

Submission to the  
Legislation Scrutiny Committee  
of the Northern Territory Parliament

*Animal Protection and Related Legislation  
Amendment Bill Act 2025*

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## Introduction

We would like to thank the Legislation Scrutiny Committee for the opportunity to provide a submission on the *Animal Protection and Related Legislation Amendment Bill Act 2025*. *Evie's Bark* strongly supports the intent of the *Animal Protection and Related Legislation Amendment Bill 2025* to enhance and improve the welfare and protection standards for animals across the Northern Territory.

## Confidential Appendices (Not for Public Release)

*Evie's Bark* requests that part of our submission- specifically, **Appendices: Appendix A, Appendix B, Appendix C, and Appendix D to remain confidential**. These documents contain statements and personal accounts from pet guardians, provided in confidence, which include sensitive and identifying information. These statements help support the *Animal Protection and Related Legislation Amendment Bill Act 2025*.

## About *Evie's Bark*

*Evie's Bark* was founded in September 2024 in memory of Princess Evie, our beloved companion whose life was tragically cut short in a preventable mauling while under the care of a pet boarding facility. Our mission is to honour her legacy by advocating for stronger protections and higher welfare standards for all companion pets in the Northern Territory and beyond.

We are committed to ensuring that every pet in boarding care is treated with the highest standards of safety, dignity and respect. *Evie's Bark* also serves as a voice and a source of support for pet guardians whose companion pets have died or suffered serious injury while in the care of the boarding industry, as well as for those seeking guidance with their concerns. We listen, stand beside them and amplify their experiences while advocating for urgent legislative and regulatory reform to prevent future tragedies.

## General Support for the Bill

*Evie's Bark* recognises and supports the comprehensive reforms contained in the Bill, which reflects community expectations for stronger protections and respectful treatment of animals and pets in the Northern Territory:

- Introducing appropriate penalties for offences ranging from failures to meet minimum care standards to amendments to the Criminal Code addressing serious animal cruelty.
- Create new offences for animal sexual abuse and animal crush acts.
- Prohibit the use of prong collars and the unsafe restraint of dogs on the back of Utes or in trailers.

- Strengthen the powers of authorised officers to enter premises and businesses involving animals, rescue distressed animals from locked vehicles and issue infringement notices to ensure swift enforcement of animal welfare laws.

We further acknowledge the alignment of these reforms with the concerns raised in our **Petition 12 – “Immediate Action to Protect Companion Animals (*Evie’s Bark*)”** dated 22 May 2025, which called for urgent regulation of the pet boarding industry, including mandatory licencing and the introduction of a Code of Practice for the Pet Boarding Industry.

The response to Petition 12 on Tuesday, 29 July 2025 saw unanimous support from all parties, reflecting a shared recognition that the current lack of oversight and accountability in the unregulated pet boarding and pet sitting sector places companion animals at unacceptable risk. This strong backing reinforces community expectations that meaningful and enforceable change must be delivered to safeguard animal welfare and prevent future harm.

We also commend the introduction of clearer standards, stronger accountability measures and the implementation of six new Codes of Practice for key animal-related industries, with particular interest for *Evie’s Bark* placed on the new Code of Practice, *PIAA Standards and Guidelines for Best Practice Boarding Facilities/Establishments and Doggy Day Care Centres – June 2016* for Boarding Facilities, Establishments and Doggy Daycare Centres. These changes represent an important step toward safeguarding the safety, dignity and well-being of companion animals entrusted to care providers.

We acknowledge there is still progress to be made- including the formal recognition of animal sentience- but this Bill marks significant and welcome progress. We strongly encourage its timely passage and implementation.

*Evie’s Bark* remains committed to working alongside government, industry and the community to further strengthen animal protection laws and uphold the highest standards of care for all companion animals.

## Specific Comments on Key Amendments

### *ANIMAL PROTECTION ACT 2018*

#### **Clause 5 – Section 5 amended (Meaning of animal)**

While *Evie’s Bark* understands Clause 5 of the Bill- which clarifies the definition of “animal” to ensure consistency across legislation. We remain concerned that the absence of explicit recognition of sentience leaves animals vulnerable to inadequate legal protection.

*Evie’s Bark* understands why the concept of ‘sentience’ was not included at this time due to the Territory’s unique position. We respect the legal and industry circumstances in the Northern Territory and we sincerely hope that this important principle will continue to be reviewed in

future reforms, to ensure that our laws will reflect the true sentient nature of animals and the protections they deserve.

We believe that until animals are formally recognised as sentient beings - with the capacity to feel pain, distress, joy and other emotions - our laws will remain out of step with both contemporary scientific knowledge and community expectations for the respectful treatment of animals and companion pets.

The Australian Capital Territory (ACT)<sup>i</sup> became the first jurisdiction in Australia to formally recognise animal sentience in September 2019 through amendments to the *Animal Welfare Act 1992 – Animal Welfare Legislation Amendment Act 2019*. These amendments explicitly recognised that “animals are sentient beings that are able to subjectively feel and perceive the world around them” and acknowledged their “intrinsic value.” This formal recognition has not caused any operational or legal problems within the ACT. They also established a duty of care for both the physical and mental welfare of animals- reflecting modern science and community values. In 2023 Victoria is currently reviewing its animal welfare laws and have started the process of *Animal Care and Protection Bill*, which includes the formal recognition of animal sentience.

### **Clause 6 – 23 Amended (Minimum Level of Care)**

*Evie’s Bark* strongly supports the proposed increase in the maximum penalty- from 100 penalty units or 12 months’ imprisonment to 200 penalty units or 24 months’ imprisonment- for persons in control of an animal who fail to provide the minimum level of care. Increasing these penalties sends a clear message that neglecting an animal’s basic needs is a serious offence and will not be tolerated.

### **Clause 7 – Sections 23A to 23E (New Categories of Offences)**

*Evie’s Bark* supports the introduction of new categories of offences under Sections 23A to 23E, which clearly outline essential standards of care for animals. These provisions address:

**23A** – Provision of water and shelter

**23B** – Provision of a hygienic environment

**23C** – Provision of treatment

**23D** – Confining or restraining an animal

**23E** – Abandoning an animal

By explicitly defining these obligations, the legislation strengthens the protection of animals from neglect and mistreatment. This clarity ensures that minimum standards of care are

enforceable, making it easier to hold individuals, businesses accountable and safeguarding animal welfare in all contexts, including pet boarding and Doggy daycare services.

### **Clause 9 – Section 24 Amended (Cruelty to Animal)**

*Evie's Bark* fully supports the increase in maximum penalties to 300 penalty units or 3 years' imprisonment, recognising that stronger penalties are an essential deterrent against cruelty and reinforce the seriousness of these offences.

Under Section 24 of the *Animal Protection Act 2018*, cruelty includes causing unjustifiable, unnecessary, or unreasonable suffering; beating, abusing, torturing, injuring, or wounding an animal; failing to relieve known suffering; and carrying out prohibited procedures such as tail docking, ear cropping, debarking, or horse firing without therapeutic justification. We also support the amendment to Section 24(2) adding the words "or suffering", acknowledging that where an animal is beaten, it constitutes suffering.

This change reflects our shared values of compassion and justice, reinforcing that the protection and welfare of animals must never be compromised.

### **Clause 11 – New section 31A inserted (Prong Collars)**

*Evie's Bark* fully supports the introduction of these new offences relating to the possession and use of prong collars on dogs. We agree with Clause 11(1), Clause 11(2), and Clause 11(3), recognising these provisions as an important step toward improving animal welfare and preventing unnecessary harm and suffering. Prong collars can cause pain, injury and distress.

Their use is now widely regarded as an outdated and inhumane training method. Currently, three other Australian jurisdictions (Victoria, Tasmania, and Queensland) have officially banned the use of prong/pronged collars. Internationally, many countries have also prohibited their use and sale -including Germany, Austria, Switzerland, France, Spain, New Zealand and the Canadian province of Quebec. This is due to both the physical harm and the psychological effects they can have on dogs such as fear, anxiety and aggression. Encouragingly, jurisdictions are moving towards more humane and effective training methods that focus on positive reinforcement.

By adopting these provisions, the Northern Territory will join a growing global movement to eliminate harmful training devices and promote modern, science-based approaches to animal welfare.

### **Clause 13 – Section 34 replaced (Transport of Dogs)**

*Evie's Bark* fully supports the new section *Transport of Dogs*, including Clause 13(1), Clause 13(2), Clause 13(3), and the acknowledgment that this is a strict liability offence with a maximum penalty of 50 penalty units and an associated infringement notice of 3 penalty units.

Protection of our companion animals is paramount. We frequently observe dogs being transported without adequate restraints or not restrained at all along the Arnhem Highway, Stuart Highway, and Tiger Brennan Drive, or left tethered in shopping centre carparks without shelter or water in the extreme weather conditions of the Northern Territory. We also see instances where multiple dogs are transported or confined together without sufficient space, placing them at further risk of injury, stress and heat exhaustion. We believe that these situations are unacceptable and are encouraged by these changes.

### **Clause 15 – Section 81 Amended (Power to require name and address)**

*Evie's Bark* fully supports this amendment to Section 81(1) recognising it as an important tool for authorised officers to effectively investigate and respond to animal welfare concerns. Strengthening their power to access accurate identification details will help ensure accountability and compliance with animal protection laws, ultimately improving outcomes for animals. We see no issues with a person's privacy being impacted, provided the authorised officer presents their departmental identification card and the request is connected to an offence.

### **Clause 16 – Section 83 Amended (Power of Entry)**

*Evie's Bark* fully supports this amendment, which we believe is one of the most significant and impactful changes in the Bill. Strengthening the power of entry for authorised officers is essential to ensure timely intervention in situations where animals may be at risk. This amendment will enable officers to respond more effectively to urgent welfare concerns, prevent further harm, and secure evidence needed for successful enforcement of animal protection laws.

These changes directly align with *Evie's Bark's Petition 12* calling for stronger regulatory oversight of premises used for commercial and business purposes, particularly within the pet boarding industry. Enhanced entry powers will help ensure compliance with animal welfare standards, provide greater transparency, and protect animals in facilities where substandard practices might otherwise go undetected.

*Evie's Bark* knows firsthand the consequences of inadequate oversight. Our Evie tragically died while in the care of a pet boarding facility that failed to meet basic welfare standards. Inadequate regulatory powers meant conditions could not be promptly inspected and

opportunities to inspect her death were lost. This amendment is a vital step toward ensuring no other animal suffers needlessly due to preventable delays in enforcement.

*Evie's Bark* also recognises the importance of safeguarding the rights of property owners. We support the requirement that authorised officers act within the scope of the law, show official identification, and exercise these powers only where there are reasonable grounds to suspect an offence. This balance ensures both strong animal welfare protection and respect for individual rights.

*Evie's Bark* proposes an additional wording amendment to Section 2—after Section 83(2)(e). Please refer to the “Recommendation” section on Page 10 for the proposed text.

**In Evie's memory, we urge lawmakers to pass this amendment and give authorised officers the much need tools they need to save lives.**

## **Clause 26 – Schedule 1 Amended (Codes of Practice)**

*Evie's Bark* agrees fully with the addition of the six animal welfare codes of practice being inserted into Schedule 1 Part B (Poultry, Exhibited Animals, Campdrafting, Equine, Racing Greyhounds and the Pet Boarding Industry).

These changes directly align with *Evie's Bark's* Petition 12, which was initiated in response to the tragic loss of our beloved dog Evie, and the loss of Marko, Badja, Bella and the many other pets who have suffered or lost their lives due to inadequate standards and oversight in the pet boarding industry.

Our call for stronger regulatory oversight of premises used for commercial and business purposes - particularly within the pet boarding industry - comes from the urgent need to prevent further preventable suffering and death.

*Evie's Bark* believes these standards will create a clear and enforceable framework to protect our companion pets, ensure consistent compliance and give authorised officers the tools they need to uphold best practice.

These Pet Boarding Codes of Practice are not just policy - they are essential and will save innocent pet lives. They represent a critical step towards ending neglect, unsafe conditions and operational failures that have cost many lives. By embedding these standards into the new *Animal Protection and Related Legislation Amendment Bill 2025*, we can help ensure that no other family endures the heartbreak that claimed Evie, Marko, Badja, Bella and so many others.

*Evie's Bark* proposes clarification of the wording “Establishment” under the Pet Industry amendment to Section 2—after Section 83(2)(e). Please refer to the “Recommendation” section on Page 11 for the proposed text.

In Evie's memory, we urge lawmakers to pass this amendment and incorporate the much-needed Standards & Guidelines for Best Practice Boarding Facilities/Establishments and Doggy Daycare Centres, which will give authorised officers the essential tools they need to save lives.

### **Clause 28 – Schedule 3 Amendments**

*Evie's Bark* fully supports the amendments to the regulations for the new infringement notice offences. These changes will provide much-needed flexibility for enforcement and compliance, enabling authorised officers to respond proportionately and efficiently to breaches of animal welfare laws. Having a broader range of infringement options will help address issues early, prevent escalation, and promote better outcomes for animals, while ensuring fairness for those subject to enforcement action.

## **PART 3 AMENDMENT OF CRIMINAL CODE**

### **PART 3 – Amendment of Criminal Code**

#### **Clauses 29–38:**

*Evie's Bark* fully supports these amendments to the Criminal Code, acknowledging their critical role in closing gaps in legal protections, empowering enforcement, and ensuring that animal welfare offences are met with strong and appropriate consequences.

We welcome the increase in the penalty for sexual involvement with an animal from 7 years to 10 years, as the maximum sentence should always be available to address such horrendous acts.

## Recommendations:

### Clause 16 – Section 83 Amended (Power of Entry)

*Evie's Bark* proposes an additional wording amendment to Section 2- after Section 83(2)(e)

Examples of businesses involving animals for subsection (2) (ba)

1. Boarding Kennel for cats and dogs

#### Proposed insertion after Section 83(2)(e):

Examples of businesses involving animals for the purposes of subsection (2)(ba) include—

- (1) boarding kennels for cats and dogs;
- (2) commercial pet sitters;
- (3) dog groomers;
- (4) dog trainers.

#### Alternative wording:

Examples of businesses involving animals for subsection (2) (b a)

Any commercial pet business such as boarding kennels for cats and dogs, commercial pet sitters, dog groomers, dog trainers and similar operations.

#### Justification for Amendment

Specifying examples of businesses involving animals within subsection (2)(b) will provide greater clarity for authorised officers, business operators and the community. While the current provision allows for interpretation, explicitly listing common types of commercial pet businesses removes ambiguity, promotes consistency in applying the legislation and supports timely enforcement where animal welfare concerns arise.

By naming operations such as boarding kennels, commercial pet sitters, dog groomers and dog trainers and similar operations etc - this amendment acknowledges the wide range of environments where pets are kept, handled, or trained in a commercial setting.

It will:

- Strengthen enforcement powers by enabling authorised officers to clearly identify premises captured under Section 83.
- Improve industry compliance by eliminating uncertainty about whether particular businesses are covered.
- Enhance animal welfare protections by ensuring consistent oversight across all sectors where animals are in commercial care.

This amendment is consistent with *Evie's Bark's* advocacy for stronger regulatory oversight of pet-related businesses and responds directly to community concerns about the safety and welfare of pets in commercial environments.

## **Clause 25 – Aggravated cruelty**

*Evie's Bark* strongly urges that aggravated animal cruelty offences be prosecuted at the highest possible level to reflect the gravity of deliberate and sadistic harm.

Even with the increase to five years, we believe the penalty still fails to reflect the seriousness of such offences and for community expectations.

*Evie's Bark* has investigated other Acts of legislation and found South Australia has made significant changes to its newly amended *South Australia Animal Welfare Act 2025*<sup>ii</sup> - and includes:

Section 7: Ill treatment of animals etc where the penalties have increased to:

- (a) in the case of a body corporate—\$1 000 000;
- (b) in the case of an individual—\$250 000 or imprisonment for 10 years.

*Evie's Bark* believes this should be applicable to the Northern Territory.

## **Clause 26 – Schedule 1 Amended (Codes of Practice)**

### **Explicit Definition of “Establishment”**

*Evie's Bark* proposes that the Bill insert a clear definition of the wording “*Establishment*” as used in the *Pet Industry Association Australia (PIAA) Standards & Guidelines for Best Practice Boarding Facilities/Establishments and Doggy Day Care Centres*, to remove uncertainty and ensure consistent application across the Northern Territory.

### **Proposed definition**

Establishment means any premises - whether a commercial facility or a private residence - where animals are temporarily housed, cared for or boarded for payment (for day, overnight, or long stay periods) at premises other than the pets’ normal residence. This includes kennels, catteries, boarding facilities, dog-day-care centres, home-based pet-sitting services and homestay arrangements.

## **Justification for Amendment**

Providing this clarity will help to improve enforcement, strengthen animal welfare protections. Pet Guardians expect that anyone paid to care for their animals will follow the same high standards.

Without clear definition “Establishment” could be interpreted in different ways from community, businesses to the courts. Clear definition means the same rules apply for all pet industry businesses regardless of their size or business model.

This amendment is consistent with *Evie’s Bark’s* advocacy for stronger regulatory oversight of pet-related businesses and responds directly to community concerns about the safety and welfare of pets in commercial environments.

## **Amendment to Emergency Standards PIAA – June 2016 (Page 28)**

*Evie’s Bark* proposes for the safety of companion pets that an additional clause be added to the *PIAA Standards and Guidelines for Best Practice Boarding Facilities/Establishments and Doggy Day Care Centres – June 2016- Under the Security and Emergency Standards.*

### **Cyclone Preparedness Clause**

Maintain an up-to-date Cyclone Emergency Plan that includes:

- securing animals indoors in structurally safe areas, ensuring adequate ventilation, and preventing injury from flying debris.
- Identify a safe shelter area within the facility capable of withstanding local cyclone wind ratings or have a formal arrangement with an alternative safe location.
- Maintain emergency supplies of food, water, medications and bedding sufficient for at least 72 hours.
- Conduct annual cyclone drills with staff, ensuring roles and responsibilities are understood.
- Secure all outdoor enclosures, play areas and loose equipment prior to cyclone impact.
- Have a process for notifying owners of emergency actions taken and post-event animal welfare checks.

### **Justification for Addition:**

Incorporating a defined set of clear instructions during an emergency event will remove any ambiguity for both the Business and Pet Guardian.

## **Addition “Transitional Provisions for Pet Boarding Facilities”**

*Evie’s Bark* recommends that the legislation include an explicit acknowledgement of a transitional period for businesses affected by the implementation of the Pet Industry Association Australia (PIAA) Standards and Guidelines for Best Practice Boarding Facilities/Establishments and Doggy Daycare Centres. Specific structural upgrades- such as improvements to animal housing- may place significant financial pressure on pet boarding kennels.

### **Justification for Addition:**

Incorporating a clearly defined phase-in period will allow facilities to adapt to the new standards without undue hardship, while ensuring that the intended animal welfare improvements are fully realised.

### **Conclusion:**

*Evie’s Bark* has welcomed the opportunity to share our views, concerns and suggestions in this submission for the *Animal Protection and Related Legislation Amendment Bill Act 2025* and remains committed to working collaboratively to strengthen animal welfare protections.

We look forward to the commencement of these important changes to the Act and to witnessing their positive impact on the welfare of animals across our Northern Territory community.

We also wish to acknowledge and thank the dedicated team behind these changes and amendments for their commitment to improving animal welfare here in the Northern Territory.