

Inquiry into the Animal Care and Protection Amendment Bill 2022

Submission No: 1422
Submitted by: Margaret King
Publication: Make my submission and my name public
Attachments: See attachment
Submitter Comments:

Australia prides itself on Animal Welfare and has yet to fall into line with other countries that use animal welfare science to inform their Animal Welfare laws. For example, the UK formally recognises animals as sentient but Australia doesn't. It is incumbent on law-makers to make laws that lead in areas that have been shown to be out-of-step with community expectations.

Overall, this Bill offers some important improvements for animal welfare in Queensland. However, it does not represent contemporary animal welfare legislation or the rapidly changing community expectations around animal welfare.

Calf roping should be banned. Rather than changing the Act to specifically allow what would be acts of animal cruelty at rodeos, the Bill should instead seek to ban calf roping as a prohibited event.

I fully support the banning of calf roping and cannot see why QUEENSLAND would not add it as a prohibited event.

A new study 'The legality of calf roping in Australia' ([Stonebridge, UQ Law Journal, 2022](#)) confirms that "beneficial contributions of calf roping do not justify the harm caused to the calves and that calf roping would therefore likely not be legal if the standard of unnecessary harm applied". This follows several recent Australian scientific studies ([Sinclair et al, 2016](#) and [Rizzuto et al, 2020](#)) that confirm that this event causes significant stress to vulnerable calves.

CCTV required at 'livestock slaughter facilities' - The definition of livestock slaughter facilities should be expanded to include all facilities that slaughter livestock and not just horses. I note this is based on recommendations from the Martin Inquiry, where the scope of the inquiry was limited to racehorses. However, there seems to be a lack of any scientific justification for CCTV use on horses yet not recording other animals who are just as capable and likely of suffering. I also urge for an independent monitoring regime to be put in place to monitor the CCTV footage. If the CCTV recordings are only accessed on the basis of a complaint, then they are largely meaningless and will result in minimal animal welfare improvements if any.

Similarly, powers for inspectors to enter a slaughterhouse without a warrant or permission from the owner should not be restricted to only when horses are at the facility. It is vital that inspectors have the power to enter slaughterhouses (as well as factory farms) without notice.

- An Independent Office of Animal Protection, separate from the Department of Agriculture.
- Banning calf roping and other cruel events in the name of entertainment.
- Give further consideration to mandatory reporting of suspected animal cruelty cases.
- Specifically acknowledge the sentience of non-human animals in the Act.
- Make meaningful changes to factory farming and other farmed animal welfare, including transport or slaughter, and ensure codes of practice do not provide excuses for committing acts of cruelty.

- Major changes to monitoring and enforcement of animal welfare, particularly for farmed animals. This should also include increased transparency around enforcement action taken by the Department of Agriculture.

The QLD government has a website that does not reflect the reality of what happens to horses that are transported to Meramist Abattoir in Caboolture. This horrified Australians in 2019, and yet very little has changed. <https://www.youtube.com/watch?v=Zp-ALoBRW20>.

DAF can point to some prosecutions that occurred as a result of this program yet there are a lot of investigations occurring since where no prosecutions are evident.

The Martin Inquiry found that transporters are operating with impunity. Very little has changed since the Martin Inquiry and there are no prosecutions by DAF of these transporters even though they are investigated over and over again. This is not open and transparent government. I believe that briefs of evidence are sent to an in-house legal team and they decide whether a prosecution would be successful. This is not in-line with community expectations.

As I have done a number of Right to Information requests, I am aware that there are cases that should / could be prosecuted and they are not. This is when a person is breaking the law, there is clear evidence and a prosecution would be successful. Eg in 2021, a blind horse was sent to Meramist abattoir and killed for human consumption. A horse that is blind in both eyes is not fit-to-load, and goes against the current Land Transport Standards. The evidence for this came from the OPV and the eyeballs were extracted for evidence. This has not been the first horse sent to Meramist abattoir that is blind in both eyes.

Apart from no lists of DAF doing prosecutions on their website, one wonders about the budget for prosecutions, I am unable to find this information.

There is a problem with DAF being responsible for animal welfare and that's why there needs to be an **independent Animal Welfare Commission**. It is clear that DAF puts business as a priority. This puts the various people that seek to profit from animals in direct opposition to DAF and animal welfare. How can DAF balance the welfare of animals and the interests of people whose livelihood depends on animals ?

We acknowledge we are living and working on Aboriginal land and we pay our respect to Elders past, present and future.

1. promote the responsible care and use of animals
2. provide standards for animal care and use that
 - balance the welfare of animals and the interests of people whose livelihood depends on animals
 - allow for the advancements in scientific knowledge and allow for changes in community expectations about practices involving animals
3. protect animals from unjustifiable, unnecessary or unreasonable pain
4. ensure that the use of animals for scientific purposes is accountable, open and responsible.

The *Animal Care and Protection Act 2001* sets regulations for animal welfare standards. These regulations are the basis for the Animal Care and Protection Regulation 2012.

This guide covers laws that protect animals in Queensland and how these are enforced.

Land transport of livestock code

The Queensland compulsory code of practice for land transport of livestock commenced on 31 January 2014 under the *Animal Care and Protection Act 2001*.

The code covers the following major livestock species in Australia:

- cattle
- sheep
- goats

Animal welfare during transport

Under the *Animal Care and Protection Act 2001*, any person in charge of an animal has a duty of care to maintain the animal's welfare before, during and after transport.

Responsibility for the welfare of animals during land transport is shared by all people in charge of animals.

This guide refers to animals that are fit to travel. If you need to transport animals weakened by drought, see [welfare of drought-affected livestock](#).

This guide provides guidelines to help ensure the welfare of animals being transported by land, including special requirements for birds, cattle and dogs.

Livestock selection and fitness

Only livestock that are fit for the intended journey must be presented or loaded for transport. Livestock are not fit for the intended journey if they:

- are unable to walk bearing weight on all legs
- are heavily pregnant
- gave birth within 72 hours prior to loading
- are severely emaciated
- are visibly dehydrated
- are severely distressed or injured
- are suffering a condition that is likely to increase pain or distress during the transport process
- are blind in both eyes.