

To: Animal Welfare Reform Team.

For more than forty years I have had a proactive interest in animal welfare, especially of production animals. I have the unfortunate ability to spot thin, sick or down animals from quite a distance. Initially I would report my concerns to either the RSPCA or the Department of Agriculture and would presume there would be effective intervention for the animals of concern. Subsequently it became apparent that too often this wasn't the case. Animals continued to suffer and die whilst an investigation was in progress and in some cases even after cruelty charges had been laid.

I admit these cases were often chronic, involved reasonably large numbers of animals, were on large properties and were owned by unreasonable and difficult people. For the most part the suffering and cruelty was the result of severe neglect, usually in the form of failing to provide adequate feed, leading to malnutrition and starvation. Often these chronic cases wander on for months, years, and in some cases decades, with nothing positive happening for the animals. Members of local communities give up reporting these cases because of a perceived lack of an effective response from the welfare authorities.

Going to the media has sometimes seemed the only way to force authorities to act. I have also often gathered as much evidence as I possibly could and provided it to authorities. This is not something I do lightly, as it can be very distressing and frightening. It should not be that I, and others like me, feel it necessary to go to such lengths to ensure that appropriate and effective action is taken by those charged with implementing and enforcing POCTA.

So here is my Welfare Wish List which I hope will be considered as part of the POCTA review process and the Animal Welfare Action Plan. I am sorry it is drawn out but I have tried to explain my wish list through my hands on experiences.

- On the first visit authorized officers view all the animals in the ownership or care of the reported animals. This be done without making a prior appointment with the owner/person responsible. This is to avoid animals of concern, and/or evidence, being removed before authorities visit. Don't just drive around the boundary fence; don't find excuses such as 'we didn't have a 4WD, we didn't know the boundaries; biosecurity regulations stopped us, etc.' Perhaps delay the first visit until it can be thoroughly carried out. (except in case of animal down; trapped; severely injured etc)
- On the first visit gather as much evidence as possible for use later if legal proceedings happen to occur. All animals in all paddocks, yards, feedlots, holding areas, be counted; classes of cattle be identified, ie age, pregnancy and lactation, management of bulls – this so that all animals can be accounted for during the investigation and to assist with the establishment of appropriate feeding and management strategies which might subsequently go into 'Notice to Comply'. All animals in BCS of less than 2 be individually identified for closer individual monitoring and an average BSC of the total number be estimated and recorded; any animal that is considered unfit for travel or sale should especially be identified for immediate extra care and it should not be possible for owners to move such animals without authorities being present and destination made known.

- First visit evidence: photograph and individually ID and BCS all animals of concern; observe and note animals` disposition, coat condition, mobility, presence of `bottle jaw`, starvation ketosis, pressure sores, condition score, tightness of skin over ribs and hips, prominence of same, consistency of manure, colour of urine, etc etc. Along with the state of the paddocks re pasture, water, shelter, evidence of quality, type, amount and suitability of any supplementary feeding. Re individual ID, particularly where animals are all the one breed and one colour, it may be necessary to return ASAP and yard the cattle, then either scan NLIS tags if present, note other tags, ear marks or brands, apply some sort of ID in form of specific paint marks, or tags, or `bang tails`. White markings whenever and wherever present are an aid in identifying individual animals and are useful in photographic evidence.
- When large numbers of animals are the subject of investigation could it be possible to have a system that allowed for a temporary seizure? This might give the authorities time to attend to all actions which are necessary. At the very least put an order in place which prevents animals from simply disappearing.
- If animals have been yarded other pathology samples can be taken and physiological signs observed. Blood, manure, hair, urine, check state of teeth and presence of heart murmur, demeanor, mobility, and other vet samples/notes as required. Anything that could be used down the track, and which also serves to demonstrate to the owner a level of intent by the investigating authority.
- If repeat offender or a significant number of animals are at risk issue NTC sooner rather than later. Keep time frame for owner to comply as short as possible. Don` t wait weeks for animals to look better, return in the following few days, without an appointment, to see if requirements in a NTC are being met. If necessary authorities should provide for animals in the immediate short term particularly if water is an urgent requirement.
- Court process is generally too drawn out resulting in animal suffering also being drawn out. Somehow reduce the time frame while still affording some degree of due process. Educate magistrate`s in matters of animal sentience and welfare. Owners have too many rights in the current system. Perhaps the enforcement side of the legislation would be better handled by specifically trained police.
- Can sections of the `Evidence Act` be used to assist with not only the bringing of charges, but also to make it easier to seize animals of greatest concern? ie seize the animal/s as evidence.
- First time offender: owner/ person responsible gets advice and a short period of time to implement improvements.
- Second time offender: owner immediately gets advice via a NTC and a very short time to implement and with other demands that make it possible to account for all the animals.
- Third time offender: you`re out. Straight to seizure, banning order and charges.

- Keep an up to date register that can be passed on to subsequent animal health officers and DVO`s. A register not just of convictions but of complaints against individuals, families and companies.
- Employ animal health officers/DVO`s who are committed to effective enforcement, to taking a stand, and who are not just marking time before retirement. I am sorry this statement sounds heavy handed, but I have contact with three DVO`s who clearly did not want to get involved in what was likely to end up a difficult and drawn out case. One even stated same to me. I realise staff who have given good service for many years deserve to move quietly into retirement, but this should not be put before animal welfare. They should perhaps feel able to ask for extra staff or to be able to 'handball' the case if necessary.
- Make sure that COP`s and any other government animal health/welfare documents, don`t inadvertently give owners an out. Eg. Drought Feeding Guidelines talks about 'feeding for survival and controlled weight loss'. I think statements such as this almost condone starvation. If stock are already below CS2 you can`t be feeding for controlled weight loss.
- Provide hard copy condition scoring notes to all registered PIC`s, or at least people registering new pics. Spell out why the welfare benchmark is CS2, and the risks to animal welfare, what is happening internally in lead up to starvation ketosis. Explain that 'bottle jaw' is not just symptomatic of fluke infestation, but has other, often more relevant, causes. List them.
- Properly resource and train compliance officers, use police, shire records, shire ranger, and other experts to assist the investigation. Have extra staff available during times of low water and pasture availability. Don`t wait until an area is 'drought declared'.
- Make owners prove that they are complying with instructions. Don`t let them hide behind 'privacy legislation'.
- Create an inventory of the quality and quantity of any feed on hand, the rate at which it is being fed out, and assess the ability of the owner to acquire more feed as needed.
- Make banning orders water tight.
- In the main I have always felt that POCTA is a reasonably OK document. It is the implementation and enforcement that is failing. The processes and protocols which sit behind the legislation are where the main problems lie. Combined with understaffing, under resourcing, and sometimes a lack of commitment.
- I WISH TO BE ABLE TO REPORT A WELFARE CONCERN AND THEN HAVE EVERY CONFIDENCE THAT ANY ANIMAL THAT IS SUFFERING WILL QUICKLY BE ASSISTED WITHOUT MY NEED TO FOLLOW UP IN ANY WAY. THAT WITH A PHONE CALL OR AN EMAIL MY JOB WILL BE DONE.

Yours Sincerely,
Nicola Fanning.

