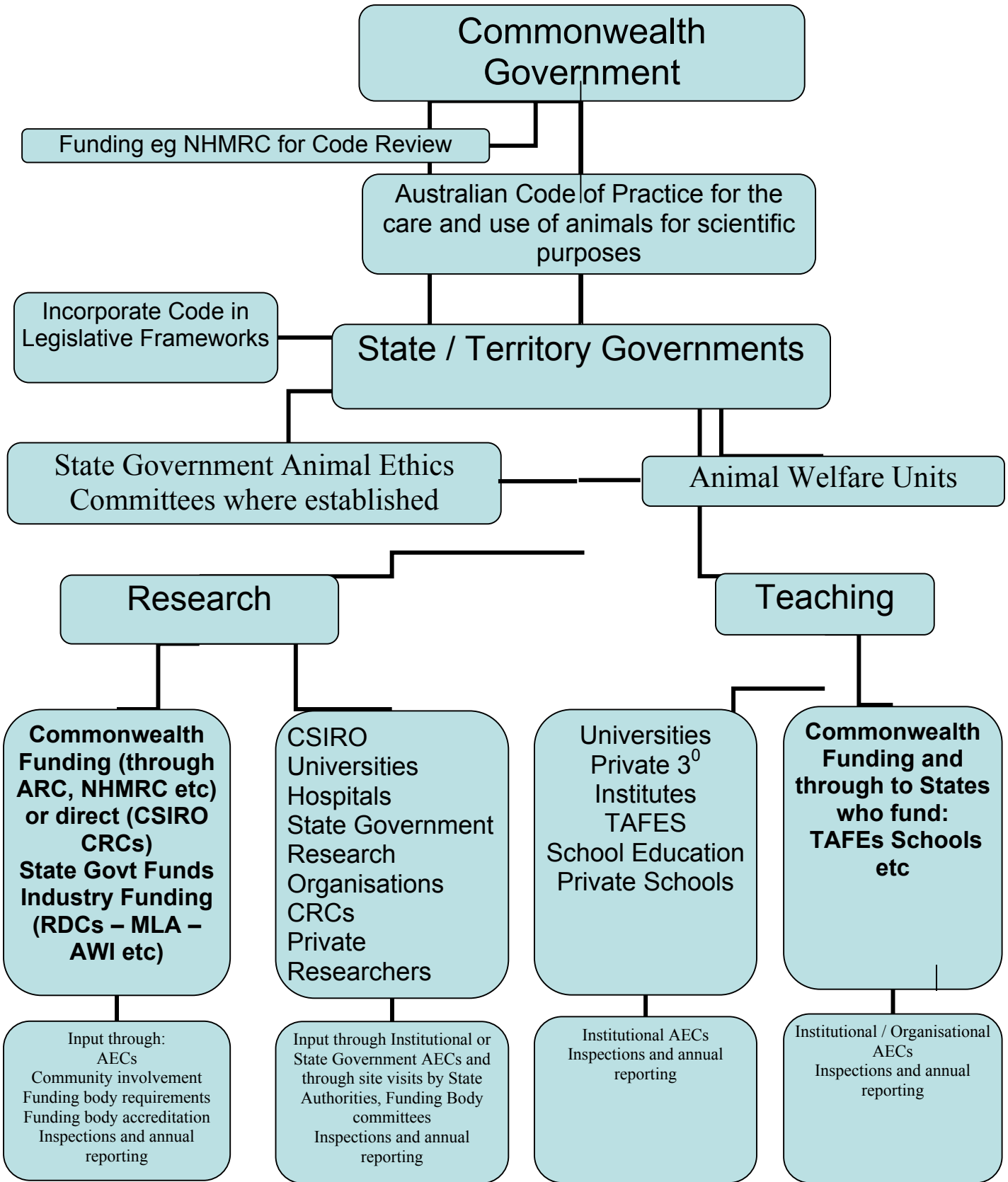
#### Training

The Australian Code requires that all people using animals in a research or teaching situation, must be adequately trained in the techniques required for the particular activity. Institutional level training exists for researchers and training for AEC members is also available.

Animal Welfare Structures within the Sector - Summary



**Other factors with potential influence on the welfare of animals used in research and teaching**



### 3.3 Gaps, weaknesses and risks in the current arrangements

#### (i) Gaps

- Differences in the legislative processes between each of the States and Territories make consistent application of the Code difficult to achieve. While state authorities attempt to achieve reciprocal recognition across jurisdictions, differing state requirements make it difficult to achieve this end.
- Support for the process of maintaining the Code is currently limited nationally to the NHMRC, supported in an ad hoc manner by funding from DOHA, as well as limited in-kind contributions for the activity of the Code Liaison Group (CLG) by DEST through its funding of CSIRO, AVCC, and ARC.
- Currently the Code does not receive endorsement by any of Australia's Ministerial Councils, in particular, that for Health.
- Other national Ministerial Councils with demonstrated interest in the application of the Code have less direct commitment to the process of the Code review and endorsement.
- In several States and Territories due to the nature of their legislation or because of specific local requirements, the definition of an “animal” with respect to research and teaching differs. This provides a major area for criticism of the sector.
- Key studies are not always published. This occurs due to the results not fulfilling the hypothesis and the study is seen as a ‘failure’ or because of the nature of the data obtained which might be considered to be of high commercial-in-confidence value. As a result some work will be unnecessarily undertaken again to the possible detriment of more research animals.
- Breed - and - supply establishments/units producing animals for research are intended by the Code to be treated equally with animal users. There are frequent questions about the consistent uptake and application of these principles by institutions. There needs to be a continuous critical review of the welfare of animals in such facilities. In addition there are concerns about features of
  - “trading” of animals where animals are produced by non-research associated units for the purpose of sale to researchers
  - The management of agricultural animals (farm or production animals) especially those involved in more extensive and large scale on - property studies.
- There seems to be little published material on community attitudes to animals in research and teaching in Australia as evidenced by the lack of information provided by ARTWG members

#### (ii) Risks

- The lack of dedicated funding for the purpose of Code revision on a regular or ‘as needs’ basis is a risk to the integrity of this sector.
- The lack of CoAG endorsement of the Code reduces its status internationally and allows States and Territories to reject aspects of it that they may not appreciate without consideration of the nation – wide effects of such an action.
- The membership and direction of the Code Liaison Group is changing to include more people with a principal focus on legislative processes, with less involvement by the “users” (researchers and teachers).

- Input into the revision process of the Code by researchers is demonstrably less now than in previous years. There is a risk of ‘loss of ownership’ of the document as a result.
- The Code was developed and continues as a ‘stand alone’ document. It was never intended to be incorporated into legislation. As a result the structure and language of the Code is not in legal terms, which allows for variability of referencing of its terms into State and Territory legislation.
- In most instances the profile of the AEC within the institution and its framework is not as high as it should be. Poor resourcing, recognition and support of committees and members suggest to the community at large and other institutional members that this is less important responsibility than it should be.

### (iii) Weaknesses

The information provided by ARTWG members identified the following potential weaknesses to the protection and improvement of welfare for animals used in research and teaching:

- The AWWG has some major concerns about the level of harmonisation of legislation between States and Territories. The concept is not being achieved at all levels although it is possible to demonstrate reciprocity applying to animal welfare matters between States and Territories. On the whole there are still major difficulties in this area.
- In all States and Territories other than Victoria the use of animals sourced from municipal pounds for use in research is prohibited by various forms of legislation. In Victoria a specific Code of Practice exists which supports the practice under specific conditions.
- Community input into the development and application of the Code is largely on a voluntary basis. It is recognised that all institutions need to acknowledge this commitment and the value of the time and effort provided by people to this cause. People are likely to be less generous if there is not a general recognition (as distinct to the recognition of individuals) of the amount of effort supplied.
- It can be suggested that because different rules and processes apply across different jurisdictions, animal welfare outcomes might be different. Because of the nature of the processes in place it is probable that animal welfare is protected across the whole sector in Australia. This is difficult to demonstrate however due to the variability of statistical data available. It also gives rise to problems with benchmarking animal welfare performance in the sector.

This stocktake has clearly identified however that differences in the legislative and enforcement processes between each of the States and Territories make consistent application of the Code difficult to achieve. While state authorities attempt to achieve reciprocal recognition across jurisdictions, differing state requirements make it difficult to achieve this end.

## 4. Companion Animals

### 4.1 Overview

Defined as animals kept as pets, the Working Group listed a large number of potential companion animals and noted that there would be numerous overlaps with other Working Groups. In all 60% of Australians currently have a pet and 80% have had a pet at some time. Companion animals are worth \$4.62 Billion annually to the Australian economy.

The term **responsible pet ownership** has widespread application in the companion animals sector although it relates mostly to dogs and cats. It addresses the welfare of animals and their impacts on the community and the environment.

**Individual owners** and **commercial operators** need to attend to their pet's care and welfare and comply with welfare and management legislation. Owners are a disparate group as they are generally not members of an organization associated with companion animals. This makes it difficult to engage or influence stakeholders in this sector. Their behaviour is affected by societal norms that change over time. These norms change with new legislation, community education of pet owners, new information and peer group pressure. Commercial operators are bound by industry and government codes of practice.

**State and Territory Governments** provide the legislative frameworks in each State and Territory and are increasingly involved in developing and running State/Territory-wide education programs, codes of practice and conducting research to achieve improved management and welfare outcomes. The legislation and regulations relate to 1) the welfare of animals and 2) the management of dogs and in some cases cats. Only Victoria and New South Wales have compulsory cat legislation. South Australia has a Dog and Cat Management Act but the management of cats is left to the discretion of individual Councils. It should be noted that Queensland and the Northern Territory do not have Acts to manage dogs or cats.

There are many **Codes of Practice** relating to companion animals. Being mostly State/Territory based they vary widely between the various State and Territory

**Councils** have responsibility for managing companion animals through **by-laws or local laws** that can be applied to any species of companion animal. These tend to relate to the potential for safety, nuisance and environmental impact. Most common are restrictions on the number of animals that can be kept. There is no requirement for Councils to prepare a by-law or local law in relation to any animal or issue. The authority for preparing by-laws/local laws is the Local Government Act applying in each State or Territory.

Councils implement the management **legislation** applying in each state. Included in these Acts are requirements for registering and identifying dogs and in some cases cats and for

dealing with wandering, stray and lost animals. Councils operate animal pounds or **shelters** or enter into arrangements with service providers.

Many Councils are involved in **education** activities to promote responsible pet ownership (mostly dogs and cats). These activities vary widely and might include school visits, brochures, pamphlets and advertisements or public relations in the local media. The main limitations on Councils pursuing education programs are lack of resources (funds and staff), unproven outcomes to justify expenditure and lack of experience and skills in running education programs. Education activities mostly relate to safety, nuisance and environmental impacts. State and Territory governments are involved in a range of education activities.

Councils are increasingly preparing **Animal Management Plans** with the aim of achieving better outcomes. They are usually concerned with dogs and cats. In Victoria and South Australia, all Councils will be required to have an Animal Management Plan in place in the next 2 years. New South Wales encourages the preparation of Plans, but has not introduced a mandatory requirement. Whilst most Animal Management Plans contain a welfare element, there is no requirement for them to do so and most are focussed on reducing community and environmental impacts. There is scope to increase the welfare focus in Animal Management Plans.

**Animal Management Officers** are increasingly being trained in animal handling and management with Certificate Courses being developed throughout Australia. There is scope to foster an increased ethic of care for companion animals in the content of these courses.

There are many **stakeholder groups** associated with companion animals: professional groups, welfare organisations, commercial operators and their associations and interest and lobby groups.

## 4.2 Current arrangements for the welfare of animals

**Federal Legislation** - In 1992, the Federal Government introduced an import ban on 4 breeds of dog through customs regulation. There is no other federal legislation applicable to the keeping of companion animals.

**State and Territory Legislation** - Each state and territory has legislation relating to:

- The protection and welfare of animals; and
- The management of dogs and in some circumstances cats. Queensland and Northern Territory don't have separate management acts.
- In addition, the Local Government Act in each state provides Councils with the ability to make local laws or by-laws affecting all types of companion animals.

**Codes of Practice** – The Working Group report lists and outlines Codes applicable to Companion Animals in all States and Territories as well as Codes and Policies of various other stakeholders including the AVA, RSPCA, associations and peak councils.

**Position Statements** – The Working Group lists and outlines relevant position statements from:

- NCCAW
- RSPCA
- Australian Kennel Council
- Australian Equine Veterinary Association

**Education Programs** - Each state and Territory government is involved in some education activities although this varies from state to state, and the activities relate particularly to dogs and cats.

The Animal Care and Management Training Package is the framework for vocational training for those engaged in animal care and management industry. Other specific sector stakeholder programs exist.

Stakeholders - The Working Group report lists a large number of non government stakeholder groups involved in the sector in each state, all of which are to a greater or lesser degree involved in the welfare of companion animals.

#### **4.3 Gaps, weaknesses and risks in the current arrangements**

##### **Owners of companion animals**

Owners of companion animals are a disparate group who are often not members of a group or organization that promotes responsible pet ownership. In these circumstances there are no commercial or membership imperatives to promote the welfare of pets. A combination of legislation and community education is best suited to this group.

*Recommendation 1: Focus on a combination of legislation and community education as the best means for enhancing a welfare orientation amongst pet owners.*

##### **Legislation**

Each state has welfare based legislation. However the management based legislation varies widely from state to state particularly in relation to whether cats are covered. There is no management based legislation relating to animals other than dogs and cats. In the management based legislation, the welfare of companion animals tends to be a secondary consideration to managing nuisance, safety and environmental impacts. The welfare orientation of management based legislation should be strengthened.

*Recommendation 2: Strengthen the welfare orientation of management based legislation.*

*Recommendation 3: Consider whether management based legislation should be extended to cover all companion animals.*

### **Codes of Practice/Position Statements**

There are a large number of codes of practice/position statements relating to the welfare of companion animals. The next step is to review the overlaps, gaps and consistency and identification of best practice. The review would need to assess the context in which the Codes operate, in particular whether they are mandatory or not, whether there are other legal requirements that might address gaps identified in a particular jurisdiction, what imperatives/inducements exist to maximise compliance with the codes.

*Recommendation 4: Review existing Codes of Practice and Policy Statements for overlaps, gaps, consistency and identification of best practice.*

### **Education**

There has been a significant increase in the focus of State, Territory and Local governments on education for responsible pet ownership – however this is patchy geographically and relates primarily to education about the safety, nuisance and environmental impacts of dogs and cats. There is a minor welfare orientation which is often a by-product of other efforts. The keeping of other types of companion animals is in some cases covered by codes of practice of user/interest groups that provide an education role in relation to the particular species of interest.

*Recommendation 5: Strengthen the welfare orientation contained in education programs in responsible pet ownership.*

### **Animal Management Plans**

Many Councils are now preparing Strategic Animal Management Plans. In South Australia and Victoria this is now a requirement of the Management Acts in those States. Whilst Animal Management Plans focus on reducing the nuisance and environmental impacts of dogs and in some cases cats, there is scope to include an enhanced welfare orientation in the development of these Plans.

*Recommendation 6: Encourage local Companion Animal Management Plans to include a greater welfare component.*

### **Pets in Indigenous Communities**

The primary issue in rural and remote indigenous communities with regard to the welfare of companion animals is the paucity of service delivery. Of the approximately 1200 discrete indigenous communities that exist in Australia, there is service delivery (veterinary service) to only approximately 100 communities.

Whilst the attention paid to companion animals in indigenous communities is relatively new, there is considerable scope to enhance outcomes through the organisational infrastructure already established with AMRRIC. This organization promotes research,

education and assistance with responsible pet ownership in rural and remote indigenous communities.

*Recommendation 7: There should be continued strategic support from whole of government to address indigenous social disadvantage.*

### **Research**

The last 10 years has seen a significant improvement in our knowledge of human and animal behaviour relating to the responsible ownership of companion animals. This has occurred because of the research and sharing of expertise/experience and has been made possible by the work of the Urban Animal Management Advisory Group and UAM conferences, the Petcare Information and Advisory Service, the Australian Companion Animal Council, AusVet, the state based-funds available to promote research and education and the range of stakeholders willing to be involved. Future research priorities relevant to the welfare of companion animals should be identified.

*Recommendation 8: Identify future research priorities relevant to the welfare of companion animals.*

## **5. Animals in the Wild Sector**

### **5.1 Overview**

Animals in the wild for the purpose of AAWS has been defined as wild animals that are:

- Air breathing vertebrates
- Not dependent on humans for survival

Wild animals include whales, dolphins, dugongs, seals, sea lions, sea turtles and all terrestrial mammals, reptiles, birds, and amphibians. They therefore include pests as well as native animal species.

It is noted that the AAWS communications consultancy project identified that the community equates the word 'wild' with exotic animals and that the terms 'native' or 'wildlife' are more appropriate. In addition, the community equates the word 'welfare' with the term 'cruelty'. It is suggested therefore that words such as 'care', 'wellbeing' etc should accompany the word welfare.

#### **Value Statement**

The welfare of all wild animals should be protected and its sustainable improvement promoted. All wild animals should be treated humanely according to sound animal welfare standards and practices.

Within normal variability of resources, native animals must have the opportunity to secure adequate food, water and shelter in order to maintain population dynamics within the normal range for each species.

Wild animals are an important component of the Australian environment and must be considered in the planning and implementation of development and land management practices. If human intervention adversely affects wild animals, humane and effective solutions are required to prevent or minimise the impact of such interventions.

In circumstances where wild animals cause an unacceptable economic, environmental or social impact, strategies to reduce these should be instituted. Any control measures should be humane and as target specific as practical.

### **5.2 Current animal welfare arrangements**

**Commonwealth and States'/Territories' Conservation Acts** - recognise threatened species and threatening processes, along with threat Abatement Plans and Priority Action Statements. These establish the basis for differentiation between the species that should be preserved and those whose negative impacts should be controlled. Invasive species' control is a National Research Priority that aims to counteract adverse impacts through new, practical technologies and by integrating approaches across agencies and jurisdictions.

### **Model Codes of Practice**

Of direct importance to humane vertebrate pest control is the Model Code of Practice for the Welfare of Animals: Feral Livestock Animals. This Code is currently being reviewed.

AHA has prepared a business case to PISC to convert the current Codes to Australian Standards. No provision has been made in this business case to fund the development of Australian Standards for Humane Vertebrate Pest Control.

### **Codes of Practice and Standard Operating Procedures**

Each State and Territory has a different approach to animal welfare and pest management legislation. Policies, Codes of Practice (COPs) and Standard Operating Procedures (SOPs). While they have many similarities they also vary depending on historical precedence, pest issues, operating conditions and capacity.

### **Vertebrate Pests Committee**

The Vertebrate Pests Committee (VPC) is an Australasian committee whose role is to provide coordinated policy and planning solutions to pest animal issues.

### **Animal Welfare Technical Group**

The Animal Welfare Technical Group is a working group of the Vertebrate Pests Committee with members nominated by VPC. Currently this group is working to develop nationally endorsed Codes of Practice for the Humane Control of Vertebrate Pests.

## **5.3 Gaps, weaknesses and risks in the current arrangements**

### **Risks**

(not in order)

Major risk 1: currently there are no nationally supported or agreed COPs for vertebrate pest animal control. The community would expect that these are already in place. Work is underway in this area however, until completed, the risk remains

Major risk 2: lack of continuing, dedicated resources and expertise to undertake basic and applied research and to implement programs for animals in the wild

Major risk 3: there is general public ignorance and/or apathy regarding the welfare of animals in the wild. This could continue if the Australian Animal Welfare Strategy is not presented in a manner that is readily understood and accepted by its audiences

Major risk 4: Australian jurisdictions often act independently and could resist a perceived 'national takeover' of their roles by the Australian Animal Welfare Strategy.

### **Priorities**

(not in order)

1. To recognise that the welfare of animals in the wild cannot be considered without attention to optimum habitat for their continuing well being and existence
2. To consider the best possible outcomes for wild animals in ten, twenty and more years and plan to achieve those goals
3. To encourage all Australians to be aware of, and have commitment to, the welfare of animals in the wild
4. To ensure the welfare of animals in the wild is core business of the Primary Industries Ministerial Council the Natural Resource Management Ministerial Council and the Council of Australian Governments
5. To ensure that legislative inconsistencies between jurisdictions are removed
6. The establishment of nationally accepted COPs and SOPs for the humane and feasible control of:
  - vertebrate pest animals
  - overabundant native species
  - native animals, both within and affected by, programs relating to the rehabilitation, relocation and reintroduction to the wild of native speciesThe COPs must be enforceable to achieve the desired welfare aims
7. The establishment of policies that reinforce community responsibility through compliance, education and enforcement. This will require:
  - communications that address the increasing disconnect of the general Australian population to the existence and concerns of animals in the wild
  - ready access to information on the management of native and pest animals
  - information with consistent use of non-bureaucratic terms and words in plain English and other languages for access by Australians with non-English speaking backgrounds
  - criteria and assessment measures for the rehabilitation and/or reintroduction of animals to the wild
  - criteria for translocation programs
8. To ensure there is secure, ongoing research and development that enhances welfare for animals in the wild, including innovation in tools, techniques and delivery of practical control measures. This should include encouraging animal ethics committees to facilitate research on wild animals
9. To ensure continuity of expertise in research and operations with wild animals
10. Animal welfare to be integral to all aspects of operator training and any work with animals in the wild

11. To support sustainable land use planning and management that accommodates the needs of wildlife and addresses wild animal welfare
12. To identify and develop responses to future threats, for example global warming and continued urban development
13. To develop contingency planning for episodic events, creeping disasters and similar which includes:
  - ecosystem protection and restoration
  - border protection and agency cooperation
  - definition and assessment of adverse impacts
  - quantification of adverse impact reduction versus number of animals killed
14. To ensure wildlife tourism and similar ventures promote wild animal welfare.

Other important considerations for the animals in the wild sector are:

- As a unifying concept, all measures must be humane and consider the animal's welfare. This requires consistent cross agency, industry and public support
- The need to have quantifiable, positive and long term outcomes, especially regarding the extent and suitability of habitats for native animal populations
- The need to engage high level support and prioritise funding to research and remedy major gaps in the information available for this sector
- There is a lack of standards and performance measures for protecting the welfare of animals in the wild, including the effects of reintroductions and translocations of native animals and the effects of feeding wildlife
- To encourage an increasingly more humane and sustainable relationship of indigenous people with wild animals. Opportunities exist for co-management of wild animal resources and activities
- The need to identify and engage all of the numerous stakeholders in this sector
- The need to engage community support and provide ready access to information on the management of native and pest animals. The information must use consistent, non-bureaucratic words in plain English and other languages
- The need to effectively deal with community perceptions of wild animal interventions that can have adverse implications for necessary management and control measures. An example is reaction to the culling of overabundant iconic species, such as kangaroos, to mitigate their poor welfare caused by competition and habitat destruction
- Some tasks (for example relevant websites) have been found to be difficult and repetitive across a number of tasks, both within and across sectors. Consultancies are required to address the quantity and quality of information. Sectoral groups will require ongoing collaboration to achieve meaningful outcomes.

The inventory of animal welfare arrangements compiled by the Animals in the Wild sector provides a snapshot of accessible information and is not complete. Limited attempts were made to evaluate or analyse the inventory and further work is required.

## 6. Aquatic Animals

### 6.1 Overview

In the review of welfare arrangements in this sector the scope was limited to finfish (e.g. trout, barramundi) and did not include welfare arrangements of relevance to other aquatic animals such as crustaceans (e.g. prawns, crayfish) or molluscs (e.g. oysters, abalone). The word ‘fish’ has been used to describe ‘finfish’ in this sector review.

The four main fish sectors in Australia are:

- Farmed fish
- Fish captured commercially (‘wild capture’)
- Fish captured recreationally
- Ornamental fish (both commercial and retail)

In addition, fish welfare arrangements for fish being held live for human consumption were also reviewed.

The principles of animal welfare have emerged primarily in terrestrial animals, many of which have similar anatomies, physiologies and behaviours (which are often also shared by humans). Fish on the other hand are far more diverse particularly with respect to habitat and ecological niches. In contrast to terrestrial animals, fish are poikilothermic meaning that their internal body temperature is not maintained at a constant temperature but fluctuates depending on the temperature of the water in which they live. A great deal of what we need to know regarding fish welfare is yet to be discovered as the scientific study of fish welfare is at an early stage compared to research efforts on other vertebrates.

### 6.2 Current animal welfare arrangements

The broad framework outlined in cross-sectoral arrangement in Section 2 of this report is included in the Working Group report.

#### **International**

The Fisheries Department of the Food and Agriculture Organisation (FAO) has developed a Code of Conduct for Responsible Fisheries. Within the framework of the Code, international plans of action (IPOA’s) have been developed which focus on specific areas of concern. One of these areas is sharks. As far as could be determined there is little reference to welfare issues in either the Code or plans.

#### **National**

**NCCAW** - There is currently no NCCAW position statement that specifically refers to aquaculture, commercial fishing and the ornamental fish sector, but there is a position statement on the *Animal welfare aspects of recreational fishing*.

**Fisheries** - Responsibility for the management of fisheries in Australia is shared between the Commonwealth and the States and Territories. The Constitution provides that the Commonwealth is responsible for the management of fisheries outside the three nautical

mile (nm) territorial sea with States and Territories responsible for fisheries in all other waters adjacent to that State. Historically, the Commonwealth has limited its jurisdiction to commercial fishing with States and Territories assuming responsibility for all recreational fishing.

Commonwealth legislation cover fisheries administration, management, Torres Strait and the environment, but has very limited coverage of fish welfare issues.

### **States and Territories**

The review of current state and territory government arrangements with respect to fish welfare indicates the significant variation in different *Acts* and *Regulations* pertaining to fish welfare and indeed variation in the definition of ‘animal’.

Welfare groups in Australia with a position on fish welfare include the Royal Society for the Prevention of Cruelty to Animals (RSPCA) and Animals Australia:

- RSPCA Australia develops all RSPCA Policies and Position Papers, which are then endorsed by individual state RSPCA organisations. Under jurisdictional *Prevention of Cruelty to Animals* (POCTA) or equivalent Acts, full-time officers of the RSPCA are delegated by the responsible Minister in each state and territory to enforce the Act. The bulk of prosecutions are undertaken by RSPCA officers. RSPCA has several Policy Papers with fish sections – Policy A refers to Companion Animals, Policy B which refers to aquaculture, Policy C which refers to recreational fishing and Policy E on Wildlife (covers commercial fishing).
- Animals Australia (AA) is a body representing some 38 animal advocacy organisations. AA has a number of documents and fact sheets referring to fish welfare.

The Australian Veterinary Association is the professional organisation representing veterinarians across Australia and has a policy on recreational fishing.

With respect to aquaculture, the National Aquaculture Council (NAC) is the peak body representing the aquaculture industry across Australia. NAC has produced the *Fish Welfare Guidelines*, which provide guidelines on welfare of fish and crustaceans in aquaculture and in live holding facilities for human consumption. In addition, some of the other fish aquaculture industry sectors either have or are in the process of developing their own Codes of Practices that specifically address fish welfare concerns.

The commercial wild capture fishing industry in Australia is diverse and covers many methods of fishing and many species of wild fish. No guidelines, codes of practice/conduct or management strategies that specifically focus on the welfare aspects of wild captured fish were identified in the preparation of the report. There are two specific issues that the commercial wild capture fisheries are currently focussing on which have welfare implications. These are the reduction of bycatch and the improvement in fish quality. By addressing these issues the wild capture fisheries are, to a certain extent, also addressing some welfare issues.

Documented methods of addressing important issues in different wild capture fisheries include Codes of Conduct (Practice) and Environmental Management Plans or Systems (EMP's or EMS's). Some of these documents were found to contain reference to how the fishery is tackling welfare issues e.g. the keeping of captured fish healthy until bycatch has successfully been released.

Recfish Australia is a key national body for recreational and sport fishing in Australia. The *National Code of Practice for Recreational and Sport Fishing* was written in 1995 after much consultation with members of Recfish Australia and the various State and Commonwealth Fishery agencies. The Code is voluntary and addresses four main areas of fishing responsibility, one of which is 'treating fish humanely'. Other organisations, individuals and associations are actively involved in research on improving fish welfare in this sector.

The ornamental fish sector primarily uses the *Code of Practice for Aquarium Operations* developed by Pet Industry Association of Australia (PIAA) as its guidelines. Most retail ornamental fish businesses do not have their own written guidelines.

In general, teaching and research institutions and facilities around Australia have Animal Ethics Committees (AEC's) monitoring any teaching or research that involves fish. These AEC's generally follow the Australian Government's National Health and Medical Research Council's (NHMRC) guidelines '*Australian code of practice for the care and use of animals for scientific purposes*' when considering applications.

The Seafood Industry Training Package and the Animal Care and Management Training Package are the two National Training Information Service approved Training Packages with relevance to the fish sector.

There are a number of facilities around Australia where fish are held live for human consumption. Restaurants holding live seafood for human consumption were predominately found to be Asian.

### **6.3 Gaps, weaknesses and risks in the current arrangements**

#### **Aquaculture Fish Sectors**

Current desirable practices for reinforcing:

- Humane stunning techniques
- National Aquaculture Code of Practice addressing specific fish welfare issues within each industry
- Specific industry Codes of Practice as indicated above

Perceived gaps and deficiencies:

- The absence of specific welfare guidelines in some of the individual industries

- The extent to which Codes of Practices and guidelines have been disseminated and are known about and are then being used
- The concern regarding Codes of Practices becoming gazetted and then used for regulatory purposes

*A need for more scientific research in the area of fish welfare to support the development of minimum standards was also strongly noted by this sector.*

Other issues raised during discussions with the above organisations, associations and individuals:

- Predation by birds such as cormorants on outside ponds. Netting the ponds will protect the fish but will also catch other birds such as ducks, particularly at night when the ducks cannot see the net.
- Not having registered chemicals or treatments available that can be legally and responsibly used.
- The problem of treating fish by bath to alleviate suffering (e.g. from infestation with a parasite) but potentially stressing fish with the treatment.
- Smaller operators that move fish by hand due to not having the capital to purchase expensive fish pumps. Moving fish by hand can take longer and may involve more stress.
- Some operators not stunning their fish prior to bleeding.
- Grading fish is important to reduce stress with some species such as Murray cod and barramundi and is an important welfare consideration. Grading may need to be repeated but could be seen to be stressful in the short term.

### **Commercial Wild Capture Fisheries**

Current desirable practices for reinforcing:

- Codes of Practice or Environmental Management Systems which are industry driven, over which industry has ownership and which are dynamic ‘living’ documents
- Addressing of bycatch and fish quality issues where fish welfare is also improved
- Production of manuals that specifically address Best Practices.

Perceived gaps and deficiencies:

- That many fishers perceive ‘fish welfare’ as an issue that is far less important than other issues such as the sustainability of various fisheries.
- That many fishers are not aware that they are actually addressing welfare issues with many of their current practices.
- Some methods of fishing mean that fish are dead by the time they arrive aboard the boat

Other comments

- Educating fishers as to what fish welfare means and showing them where they

are already addressing welfare issues to ensure they don't see welfare as something that will cause more problems to them.

- Making sure that the welfare issues of the fishers are not compromised when addressing the welfare issues of the fish (e.g. manhandling large rays by hand, removing fish with poisonous spines out of nets)

### **Recreational Fishing**

Current desirable practices for reinforcing

- Recfish National Code and its awareness
- Research into improving survival of fish being released by recreational fishers
- Advertising to raise awareness of these issues in the recreational fishing sector e.g. *Gently does it* program
- Tournament accreditation schemes

Perceived gaps and deficiencies

- The problem of disseminating information to anglers due in part to the fact that recreational fishing licences are not required in all States or Territories and hence the opportunity to pass on information at the time of licence purchase is not always available.
- Many fishers are also transient within the sport, which compounds the issue of disseminating information

### **Ornamental Fishing**

Current desirable practices for reinforcing

- There is a national industry Code of Practice (*PIAA Code of Practice*).
- The increased use of captive bred fish compared with wild caught fish.

Perceived gaps and deficiencies

- PIAA Code of Practice lacks detail with regard fish welfare and applies to retail aquarium facilities and not to commercial aquarium producers
- The small size of containers that fish can be sold in and the potential welfare issues associated with this
- The lack of availability of captive bred (aquacultured) fish versus wild caught fish
- The concern regarding fish caught using cyanide coming from overseas.

### **Teaching and Research Facilities**

Current desirable practices for reinforcing

- Generally institutions and facilities have Animal Ethics Committees (AEC) overseeing research and training where fish are involved.
- Most institutions believed that their AEC provided excellent guidance with respect to fish welfare.
- The NHMRC guidelines provide a good format for consideration of animal welfare issues.

- Specific guidelines such as the NSW Fisheries *Guide to acceptable procedures for Aquaculture and Fisheries Research*.
- Fish welfare and ethics is commonly referred to in the Seafood Industry Training Package course material

#### Perceived gaps and deficiencies

- The NHMRC guidelines contain limited information regarding fish welfare but are the main reference guidelines being used by most AEC's in training and research institutions in Australia (NSW Fisheries excepted).
- The Seafood Industry Training Package does not provide specific detail on what fish welfare is, so this is at the discretion of the trainers and course providers. There is no separate fish welfare section in this Package.
- The fishing industry is reducing in size and surviving and so training is seen to be less important by the fisher people.
- Certificate III in Companion Animal Services is currently only taught in one TAFE college in Australia.

#### **Fish being held live for human consumption**

##### Current desirable practices for reinforcing

- The NAC Fish Welfare Guidelines contain a section on fish in live holding facilities for human consumption
- The availability of other guidelines such as the Western Australia Department of Fisheries *Guidelines for Restaurant Owners who hold 'live seafood' in Aquaria* and the ACT Animal Welfare Advisory Committee's *Code of Practice for the Care and Welfare of Live Fish and Crustacea sold for Human Consumption*.

#### Perceived gaps and deficiencies

- Restaurants holding live fish for human consumption did not in general appear to be following any guidelines or specific operating procedures that addressed fish welfare issues
- While facilities are regularly audited on aspects of food safety, these do not include aspects concerning the welfare of fish.

## **7. Livestock and Production Animals**

### **7.1 Overview**

#### **Livestock and Production Sectors, covered within the Working Group**

- Cattle
- Sheep meat and wool
- Dairy
- Goats
- Pigs
- Lot feeding
- Livestock export
- Egg production
- Chicken meat production
- Road transport
- Saleyards
- Meat processing

There is no standard approach or model for animal welfare arrangements across the livestock industries, due largely to the reality that sectors have developed over many years and in response to the needs of and influences on that sector. They are each at a different stage in this evolution.

The principle responsibility for good animal welfare in the livestock production sector rests with the primary carer for the animals. Whilst this has not been categorised as a formal arrangement, the vast majority of people in this position of responsibility acknowledge and accept this basic fact. Good animal management means good animal welfare and better economic outcomes from livestock production.

In a regulatory sense, the primary responsibility lies with the States and Territory governments, although there is an exception to that in the livestock export industry, and inevitably this creates some confusion for industry over jurisdiction, as has been evidenced in the livestock export industry in WA.

A number of companies have corporate policy statements relating to the management of animal welfare issues within their company and specific training and other instruction arrangements. These are difficult to draw out in a short time frame and have not been covered in the report.

The inventory is a snapshot in time rather than a definitive statement. A number of further measures are emerging some of which have been referred to in the inventory and this continuous improvement process is ongoing.

In compiling the inventory there has been no attempt to evaluate the measures, although in discussions some issues have emerged that have been drawn out later in comments on issues and gaps.

Animal welfare in all sectors is regarded by the industry as an outcome from sound animal management and handling practices, and has not usually been treated as a discrete discipline in its own right. These sectors have each responded to the fundamental need for animals to be treated humanely and all have implemented initiatives to assist in achieving this outcome. This attitude and initiative provides a strong basis on which to build in the future.

## **7.2 Current animal welfare arrangements**

### **Regulation**

The section on **cross-sectoral arrangements** (refer Section 2 of this report) outlines broadly the regulatory arrangements and general framework that exist in the livestock and production sector. These are outlined with links in the Working Group report.

### **Industry and Other Initiatives**

The livestock production and related industries have also initiated a number of arrangements aimed at ensuring the humane treatment of animals. These have been developed in response to perceived needs, and broadly within the framework of industry assuming an increased responsibility for managing a continuous improvement process.

These arrangements take a number of forms:

- Industry level initiatives
  - Policy/position statements
  - Strategies
  - R&D
  - Quality assurance schemes
  - Technical and advisory services
  - Training
- Commercial:
  - Within company directives
  - Commercial buyer specification
  - Commercial Supplier programs
- Third party programs
  - RSPCA

In some instances these arrangements are part of a co-regulatory framework, such as in the Cattle Feedlot and Dairy industries, whilst in other industries they rely on industry and commercial pressures for their adoption.

An inventory of major animal welfare arrangements is provided in the Working Group report covering regulatory, industry and third party initiatives for each livestock sector. This identifies:

- Program
- Description
- Legislation
- Position/policy statements
- Codes of Practice
- Guidelines/manuals

### **Research and Development**

Animal welfare is regarded as a high priority area for research and significant work is being done in all livestock sectors in prioritising research needs as part of R&D planning. R&D programs impacting on animal welfare also cover a range of related issues including animal production, health, management, food safety, biosecurity and transportation.

The purpose of R&D is to achieve greater knowledge and understanding, and in the animal welfare area, a likely outcome will be improved arrangements in the future. These arrangements may take the form of industry or government standards, other government regulatory requirements, industry-operating practices, better knowledge of best practice generally or foundation standards implemented through QA schemes.

Seven Research and Development Corporations and Five Co-operative Research Centres are active in the livestock production sectors.

### **Training**

Many industries have training programs in place that have components that relate to the health, management and welfare of animals. Some of this training has a direct linkage to QA schemes whilst much is stand-alone.

## **7.3 Gaps, weaknesses and risks in the current arrangements**

The report identifies the following issues and gaps:

- State differences in managing responsibilities
- Absence of an over-arching flexible national animal welfare management model
- Animal cruelty regulation does not necessarily achieve animal welfare
- Training and competencies at all levels
- Assessing compliance
- Clarification of functions and jurisdictions and conflicts of interest
- Other species – camelids, deer, rabbits, buffalo, ostriches and emus
- Trespass and legal standing of livestock producers
- Linking R&D in the standards development process
- Industry awareness, new entrants to industries and hobby farmers
- Lack of community awareness of Australia's high animal welfare standing
- Misinformation or animal rights propaganda to schools

- Animal Welfare a misunderstood term
- The right to be involved in the process

#### **7.4 Priorities for Action**

The Working Group identified the following priority areas to include in the AAWS Action Plan

##### **1. Harmonisation within Government to produce Consistent AW Regulatory**

###### **Outcomes:**

- a. Legislation – uniformly adopted
- b. Departments: Consistent approach in States and Territories
- c. Competency based inspectorates
- d. Consistent Enforcement
- e. MOU/ Deed of Agreement (Standards Adoption)

##### **2. Review & Re-formatting of MCOP to Australian standards & guidelines**

- a. Outcomes based
- b. Evidence based (Scientific basis)
- c. Other species - RIRDC
- d. RIS's, ORR

##### **3. QA Programs as a Vehicle for Applying agreed animal welfare standards**

- a. Appropriate for each Industry
- b. Incentives for Adoption-market incentives
- c. Characteristics/ Credibility of QA Programs
  - i. Verification/ audit
  - ii. Transparency
  - iii. Government accreditation of Industry QA Programs
  - iv. Nationally Consistent

##### **4. R & D**

- a. Gap Analysis/ Stocktake
- b. Adoption of R & D outcomes
- c. Co-ordination between sectors (AWCRC)
- d. On community attitudes - Relationship between attitudes & Community behaviour
- e. Consultation
- f. How we measure AW s important
- g. Production is a measurement of AW – determine how productivity fits with other factors, health, stress

##### **5. Competency Based Training**

- a. Stocktake
- b. Training co-ordination across sectors

- c. National Accreditation processes
- 6. Communication & Extension**
- a. Industry
  - b. Schools
  - c. Media
  - d. Community at large
  - e. Consultation
- 7. Definition of Animal Welfare/ Animal Wellbeing**
- 8. Identification of, and Measurement of performance indicators over time**
- a. Training competency
  - b. QA uptake**

## **8. Animals in Work, Sport, Recreation and on Display**

### **8.1 Overview**

#### **Sectors**

##### Work

- Guide dogs
- Support dogs
- Seeing eye dogs
- Commonwealth protector dogs

##### Sport

- Horse Racing
  - Flat racing
  - Jump racing
  - Harness racing
- Greyhound Racing
- Equestrian Events
  - Horse riding centres
  - Pony clubs
  - Horsemanship
  - Riding for disabled

##### Recreation

- Circuses
- Magicians
- Rodeos
- Hunting
- Wildlife keeping hobbyists
  - Aviculture Society
  - Frog Groups
  - Herpetological Society
  - Wildlife rescue
- Dog training
  - Canine Association
  - Canine Control Council
  - National Kennel Council
  - Barkbusters
- Recreational Fishing

##### Display

- Zoos and Aquariums
- Wildlife parks

## **8.2 Current animal welfare arrangements**

The broad framework set out in the section on cross-sectoral arrangements in Section 2 of this report applies to this sector.

The Working Group report provides a comprehensive listing of various legislation that might pertain to this sector, along with a summary of many of the sectors' industry groups covering:

- Whether legislation exists
- Rules/Codes/Guidelines of industry bodies
- Enforcement level
- Accreditation
- Training and whether compulsory or voluntary
- Audit and whether internal or external
- Issues

## **8.3 Gaps, weaknesses and risks in the current arrangements**

### **(1) Gaps**

- Lack of specific legislation pertaining to animals used in activities covered by the WSRDWG. The existing Animal Welfare legislation was considered by some to be relatively ineffective for maintaining or improving the welfare of animals within the Sector.
- The dispersed nature of most of the groups involved make the monitoring of Rules and Codes where developed by “peak industry bodies” difficult to undertake. As a result the assurance of animal welfare outcomes can be limited in some areas.
- A particular species of animal could be considered under a number of different Working Group Sectors and each group might place different emphasis on the measures for welfare outcomes for the animals considered within their area. For example:
  - Dogs – will be dealt with as companion animals
  - Horses will be dealt with as companion animals
  - Wildlife will be dealt with by the Animals in the Wild group. (The definition developed by the Animals in the Wild Working Group for an animal to be included in their consideration it must not be “dependent on humans for its survival”).

### **(2) Weaknesses**

- There is a major concern in some sections of the community about certain activities covered within this report. Working Group members questioned the “real” welfare position in relation to this level of scrutiny. It might be assumed that the level of poor welfare could be related to the numbers of people involved in an activity, the numbers of animals involved or the pressure to achieve performance by the animals involved. There is no readily available information of these issues.

- Some parts of activity groups have no information available for this report, e.g. Security Dogs and Detector Dogs other than those managed under the AQIS program.
- There are no National Standards covering all activities for animals in this Sector.

### **(3) Risks**

- Some activity groups within the Sector have begun to identify some specific animal welfare concerns for their areas, e.g. Greyhounds. The Greyhound Racing industry has identified issues such as Illegal Drug use in dogs, perceptions of problems at retirement of dogs (whether dogs are re-homed, euthanased or killed in other ways) and the perception of dog treatment because of their use to generate profits. An active campaign is being carried out by the industry to address these problems. There are few other examples of similar pro-active procedures in other parts of the Sector.
- There is a perception that because many of the animal use activities in this sector are in the public view and therefore the welfare of those animals is readily on display, that other groups in the sector would also respond to animal welfare concerns in the same way. Many animals covered by this sector would never necessarily be seen outside their home properties.
- The physical structure of some of the industries considered by WSRDWG lacks organisation and the capacity to achieve a high level of monitoring or even communication with members is limited to recommending improvements or to providing mechanisms for education of participants.

## 9 Priorities for Action

The following Priorities for Action were identified in a workshop bringing together each of the consultants involved in the preparation of the six stocktake reports. An attempt has been made to draw out those priorities that apply across all sectors along with those seen as priorities within each animal use sector.

### 9.1 Cross Sectoral Priorities

**Address State and Territory Differences regarding Animal Welfare** – all sectors raised the issue of differences between the States and Territories in the way they exercise their responsibility for animal welfare. These differences include:

- Nature of legislation
- The nature and role of Codes of Practice
- Ministerial and departmental responsibility
- The measures adopted to ensure compliance
- Priorities within jurisdictions

The objective should be to achieve equivalence in outcomes and to avoid confusion rather than necessarily to have identical systems.

**Recognition of Animal Welfare under COAG** – currently there is no Ministerial Council for Animal Welfare and this responsibility resides within PIMC, where not all responsible Ministers are present and not all species are covered.

**Development of relevant standards and communication to stakeholders** – the availability of agreed standards or codes varies between sectors and continued efforts need to be directed to their development and dissemination as part of improving community and stakeholder awareness.

**Identification of Stakeholders** – Many sectors have had difficulty in identifying all stakeholders involved within their areas. This may impact on any program, including the effectiveness of awareness and education activities, and improving consultation on and ownership of animal welfare arrangements.

**Competencies and training** – there is an ongoing requirement for identification of competency standards at all levels in all sectors and developing education, training or awareness activities to achieve these standards. This has the potential to provide the basis or enhancements for accreditation, continuous improvement activities such as QA and ongoing expertise requirements.

**Identify and measure performance indicators for animal welfare** – It is difficult to measure the status of animal welfare in all sectors and to determine whether actions have contributed to progress or improvement over time. Performance indicators will provide the basis for individual sectors and the government to assess success of elements of the strategy and future directions.

**Research and Development** – R&D to support the continuous improvement in animal welfare standards and the development of objective measures and performance indicators. It is also important to ensure there is effective communication between sectors on research and coordination to avoid duplication

**Community education and awareness activities** - to demonstrate the importance of animal welfare. Improving community understanding of arrangements and measures with the appreciation that good animal welfare is essential for ecosystems, recreation, industry profitability and sustainability.

**Definition of Animal Welfare** – all sectors had difficulty identifying a consistent nature or definition of animal welfare. This has the potential to lead to confusion in awareness and communication activities and determining relevant performance indicators of progress.

## **9.2 Animal used in research and teaching**

The following priority areas for action were identified:

- Development of an agreed process for measuring animal welfare improvements to enable comparative assessment of statistics and data over time.
- Endorsement of the Australian Code under COAG facilitated by an RIS process. This will enhance the international standing of the Code and improve consistency of adoption within States and Territories.
- A firm commitment of ongoing funding to Code of Practice review.

## **9.3 Companion Animals**

The following priority areas for action were identified:

- Broad scale education of pet owners on the welfare of animals
- Greater orientation to animal welfare within local government
- Review of Codes of Practice to ensure the welfare of animals is adequately covered
- Support for the whole of government approach through AMRRIC to the specific issues of indigenous social disadvantage and pet care
- Ongoing research

## **9.4 Animals in the Wild**

The following priority areas for action were identified:

- Assured resources for research and development and fostering ongoing expertise within the R&D community
- Research into appropriate performance indicators to measure progress in welfare improvement

- Enforceable codes of practice for:
  - Vertebrate pest control
  - Control of over abundant native species
  - Rehabilitation, reintroduction and translocations of animals to the wild and the imperative of habitat quality

It was recognised that a balance has to be struck between the companion animal sector and the animals in the wild sector in relationship to availability of habitat.

## **9.5 Aquatic Animals**

The following priority areas for action were identified:

- The possibility of developing minimum fish welfare standards across all four principle aquatic sectors
- Improving industry awareness and ownership of arrangements
- Compliance mechanisms with cooperative adoption – not imposed
- Development of mechanisms for measuring fish welfare
- Communication to stakeholders

## **9.6 Livestock/Production Animals**

The following priority areas for action were identified:

- Incorporation of animal welfare components into existing industry quality assurance arrangements
- Development of core competencies within all sectors and initiation of training to achieve these competencies
- Addressing state differences in regulation
- Community education and awareness
- Efficient coordination of current and future R&D program

## **9.7 Animals used in work, sport, recreation and on display**

The following priority areas for action were identified:

- The development of standards covering the welfare of animals across the whole sector assisted by:
  - Identification of the full scope of animal uses within the sector
  - Identification and analysis of all activities and groups relating to the animal uses within the sector