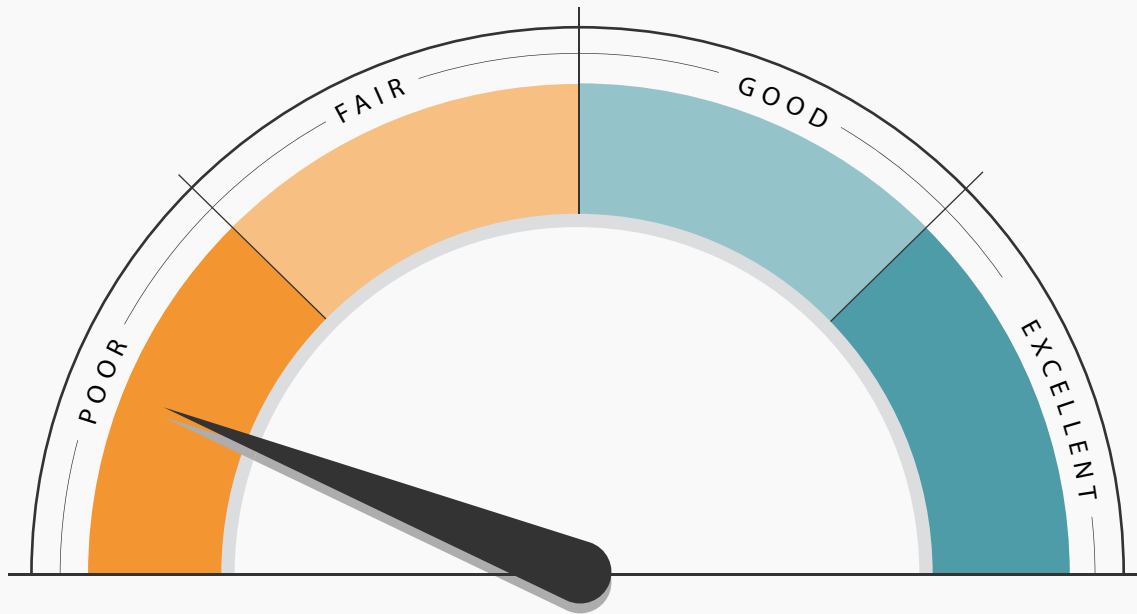


Animal welfare policy barometer 2023



POOR fails to meet expectation or very minimal
FAIR meets expectation to some degree
GOOD meets most of the expectation
EXCELLENT fully meets the expectation

The animal welfare policy barometer presents and evaluates the findings of a representative national survey* exploring Australian attitudes and beliefs about animal welfare policy.

The survey was commissioned by the Alliance and conducted in 2023 by leading behaviour change research institute BehaviourWorks Australia. The survey questions explored Australian attitudes and beliefs about animal welfare, the way it is governed, and how policy decisions are made.

The barometer assesses Australia's performance in meeting the public expectations revealed by the survey. Currently, Australia is achieving a very low grade of 'Poor' on the barometer. Read below to find out where Australia is falling short on meeting the public's expectations and how the Alliance proposes to fix our broken animal welfare system.

You can access the full survey results on the Alliance website:

Survey question	Public expectation	Is Australia meeting the expectation?	Barometer grade
<p>1. Which animals are sentient?</p>	<p>Most Australians* agree that dogs, cats, cattle, sheep, pigs, birds, lizards, frogs, fish, lobsters and octopuses are sentient.</p> <p>Companion animals (dogs; 90%, cats; 87%) were judged by most as sentient, followed by other mammals (cattle; 82%, sheep; 80%, pigs; 80%), birds (81%), then lizards (62%), octopuses (61%), and frogs (61%), then other sea animals (fish; 57%, lobsters; 54%) and finally insects. Insects were the only animal group where a minority of respondents rated them as sentient (39%).</p>	<p>Most Australian animal welfare legislation does not explicitly recognise animal sentience, and some species of animals that are widely recognised as sentient are excluded from legal protection.</p> <p>The sentience of animals is currently only recognised explicitly in law and policy in two jurisdictions.</p> <p>It is recognised in law in the ACT.¹ The ACT did also recognise the sentience of animals in policy within its Animal Welfare and Management Strategy, however this strategy expired in 2022.</p> <p>Federally, the sentience of animals is recognised in the Australia-UK Free Trade Agreement.²</p> <p>The Victorian Government has proposed to recognise animal sentience in the review of its <i>Prevention of Cruelty to Animals Act 1986</i>.³</p> <p>All other jurisdictions fail to recognise the sentience of animals in law and policy.</p> <p>In addition to this, some sentient species of animal are excluded from the definition of an 'animal' under state and territory animal welfare law and subsequently the protective reach of the legislation. For instance, fish are not recognised as animals in WA⁴ and SA,⁵ cephalopods (octopi, squid etc) are not recognised as animals in NSW,⁶ SA, NT,⁷ WA and Tasmania,⁸ and crustaceans are not recognised as animals in Queensland,⁹ SA, WA and Tasmania.</p>	<p>Poor</p>
<p>2. Should animal welfare be protected by the government through legislation?</p>	<p>Animal welfare should be protected by the government through legislation (87%).</p>	<p>All Australian jurisdictions have animal welfare laws that prohibit animal cruelty and impose certain duties on animal owners to provide for the welfare of animals under their care and control.</p> <p>However, these laws contain wide-ranging exemptions and defences for practices that are prescribed in industry codes of practice or standards and guidelines. These codes and standards often prescribe, and legally permit, practices that are harmful to the welfare of animals. Accordingly, animal welfare legislation only protects the welfare of animals that are not involved in an industry or used for some other instrumental purpose covered by an industry standard or code.</p>	<p>Fair</p>

Survey question	Public expectation	Is Australia meeting the expectation?	Barometer grade
<p>3. Should the law require that all sentient animals are provided with good animal welfare?</p>	<p>Most Australians support the idea that the law should require that all sentient animals are provided with good animal welfare (86%).</p>	<p>Australian animal welfare laws do not require all sentient animals under human control to be provided with good animal welfare.</p> <p>The World Organisation for Animal Health, Terrestrial Animal Health Code states that ‘an animal experiences good welfare if the animal is healthy, comfortable, well nourished, safe, is not suffering from unpleasant states such as pain, fear and distress, and is able to express behaviours that are important for its physical and mental state.’¹⁰</p> <p>The RSPCA defines good animal welfare in similar terms: ‘good animal welfare goes beyond preventing pain, suffering or distress and minimising negative experiences, to ensuring animals can express their natural behaviour in an enriching environment, feel safe, have healthy positive experiences and a good quality of life.’¹¹</p> <p>While Australian animal welfare laws impose a range of duties upon animal owners that may provide for good welfare, including duties to provide appropriate food and water, veterinary care, living conditions and opportunities to exercise and express normal behaviours, such duties do not apply to the vast majority of sentient animals under human control. This is due to wide-ranging exemptions and defences for practices that are prescribed in industry codes of practice and standards and guidelines. These codes and standards prescribe, and legally permit, practices that are harmful to the welfare of animals.¹²</p>	<p>Poor</p>
<p>4. Who should have the final say on government policy decisions that affect animal welfare?</p>	<p>Most Australians (68%) agree that an independent government agency should have the final say on government policy decisions that affect animal welfare.</p> <p>Only 22% of Australians think that government bodies responsible for agriculture policy should have the final say on animal welfare policy decisions.</p>	<p>Animal welfare policy is delegated to state, territory and federal Departments of Agriculture and Ministers for Agriculture.</p> <p>An independent office of animal welfare that is responsible for animal welfare policy and standards development has not been established in any jurisdiction of Australia. The Australian Government has committed to establishing an Inspector-General for Animal Welfare and Live Animal Exports, however, this office will be limited to reviewing the role of the federal Department of Agriculture in regulating live animal exports and will not play a role in broader policy and standards development.</p>	<p>Poor</p>

Survey question	Public expectation	Is Australia meeting the expectation?	Barometer grade
<p>5. Should the final say on government policy decisions that affect animal welfare be made by an independent and impartial authority (e.g. an authority that has no financial or other conflicts of interest)?</p>	<p>Most Australians (80%) agree that the final say on government policy decisions that affect animal welfare should be made by an independent and impartial authority.</p>	<p>Animal welfare policy is delegated to Departments and Ministers of Agriculture. These institutions have objectives that often conflict with the promotion of animal welfare.</p> <p>Agriculture departments are ultimately industry promoting agencies, charged with enabling and providing services to agriculture and livestock industries. Their primary performance measures reflect this focus by concentrating on increases in productivity and the gross value of primary production. These objectives often conflict with proposals to improve animal welfare standards, particularly where such improvements may impact productivity.</p> <p>Ministers for Agriculture face similar conflicts as they are also responsible for promoting industry growth and productivity. The extent to which Agriculture Ministers promote this goal can often be used as the measure of their performance and linked to their ongoing electoral support.</p> <p>Accordingly, Departments and Ministers for Agriculture cannot be considered 'independent and impartial' when it comes to making animal welfare policy decisions.</p>	<p>Poor</p>

Survey question	Public expectation	Is Australia meeting the expectation?	Barometer grade
<p>6. Which groups are trusted when it comes to animal welfare and should have a say in government policy decisions that affect animal welfare?</p>	<p>Australians trust animal welfare groups (e.g., RSPCA, Animals Australia), researchers and practitioners (e.g., scientists, veterinarians) the most when it comes to animal welfare (69%).</p> <p>The next most trusted groups were Government representatives (31%) and consumer protection groups (31%).</p> <p>The groups Australians trust the least, when it comes to animal welfare, were industries that use animals for commercial purposes (21%), retailers (12%), and political parties (12%).</p> <p>In terms of which of these groups should have a say in policy decisions that affect animal welfare, Australians think animal welfare groups, researchers and practitioners should have the most say (72% and 75% respectively).</p> <p>Only 44% of Australians think government representatives should have the most say.</p> <p>Few Australians think industries that use animals (19%), political parties (10%), or retailers (6%) should have the most say.</p>	<p>While animal welfare groups and researchers are included in policy and standards development processes, the views and positions of government representatives (primarily from Departments of Agriculture) and animal industry representatives often dominate such processes.¹³</p> <p>This outcome is facilitated by current governance arrangements, notably, the fact that overall responsibility for animal welfare policy and standards development is delegated to Departments and Ministers for Agriculture, rather than independent and impartial bodies.</p> <p>Accordingly, current policy arrangements do not afford animal welfare groups and researchers the most say on policy decisions that affect animal welfare.</p>	<p>Poor</p>
<p>7. What factors should be considered in government policy decisions that affect animal welfare?</p>	<p>Most Australians (80%) think the impact on animals should be the most important factor in government policy decisions that affect animal welfare.</p> <p>The next most important factor is scientific knowledge and evidence (66%).</p> <p>Over half of Australians (57%) think the impact on industries or businesses should matter the least.</p>	<p>While impacts on animals and scientific knowledge are considered, the economic impacts on industry are generally given greater weight and consideration in current policy decision-making processes. This is built into the process via the requirement for governments to conduct regulation impact assessments, which are focused on assessing the costs of proposed regulatory measures. There is no equivalent requirement under current law for governments to conduct an animal welfare impact assessment when making policy decisions that will impact on animals.</p>	<p>Poor</p>

Survey question	Public expectation	Is Australia meeting the expectation?	Barometer grade
<p>8. How much weight should animal suffering be given in policy decisions that affect them?</p>	<p>Most Australians (58%) think that decision makers should consider animal suffering and give it equal weight (46%), or more weight (12%), than human suffering when making decisions that affect animal welfare.</p> <p>A minority of Australians (28%) think animal suffering should be given less weight than human suffering, and 5% think animal suffering should only be considered when it affects human suffering.</p>	<p>Animal suffering is not weighted equally with human suffering in policy decisions that affect animals. There are no examples of policy decisions that involve a trade-off between human suffering and animal suffering. Most commonly, the trade-off is between animal suffering and economic impacts, and even in this context, economic impacts are generally given greater weight than the welfare of animals, contrary to the community's expectation of applying equal/more weighting.¹⁴</p>	<p>Poor</p>

* Results from an online Qualtrics survey of 1029 Australian adults, representative of the broader Australian population by age, gender, state or territory, and location (metro vs. regional), conducted in February-March 2023. The survey was commissioned by the Australian Alliance for Animals and conducted by BehaviourWorks Australia. Details of the survey methodology and results are available on the Alliance website: www.allianceforanimals.org.au/animal-welfare-policy-barometer

¹ See, *Animal Welfare Act 1992* (ACT), s.4A(1)(a).

² See, Australia-UK Free Trade Agreement, opened for signature 17 December 2021 (not yet in force) chp 25.

³ See, Victoria's New Animal Care and Protection Laws Plan, pp 11-13.

⁴ *Animal Welfare Act 1985* (SA), s.3.

⁵ *Animal Welfare Act 2002* (WA), s.5(1).

⁶ *Prevention of Cruelty to Animals Act 1979* (NSW), s.4(1).

⁷ *Animal Protection Act 2018* (NT), s.5.

⁸ *Animal Welfare Act 1993* (Tas), s.3.

⁹ *Animal Care and Protection Act 2001* (Qld), s.11.

¹⁰ Terrestrial Animal Health Code, Art. 7.1.1

¹¹ RSPCA Policy GP1 Good Animal Welfare, <<https://kb.rspca.org.au/knowledge-base/rspca-policy-gp1-good-animal-welfare/>>

¹² For further information about the operation of industry codes and standards, see section 2.1 of Australian Alliance for Animals, *Building a Fairer Australia for Animals*, 2022, www.fairgoforanimals.org.au.

¹³ For a detailed exploration of animal welfare standard-setting processes, see Jed Goodfellow, 'Animal Welfare Regulation in the Australian Agricultural Sector: A Legitimacy Maximising Analysis' (PhD Thesis, Macquarie University, 2015), Chp 7, and Bethany Hender, 'The Treatment of Farm Animals in Australia: Are Legal Standards Set in Accordance with Democratic Principles?' (Masters Thesis, University of Sydney, 2015).

¹⁴ Ibid.

How can we fix the system & fulfil the public's expectations?

As the barometer shows, Australia's current animal welfare system is failing to meet the community's expectations.

The community recognises animals as sentient beings and expects the law to provide for good standards of welfare. When it comes to the policy-making process, the community places the greatest trust in animal welfare groups and scientists, the most weight on the impacts on animals, and expects the process to be overseen by an independent and impartial entity.

However, under current arrangements, the sentience of animals is rarely recognised explicitly, large numbers of sentient animals are excluded from the protective reach of animal welfare legislation, the views of animal welfare groups and scientists and the impacts on animals are routinely subordinated to those of industry and economic impacts, and the system is overseen by entities with conflicting objectives.

The system is outdated and fails to reflect the community's expectations.

The Australian Alliance for Animals' #FairGoForAnimals reform platform proposes a new framework for creating a modern and contemporary animal welfare governance system that better fulfils the community's expectations.

The 6-point #FairGoForAnimals reform framework includes:

1. **Ministerial recognition**
Creating Ministers for Animal Welfare to remove conflicts of interest.
2. **National Animal Welfare Commission**
Establishing a National Animal Welfare Commission to make the system truly independent.
3. **Animal Welfare Authorities**
Creating state Animal Welfare Authorities to ensure the interests of animals are upheld under law.
4. **Decision-making principles & sentience recognition**
Introducing guiding decision-making principles into animal welfare legislation, and recognising animals as sentient beings with intrinsic value.
5. **Fair and accountable animal welfare standards processes**
Creating fair and accountable animal welfare standards and decision-making processes.
6. **Adequate funding**
Properly funding animal welfare services in line with community expectations.