



THE HON BOB DEBUS

Minister for Home Affairs

Ministerial No. 97169

21 APR 2009

Mr Stephen Lee
Chair
NSW Young Lawyers Animal
Law Committee
Kindness House
18/288 Brunswick Street
FITZROY VIC 3065

Dear Mr Lee

Thank you for your letter of 10 March 2009, co-signed by Ms Nichola Donovan, raising concerns about the import and export of animal fur products in contravention of minimum animal welfare standards. The Government considers the protection of animals and animal welfare matters to be very important issues.

I note that you have also written to the Minister for Trade, the Hon Simon Crean MP, seeking his views. I understand that Mr Crean will respond to the Trade related aspects of your submission.

You have put forward a proposal that seeks to address the international trade and importation of goods that are manufactured using fur and fur products derived from inhumane farming practices through a prohibition in the Customs regulations.

The management of goods in the import environment is a challenging task for officers of the Australian Customs and Border Protection Service (Customs and Border Protection) who need to balance the expectations of thousands of legitimate travellers and traders each day with the need to protect Australia and Australians from the harmful goods controlled under the Customs regulations. Because of the wide range of goods controlled under the regulations, Customs and Border Protection adopts a risk-based approach to enforcing border controls. In particular, where goods do not present an immediate threat to human health and safety, or national security (such as the threat posed by illicit drugs or firearms and weapons), an appropriate enforcement response will normally be based on deterrence and compliance activities.

The regulations you have proposed are not consistent with this kind of approach, and would most likely require a diversion of Customs and Border Protection's resources from searching for higher risk goods to detecting fur products.

In addition, the average traveller or clothing importer would have great difficulty in proving that their goods met the regulation's requirements. Customs and Border Protection officers would find that confirming the origins of materials used in the production of goods, or of the conditions under which animals were raised prior to the use of their pelts excessively complex. In practice, it would be a very difficult regulation to enforce.