

CRIMINAL INVESTIGATION AMENDMENT (PROTECTION OF LAW ENFORCEMENT ANIMALS) BILL 2023

Second Reading

Resumed from an earlier stage of the sitting.

MS L. METTAM (Vasse — Leader of the Liberal Party) [2.54 pm]: I rise to contribute to the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023. From the outset, I am the opposition's lead speaker for this bill in the Assembly. The shadow minister for the opposition is in the other place. I wish to highlight my support for this bill, which seeks to strengthen the protection of animals that assist officers to perform their duties, and in doing so, will introduce new offences in Western Australia for assaulting, injuring or killing a law enforcement animal.

The proposed offences outlined in this bill are designed to ensure that animals used by police officers, as well as other public officers who have powers under the Criminal Investigation Act, are afforded the same level of protection as their human counterparts. This is a significant development in the fight against animal cruelty and sends a clear message that such acts will not be tolerated in Western Australia.

These changes were previously proposed in the 2018 report entitled *Statutory review of the Criminal Investigation Act 2006*. In the report, the review group stated that it supported the proposal to amend the CIA to provide that if an animal being used by an officer under section 17 of the CIA is assaulted or obstructed, then the person who assaulted or obstructed the animal is deemed to have assaulted or obstructed the officer handling the animal. Likewise, the WA Police Union called on the state government to impose harsher penalties for offenders found guilty of assaulting a police animal as part of its pre-election campaign.

The contribution of animals to law enforcement cannot be overstated. We have already heard from members in this place about that. They are not simply pets—although we hold pets very dearly—they are highly trained professionals that work in partnership with their human colleagues to safeguard the community. They are an integral part of the law enforcement team. It is important to note that the offences outlined in this bill are not limited to police dogs alone, but also cover other animals that are used by officers in the execution of their powers, duties or responsibilities. This means that animals such as horses, which are often used in crowd-control situations, will also be protected under this new legislation. The introduction of these new offences will provide a much-needed deterrent to those who would seek to harm animals that assist officers in carrying out their duties. It will also serve as a reminder to the public that animals play an important role in law enforcement and deserve to be treated with respect and dignity.

First and foremost, I think I speak for everyone in this chamber when I highlight that animals that work alongside our law enforcement agencies play a vital role in ensuring the safety and security of our communities, and the benefits they bring to our society are immeasurable. Police dogs, in particular, have proven to be an invaluable asset in the fight against crime. They are highly trained to detect drugs, explosives and other contraband. Their sense of smell is so superior that they can sniff out illegal substances even when they are well hidden. Dogs are also used in tracking and search-and-rescue operations, in which they can locate missing persons or suspects who have fled the scene of a crime. Horses are also used by law enforcement agencies for crowd control and patrolling. Mounted police officers have a commanding presence and can quickly respond to any situation that arises. They are especially useful at large gatherings or protests where a visible police presence is necessary to maintain order.

Currently, the use of animals by police officers and other public officers in WA is governed by section 17 of the CIA. According to this section, the use of animals is allowed as long as the animal has been trained for the specific purpose it is being used for and the use of the animal is deemed reasonably necessary in the given circumstances. It is worth noting that the power to use animals under the CIA is quite broad. This is because the CIA encompasses various preventive and investigative powers, as well as other matters such as the use of force and maintaining public order. Therefore, the use of animals by police officers and other public officers can be quite diverse and can include a whole range of animals.

The use of animals by police officers is explicitly mentioned in legislation other than the CIA. For example, the Misuse of Drugs Act 1981 provides for the use of animals in drug detection operations. Similarly, the Terrorism (Extraordinary Powers) Act 2005 allows for the use of animals in operations related to terrorist activities. Overall, the use of animals by police officers and other public officers in Western Australia is subject to strict regulations and guidelines to ensure that the animals are used safely and effectively. Such regulations allow for the use of animals in a variety of situations, which can greatly enhance and benefit law enforcement efforts.

Currently there is no specific punishment for individuals who harm or use violence against police animals in the line of duty. In the past, we have seen offenders charged under the Criminal Code with disrupting a public officer or behaving in a disorderly way in public, resulting in fines. However, these penalties do not seem to be enough to deter offenders from committing quite clearly heinous acts.

During the minister's second reading speech, it was made clear that the new legislation will introduce two separate offences. The first of these offences relates to assaulting, injuring or killing an animal that is being used by an officer. This is an important aspect of the new law as it recognises the vital role that animals play in law enforcement. The statistics that have been provided to support this addition are quite concerning. Since January 2015, there have been 32 instances of law enforcement animals being assaulted, and police dogs are frequently attacked while assisting officers apprehending suspects. These attacks not only put the dogs at risk, but also endanger the officers and the public they are trying to protect.

The second offence relates to assaulting, injuring or killing an animal on account of it being an animal that is used, trained or maintained for use by officers. This is an important distinction as it acknowledges that animals that are used in law enforcement are often targeted by criminals.

Both these offences are designed to protect animals that are used in law enforcement and to provide a deterrent against those who would seek to harm them. The penalties for these offences are severe, reflecting the seriousness of the crime. Offenders can expect to face significant fines, community service or even imprisonment.

It is also important to note that the new bill contains provisions to safeguard individuals who engage in actions that lead to the harm or death of a law enforcement animal if they possess a reasonable justification for their actions. The bill outlines various scenarios where such justifications may be applicable, including situations involving veterinarians. For example, a vet who is treating a law enforcement animal may need to take actions that could result in harm to the animal but are necessary for its treatment or wellbeing and are undertaken in the best interests of the animal at that time.

The bill also contains self-defence provisions that are modelled on the principles of self-defence outlined under section 20 of the Animal Welfare Act 2002. These provisions will allow an individual to assert that they acted in self-defence to protect themselves against a law enforcement animal, particularly if the use of the animal is deemed unreasonable under the circumstances. For example, if a law enforcement officer uses an animal in a manner that is not in compliance with the policies, procedures and training of the Western Australia Police Force, an individual may be justified in using force to defend themselves against the animal. This could include situations in which the animal is used excessively or in a way that is not necessary or proportionate to the situation in hand.

Ultimately, the goal of the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023 is to strike a balance between protecting law enforcement animals and ensuring that individuals who may act in self-defence or who have other reasonable justifications are not unfairly penalised. This is an effort to provide clear guidelines and exceptions to offences related to harm to law enforcement animals. The bill aims to promote accountability and responsibility while also recognising the complexity of situations in which animals are employed in law enforcement.

The proposed legislation also includes provisions for issuing compensation orders against individuals who have been found guilty of harming or causing harm to a law enforcement animal. The animals that are employed by law enforcement officers hold substantial value for the state due to the critical tasks they carry out and the substantial resources invested in their training. If an animal sustains injuries, the state may be burdened with considerable expenses related to the animal's medical treatment, care, rehabilitation and retraining. Furthermore, if an animal is killed or rendered unfit for duty, the state may incur expenses associated with acquiring a replacement animal that is appropriately trained for the same purposes.

The bill establishes a mechanism through which the WA Police Force and other agencies utilising animals in accordance with the CIA can seek reimbursement for these costs from the convicted offender. This legislative measure aims to reinforce the safeguarding of animals that play a vital role in assisting law enforcement officers in the execution of their responsibilities.

Finally, I will touch on the release last year of a Corruption and Crime Commission report, *Deployment of police dogs recommendation review*. During his appearance before a parliamentary committee, the Corruption and Crime Commissioner, Hon John McKechnie, KC, expressed concerns regarding the use of dogs by the WA Police Force. It was highlighted at that time that officers view these dogs as a level of force situated between tasers and firearms. The commissioner criticised the use of police dogs, particularly against young individuals, and pointed out that although the policies governing their deployment may not have racist intent, they can have racist outcomes.

After conducting an examination of police dog deployments the year prior, the CCC ascertained that approximately 61 per cent of all deployments in the 2020–21 period were targeted at Aboriginal and Torres Strait Islander people. However, it is important to note that these statistics are the result of a simple desktop analysis and do not necessarily reflect the full reality of what occurred on the ground. As I mentioned in the media at the time, characterising the use of police dogs as inherently racist is a stretch. Western Australia faces legitimate concerns related to crime, and it is crucial that we support our police officers in their efforts to ensure the safety of the community.

I firmly believe that the roles that officers play with police canines are continually improved in terms of the way they undertake training and review their processes. Officers find themselves in rapidly evolving and hazardous situations in which they must make crucial decisions within seconds. I do not believe it is racist; in most cases, the officers have no idea who the suspect might be—only that they are a risk to the community. It is also essential to emphasise that last year's CCC review did not uncover any evidence that handlers were culturally targeting individuals in their deployment of police dogs. However, the report recommends that the police conduct further analysis to understand the reasons behind that over-representation. I understand that is ongoing through the review and establishment of clear guidelines and protocols for the deployment of police dogs. Those guidelines are designed to prevent the misuse of police canines and promote their responsible use, as well as safeguard their wellbeing and ensure their effectiveness in various law enforcement tasks.

The benefits of police animals are immeasurable and their role in our communities cannot be overstated. They are loyal, dedicated and effective partners in law enforcement, and I am grateful for their service. I thank the minister for bringing the bill to this place. I, on behalf of the opposition, thank the minister's advisers for the support and briefings that have been provided for this bill. I have questions I will ask during consideration in detail, and I commend this bill to the house.

MR H.T. JONES (Darling Range) [3.10 pm]: I rise to make a contribution to the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023. Ahead of the 2017 election, the former Premier made a commitment to the WA Police Union to create an offence for assaulting a police animal. That came from recommendations made in the June 2018 report of the statutory review of the Criminal Investigation Act 2006 and proposed legislative reform in that area. The Western Australia Police Force purchases, trains and uses police dogs and horses to assist it in its duties. Dogs are primarily used for tracking and apprehending offenders and detecting drugs in places and on persons. Horses are often deployed in high-visibility patrolled areas, particularly on New Year's Eve on James Street in Northbridge and in Fremantle. They are also used for crowd control—perhaps in riots. That is what they are trained for.

There is no specific sanction at this stage for anyone who assaults, injures or kills a law enforcement animal. Police have charged offenders under the Criminal Code in the past for the obstruction of a police officer or disorderly behaviour. Fines in those cases have ranged from \$200 to \$1 500. There have been charges under cruelty to animal provisions as well. This bill will introduce a new offence and penalty and court-ordered restitution provisions for assaulting, injuring or killing a law enforcement animal. This will be a two-limb offence provision—assaulting, injuring or killing an animal that is being used by an officer and assaulting, injuring or killing an animal on account of it being an animal that is used or trained and maintained for use. There is to be a penalty of up to seven years, with a summary conviction of three years and a fine of up to \$36 000, which is a substantial increase on previous penalties. The application of the proposed law will, hopefully, ensure that people who commit those offences are actually convicted. There is an extra sentence of 10 years' imprisonment for killing an animal.

As I mentioned, one of the animals police use is a police dog. The canine section opened in 1993. I was surprised when I saw that. I could have sworn I saw police dogs earlier than that, but maybe that was in the movies. In 2017, which is the latest data that I can find, there were 41 dogs. The canine section apprehends violent offenders and detects narcotics, and it lectures on the roles of dogs in policing, responds to antisocial behaviour, searches for and tracks offenders, and joins other agencies like Australian Border Force, the Australian Federal Police and the Australian Defence Force.

I was provided with a list of offences committed against police canines. There is more than a page of assaults. Some of them are severe, including an offender punching a police dog. The fines and success of convictions has been very mixed.

There is an extra element to horses. In fact, if someone assaults a horse, the behaviour of the horse is unpredictable and it endangers the police officer, bystanders, property and the offenders themselves. I was discussing this bill with a member of the mounted police section at Serpentine Horse and Pony Club a couple of weeks ago. She was talking about horses in James Street. There was a horse that was slapped on the buttocks on a few occasions. We might think that is a harmless "larrikin" act—the member for Maylands is smiling—but repeated slapping around the head or other offences that we may think are fairly innocuous on their own condition the animal to expect to be slapped in a certain area. It can make the horse reluctant to patrol in those areas. I was told there was a horse that was driven to James Street and refused to get out of the float; it was to the extent that it could not be employed in that area. Police horses cost a lot of money in terms of investment in the purchase of the horse and their training. I have a figure of \$150 000 as a value for a police horse, which is a substantial investment. When horses are assaulted or hear a loud noise, although their training makes them grow accustomed to that, they can kick out. They can kick innocent bystanders. They could kick a window, which results in broken glass. They could kick a car. They could also kick the offender. A police officer told me a story about a drunk offender who grabbed a horse by its tail, and the horse kicked out and apparently missed the offender's jaw by a matter of inches.

Ms L.L. Baker: What a shame!

Mr H.T. JONES: Yes; it was unfortunate.

It is about protecting not only the animals, but also the police officers attached to those animals. Police officers are told to stay on the horse and not dismount unless they really have to. I am not sure whether anyone has seen the clip, but there is a clip from the United Kingdom in March that shows two police horses. One of the horses was being attacked by a dog in a park in London. The dog was an XL bully, which is a pit bull-type American Staffordshire—a recognised breed in the USA. It was not on a lead, and it was biting the police horse repeatedly and hanging on. The police officer rightly did not get off his horse, but the owner of the dog apparently took about a minute to restrain the dog. In that time, the horse suffered a number of bites and was traumatised, as would be expected. I think the horse was back on duty after a few months of rehabilitation; however, I imagine that if it saw another dog, it would probably be a little cautious. The owner of the dog was convicted in September and pleaded guilty because there is video of it. The sentencing was supposed to be on 16 November, but I could not find out the result.

That leads me on to XL bully dogs, which are becoming a bit more popular in Australia. There are four variations of the American bully: standard, pocket, classic and XL. As I said, they are recognised in the United States but not in the United Kingdom or Australia. They can grow to about 60 kilograms in weight, are heavily muscled and are a man-stopper dog. People need to be very experienced to control them. The reason I bring them up is that the UK is banning the XL bully after a number of incidents and deaths of a few people, including children. In April, a 65-year-old grandmother in Liverpool was killed after she tried to break up a fight between two American bullies. A 17-month-old toddler was mauled to death in her own home by one of the dogs that the family had bought. In 2021, 10-year-old Jack Lis died from severe neck and head injuries after he was attacked by an XL bully in Caerphilly in Wales. The UK government has banned XL bullies. I am not proposing that we ban XL bullies; I do not have the power anyway!

If members look at Gumtree, they will see that the XL bullies' price range is from about \$6 000 downwards. It is a very expensive dog breed. They are not recognised by canine associations around Australia, and so I wonder why someone would want to pay so much for a dog like that. Anecdotally, they are used for guard duties and in the UK some association has been found with criminal entities. Money laundering is one of the risks of buying and selling dogs of this value. I would ask owners of XL bullies who breed them to be especially cautious of whom they sell the dogs to and to take a look at the temperament of the dogs that they are breeding. They would not want to be responsible for providing someone a dog that later goes on to kill someone. That is not something anyone would want to live with.

I segue to canines and mental health. I acknowledge the service of the member for Burns Beach, who is an army veteran and also a WA Police veteran. He mentioned earlier that he suffers from post-traumatic stress disorder and has an assistance dog to help him at times when he needs it. I was happy to see the minister recently announce a helping hound program, which is a psychiatric assistance dog program to improve veterans' mental health. A couple of veterans in my electorate use dogs for PTSD. They had some trouble with training, and one of them had to get a dog from Queensland. It was very expensive. I am very pleased to see the program that the minister announced, whereby four veterans will be paired with trained assistance dogs to build a capability that does not currently exist in WA.

I recently attended in my electorate the Armadale Courthouse and police complex with the minister. It is an \$88.5 million complex in the heart of Armadale. The member for Armadale is nodding furiously. It is a fantastic facility that houses police officers, custodial officers and court staff in a brand new state-of-the-art complex. It has a gym, which I know the Minister for Police really enjoys. It goes to the fact that the Cook Labor government recognises and appreciates the service of our police officers, providing them the facilities that they deserve in order to perform their roles in a comfortable situation in their office space. Nothing will stop them having to deal with the type of people they deal with on occasion. Again, the member for Burns Beach would have been exposed to some situations that resulted in him being diagnosed with PTSD, but we can provide police with the best facilities to make their jobs as easy as we can.

I want to quickly mention the fires in Serpentine–Jarrahdale on 4 November. More recently, the fires in Wanneroo tragically destroyed a number of houses in the area. Those families will be under a great deal of pain at the moment with the loss of their properties and the contents of their houses that cannot be replaced. However, earlier, on 4 November, there were fires in Serpentine–Jarrahdale. I want people to appreciate the number of brigades from all over the state that attended the fire. When I was driving through there a couple of days later, units from Mandurah and the Roleystone Karragullen volunteer brigade were mopping up. I will not read out all the units. Basically it is a who's who of volunteer brigades in the state. I know that those brigades also helped out with the fires in Wanneroo. There is a close liaison between the City of Armadale and Shire of Serpentine–Jarrahdale. My electorate straddles both those electorates. There is a close working relationship between brigades and local government areas as well. I want to encourage people, particularly in the Darling Range: we had a very close call with the fire in Serpentine, which could have got a lot worse had the wind been coming from another direction. We would have undoubtedly lost houses in Jarrahdale if the wind was heading that way. I encourage people to have a bushfire plan

to make sure that they are prepared in the event of a bushfire. We now know that it can happen in our area. People need to decide what they would do. I would recommend leaving, but if they think they can fight a fire, they must have the right equipment and be prepared to fight.

[Member's time extended.]

Mr H.T. JONES: People need to retain their situational awareness. When the fire happened in Jarrahdale, one of the volunteer fire brigade members went to the Jarrahdale pub and found people drinking in the pub, which probably angered that fire brigade member somewhat. It is not necessarily that they should not have been there, but they were drinking alcohol, which impairs decision-making and their ability to evacuate if they need to.

One final nugget I was told, as an owner of a property with an electric gate, is to make sure to know how to leave the gate open. I have to go to my gate and press a button. There are two options, so I have to remember which one it is. If someone is told to leave their property, they need to leave their gate open to allow the fire brigade to go in and do their job along the fire breaks to protect the property. If someone's gate is locked, the brigade might just go to the property next door and save that property instead.

I have arguably done a bit of a segue around emergency services issues. I applaud the minister for introducing this bill. I hope that it goes a long way towards addressing the behaviour of some people in the community. Drunkenness is no excuse; we need to be respectful of police officers and their animals. If people are not, they could find themselves in a bit of strife. I applaud the minister and I thank the police officers who put themselves on the line every day. I know that people in my electorate appreciate the service of the police in Mundijong and Armadale. I commend this bill to the house.

MR C.J. TALLENTIRE (Thornlie) [3.30 pm]: I rise to speak on the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023. I note that this bill makes good on a commitment that we made to the Western Australian Police Union, which specifically asked in its 2017 pre-election submission that there be harsher penalties for people who commit offences against or are cruel or hurtful to animals that are working with the police. Of course, that is horses and dogs from the equine and canine units in our Western Australia Police Force. It shows how much our police officers respect and enjoy working with those animals, and how deeply hurt and upset they are when they realise that there are some members of the public—members of the criminal fraternity—who are inclined to violence in general, but are particularly inclined to commit acts of violence against animals such as horses and dogs.

I note that since January 2015, there have been 32 recorded assault incidents involving law enforcement animals. It is quite appalling to note that there are members of our community who do not respect animals and not only are prepared to behave in an unlawful way, which is appalling enough, but also want to pursue their actions and behaviour while hurting animals. I have heard of all sorts of appalling ways in which that is done. There are reports of some people who attend public gatherings with pockets full of ball bearings to drop on the ground, so that the horses are upset as they put their hoofs on the ball bearings and find their footing disturbed. All sorts of terrible things have happened to animals providing a valuable service to us and helping our WA Police Force to maintain law and order.

I know that the vast majority of the Western Australian community is as appalled as I am by such acts of criminality and cruelty. It always leaves us wondering: What is in the minds of people who commit criminal acts and cruel behaviour? What is the underlying psychology and pathology of these people? I think it is often the case that there is psychologically something seriously amiss with these people. The likelihood of a person being the perpetrator of such dreadful things as family and domestic violence or abuse of young people is much stronger in someone who is also prepared to be cruel to animals in any way. I think we need to look at not only the offence that these offenders commit against an animal, but also the likelihood of them perpetrating offences against other human beings, as well. A body of academic research on this shows that there are connections. We can use that to see that these acts of cruelty are, in fact, a red flag that should go up. It shows that we need to respond to and perhaps keep a better eye on these sorts of offenders, knowing that they could be more likely to commit other types of offences against children or the elderly or all sorts of other abuse of humans.

When the police equine unit has been in my electorate of Thornlie, I think it has always gone extremely well. The community's general response is one of great respect. Already, the public has a tremendous respect for the police. When people see our law enforcers out and about, they feel reassured. They know that the government is aware of perhaps a particular pattern of behaviour—a sequence of events such as misbehaviour around a shopping centre, for example—and that police presence reassures people enormously.

A couple of years ago, at about this time of year in the lead-up to Christmas, there were a few events at the Centro Maddington shopping centre. Members of the public were beginning to get quite anxious about things. The police equine unit came along and immediately had a calming influence on the community. People were greatly reassured. The horses were outside the shopping centre and in the car park; they were not able to go into the shopping centre, but just their visibility and the fact that they were there had a very beneficial impact on the overall situation.

I think it almost diffused the tension as well. I have not been able to observe it firsthand very often, but I imagine it is the case that when police are on their horses in Northbridge, there is not only respect, but also something that gives people a bit of a reality check about a situation. There is diffusion of any tension that might be in the air. When people see police officers calmly moving through a crowd on their horses with their calm, dignified manner, it reassures everyone.

This is a great example of that bond that exists between humans and all the other animal species. So often, that bond has been used in a beneficial arrangement between humans and working animals. It is interesting to think about that particularly strong relationship throughout history. I know that in Western Australia, there is a strong relationship between humans and sheepdogs. Our farming community's reliance on kelpies and border collies for rounding up sheep is incredible to witness. There are alternative means of managing a sheep flock, but it would be a much harder task if farmers did not have the capacity to use well-trained sheepdogs. Recently, there was a very popular program on the ABC about a litter of kelpies and their placement with different owners who had different training methods. They were under the watchful eye of experts; nevertheless, there was a fair degree of variation between the dogs and their particular abilities, and, of course, the ability of the new owners to train those dogs and bring them along.

Working with animals always requires great skill, particularly when training animals. Coming back to the issue of law enforcement animals, that training is incredibly intense. It is about not only getting the horse or dog used to doing a particular task, but also acclimatising them to the amount of noise, the sometimes raucous behaviour and, indeed, sometimes the unpleasant prodding, pushing and cajoling that might go on. I note that the member for Darling Range spoke very well on the various forms of abuse encountered by animals—horses and dogs especially—in the police service.

In passing, I want to acknowledge an often overlooked working animal—that is, the carrier pigeon. I do not know that carrier pigeons are used so much these days, but in World War II, which is not that long ago, it was essential for aircrew in the Beaufort bomber squadrons to have a carrier pigeon on board. If the aircraft was downed, they would release the pigeon. The rescue people needed to know the rough timing of the downing of the aircraft and how long it took for the pigeon to get back to its home, and they would then have a rough idea of where the aircraft was downed. Indeed, there are cases in which pigeons received the animal equivalent of a Victoria Cross—the Dickin Medal. I heard one story on the BBC of a carrier pigeon called Winkie, whose aircrew were saved from a very cold and horrible death in the North Sea. Through this triangulation method, rescuers were able to locate where the bomber was, so the aircrew spent only a short while in the water and did not drown or die of hypothermia.

Animals are incredibly gifted in so many ways. We have heard about the use of animals in modern times as an assistant to people who suffer from post-traumatic stress-related symptoms. They are very valuable today. Our own Water Corporation relies on an English springer spaniel—it might have a couple now—to detect leaks, which is very important. Those dogs have incredible noses. Of course, our quarantine service relies on dogs for drug detection and quarantine. If the beagle sits next to someone at the airport when they are waiting for their bags to come off the carousel, they know they might have some questions to answer! They might have forgotten about some apples in their suitcase or something like that. That would be pretty bad form, but that can happen and they will be in trouble. Other animals also provide incredibly valuable services to humans but are sometimes forgotten about. Pigs are brilliant at sniffing out truffles, although I believe that our truffle industry in Western Australia relies more on labradors. It is another example of the breadth of skills that animals have. When it comes to law enforcement, they are particularly special animals. The police canine unit has the capacity to track down offenders or assist in finding lost or missing people. A person with a form of dementia might be lost in a bushland area. If a good scent dog is out working and looking for them, that will reduce the time taken to find that lost person.

When I was at the Perth Royal Show this year, I was struck by the range of skills of dogs in the different categories. Although toy dogs might perhaps be more companion animals, terriers have historically been valuable in sniffing out and freeing us of vermin, by getting rats and things like that. Then there are the gun dogs with their amazing noses. As I mentioned, Kep helps the Water Corporation to find leaks. The ability of gun dogs to scent where a bird might be is used less in hunting in modern times, as the need for gun dogs is far less frequent. The hound group includes sight hounds. It also includes greyhounds, whose running ability is exploited through greyhound racing. The scent hounds include bloodhounds and beagles, which, as I mentioned, can be used to help detect someone who might be lost in a bushland area. Then there are the working dogs. I touched on the importance of sheepdogs to our sheep flock and the management of sheep on our farms.

I am heartened that we will ensure that much tougher penalties will apply to those who commit offences against animals in the police service. I recognise that such offences have, to date, gone by with very weak sentences; charges have been brought but there has not been much of a penalty. That is what we are amending with this legislation. I think the penalties that offenders will incur will be proportionate to community outrage for offences like this. This is welcome legislation. I know that members of the Western Australian Police Union will be heartened that their request that the government provide this sort of legislation will be fulfilled. It just shows that being a member

of a union—in this case, the WA Police Union—can bring about change. As a professional in a particular area, a union member can see where problems are in the system and use a collective voice to have that failing identified and brought to the attention of government, and for the government to act and solve the problem, especially when it is a Labor government like the Cook Labor government. I am very proud to be part of a government that is solving this problem by making sure that our police equine and canine units are looked after properly. Those animals give us great service. The least we can do for them is to ensure that people face significant penalties should they be found to have abused those animals in any way.

I will conclude my remarks by commending this bill to the house.

MS L.L. BAKER (Maylands) [3.47 pm]: I rise this afternoon to congratulate the Minister for Police for bringing this small but important piece of legislation to the house. It is the last possible moment of the year, but let us hope we get the Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023 through. I also recognise the members of the WA Police Union with whom I met in 2016 or 2017 to discuss the care of police horses and police dogs and their concerns around not just the enforcement of prosecutions for those who injure these animals, but also the capacity to bring any real action against criminals who abuse them. I thank the minister for this mighty step forward. I am sure the police union will be incredibly happy.

The minister might be able to address this question later if he has time. When these dogs and horses are retired, they are not generally expected to live for very long, particularly the dogs. I think they retire around the age of seven, after quite a few years of service. As members can imagine, when they retire, they often have quite a few vet expenses attached to them. When the dogs are retired, it is often a member of the service who takes them on because they love them and work with them. Often, they take them into their own homes. These dogs are highly trained, so they need to be very carefully placed with experts in dog management. There is a very expensive set of bills that goes with caring for these dogs. It would be really good to know whether any work has been done to make sure that enough funding is provided to see these dogs through for the rest of their lives—if you like, a retirement fund. I think that is only justified. These are serving police animals, or police officers, if you like, and they deserve every respect. The horses are a little bit different. They will quite often live until they are quite old and are often not retired until they are 12 or 13 and they would go only to equine-specialist homes, I would hope. It might be more difficult to fund their retirement, but it certainly should be considered in the future.

I am really glad that the Minister for Community Services; Child Protection is in the room, as is the Minister for Police. During the beginning of the 16 Days in WA family and domestic violence campaign, I had a conversation with a very senior police officer from the FDV squad. I asked in the course of our conversation whether the officers who are dealing with family and domestic violence were trained or whether the system trains them to look across offences when they go into a house and there is a suspicion of violence against children or women. What places were the police trained to look at for other offences so that they were aware of the person they were dealing with? I said to this officer, “So, you would be looking at offences under the Animal Welfare Act, would you?” There was a bit of silence and they went, “Oh, well, not necessarily.” I guess my question is: do we really want somebody who has been convicted of cruelty, torture and abuse of a pet looking after our children? We really need to make sure that when police are going into domestic violence situations or are assessing domestic violence situations, they are also looking at crimes that have been committed under the Animal Welfare Act, which, of course, are not necessarily prosecuted by police; they go through the Department of Primary Industries and Regional Development or the RSPCA. It is a vital part of it. It was part of the working with children checks. I hope it is still there. Certainly, it is a critical part of it.

This Cook Labor government funded the Pets in Crisis program, which has been restored again with further funding. That program specifically looks at taking on the animals of the survivors of domestic violence as they are trying to get their lives back together in order to help them first escape the situation and get themselves out of danger and then move into a safe situation. Often they cannot take the family pet with them. Pets in Crisis through the RSPCA WA looks at fostering pets and companion animals until the family is in a safe place and can take those animals back. This is a really, really positive program and should be continued. I would love to see more funding going into that program. Generally speaking, that is called the cruelty connection. I think the link to the abuse of animals, as the most vulnerable in the household second to children, I guess—children and animals—is globally recognised through all the evidence that has been gathered in the last 30 years that I am aware of. The cruelty connection is very well proven. The link between people who are cruel to children and people who are cruel to animals in the home is very clear. Also, children who witness cruelty to and abuse of animals and a lack of compassion for animals are likely to grow up into adults who have little compassion and are more likely to be aggressive and take that aggression out on powerless people in their families and homes, like animals or children.

I could say a lot about that, but I have only a limited time, so I want to get on to the bill that we are discussing that the minister has put on the table. This bill is extremely important to protect our police dogs and police horses. I note that it references the Animal Welfare Act 2002 at many places. I just want to bring the house’s attention to the fact that we have an amendment bill being drafted for the Animal Welfare Act. It is being drafted based on the

results of Linda Black's review of animal welfare laws, which is a fairly substantial document. Had I four hours, I would bore this house with the detail of the review of the Animal Welfare Act 2002. The Labor government has responded to that review and it has pretty much accepted all the recommendations of that review. Some of the things that are referred to in the bill we are currently debating that I thought might be worth mentioning are things like infringement notices. The animal welfare review panel recommended that any necessary steps be taken to enable infringement notices issued by inspectors to be enforced by the Fines Enforcement Registry. I believe that my government has already started taking steps to do that. These infringement notices are essential in making sure that complaints of animal abuse are acted on quickly. It is not always the police who are involved in this, as I said before. The general inspectors under the act are from the RSPCA and DPIRD, as well as police.

On the inquiry into having sufficient resources to enforce, the panel recommends prioritising and strengthening the training and professional development of everyone who enforces the Animal Welfare Act. I got feedback that some of our police graduates were a bit quizzical about why they should be asking questions about animal abuse or animal cruelty when they were interviewing victims of domestic violence. I find that disturbing, quite frankly. The links that I have referred to should be absolutely obvious. I would encourage police to make sure that the training of new officers very clearly points out why we would look at infringements that have been made under the Animal Welfare Act in relation to the abuse of and cruelty to children and domestic violence victims. The panel also recommends that when an individual or a corporation is convicted of an indictable offence under the Animal Welfare Act, a permanent prohibition order be made, unless the accused can demonstrate exceptional reasons why an order should not be made. At the moment, it is very hard to make a permanent prohibition order. We have had instances of people who have abused animals by not feeding them, starving them, beating them, breaking their backs, dragging them behind cars, skinning them alive, slitting their throats and a whole range of things in their back yards being banned from having an animal for a short space of time, but a year or two later they are allowed to have animals again. That is simply not in keeping with community standards in a modern Animal Welfare Act. I look forward to seeing improvements in that space as soon as possible.

In the final moments, I draw the attention of the house to the comments that were made by the Minister for Agriculture and Food in the upper house concerning breaches of the Animal Welfare Act. I will paraphrase the minister in the other house, Minister Jarvis. I will select some pieces from her speech. She said that many people would remember with disgust the footage of dying and distressed sheep suffering heat stress aboard the *Awassi Express* in 2017. They would have seen a lot of that footage aired over the last couple of weeks as we dropped the case against Emanuel Exports. This was shocking, to say the least—absolutely horrifying. The thought that anyone in the farming industry or representing farmers would say that dropping of animal cruelty charges was welcome is not just naive, but also severely out of step with the human condition of this century and with what the community expects. Quite frankly, it is shocking that that would be said. The Western Australian public has a right to expect that all animals receive appropriate standards of care. Duty of care is one of the issues addressed in the amendment bill to the Animal Welfare Act. It is vital that we have duty of care in place for the sake of the livestock that are part of our food chain at the moment, and for the sake of their futures as much as anything else. The minister concluded in her speech —

Emanuel Exports and its directors should be left in no doubt that the unspeakable cruelty that those animals endured was largely responsible for the federal government's decision to end the live sheep trade.

Debate adjourned, pursuant to standing orders.