

## Inquiry into the Animal Care and Protection Amendment Bill 2022

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**Submitted by:** Farm Animal Rescue  
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**Submitter Comments:**



Mr Chris Whiting MP  
Chair of the State Development and Regional Industries Committee  
Email: SDRIC@parliament.qld.gov.au

31 May 2022

Dear Mr Whiting

This is the second submission that Farm Animal Rescue (FAR) has provided on behalf of the charity's tens of thousands of supporters in response to the Queensland Government's review of the [Animal Care Protection Act 2001](#) (the ACPA). We lodge this submission as a subject matter expert on farmed animals in Queensland, and as a well-supported and well-respected charitable citizen.

FAR was established in 2012 to rescue, rehabilitate and rehome farmed animals. FAR is a registered charity that is renowned both nationally and internationally for the provision of world class animal care, best practice animal sanctuary standards, inclusive community education, and our animal adoption program. FAR is actively supported by more than 30,000 people including more than 300 dedicated financial members who sponsor the individual animal residents who reside at the charity's 55-acre farm sanctuary located in Dayboro, Queensland. FAR has been visited by more than 20,000 people, since the sanctuary first opened for community open days, to learn about the lives of farmed animals and personally interact with the free-roaming animal residents who live out their lives at the farm.

Now in the tenth year of operation, FAR is consulted as a subject matter expert on farmed animal care and called on by the community and the animal agricultural industry alike to save and promote farmed animals. We are regularly contacted by media, community members, and animal advocates for advice on farmed animal species care, from animal behaviours to living standards, diet, health and wellbeing. The volume and nature of such enquiries evidences a strong indication that people's attitudes to farmed animals is changing with the recognition that, like our companion animals at home, farmed animals are also sentient beings with the ability to feel fear, pain, joy and contentment.

FAR commends the State Development and Regional Industries Committee and the Queensland Government for reviewing and revising the ACPA with the view to improve animal welfare. We support the need for stronger legislation, regulation and enforcement of animal welfare in Queensland despite animal species, and we advocate for evidence-based policy that incorporates contemporary animal welfare science and better reflects community expectations. Therefore, we are pleased to see that some of the proposed revisions to the ACPA aim to address these areas. With the view to providing constructive feedback on the specific sections of the Bill that require further revision, we have outlined those matters in the pages that follow, identified the related section of the Bill, and substantiated why further change is needed.

We note that the ACPA revisions propose increased inspectorate powers, increased skill requirements and increased monitoring required by inspectors and support such changes. However, to enable these important revisions requires budgetary resourcing. The revised ACPA will only be effective if the animal welfare sector is adequately funded to enable the monitoring and enforcement requirements to underpin the Act. Therefore, we call for animal welfare improvements to be better resourced in the upcoming Queensland 2022-23 Budget which is due to be tabled in June 2022. Specifically, more inspectors need to be employed to deliver on the objects of the ACPA. Otherwise, the Queensland Government risks the revisions being symbolic policy, enabling institutionalised animal cruelty and attracting further community demand for animal welfare protections.

## Recommendations for further revisions

### Recommendation 1: Rodeos should be made illegal under the ACPA

In relation to S20 of the Bill, FAR strongly recommends that rodeos and those acts that comprise rodeos including calf roping, bronco riding, bull riding, team roping and steer wrestling be prohibited under the ACPA to afford genuine animal protection. Animals used in rodeos are evidenced to suffer significant harm. This includes distress, fear, anxiety and in many cases, physical injury and death. Common rodeo practices such as kicking, prodding, electric prodding, goading, throwing and lassoing cause physical and mental pain for animals. Furthermore, noisy rodeo environments including loud noises such as loud music, yelling, cheering, crowds, pyrotechnics and the like are unfamiliar to animals and are significant stressors in addition to the risks of physical injury.

Queensland should follow suit with the Australian Capital Territory's legislation and prohibit rodeos. At very least if rodeos are to be allowed, significant regulation, monitoring and enforcement is required.

### Recommendation 2: Restrictions on tail docking should be extended to include all species

In relation to S24, FAR recommends that animals should be protected from pain and mutilation by restricting any procedure that is not medically necessary for the welfare of an animal. There is no scientific basis for restrictions to apply to dogs but not other types of animals, when the capacity for pain, distress and complications is the same.

### Recommendation 3: Only Veterinary Scientists should be mandated to provide invasive procedures for animals

In relation to S27A, S27B and S93 - FAR recommends that cattle should only be spayed or pregnancy-tested by a registered vet. These procedures pose health risks, as well as the risk of unnecessary pain, infection, serious injury and death. Veterinary scientists are trained and qualified to conduct surgical procedures and have the knowledge and skills in animal anatomy and physiology to mitigate risks, and deal with unexpected consequences. The ACPA should mandate against any person without a veterinary degree spaying or pregnancy testing cattle. Otherwise, the legislation fails in its objective to protect animals and their welfare.

### Recommendation 4: Working dogs should be protected by dog transportation regulations

Regarding S33 and dog transportation, FAR recommends that working dogs and dogs who are tasked with moving stock or livestock should be protected by dog transportation regulations to ensure their safety.

### Recommendation 5: Animal ownership should be subordinate to animal welfare

In relation to Subsection 3 of S41B, FAR recommends that the welfare of an animal should be the highest priority over and above property rights of ownership over an animal. Therefore, if a vet diagnoses an animal to be in significant pain or in a terminal state, the animal's welfare should be prioritised to ensure the animal's pain is reduced and euthanasia initiated over and above the need to locate the owner of the animal and confirm consent to treat and / or euthanise the animal.

Prolonging suffering to confirm a procedure (euthanasia) which is unavoidable is contrary to the objectives of an animal care act. Where a vet considers that there is no alternative there should be no burden on that veterinarian other than to discontinue the pain as rapidly as possible. This is particularly relevant in the case of motor vehicle roll-overs, which continue to happen far too often on Australian roads.

### Recommendation 6: Closed Circuit Television (CCTV) and expanded inspectorate powers should be applied in all slaughterhouses

In regard to S93S, FAR recommends that CCTV systems should be implemented in all slaughter facilities in Queensland, not limited to horse slaughterhouses only. Furthermore, while S122 refers to increasing inspectorate

powers to enter horse slaughterhouses is a positive improvement. Animal welfare and biosecurity Inspectors should have the right to enter any type of slaughter facility on the grounds of animal welfare breaches, not just horse slaughter facilities only.

There is no scientific basis for differentiating the protections available to a horse over that of a cow, chicken, sheep or pig. Each has similar capacity for pain, fear and distress and should be entitled to equal protection. Revealed footage from Australian slaughterhouses has demonstrated equal pain and suffering in “livestock” slaughter establishments as horse slaughter establishments. The act must apply rules scientifically and not allow commerce or emotion to create inconsistent regulations.

#### Recommendation 7: **Who can bring a prosecution**

In S178, the act restricts who may bring a prosecution on behalf of an animal that has been subjected to cruelty. As an animal is unable to bring their own case, we advocate for any individual to be able to approach the judicial system on behalf of an animal that has suffered abuse

#### Recommendation 8: **Vet Service Regulation 2016**

We do not support an amendment to this act that allows individuals without prescribed veterinary training to complete invasive procedures on animals for the reason of pregnancy testing, spaying or for any other purpose. Our reasons are established in Recommendation 3.

#### Omissions

We have attached a statement outlining our support and otherwise for the items featured in the Bill. We are very disappointed however that no progress has been made on resolving the conflict of interest that exists within the agriculture department over welfare vs profit. We are also disappointed that shelter from the increasingly harsh weather conditions in Queensland has not been mandated, and that there are no increased responsibilities for the protection of animals who are facing an approaching natural disaster.

Farm Animal Rescue wishes to highlight that, despite the adoption of the Saleyard code as mandatory in Queensland this year, little has been done within the Department to mandate or implement the new protections. Farm Animal Rescue urges the committee to ensure that new regulations implemented into the act, and those previously agreed to, are aggressively communicated, with associated inspector training and resource requirements mandated. Queenslanders expect that government will enforce welfare regulations, revising the act alone is not sufficient.

Thank you for the opportunity to provide further feedback on the Queensland Government’s proposed revisions to the ACPA. We welcome the opportunity to provide further subject matter expertise and continue dialogue on how we can improve the lives of animals together today and in the very long-term.

Yours sincerely

Brad King  
President and Founder  
Farm Animal Rescue Inc.

FAR FEEDBACK – SECTION ENDORSEMENTS

S11	APPROVE	Inclusion of certain sea creatures under the Act
S13	APPROVE	Standards based on scientific knowledge
S17	APPROVE	More stringent penalties for the breach of Duty of Care
S19	APPROVE	Definition of abandoned animal
S20	NOT APPROVE	Rodeo not a restricted activity
S24	APPROVE	Tail Docking - Should be extended to all species
S27A	NOT APPROVE	Cattle spayed by an accredited person other than a vet
S27B	NOT APPROVE	Pregnancy testing of cattle by an accredited person other than a vet
S27	APPROVE	Sale of animal subject to restricted procedure
S28	APPROVE	Dog debarking sale restrictions
S29	APPROVE	Surgical procedure sale restrictions
S33	APPROVE	Dog transportation
	NOT APPROVE	Exemption for dogs that move stock
S37A	APPROVE	Prong collar ban
S37B	NEUTRAL	Nets
S37C	APPROVE	Restrictions on blistering
S41B	APPROVE	Vet-authorized euthanasia
	NOT APPROVE	Burden of proof on the vet
	thaNOT APPROVE	Subsection 3. If vet has confirmed it would be cruel to keep the animal alive there should be no burden to locate the owner
S62	APPROVE	Inspection of register
S93	NOT APPROVE	Surgical procedures by accredited persons
S93S	APPROVE	CCTV in horse slaughterhouses
	NOT APPROVE	limitation to horses. Should apply to all slaughterhouses.
S121B	APPROVE	Disclose conflict of interest of inspectors
S122	APPROVE	Right to enter horse slaughterhouse by inspector
	NOT APPROVE	Limitation to horse slaughterhouse only
S123	APPROVE	Right to enter by inspector when animal suffering
S159/160	APPROVE	Animal welfare direction by inspectors
S173A	APPROVE	Interstate ownership ban person banned in Queensland
S178	NOT APPROVE	Prosecutions should be allowed by “ambassadors” of animals
S215AA	APPROVE	Protect vet from euthanasia liability
S215DA	APPROVE	RSPCA disclosure
Vet Service Regulation 2016		
S3	NOT APPROVE	Particular acts are not veterinary science