



Hon Matthew Swinbourn MLC  
Chairman  
Standing Committee on Environment and Public Affairs  
Parliament House  
Harvest Terrace  
PERTH WA 6000

Dear Mr Swinbourn

**Petition No. 013 – Animal Welfare Act**

Thank you for the opportunity to provide a submission to the Standing Committee on Environment and Public Affairs in relation to the above petition. I was pleased to table this petition on behalf of a local resident and I can advise the Committee that I have not referred these issues to the Parliamentary Commissioner for Administrative Investigations.

The recent tragic event of the stabbing of beloved Labrador Luna has brought to attention the inadequacies of our current legislation in dealing with the mistreatment of animals.

As the petition states, the *Animal Welfare Act 2002* does not explicitly include the inhumane killing of an animal as a serious offence, nor does it include scope for penalties which are proportionate to this crime.

The words in the petition reflect the views held by many Western Australians who are concerned about what they perceive to be modest penalties issued against perpetrators of animal cruelty, as well as the inconsistency in sentencing decisions for crimes against animals.

There is a current lack of publicly accessible records and information regarding animal cruelty prosecutions, trial outcomes and sentences. In order for there to be public accountability on this issue it is important that this information is readily available. For instance, in the case of Luna, it is difficult to judge whether a suspended 7-month sentence is reasonable given the lacking information about court decisions made in similar cases, and the range of penalties available. Moreover, this information is necessary in order to inform policy developments in the area of animal cruelty.



Furthermore, I am informed that there is no information available about the number of individuals who have been banned from being near animals due to findings of cruelty, or the powers available to enforce those bans. For example, there are no rights available to enter property unless there are fresh cruelty concerns, which makes it difficult for the authorities ensure that individuals are complying with existing bans or restrictions.

Given the apparent lack of information available regarding allegations and findings of animal cruelty under the *Animal Welfare Act 2002* there is a need to gather conviction and sentencing outcomes to determine what action is needed and to address community concerns.

I recommend the Committee consider investigating the proposals arising from this petition.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Alanna Clohesy', written in a cursive style.

Alanna Clohesy MLC  
**MEMBER FOR EAST METROPOLITAN**

30 June 2017