



Economic Development,  
Jobs, Transport  
and Resources

# Improving the Welfare of Animals in Victoria

Draft Action Plan  
2016–2021



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# Forewords

## **Animal welfare is a high priority for the Andrews Labor Government.**

For most Victorians, animals are a part of our everyday life. That's why it is important that we work together to ensure that all animals, no matter how we interact with them, are protected through contemporary standards and practices, and strong laws.

Last year, I appointed a new Animal Welfare Advisory Committee to work with me on a range of animal welfare issues. This dedicated group of animal industry and welfare specialists has worked with the Government to develop this plan.

I have asked Lizzie Blandthorn MP to be an ambassador for these issues and to lead the conversation about how our laws, approaches to animal welfare, and the way we enforce the rules can be improved. Lizzie has worked closely with the Animal Welfare Advisory Committee, and I thank them for all of their hard work so far.

We all share a responsibility for maintaining the welfare of animals. I invite you to contribute to this Draft Action Plan, because it should reflect the views of all Victorians on how we can shape the future of animal welfare in Victoria.

### **The Hon Jaala Pulford MP**

Minister for Agriculture

## **We must ensure that we not only protect animals from cruelty, but we support them having quality of life – in our homes, on our farms, where they support us in services and industry and, of course, in their natural environment.**

As the Minister's Ambassador for Animal Welfare, I believe it is important that Victoria has a proactive plan that promotes evidence-based animal welfare practices and reflects community expectations.

This Draft Action Plan is designed to facilitate us working together and taking a shared responsibility for how we live, work and engage with animals. It is a plan for a collaborative approach to improving animal welfare in Victoria.

I look forward to hearing your contribution.

### **Lizzie Blandthorn MP**

Member for Pascoe Vale

Minister's Ambassador for Animal Welfare



# Introduction

**Animal welfare matters. It's important to animals and it's important to the Victorian community, government, our animal industries and economy, which is why a holistic approach is so important. Community expectations of animal welfare standards have increased in recent years. Whether the focus is on pets, animals bred to produce food, those used in sport and entertainment, or wildlife – Victorians are increasingly aware of the need to be proactive about animal welfare.**

Being proactive about animal welfare may also yield significant social, cultural and economic benefits for Victoria. Importantly, community, animal industries and government each have a part to play. Community attitudes are evolving; our animal industries embrace the idea that good animal welfare makes good commercial sense; and governments put in place the law and encourage and enforce compliance.

In other words, we share responsibility for animal welfare. The Action Plan will apply broadly including to government, animal industries, professionals, community and industry organisations and individual Victorians. It proposes three key areas for action, each underpinned by animal welfare science and community expectation.

The three key areas for action are:


1. Victoria has contemporary animal welfare laws.
2. Collaborative approaches underpin knowledge, commitment and investment in animal welfare.
3. Compliance and enforcement is efficient and effective.

These three priorities set a well-defined agenda for change, building on the changes we have already made. The community also identified these three areas as the major ways to improve animal welfare. In a recent survey, 75 per cent of Victorians surveyed felt the welfare of animals should be better protected. They identified education, strong laws and penalties and strong monitoring and compliance as the best ways to do this.

This Draft Action Plan draws on the advice of Victoria's Animal Welfare Advisory Committee (AWAC) and includes input from key groups and organisations such as the Australian Veterinary Association (Vic Division), Municipal Association of Victoria, the RSPCA and Greyhound Racing Victoria. AWAC and organisations such as these bring a depth of commitment, knowledge and practical experience about animal welfare and are a key interface between government, animal industries and the community.

In general the community supports the many roles animals play in our lives, be it for companionship, food and fibre production, recreation or education, provided our treatment is humane. Animals are able to perceive their environment, and experience sensations such as pain and suffering, or pleasure and comfort.<sup>1</sup>

Cooperation and genuine commitment – within and between communities, government, industries, professionals and stakeholder organisations – will promote further opportunities to improve the welfare of all the animals in our collective care or those impacted by our activities. Performance measures, targets and evidence will guide implementation, and ensure that we know whether we're achieving our goals.



All Victorians are integral to the Action Plan's success, so the Victorian Government is seeking feedback on the Draft Action Plan and its proposed activities. In addition, the Government requests animal industries and the community identify actions they are taking or may take to help improve the welfare of animals in Victoria.

Submissions can be made through  
[www.animalwelfarevic.  
economicdevelopment.vic.gov.au](http://www.animalwelfarevic.economicdevelopment.vic.gov.au)

or email:  
[animal.welfare@ecodev.vic.gov.au](mailto:animal.welfare@ecodev.vic.gov.au)  
by close of business 11 October 2016.

More information on how to  
provide a submission can be  
found on page 13.

# Action area 1: Victoria has contemporary animal welfare laws

## Overview

The time is right to review Victoria's animal welfare laws. Our main animal welfare act – the *Prevention of Cruelty to Animals Act 1986* (POCTAA) – has been in place for 30 years. It has a reactive approach that focuses on preventing cruelty to animals. In addition, a number of other laws interact with the POCTAA, creating a complex regulatory environment for animal industries and custodians.

It is time to review and refresh our legislation and ensure we have laws in place that are contemporary and meet modern international practice. Specifically, we must move beyond cruelty to a proactive approach to animal welfare, by including provisions (such as a duty of care) that provide for an acceptable quality of life for all animals and underpin sound animal welfare practices.

Contemporary animal welfare laws will provide for clear and timely action to address animal welfare issues. They will also reflect changes in community, animal industries and market attitudes and expectations; advances in research, science and technology; and the whole of society's responsibility towards animals, domestic or wild. They will be flexible and robust enough to move with innovation and expectations.

## Outcomes

1. Victoria's laws enable a proactive approach to animal welfare, and the humane and ethical treatment of animals, both domestic and wild.
2. Victoria's regulatory system underpins positive animal welfare practices and influences and enables improvements in animal welfare.
3. Processes are in place to drive continuous improvement of Victoria's laws that are evidence-based, strive for national consistency and respect community expectations.
4. Animal welfare laws in Victoria are proportionate to risk and well understood and regarded by the community and animal industries.



## Action 1.1: Animal welfare legislation in Victoria is contemporary

### Deliverables

- a) Review Victoria's current animal welfare legislation.
- b) Consult with animal owners and industries, stakeholder and enforcement groups, and the community on developing new legislation.
- c) Develop new contemporary legislation.
- d) Implement processes that drive continuous improvement of Victoria's animal welfare legislation, to ensure it remains contemporary, effective and meets community expectations.
- e) Ensure laws are clear and well understood and supported by activities such as communication, education and training.

## Action 1.2: Animal welfare regulation is evidence-based and allows for continuous improvement

### Deliverables

- a) Develop and implement regulations to support the new legislation.
- b) Consult with animal owners and industries, stakeholder and enforcement groups and the community on developing and implementing regulations, codes and standards.
- c) Develop a contemporary evidence-based framework of regulations and codes of practice that streamlines continuous improvement.
- d) Draft, review and implement codes, standards and guidelines, as required.
- e) Ensure regulations and codes are clear, consider regulatory impact and are promoted through activities such as communication, education and training.

# Action area 2: Collaborative approaches underpin knowledge, commitment and investment in animal welfare

## Overview

Animal welfare is a shared responsibility. We all have responsibilities for animals in our care and animals affected by our activities. Community, animal industries, stakeholder organisations, individuals and all levels of government each have their part to play and need to understand the issues and how they can contribute to animal welfare.

Action area 2 aims to improve awareness of what animal welfare means, of our responsibilities and how we can, as a society, work together to improve animal welfare outcomes. The Draft Action Plan encourages cooperation, collaboration, partnerships and investment to promote continuous improvements in animal welfare. It also aims to generate innovative ideas and enable stakeholders to identify areas for collaboration and development.

*The Victorian Government seeks suggestions from peak organisations and community groups, about actions they are taking, or could take, to improve animal welfare in Victoria. The Government will work with these organisations to discuss how the final Action Plan can include any proposed actions.*

## Outcomes

1. Custodians, animal industries, organisations and community are aware of and fulfil their animal welfare responsibilities and continuously improve animal welfare.
2. Custodians and animal industries have the knowledge and skills to implement sound animal welfare practices.
3. Approaches to strengthen peoples' commitment to animal welfare and their ability to fulfil their animal welfare responsibilities continue to improve and evolve.
4. Collaborative and innovative approaches and partnerships drive improvements in animal welfare.



## Action 2.1: Partnerships and collaborative approaches support a shared responsibility for improving the welfare of animals

*Contributions are sought from peak organisations and community groups, on activities which they are taking, or could take, to help deliver this action.*

### Deliverables

- a) Identify opportunities for innovation, collaboration and investment, on activities that promote and implement sound animal welfare practices.
- b) Identify opportunities to strengthen our evidence base and knowledge to improve animal welfare practices through collating and reviewing existing research, identifying and prioritising knowledge gaps and supporting research for priority issues. For example:
  - support national animal welfare research and development forums to identify research priorities
  - support research to identify humane, non-lethal management control methods for wildlife that are causing damage
  - use existing animal cruelty data sources to identify key welfare issues and knowledge gaps in the community and develop communications, training and guidance material to address identified issues.
- c) Identify opportunities for collaboration to support vulnerable animals. For example:
  - promote existing activities and identify new opportunities to provide assistance with caring for animals in domestic violence situations
  - work with emergency and support organisations to ensure emergency plans at all levels include measures to assist animals, and their custodians, in emergency situations.
- d) Develop communications, training and guidance materials that promote and influence improvements in animal welfare practices. For example:
  - promote 'Making Victoria a better place for Pets' campaign
  - promote ethical care and use of animals for research, testing and teaching through training courses and best practice guidelines for scientific organisations and their Animal Ethics Committees
  - develop and implement a responsible dog ownership campaign that promotes community awareness of the risks roaming dogs may pose.

## Action 2.2: Important issues of animal welfare concern in Victoria are addressed

*Contributions are sought from peak organisations and community groups, on activities which they are taking, or could take, to help deliver this action.*

### Deliverables

- a) Develop, implement and evaluate a process to identify priority animal welfare issues. For example:
  - improve our understanding of the impact of mental health and domestic violence on animals, so we can develop programs or services that support both owners and animals
  - ensure strategies are in place to identify and address animal welfare issues in wildlife populations, such as overabundant koala populations depleting their habitat.
- b) Develop, implement and evaluate targeted communications and engagement strategies for priority animal welfare issues. For example:
  - review options for expanding current responsible pet ownership education programs to promote animal welfare knowledge and understanding
  - investigate opportunities to distribute educational materials through animal businesses including veterinary clinics, pets shops, feed suppliers etc.
- c) Develop mechanisms, such as a biennial state of animal welfare report, to report on progress and share knowledge on important animal issues.
- d) Implement the Victorian Emergency Animal Welfare Plan in collaboration with stakeholders.

*"Victorians are increasingly aware of the need to be proactive on animal welfare."*



# Action area 3: Compliance and enforcement is efficient and effective

## Overview

The Victorian Government recognises Victoria needs a comprehensive compliance and enforcement framework for animal welfare laws. For this, we need appropriate standards and guidelines, education, penalties and other measures including accountability for how animals are treated. We also need to look at how we can work collaboratively and innovatively to identify ways to encourage voluntary compliance and co-regulatory approaches.

The framework will cover the roles of the relevant regulators and enforcement groups. Enforcement officers and decision makers in the courts and tribunals will play a crucial role in implementing new laws and penalties.

One of government's roles is to support those involved in compliance and enforcement by providing training and appropriate enforcement tools. There are a number of organisations responsible for compliance and enforcement, including state government departments and agencies, such as Victoria Police, DEDJTR and DELWP; local government; and the RSPCA. However animal industries, custodians and community also share responsibility and must be aware of and comply with their legal responsibilities.

*The Victorian Government seeks contributions from peak organisations, enforcement agencies and community groups, about the actions they are taking, or could take, in the future to improve compliance within their industries or areas of responsibility. The Government will work with these stakeholders to discuss how the final Action Plan can include any proposed actions.*

## Outcomes

1. Compliance and enforcement are efficient and effective.
2. Animal industries, custodians and community are aware of and comply with their legal responsibilities.
3. The community, industries and organisations involved in animal welfare have confidence in Victorian approaches to compliance and enforcement.
4. Compliance approaches include opportunities to encourage voluntary compliance and co-regulation.



### Action 3.1: Victoria has an effective and efficient compliance and enforcement system in place

#### Deliverables

- a) Ensure roles and responsibilities for enforcing animal welfare legislation are clear and understood.
- b) Implement compliance strategies that support a consistent evidence-based approach and increase the transparency of the compliance and enforcement process.
- c) Improve transparency and accountability for managing and reporting animal welfare complaints.

### Action 3.2: Victoria's compliance and enforcement system underpins sound animal welfare practices

*Contributions are sought from peak organisations and community groups, on activities which they are taking, or could take, to help deliver this action.*

#### Deliverables

- a) Develop communications, training and guidance materials that promote understanding of and compliance with legal requirements. For example:
  - identify key communication messages that can be used by animal industries, community, industry and enforcement groups and government to promote animal welfare requirements.
- b) Encourage and promote methods to increase voluntary compliance with animal welfare requirements. For example:
  - promote quality assurance programs that support compliance with animal welfare requirements
  - provide training and advice to applicants and holders of licences to use animals for research, testing and teaching.
- c) Measure compliance and enforcement trends and outcomes, and use this evidence to account for and improve the performance of the compliance and enforcement system.
- d) Identify ways to improve our knowledge about societal expectations and human attitudes, processes, and behaviours related to animal welfare, to improve compliance and influence behaviour change. For example:
  - collate and review existing social research, identify and prioritise knowledge gaps, and support new social research that addresses knowledge gaps.

### Action 3.3: A collaborative approach drives more effective and efficient compliance and enforcement

*Contributions are sought from peak organisations and community groups, on activities which they are taking, or could take, to help deliver this action.*

#### Deliverables

- a) Identify and implement measures for a consistent approach to compliance and enforcement activities across enforcement groups. For example;
  - provide education and support to Animal Ethics Committees to monitor and promote compliance in their organisations
  - provide guidance materials that support officer and decision makers to implement animal welfare laws.
- b) Identify and support measures for information sharing and compatible system development.
- c) Identify, develop and provide education, training and guidance materials, to improve the knowledge and skills of authorised officers and decision makers from judicial/courts and tribunals.
- d) Identify and support opportunities for co-regulation and adoption of quality assurance programs that will improve compliance with animal welfare laws.



## Submission process and next steps

This Draft Action Plan is being developed for all of Victoria, with actions for government, regulators, enforcement groups, industries, organisations and the community. Importantly, it should reflect your views on how we can shape the future of animal welfare in Victoria.

The Government is also considering the governance framework for the plan, which will drive, deliver and report on progress. We welcome submissions on this framework.

Submissions for the Draft Action Plan can be made at:  
[www.animalwelfarevic.economicdevelopment.vic.gov.au](http://www.animalwelfarevic.economicdevelopment.vic.gov.au)

Alternatively, you can email your submission to:  
[animal.welfare@ecodev.vic.gov.au](mailto:animal.welfare@ecodev.vic.gov.au)

or mail it to:

**Animal Welfare Action Plan  
475 Mickleham Rd  
Attwood VIC 3049.**

Further information is also available on the website above or by calling the Customer Service Centre on 136 186.

Public submissions on the Draft Action Plan close on Tuesday 11 October 2016 at 5 pm. Throughout October and November 2016, we will consult further with key stakeholders and organisations about their suggested actions.

The Victorian Government takes your feedback seriously. All submissions will be considered and the Action Plan will be updated to reflect Victoria's feedback. A final Action Plan is planned for release in early 2017.

**Victorians care for the welfare of our animals but with your help we can do better. Help us identify the actions to make it better.**

**#Plan4animalwelfare**





# Definitions and acronyms

## Definitions

**Animal industries:** Our society uses animals in different ways and in many different industries. This definition covers all industries and businesses that use animals or whose activities impact on animals, including for companionship, food and fibre, breeding, research, invasive species management or recreation (including exhibition, hunting, fishing and sport).

**Custodians:** Custodians include animal owners, handlers, carers, managers and persons in charge.

**Codes of Practice:** Codes of practice are practical guides that, in relation to animal welfare, set out recommended minimum standards and practices for keeping a wide range of species and conducting animal related activities. Codes can have a different status under law and may be voluntary, act as a defence or be mandatory.

**Evidence-based:** Evidence-based decision making requires a systematic and rational approach to researching and analysing available evidence to inform a process.

**Laws:** Laws are the system of rules that a particular country or community recognises as regulating the actions of its members, and that it may enforce by imposing penalties. Laws may include Acts, regulations, orders and other legal instruments.

**Legislation:** Legislation is a law or set of laws made by a government. Victoria's *Prevention of Cruelty to Animals Act 1986* (POCTAA) is an example of legislation.

**Regulations:** Regulations contain requirements that are made law through powers provided in an overarching Act. Regulations may underpin provisions in an Act or set out specific requirements and offences for noncompliance.

**Standards and Guidelines:** Standards and guidelines are similar to codes of practice in that they set out recommended minimum practices for the welfare of animals. Generally, standards set out mandatory requirements while guidelines act as recommended practice to achieve desirable welfare outcomes.

## Acronyms

**AWAC** – Animal Welfare Advisory Committee

**DEDJTR** – Department of Economic Development, Jobs, Transport and Resources

**DELWP** – Department of Environment, Land, Water and Planning

**POCTAA** – *Prevention of Cruelty to Animals Act 1986*

**RSPCA** – Royal Society for the Prevention of Cruelty to Animals (Victoria)

## Endnotes

- 1 Turner, J and D'Silva, J (eds) 2006, *Animals, Ethics and Trade – The Challenge of Animal Sentience*, Earthscan, London.



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