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**Minister for Local Government; Heritage;  
Citizenship and Multicultural Interests**

Our Ref: 38-08638

Hon Brian Ellis MLC  
Chairman  
Standing Committee on Environment  
and Public Affairs  
Parliament House  
4 Harvest Terrace  
WEST PERTH WA 6005

Dear Mr Ellis

Thank you for your correspondence dated 18 February 2011 concerning Petition Number 101 – Funding for the Animal Welfare Unit Inspectorate. As Chairman of the Standing Committee on Environment and Public Affairs, which is undertaking preliminary enquiries into the petition, you have requested that I provide comment on the terms of the petition, and the submission from the principal petitioner. I apologise for the delay in my response.

To assist you in this matter, I have provided you with a comprehensive overview of the role and jurisdiction of the Animal Welfare Branch (AWB) within the framework of the administration of the *Animal Welfare Act 2002*.

In 2006, the Expenditure Review Committee (ERC) approved funding at \$430,000 per annum for two years for the establishment of a six person General Inspectorate to focus on compliance of the livestock export industry with the Act. As of 30 June 2008, the Labor Government ceased this funding. As there was a critical need to have an operational General Inspectorate, the Department funded two FTE General Inspectors through cost savings in other areas.

The Department's General Inspectorate performs a critical role in preventing cruelty to livestock, including in the live export chain in Western Australia, and also at export abattoirs. The Branch is responsible for investigating complaints, commencing prosecutions, and liaising with key stakeholders. The Act has some of the strongest penalties for animal cruelty in Australia, ranging from \$2,000 to \$50,000 and up to five years' imprisonment (the penalties for a body corporate are up to five times higher).

The General Inspectorate also undertakes investigations into intensive livestock industries, such as piggeries and caged hens; organised animal fighting, such as cockfighting; and other large scale matters where necessary, such as the overpopulation of horses at Lake Gregory.

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The General Inspectorate has achieved some excellent outcomes during the past four years. These include the development of a flowchart for animal welfare incidents, which is used by agencies such as WA Police (WAPol) and local governments to determine the correct responder to adverse animal welfare incidents; successful prosecutions; Memorandums of Understanding (MOUs) and formal agreements with State Government agencies and non-government organisations; and several joint investigations with other agencies for a whole of government response. The General Inspectorate works closely with other agencies, such as WAPol, the Australian Quarantine and Inspection Service (AQIS), Department of Agriculture and Food of Western Australia (DAFWA), and the RSPCA (WA).

The Department also has a formal agreement with DAFWA relating to the management of livestock welfare in Western Australia. As such, DAFWA provides 'extension' services (education) to the livestock industries to assist with compliance with the Act and its Regulations, and the Codes of Practice.

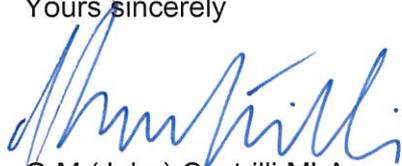
The Branch received a total of 172 animal welfare complaints in relation to suspected breaches of the Act during 2010. Complaints were received from Federal, State and Local Governments, animal welfare interest groups, and members of the public. In addition, as the lead government agency for animal welfare, the Branch was notified by AQIS of seven adverse animal welfare incidents that occurred at export abattoirs in WA in 2009-2010.

Under the Act, the Department's Director General appoints General Inspectors who, at a practical level, are charged with the day-to-day enforcement of the Act. This includes General Inspectors from a number of Government agencies including DAFWA and also local governments (predominantly rangers) and other organisations such as the RSPCA (WA). In total, there are currently more than 170 General Inspectors throughout the State. In addition, all WA Police are empowered as General Inspectors under the Act.

There are other crucial roles required to be performed by the Department, including administering and enforcing Part 2 of the Act in relation to the use of animals for scientific purposes, which includes use by schools, hospitals, universities, and biotechnology companies for research and teaching. As part of this scientific role, the Branch monitors the use of such animals, issues yearly licences to scientific establishments, provides an important advisory service, investigates allegations of ill treatment of animals and other breaches of the Act and handles enquiries regarding the contentious subject of animals used in science. A Scientific Inspector has been appointed and that person is a registered veterinarian and also Manager of the Branch.

I hope this information will be useful.

Yours sincerely



G M (John) Castrilli MLA

**MINISTER FOR LOCAL GOVERNMENT; HERITAGE;  
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28 MAR 2011

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