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Committee Secretary  
Senate Rural and Regional Affairs and Transport Legislation Committee  
Parliament House  
Canberra ACT 2600

By email:

10 August 2015

Dear Secretary,

**Submission to the Senate Rural and Regional Affairs  
and Transport ('SRRAT') Legislation Committee's Inquiry into the  
*Voice for Animals (Independent Office of Animal Welfare) Bill 2015***

Thank you for inviting Lawyers for Animals ('LFA') to provide a submission to the above inquiry.

**Who we are**

LFA is an Australian not-for-profit incorporated association run by a executive committee of lawyers, with members in various States and Territories.

LFA's objectives include:

- alleviating the suffering of animals by engaging with those who create or administer laws in Australia to strengthen legal protections for animals;
- promoting better animal welfare practices amongst animal-related industries in Australia; and
- undertaking educational activities in an effort to dispel myths and increase awareness relating to animals and the law.

LFA also works in partnership with Fitzroy Legal Service in Melbourne to run the Animal Law Clinic: a free legal advice service with the primary objective of improving animal welfare. The Animal Law Clinic has been operating since April 2013.

LFA recently celebrated our tenth year of operation by hosting a free educational event featuring Shadow Attorney General Mr. Mark Dreyfus QC MP as keynote speaker and Professor Peter Singer AC as guest speaker.

### **Principles guiding LFA's approach to the *Voice for Animals* (Independent Office of Animal Welfare) Bill 2015**

LFA supports the normative rule (adopted worldwide) that in all situations involving animals under human control, humans are obligated to uphold 'The Five Freedoms'.<sup>1</sup> The Five Freedoms – or basic rights – of animals are:

1. freedom from hunger, thirst and malnutrition;
2. freedom from fear and distress;
3. freedom from physical and thermal discomfort;
4. freedom from pain, injury and disease; and
5. freedom to express normal patterns of behaviour.<sup>2</sup>

These five basic rights of animals are self-evident<sup>3</sup> and therefore, to the extent that humans influence their attainment, they are ostensibly unarguable. Yet, as with basic human rights, The Five Freedoms are subject to varied interpretations on core issues, the most contentious being whether or not they confer a 'right to life'. LFA contends that this diversity of views concerning an animal's right to life reflects differing degrees of speciesism<sup>4</sup> among humans – not necessarily linked to educational level. Australia's prevailing social paradigm in relation to basic animal rights is presently affected by a significant degree of speciesism.

In comparable fashion, degrees of racism among humans affected the social paradigm concerning the human right of liberty, before racism became dishonourable. For example, the United States Declaration of Independence, written in 1776, held

*“... these truths to be self-evident, that all men are created equal, that they are*

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- 1 An early version of 'The Five Freedoms' was enunciated by the UK Government body: the Farm Animal Welfare Council, shortly after its formation in 1979. It drew on conclusions in the 1965 'Report of the Technical Committee to Enquire into the Welfare of Animals kept under Intensive Livestock Husbandry Systems', which was commissioned by the UK Government partly in response to concerns raised by Ruth Harrison's 1964 book Animal Machines. The Five Freedoms are now recognised by animal organisations worldwide, including the World Organisation for Animal Health (better known by its historical acronym: OIE); various Royal Societies for the Prevention of Cruelty to Animals (RSPCAs); and various veterinary organisations including the Australian Veterinary Association and the Federation of Veterinarians of Europe.
  - 2 This version of The Five Freedoms is taken from OIE, Terrestrial Animal Health Code, Ch.7.1 Introduction to the Recommendations for Animal Welfare, viewed 7/8/15: [http://web.oie.int/eng/normes/mcode/en\\_chapitre\\_1.7.1.htm](http://web.oie.int/eng/normes/mcode/en_chapitre_1.7.1.htm)
  - 3 This fact is made more obvious when The Five Freedoms are contemplated in reverse, posing the question: “In ordinary circumstances, is it morally permissible for humans to cause (or allow) animals to suffer hunger, thirst and malnutrition; fear and distress; physical and thermal discomfort; pain, injury and disease; and/or to deny animals the ability to express normal behaviours?” To avoid the adverse influence of speciesism on this philosophical test (see note 4, below), it will help to substitute 'animals' with 'human infants or intellectually impaired adults' – being humans with greater cognitive and sensory equivalence to animals.
  - 4 'Speciesism' is a term describing the prejudice most humans practise toward other animals based on their differing physical characteristics and behaviour; devaluing their more critical physiological and emotional similarities, such as the common capacity to experience pleasure and pain. Speciesism is akin to racism and sexism in its irrationality.

*endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.”*

Yet until the passage of the 13<sup>th</sup> Amendment to the Constitution in 1865 – some 89 years later – slavery remained lawful in the United States. Thomas Jefferson, the highly educated and well-read lawyer who drafted the Declaration of Independence, was, himself, a slave-owner.

LFA acknowledges that in a constitutional democracy like Australia, basic rights such as The Five Freedoms, will generally be interpreted in line with the dominant human paradigm, leaving only a small margin for change. However, history teaches us that such paradigms can and do significantly alter over time.<sup>5</sup> With the rising value of companion animals in Australia<sup>6</sup>, growing distaste for animal cruelty<sup>7</sup> and increasing opposition to the unjustifiable killing of wild animals<sup>8</sup>, Australia's social paradigm regarding animals is clearly in flux. At present, we submit that Australia's prevailing paradigm recognises The Five Freedoms of animals, but contradicts these by allowing the least inhumane method of slaughter of all animals other than companion dogs and cats.<sup>9</sup> LFA will continue to advocate and educate for a change to this paradigm, using the skills at our disposal.

However, LFA is committed to alleviating animal suffering and this objective cannot be met in the short term unless we work within the confines of the dominant paradigm to propose and/or support initiatives that will, on balance, improve animal welfare in the long term. In this manner, LFA is both aspirational and a pragmatic. We are an incrementalist organisation. While we maintain a long term goal to minimise animal suffering by helping to shift the dominant paradigm; we are equally committed to working within the existing paradigm to achieve practical outcomes for animals. This includes encouraging world's best practice in relation to animal husbandry and care both on the farm, in the home and in the wild. Our philosophical objections to slaughter, for example, does not prevent us from proposing or supporting ideas to improve the welfare of animals up to and during their slaughter, and finding legal means to do so.

It is this principled yet pragmatic approach that guides LFA in all its work, including our response to the *Voice for Animals (Independent Office of Animal Welfare) Bill 2015*.

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5 Examples of this include successful campaigns for: democracy; abolition; universal suffrage; gender equality; civil rights; children's rights; disability rights; and (almost) 'gay marriage'.

6 The value of animal companionship is difficult to quantify, but the rise in people's expenditure on their companion animal(s) is indicative of the animal(s) elevation in importance and societal acceptance of their increasing value. In 2013, the Australian pet industry was estimated to be worth \$8b annually according to a survey conducted by the Animal Health Alliance [see: <http://223.27.22.40/~sh10135/wp-content/uploads/2013/08/Pet-Ownership-in-Australia-2013-Summary-report-2013.pdf>]. This is up from about \$4.74b in 2007 according to a survey conducted by the Australian Companion Animal Council [see: [http://www.acac.org.au/pdf/PowerOfPets\\_2009\\_19.pdf](http://www.acac.org.au/pdf/PowerOfPets_2009_19.pdf)]

7 This is indicated by the unprecedented level of public outrage and protest following the ABC 4Corners programs relating to live export (to Indonesia: 30 May 2011; and to Pakistan: 5 November 2012); and live baiting in the greyhound racing industry (16 February 2015); together with similar outrage and protests over puppy farms (eg. nationally on 16 September 2012)

8 This is indicated by positive public sentiment following the Australian Government's launch of legal proceedings against Japan's so-called scientific whaling in the Antarctic in the International Court of Justice in 2010, and following the verdict in 2014; as well as by public outrage over the killing of Cecil the lion in Zimbabwe in July 2015.

9 As demonstrated by the RSPCA, itself, through its 'RSPCA-friendly' labelling of meat, eggs and (recently proposed) cow milk products. Regarding the RSPCA-friendly cow milk proposal, see: <http://www.abc.net.au/news/2015-05-04/rspca-welfare-brand-milk-rejected-by-dairy-farmers/6441798>

## Core obstacles to achieving world's best practice in Australia

LFA is extremely concerned by what we perceive is a widening gap between Australia's social paradigm – which tolerates animal cruelty only to the extent necessary to produce standard animal products – and Australian laws and policies relating to animals. We submit that this broadening gap is caused by:

- (a) structural flaws in governance which have allowed a corporatised (in part, multi-national) sector of Australia's animal industry, with perceived or actual financial interest in minimising welfare gains, to dictate animal policy; to the exclusion of welfare, veterinary and other groups<sup>10</sup>; and
- (b) predominantly misleading media reportage misinforming Australian farmers and the broader public through heavy anti-welfare spin, published by agencies apparently influenced by animal industry or with party-political agendas.<sup>11</sup>

LFA believes Australians are naturally a compassionate and progressive people, so it is deeply disheartening to witness our nation falling further and further behind other Western countries in terms of animal welfare practices, when once were at the level of world's best practice.<sup>12</sup> As information gradually spreads regarding the structural conflict of interest preventing governments from meeting community expectations with regard to animal

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10 For instance, consider the actual conflict of interest inherent in the Minister and Department of Agriculture having concurrent responsibility for animal welfare. Further, consider the overwhelming industry-domination of:

- the six Australian Animal Welfare Strategy ('AAWS') Working Groups These Working Groups were involved in the critical task of developing model standards and guidelines to upgrade existing codes of practice; and
- the Live Export Standards Advisory Group ('LESAG') which oversees the Australian Standards for the Export of Livestock ('ASEL') and is comprised of 11 members, only three of whom (including the RSPCA) can be classified as welfare-oriented.

11 Including within ABC Rural, as evidenced by Media-Watch ABC-TV program reports on 1 June 2015 [see: <http://www.abc.net.au/mediawatch/transcripts/s4246621.htm> ] and 20 July 2015 [see: <http://www.abc.net.au/mediawatch/transcripts/s4277481.htm> ]

12 Three key examples of Australia's lack of progress on animal welfare compared with our peers include:

- Live export for slaughter was effectively banned by New Zealand in 2003 after 4,000 sheep died during a single shipment to Saudi Arabia. New Zealand now engages in chilled meat exports to international markets (including Saudi Arabia and Europe) where they have maintained their 'clean, green' (ethical) reputation among consumers, while keeping slaughter less inhumane and employing local meat processors. [see: <http://www.farmonline.com.au/news/agriculture/sheep/general-news/live-ex-damages-reputation-nz/2730781.aspx> ] In contrast: 16,147 sheep and 1,638 cows died during live export shipments from Australia in 2014, alone, yet our Government has failed to act.
- Sow stalls remain legal and may be used for unlimited periods until April 2017, after which sows can be confined in stalls and gestation crates for up to 12 weeks per fertility cycle (or roughly twice a year); except in the ACT (where there are no known pig farms) and in Tasmania where a partial ban on sow stalls was legislated in July 2013 [see: r.25A of the *Animal Welfare (Pigs) Regulations 2013* (Tas)]. In contrast: The United Kingdom (1999), Sweden, Switzerland, the Netherlands, Finland and nine US States have implemented partial bans of sow stalls. New Zealand limited their use to four weeks in 2012 and will phase them out altogether from December 2015.
- Battery cages for hens remain legal and may be used for unlimited periods, except in the ACT where battery cages will be banned from May 2016 under legislation passed in February 2014 [see: *Animal Welfare (Factory Farming) Amendment Act 2014* (ACT)] and in Tasmania where no new battery cages can be used from 2013 but pre-existing battery cages can [See: r.5 of the *Animal Welfare (Domestic Poultry) Regulations 2013* (TAS)]. In contrast: Switzerland (1991) and The European Union (2013) have banned battery cages and the US States of California and Michigan have committed to phase them out by 2015 and 2019, respectively. In 2010, Ohio – the second largest egg-producer in the US – banned new battery cages. In 2012, New Zealand banned new battery cages and committed to phase out existing battery cages by 2022.

welfare, the tide of social and political discontent will swell.

Public disillusionment with government (and the major parties controlling it) is already likely to be a significant factor in the election of Mark Pearson of the Animal Justice Party to the New South Wales' Upper House in April 2015, with the assistance of Greens' preferences. It is also likely to be reflected in unprecedented levels of political disaffection recorded in two recent surveys of Australian voters. A survey by the Australian National University in conjunction with the Social Research Centre published in August 2014 found that only 56 per cent of respondents believed their vote made a difference, falling from 70 per cent recorded in a 1996 survey.<sup>13</sup> In a similar 2014 survey, the annual Lowy Institute Poll of Australian Attitudes reported that 40 per cent of respondents did not agree that 'democracy was preferable to any other form of government'. A major reason cited by 42 per cent of the disaffected was that: 'democracy only serves the interests of a few and not the majority of society'.<sup>14</sup> If they are correct in thinking parliamentarians act for vested interests over and above the interests of their constituents, this could explain why Australia has fallen so far behind its international 'peers' in terms of animal welfare in the last two decades.

The major parties appear to be equally hamstrung by animal industry, particularly since the media backlash that followed the Government's one month suspension of live animal exports to Indonesia in June 2011, and Prime Minister Gillard's subsequent slump in opinion polls.<sup>15</sup> This is despite a Nielsen poll of 1500 voters, commissioned by the World Society for the Protection of Animals, which found that 86 per cent of those surveyed support the gradual phasing-out of the trade in favour of a greater focus on chilled beef and lamb exports; 67 per cent were more likely to vote for a political party or candidate who promised to ban all live exports; and only 14 per cent reported that a ban proposal would cost a candidate their vote.<sup>16</sup>

New Zealand ended its live export trade in 2003 following public outrage over the death of 4,000 sheep on a single shipment to Saudi Arabia. During the space of six years - from 2009 to 2014 - 6,340 cows and 127,775 sheep are officially reported to have died during live export voyages from Australia.<sup>17</sup> The Australian community is duly outraged, yet successive governments fail to act. This is just one of several instances where the law has failed to meet community expectations in relation to basic animal rights.

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13 Australian National University and Social Research Centre 'Changing views of governance: Results from the ANU poll, 2008 and 2014', p.8, viewed 8 August here:

[http://politicsir.cass.anu.edu.au/sites/politicsir.anu.edu.au/files/ANU\\_SRC\\_Poll\\_Governance\\_1.pdf](http://politicsir.cass.anu.edu.au/sites/politicsir.anu.edu.au/files/ANU_SRC_Poll_Governance_1.pdf)

14 Lowy Institute, The Lowy Institute Poll 2014, p.12, viewed 8 August 2015 here:

[http://www.lowyinstitute.org/files/2014\\_lowy\\_institute\\_poll.pdf](http://www.lowyinstitute.org/files/2014_lowy_institute_poll.pdf)

15 Prime Minister Gillard's approval rating fell from 50 per cent in February 2011 to 23 per cent in early September 2011 according to Newspoll surveys. While the resumption of live exports in July 2011, following a concerted pro-industry media campaign (contrary to public sentiment), seems likely to have played a role in Prime Minister Gillard's poor polling in September 2011, the impact of other matters, including legal censure of the 'Malaysia Solution' for asylum seekers from May until August 2011 and the Prime Minister's announcement of details of the carbon tax scheme in July 2011, should also be taken into account.

16 See: <http://www.theaustralian.com.au/national-affairs/separate-polls-reach-different-conclusions-on-live-export-trade/story-fn59niix-1226697894882>

17 Department of Agriculture website, viewed 9 August 2015 here: <http://www.agriculture.gov.au/export/live-animals/livestock/regulatory-framework/compliance-investigations/investigations-mortalities>



## Australia's urgent need for an Independent Office of Animal Welfare

Lawyers for Animals strongly supports the *Voice for Animals (Independent Office of Animal Welfare) Bill 2015*, while noting the need for greater powers to be vested in such an Office in the future. We submit that the creation of an Independent Office of Animal Welfare – if kept truly independent of industry, as various Ombudsmen have demonstrated is possible – should allow community expectations concerning animal treatment to be expressed and debated publicly. It should enable Government to break free from the conflict of interest inherent in the Department of Agriculture ostensibly representing both the welfare of animals and the interests of the industry that profits from them, by giving an independent voice to Government and publishing reports which the whole of Cabinet (and the Opposition) may consider. An Independent Office of Animal Welfare should provide rational and considered counsel to Government, helping to overcome the deliberate inertia of industry-dominated institutions like the Live Export Standards Advisory Group ('LESAG')<sup>18</sup> and the (apparently redundant) Australian Animal Welfare Strategy.<sup>19</sup>

To ensure the independence of the Office, LFA would prefer that its CEO be appointed by the former members of the Australian Animal Welfare Advisory Committee, rather than by the Minister or his delegates.

LFA particularly commends the present Bill's proposal that as part of its 'Livestock Standards Functions' the Independent Office of Animal Welfare would review and monitor the Australian Standards for the Export of Livestock ('ASEL') – apparently taking over from the LESAG – and the Exporter Supply Chain Assurance System ('ESCAS'). We trust that this may resolve the problem of gridlock highlighted by the Farmer Review<sup>20</sup>, and allow real progress to be made in terms of implementing changes to reduce mortalities and address other welfare issues, if only for an interim period until live exports for slaughter are phased-out and (likely) replaced by a frozen meat export trade.

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18 See also note 10, above. Ironically, the 'Independent Review of Australia's Livestock Export Trade' commissioned on 31 June 2011 – better known as the Farmer Review – reported that animal industry were so confident of their own position on LESAG that they even questioned the benefit of including welfare groups in the industry-dominated Advisory Group. Farmer reported:

*There was some questioning by industry of representation by animal welfare advocates on LESAG, suggesting this was why ASEL [Australian Standards for the Export of Livestock] had not delivered better outcomes, and that this needed to be addressed. For example:*

*The LESAG has met infrequently since its inception and there is concern that membership of the LESAG includes representation from one or more parties that are philosophically opposed to livestock exports. It is difficult to see how the LESAG can function effectively when there is such a fundamental conflict of interest. (The Australian Livestock Exporters' Council submission, p. 10)...*

*Exporters also complained that the LESAG process is flawed, because the group seeks consensus but includes representation from a welfare group (RSPCA Australia) philosophically opposed to the trade. RSPCA Australia is also frustrated with the current delay in reviewing ASEL.*

*In March 2011 DAFF compiled a summary for LESAG of industry-funded research, conducted over the last decade, into live animal exports. There is concern that the results of much of this research have yet to be incorporated into ASEL.*

[See: [http://www.daff.gov.au/Style%20Library/Images/DAFF/\\_data/assets/pdf/0010/2378197/independent-review-australias-livestock-export-trade.pdf](http://www.daff.gov.au/Style%20Library/Images/DAFF/_data/assets/pdf/0010/2378197/independent-review-australias-livestock-export-trade.pdf) ]

19 After attending an early AAWS conference in Canberra in late-2007, LFA was expressly excluded from further participation from 2008 when our (repeated) request to join the Livestock and Production Animal Working Group (which contained no other delegates with an animal law background) was first denied and then ignored. In any event, the evidence of industry domination and bias LFA witnessed within the AAWS greatly diminished our faith in its capacity to contribute to progressive governance.

20 See note 18, above.

We note that the Bill also provides for the Independent Office of Animal Welfare to undertake inquiries and prepare reports about the activities and effectiveness of both the LESAG and the Office of Animal Welfare Advisory Committee ('AWAC'). LFA submits that it is critically important that such review functions be performed by a body that is independent from animal-industry, as the Department of Agriculture cannot be, since it represents the interests of animal-industry to Government. Unlike LESAG, which appears to be hopelessly compromised by its industry-dominated membership who expect to have the ear of the Minister for Agriculture; in the past the AWAC has proven itself useful in allowing welfare groups to engage with government and vice-versa. Resurrecting the AWAC should also allow the Independent Office of Animal Welfare to distance itself, structurally, from animal welfare groups, some of whom will have an opportunity to liaise with governments through their role in AWAC.

LFA similarly supports the proposal that the Independent Office of Animal Welfare create a repository for the collection and dissemination of information about animal welfare issues that impact the Commonwealth, to be known as a Centre of Excellence. To achieve the level of sophistication Australians want and expect of Government, information of this nature should be readily accessible. Dissemination of this information may also help to dispel myths and counter some of the misinformation commonly presented by a less than impartial media. If the Bill is to be amended, we would seek that it empower the Independent Office of Animal Welfare to gather prosecution summaries and outcomes from all agencies involved in prosecuting offences relating to animal cruelty or other animal offences (for example, dog offences), to make available for research within the proposed Centre of Excellence. With most cases never proceeding past Magistrates' Court level, it is exceedingly difficult to ascertain the rates and outcomes of animal-related prosecutions, including sentencing outcomes. This information is essential to judge the effectiveness of enforcement of animal laws in Australia and to allow lawyers to prepare submissions in relation to sentencing outcomes in comparable cases, to generate greater uniformity and fairness.

The Bill also proposes to resurrect the Australian Animal Welfare Strategy ('AAWS') under the co-ordination of the Independent Office of Animal Welfare. We submit that this will not only allow what good work the AAWS has accomplished to be preserved and utilised, but should also enable the industry bias and inertia afflicting the former AAWS to be overcome, by positive and rational leadership. We trust that the costs of resurrecting the AAWS may be kept to a minimum by avoiding grand and expensive conferences and resorting, instead, to simple teleconferencing utilising current technologies. We also expect more balanced representation of stakeholders may result from new and independent oversight.<sup>21</sup>

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21 In contrast, the former AAWS was biased against independent anti-cruelty enforcement and toward industry self-regulation as evidenced by the following extract from 'Australia's animal welfare capacity and arrangements' (30 November 2012), a paper prepared by the former Animal Welfare Committee's Working Group on Australia's Animal Welfare Arrangements and Capacity, chaired by Peter Thornber (of DAFF) [available here: <http://www.australiananimalwelfare.com.au/app/webroot/files/upload/files/Att%20B%20Australia%27s%20animal%20welfare%20arrangements%20and%20capacity%20report%283%29.pdf> ]

*The process endorsed by PIMC [the Primary Industries Ministerial Council] and supported by industry organisations was based on the following principles:*

- *The critical importance of ownership by industry of the process and of each Standard and Guidelines document; ...*
- *Cruelty based legislation is outdated for this purpose – future legislation should be based on management of production animals and include demonstration of compliance through industry quality assurance, underpinned by government audit.*

LFA supports the 'Departmental Review Functions' proposed to reside in the Independent Office of Animal Welfare, especially relating to assessing compliance with and achievement of a Commonwealth Animal Welfare Policy. To date, LFA is unaware of the existence of any overarching or comprehensive 'Australian Animal Welfare Policy', with the exception of brief statements recorded on the website of the AAWS and in an AAWS document which appears to mistakenly conflate 'National Animal Welfare Policy' with a policy plan to generate 'Australian Animal Welfare Standards and Guidelines'.<sup>22</sup> In order to achieve the sophisticated level of governance Australians want and expect, it will be necessary to establish a policy against which the achievements of successive Governments can be assessed - perhaps on an annual basis (as with some human rights assessments) – and by which each Government may communicate its unique approach and intentions to its constituents. Given the interest that Australians express in animal issues of all kinds, the guidance that could be offered by a Commonwealth Animal Welfare Policy seems to be well overdue. Such a policy may be expected to increase public engagement, thus strengthening our democracy and helping to restore some of the faith that has been lost in our institutions of government during the last two decades.

Similarly, LFA welcomes the requirement that the Independent Office of Animal Welfare review the level of compliance with, and enforcement and effectiveness of the Commonwealth's animal welfare laws. Such a review by an independent body should encourage the achievement of practical outcomes for animals and allow problems to be addressed in a way not previously possible.

Finally, LFA commends the Bill for tasking the Independent Office of Animal Welfare with undertaking inquiries, commissioning research and preparing reports on each of the following issues:

- i. protecting and promoting animal welfare in the export of live animals;
- ii. the effectiveness of Commonwealth laws that apply to the export of live animals;
- iii. sustainability and animal welfare issues that arise in respect of killing kangaroos for commercial purposes<sup>23</sup>;
- iv. the Commonwealth's animal welfare policy;
- v. scientific and legal issues that arise in respect of the Commonwealth's animal welfare policy;
- vi. potential animal welfare issues that arise in respect of the Commonwealth's animal welfare policy;
- vii. the importation of animals and animal products into Australia<sup>24</sup>;
- viii. the management of animal species introduced into Australia;
- ix. the possible harmonisation of animal welfare laws of the Commonwealth, States and Territories;

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<sup>22</sup> See document quoted in note 21, above.

<sup>23</sup> We note with particular concern the inhumane practices inherent in the killing of wild kangaroos and joeys (both pouch young and joeys at foot) and the damage done to Australia's international reputation as a result of this; which can be compared with the damage inflicted on Japan's reputation by its so-called scientific whaling programs.

<sup>24</sup> With particular reference to LFA and NSW Young Lawyers' proposals to eliminate the import of fur and fur products produced in contravention of minimum Australian animal welfare standards – see: <http://lawyersforanimals.org.au/projects/fur-farms/>



- x. animal welfare issues that arise in respect of Model Codes of Practice for the welfare of animals<sup>25</sup>; and
- xi. considering academic and scientific research relevant to any of the issues above.

We submit that each of these important functions is best undertaken by a body that is not compromised by its need to promote the interests of those who profit from animals. In this regards, we anticipate that the Independent Office of Animal Welfare may function as something akin to an 'Animal Welfare Ombudsman', with persuasive rather than enforceable powers.

In the future, should Australian federal governments continue to prove resistant to improving animal welfare in line with community expectations, and faith in democracy be further eroded – or greater representation of minor parties with strong animal welfare policies, result – it may be necessary to vest further powers in the Independent Office of Animal Welfare. As a first step on the path to conciliated progress, however, Lawyers for Animals commends the *Voice for Animals (Independent Office of Animal Welfare) Bill 2015* both to the Committee, and to the Commonwealth Parliament, more generally. We trust the Committee will recognise the importance of their role in reviewing this Bill.

Thank you for considering this submission.

Should the Committee or its individual members have any queries, please feel free to contact Lawyers for Animals via email: [enquiries@lawyersforanimals.org.au](mailto:enquiries@lawyersforanimals.org.au)

Yours faithfully,

Nichola Donovan  
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<sup>25</sup> By way of example see note 12, above.