

NORTHERN TERRITORY GOVERNMENT RESPONSE TO

REPORT OF THE ANIMAL WELFARE GOVERNANCE SUB-COMMITTEE OF THE
COUNCIL OF TERRITORY CO-OPERATION.

A. INTRODUCTION

- On 26 October 2011, the Animal Welfare Governance Sub-Committee of the Council of Territory Co-operation (CTC) tabled its animal welfare report in the Legislative Assembly.
- The CTC report makes 21 recommendations to improve the Territory's animal welfare legislative framework, its implementation and its enforcement by government.
- The Northern Territory Government provides its response to each of the 21 recommendations made in the CTC report.

B. NORTHERN TERRITORY GOVERNMENT RESPONSE TO THE RECOMMENDATIONS

1. The CTC recommends that the *Animal Welfare Act* clearly identify agency administrative and enforcement responsibilities by stipulating that officers and inspectors refer substantiated complaints for investigation to the responsible agency identified in the Administrative Arrangement Orders.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to stipulate that all authorised officers and inspectors must refer all potential breaches of the *Animal Welfare Act* to the Animal Welfare Authority. The Animal Welfare Authority is responsible for investigating and determining whether complaints are substantiated.

Standard operating procedures will also be implemented across relevant government departments.

2. The CTC recommends that government policy reflects that a single agency is responsible for the *Animal Welfare Act* by stipulating that all investigations under the *Animal Welfare Act* are referred to that agency.

Position:

Agreed.

Comment:

Standard policy and operating procedures will be implemented across relevant government departments to ensure clarity regarding the responsibility to refer potential breaches of the Act to the Animal Welfare Authority for investigation.

3. The CTC recommends that the *Animal Welfare Act's* time limit on commencement of proceedings against an offence be extended to at least two years.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to extend the time limit for commencing proceedings from 12 months to two years.

4. The CTC recommends that the Animal Welfare Authority has appropriately skilled and qualified inspectors.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to allow the Animal Welfare Authority to specify skills, qualifications or experience required of the inspectors.

Amending the *Animal Welfare Act* will reinforce the actions already taken at an operational level by the Department of Housing, Local Government and Regional Services to ensure that animal welfare inspectors and officers have appropriate investigative qualifications.

5. The CTC recommends that all government employees with an inspectoral role must be appropriately trained.

Position:

Supported, but requires further assessment of practicalities and potential consequences.

Comment:

This recommendation is wider than animal welfare. Further assessment and discussion across government is required prior to implementation. The Animal Welfare Authority has already implemented training in investigations for Animal Welfare Inspectors.

6. The CTC recommends the development and implementation of a whole of government protocol to investigating offences under Territory legislation by using appropriately trained people as expert investigators.

Position:

Supported, but requires further assessment of practicalities and potential consequences.

Comment:

Similar to CTC recommendation 5, this recommendation is wider than animal welfare. Further assessment and discussion across government is required prior to implementation.

7. The CTC recommends amending the *Animal Welfare Act* to give appropriate investigatory and monitoring powers to the Animal Welfare Authority and to other authorised officers.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to clearly specify the role and powers of the Animal Welfare Authority in implementing and enforcing the Act. The *Animal Welfare Act* will be amended to allow the Animal Welfare Authority to have the power to specify skills, qualifications or experience required of authorised inspectors and officers.

8. The CTC recommends that the *Animal Welfare Act* clearly describes the Animal Welfare Authority's structure, role and enforcement provisions.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to clearly specify the role of the Animal Welfare Authority and that its functions are supported by authorised inspectors and officers.

9. The CTC recommends that the Government investigate ways to include all cattle stations, irrespective of their land tenure, under the monitoring provisions of the Pastoral Land Board.

Position:

Supported.

Comment:

The Government will, together with key stakeholders, investigate the practicalities and potential consequences of this recommended action and the best way to achieve the intended outcome.

10. The CTC recommends that the amended animal welfare legislation stipulate the current edition of relevant guidelines or codes of practice, rather than stipulating a specific edition.

Position:

Agreed.

Comment:

This will be achieved though amending the Animal Welfare Regulations to delete reference to a specific edition of the "Australian Code of practice for the care and use of animals for scientific purposes" and inserting reference to the contemporary code.

11. CTC recommends that government policy reflect the need for all Territory government employees to report any instances of a potential breach of the *Animal Welfare Act*.

Position:

Supported, but requires further assessment of practicalities and potential consequences.

Comment:

Similar to CTC recommendations 5 and 6, this recommendation will affect all Government agencies and will require further consultation across government to determine the best way to achieve the recommended outcome.

12. The CTC recommends that the *Animal Welfare Act* be amended to include provision for monitoring the compliance of animal ethics committees and that animal ethics committees regularly report to the regulatory authority.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to enable the effective monitoring of each licensee's animal ethics committee. This will ensure licensees are operating with an effective animal ethics committee.

13. The CTC recommends that the Animal Welfare Governance Sub-Committee reconvene in six months to scrutinise progress in addressing all recommendations in the report.

Position:

Agreed.

Comment:

The NT Government will provide an update on progress and key achievements in six months time.

14. The CTC recommends that the resourcing of the administration of the animal welfare function be re-examined as part of any review of the legislation to ensure that the function is funded so that statutory responsibilities can be fulfilled.

Position:

Agreed.

Comment:

Significant additional resources have been allocated to the Animal Welfare Branch (Department of Housing, Local Government and Regional Services).

Legislative amendments relating to the scrutiny of animal ethics committees are also being considered. Additional resources to perform this function may be required, and will be considered as part of the proposed amendments.

15. The CTC recommends that the roles and responsibilities of the various agencies involved in animal welfare need to be clearly articulated in legislation.

Position:

Agreed.

Comment:

The *Animal Welfare Act* will be amended to clearly state the role of the Animal Welfare Authority in implementing and enforcing the Act.

Standard operating procedures will also be implemented across relevant government departments to clarify the roles and responsibilities of supporting agencies.

16. The CTC recommends that the amended *Animal Welfare Act* clarify the coverage of all teaching-related activities that need animal ethics authorisation.

Position:

Agreed.

Comment:

This will require further consultation with the education and training sector. It is Government's intention to introduce an amendment to clarify the coverage of the Act in this area.

17. The CTC recommends that the development of additional animal ethics committees be addressed by possibly using existing audit committees within departments.

Position:

Supported in intent, but requires further assessment.

Comment:

Further assessment and discussion across government and the education and training sector is required in order to determine the most effective options to address this recommendation. Government believes that all animal ethics committees must include a qualified advisor on animal welfare.

18. The CTC recommends the introduction of a coordinated, uncompromising dog control program with the goal of decreasing the number of unhealthy dogs in the Territory.

Position:

Supported.

Comment:

Government has increased the resources available in this area for the Animal Welfare Authority, regional shire councils and in the non-government sector, but accepts that more needs to be done. Options for an efficient, coordinated response are being considered in consultation with local government and other key stakeholders.

19. The CTC recommends that the Government immediately address the linkages between the *Animal Welfare Act* and local governments' responsibilities for companion animal welfare and control as part of reviewing the *Animal Welfare Act*, including adequately resourcing any changes.

Position:

Supported.

Comment:

Government has increased the resources available in this area for the Animal Welfare Authority, regional shire councils and in the non-government sector. Assessment of the resource requirements is proceeding as outlined in response to recommendation 18.

20. The CTC recommends that the Territory and local government bodies consult the community about the feasibility and desirability of separate legislation for companion animal management and control.

Position:

Agreed.

Comment:

The Government will undertake consultations as recommended by the CTC, beginning with the Animal Welfare Advisory Committee to determine the best way of implementing this recommendation. Consultation is also required with the local government sector and the community.

21. The CTC recommends that the Australian and Territory governments address as a priority the inadequate resourcing of animal welfare measures in Indigenous communities

Position:

Agreed.

Comment:

The Government has provided significant funding to the non-government organisation 'Animal Management in Rural and Remote Indigenous Communities' to work in partnerships with shire councils in addressing animal management issues. The Commonwealth Government has also directed very significant resources to AMRRIC.

The Government will seek additional coordinated support from the Commonwealth Government through bilateral negotiations as recommended by the CTC.