



13 August 2009

Department of Agriculture, Fisheries and Forestry
Animal Welfare Branch
GPO Box 858
CANBERRA ACT 2601

Dear Review Members

AUSTRALIAN ANIMAL WELFARE STANDARDS AND GUIDELINES: EXHIBITED ANIMALS

Lawyers for Animals (LFA) makes this submission in respect of the proposed *Australian Animal Welfare Standards and Guidelines: Exhibited Animals (the proposed Standards)*. LFA is a not for profit incorporated association run by a management committee of lawyers. The organisation's objectives include: alleviation of the suffering of animals by engaging with those who create or administer laws in Australia in order to strengthen legal protection for animals, and promotion of better animal welfare practices among animal-related industries in Australia. For more information, please refer to our website: www.lawyersforanimals.org.au.

A GENERAL COMMENTS

LFA considers the concept of zoos inherently problematic, in that it involves the unnatural extraction of animals from their habitats and their placement in confined areas for human entertainment. This may lead to a range of welfare concerns, including the frustration of animals' natural behaviours, a loss of freedom, and, depending on the level of care shown and training undertaken by their handlers, maltreatment and neglect. It may also lead to boredom, and insufficient levels of social interaction between animals within and outside their species.

If zoos are to exist, LFA considers the confinement of animals requires considerable thought to ensure they are enabled to live as satisfactory and as safe a life as possible. In particular, animals must be given the opportunities they would encounter in their natural environment, to ensure their basic needs such as shelter, exercise and social interaction are adequately met (which may differ from species to species). It is acknowledged that in the protective environment of a zoo, an animal's natural predators are absent, and with this in mind, population control which is not detrimental to the animal needs to be practised. Any transportation of an animal must be carried out in such a way that it is not detrimental to the animal's health.

LFA considers those working with the animals in the controlled environment of a zoo need to be adequately equipped to carry out their duties and attend to day to day emergencies which occur. Therefore LFA considers written training procedures need to be developed for this, in consultation with animal welfare organisations.

We now comment on specific components of the proposed Standards, where we suggest changes ought to be made.

B SUBSTANTIVE COMMENTS

1 RESPONSIBILITIES

Staffing

Guideline 1.1: This Guideline states keepers should be provided with opportunities to expand their knowledge, with training from recognised training courses stated as one means for this to occur. The Guideline does not specify the form or content of any recognised training course, nor does it specify how such a course is to be developed. LFA considers the course should be developed in consultation with one or more relevant animal welfare organisations such as WSPA (World Society for the Protection of Animals), HIS (Humane Society International), RSPCA, or Animals Australia. Further, LFA considers that such training should not merely be an “opportunity” for keepers to expand their knowledge. Rather, the training should be a compulsory requirement for all keepers.

2 SECURITY

Standard 2.12: This Standard allows escaped animals to be euthanased where capture is not feasible. “Feasibility” is given a non-exhaustive definition in Guideline 2.6, and includes where there is a “risk” to other people’s property or the natural environment. This is too broad and does not sufficiently narrow the circumstances in which euthanasia is an appropriate response to an escaped animal. Nor does the Standard define what methods of euthanasia are acceptable to use.

This Standard should be amended to make it clear that only where there are “substantial” risks involved in capturing an escaped animal can it be euthanased. It should also spell out acceptable methods of euthanasia that involve minimal stress and suffering to the animal, such as by referencing Standard 7.2.

3 ENCLOSURES

Standard 3.1(vi): This Standard states enclosures must be designed, constructed and managed to “reasonably minimise” predation of any animal kept in an enclosure. This is undefined and leaves plenty of wriggle room for poor design, construction and management of enclosures. LFA considers “reasonably minimising” predation to an animal is not sufficient, and that animals in an enclosed environment should not be exposed to danger at all. For example, where an animal is at risk of predation from the air it should not be kept in an open top enclosure. Alternatively, if the risk only exists after dark, the animal should be removed to a safe environment for the night.

4 DIETARY AND WATER REQUIREMENTS

Standard 4.2: This Standard allows live vertebrae feeding of an animal where it is essential to the maintenance of the animal, and is permitted and approved by appropriate bodies or standards. LFA considers an additional clause

should be included in this standard, which states such feeding should not occur at feeding times which are viewed by the general public.

5 HEALTH AND WELLBEING

General

Standard 5.3(ii): This clause states regular monitoring is to occur to assess animals' health. However, it does not specify the regularity of the monitoring. Accordingly, it is too vague and LFA submits the regularity should be set out in more detail.

Enrichment

Standard 5.11: This clause states animals must receive appropriate enrichment, and **Standard 5.12** states additional enrichment must be provided if there is a lack of fitness due to either a lack of behavioural stimuli or lack of opportunity to carry out natural behaviours. Further, Guideline 5.5(i) states that space to encourage natural behaviours needs to be provided.

LFA considers that some animals, particularly elephants and big cats, require a significant space to roam. In these circumstances, "enrichment" is an inadequate substitute for a lack of opportunity to carry out natural roaming behaviours. Accordingly, LFA considers such animals should only be displayed (if at all) at open range zoos, and should not be confined in standard zoos. Indeed, no animal should be deprived of an opportunity to carry out its natural behaviours, and "enrichment" is inadequate to compensate such deprivation.

6 REPRODUCTIVE MANAGEMENT

Guideline 6.1: some of the suggested population control strategies in this part of the proposed Standards give considerable cause for concern. These are:

(v) This guideline does not state what is meant by "pouch management". Is it intended that an animal will be deprived of its offspring in certain circumstances? LFA does not support such a practice, as it causes considerable and needless suffering. Adequate reproduction control should prevent the necessity for this to occur, such as the separation of the sexes at breeding times.

(vi) Using euthanasia as a population control is a major concern, as adequate non-lethal reproduction control should be sufficient. LFA does not support the utilisation of euthanasia in this way.

(vii) Removal of eggs as a population control interferes with a bird's natural instincts to raise the laid eggs. The removal of nesting opportunities at the appropriate time, or the separation of the sexes, should be sufficient population control measures.

10 TRAINING

Adequate training to impart required knowledge to those involved with the animals is absolutely necessary. This training, and written procedures for it to occur, should be developed in consultation with relevant animal welfare organisations such as those listed earlier.

Guideline 10.2 states "negative reinforcement" used in training should be kept to a minimum. Similarly, **Guideline 10.3** states "Punishment should be avoided as a training method". These Guidelines are too vague. The Guidelines should specify precisely in what circumstances, if at all, negative reinforcement is an appropriate training method, and the circumstances in which punishment may occur. Otherwise the Guidelines are open to a wide range of divergent interpretations and are open to abuse.

Further, no mention is made in this section of the award of a certificate on the successful completion of an appropriate course. The awarding of a certificate on the successful completion of a training period is becoming increasingly the norm for all types of training, and should also occur here. This will help to ensure adequate records are kept of training, and that appropriately trained personnel can prove they have undergone training if required to do so.

11 INTERACTIVE PROGRAMS

Here, again, LFA considers relevant animal welfare organisations, as listed above, should be involved in the development of appropriate programs that will ensure programs in which members of the public interact with animals are respectful of animals' natural behaviours and do not adversely affect their welfare. In particular, interactive programs should be designed in a way that does not construct animals as objects of human entertainment, but rather respects them as they exist in nature.

12 TRANSPORTATION

Standard 12.1: In this proposed standard, there is no mention of the animal being provided with water and feed for the journey, nor the regularity with which they should be provided. We therefore consider this Standard should be amended to provide more specificity.

LFA thanks the Department of Agriculture, Fisheries and Forestry for the opportunity to comment on the proposed Standards, and if invited would be pleased to discuss the above matters with the review group. If you have any queries, please contact David Glasgow on the number set out below.

Yours sincerely



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