

HOUSE OF ASSEMBLY
LAID ON THE TABLE

14 Oct 2015

ANIMAL WELFARE ADVISORY COMMITTEE

ANNUAL REPORT

1 July 2014 to 30 June 2015



**Government
of South Australia**

Animal Welfare Advisory Committee
Annual Report 2014-15

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LETTER OF TRANSMITTAL

Hon Ian Hunter MLC
Minister for Sustainability Environment and Conservation
Parliament House
North Terrace
ADELAIDE SA 5000

Dear Minister

In accordance with the requirements of the *Public Sector Act 2009* and Part 2 of the *Animal Welfare Act 1985*, I have pleasure in presenting the annual report of the Animal Welfare Advisory Committee for the year ended 30 June 2015.

Yours sincerely

A Tilbrook

19/8/15

Prof Alan Tilbrook

CHAIR

ANIMAL WELFARE ADVISORY COMMITTEE

PLANS AND OBJECTIVES

The Committee provides expert advice to the Minister for Sustainability, Environment and Conservation (the Minister) on issues relating to the *Animal Welfare Act 1985* (the Act) and contemporary animal welfare issues. The Committee set the following strategic priorities for 2014-15.

- Responding to Ministerial requests for advice in a timely manner;
- Providing advice to the Minister and DEWNR on draft policies and proposed legislation
- Providing responses to national Standards and Guidelines for animal welfare;
- Providing comments on Codes of Practice and developing Codes of Practice;
- Developing and updating position statements;
- Investigating animal welfare matters which come to the attention of the committee; and
- Sharing of information between nominating organisations and agencies.

Relationship of strategic plans / priorities to South Australia's Strategic Plan (SASP) targets

The Animal Welfare Advisory Committee (the Committee) contributes to the achievement of the following South Australia's Strategic Plan (SASP) Targets:

| SASP Target | Committee role |
|--|---|
| 39 Competitive business climate: maintain Adelaide's rating as the least costly place to set up and do business in Australia and continue to improve our position internationally. | By ensuring industry participation in animal welfare standards and that South Australian livestock industries are not disadvantaged in the broader market. |
| 32 Performance in the public sector - customer and client satisfaction with government services: increase in the satisfaction of South Australians with government services by 10% by 2014, maintaining or exceeding that level of satisfaction thereafter. | By establishing and maintaining linkages and networks with industry and Non-Government Organisations to ensure mutual understanding and acceptance of issues and their resolutions. |
| 95. Industry collaboration, research and development commercialisation: Total gross cumulative value of industry and other funding for research earned by universities and state-based publicly funded research institutions to reach \$650 million by 2020. | By consideration of the standards and requirements for animal based research such that red-tape is minimised but animal welfare is ensured. |

HIGHLIGHTS, OPERATIONS AND INITIATIVES

THE YEAR IN REVIEW

On 8 July 2014 the Premier announced the reform of all South Australian government boards and committees. The three-year term of the Animal Welfare Advisory Committee was due to expire on 14 September 2014 and the committee, cognisant of the fact that the committee may be abolished used their final meeting on 25 August 2014 to continue their ongoing work in the review and restructure of the position statements as a legacy of their considered advice.

On 22 September 2014 the interim report identified that AWAC was earmarked to be abolished.

In January 2015, an appeal was lodged against a decision of an animal ethics committee. In accordance with section 26 of the Act, the Minister is required to consider the advice of AWAC when determining such an appeal. For this reason, on 19 March 2015, the membership of AWAC was appointed by gazettal until 31 December 2015. Advice subsequently indicated that the appeal was invalid.

When the Government Boards and Committees (Statute Amendment) Bill was debated in Parliament, it was determined that the Animal Welfare Advisory Committee would be retained but, in future, its membership would be appointed by the Minister rather than His Excellency the Governor.

The newly appointed AWAC held its first meeting on 20 May 2015. This meeting was largely dedicated to introducing the new members, considering the governance statement and determining how meetings would be conducted. The meeting also received presentations on the live baiting of greyhounds and on proposed amendments to the *Dog and Cat Management Act 1995*.

ROLE, LEGISLATION AND STRUCTURE

The Committee is established under section 6 of the *Animal Welfare Act 1985*.

OBJECT OF THE ANIMAL WELFARE ACT

The object of the Act is to provide for the promotion of animal welfare; and for other purposes.

ROLE OF THE COMMITTEE

The Committee is the Minister's advisory group on animal welfare legislation and policy.

The Committee is the peak advisory committee to the Minister and DEWNR on all aspects of animal welfare, including:

- Responding to Ministerial requests for advice in a timely manner;
- Providing advice to the Minister and DEWNR on draft policies and proposed legislation;
- Providing responses to national Standards and Guidelines for animal welfare;
- Providing comments on Codes of Practice and developing Codes of Practice;
- Developing position statements;
- Investigating animal welfare matters which come to the attention of the committee; and
- Sharing of information between nominating organisations and agencies.
- Providing advice on appeals of the decisions of animal ethics committees in accordance with section 26 of the Act.

FUNCTIONS OF THE COMMITTEE

Section 12 of The Act describes the functions of the Committee.

The functions of the Committee are:

- (a) to advise the Minister on any matter relating to the administration or enforcement of this Act; and
- (b) to consider, and report to the Minister on, legislative proposals affecting animal welfare; and
- (c) to examine proposed codes of practice relating to animals and report to the Minister on their likely effect upon animal welfare; and
- (ca) to develop, or assist in developing, codes of practice for animal welfare and to make recommendations to the Minister as to their adoption under the regulations; and
- (d) to investigate and report to the Minister on any matters referred by the Minister to the Committee for advice.

Section 26(3) of the Act describes the role of AWAC in the Minister's consideration of an appeal against the decision of an animal ethics committee

- (3) The Minister may not determine an appeal under this section unless the Committee has investigated, and furnished the Minister with a report upon, the appeal.

MEMBERSHIP

The Committee consists of eight members. Members are appointed in accordance with section 6 of the Act.

The three-year term of the animal welfare committee expired on 14 September 2014 and was reappointed on 19 March 2015. The Committee membership was as follows:

| Until 14 September 2014 | Since 19 March 2015 | Appointed pursuant to the following section of the Act |
|---------------------------|----------------------------|--|
| Dr Ian Carmichael (Chair) | Prof Alan Tilbrook (Chair) | 6(2)(a) One is to be nominated by the Minister responsible for the administration of the <i>Livestock Act 1997</i> |
| Mr Andrew Ogilvie | Mr David Basham | 6(2)(b) Two will be nominated by the South Australian Farmers' Federation Incorporated |
| Mr Warren Starick | Ms Kerryn Moses | 6(2)(b) Two will be nominated by the South Australian Farmers' Federation Incorporated |
| Dr Dianne Evans | Dr Dianne Evans | 6(2)(c) One will be nominated by the Society (RSPCA SA) |
| Vacant | Mr Richard Mussell | 6(2)(d) Two will be persons who, in the opinion of the Minister, are suitable to represent the interests of animal welfare organisations |
| Dr Sue Bigwood | Mr Rocky Warren | 6(2)(d) Two will be persons who, in the opinion of the Minister, are suitable to represent the interests of animal welfare organisations |
| Dr Susan Hazel | Dr Susan Hazel | 6(2)(e) One will be nominated by the Australian Veterinary Association |
| Dr Denise Noonan | Dr Denise Noonan | 6(2)(f) One will be engaged in research activities involving animals nominated by the Minister responsible for the administration of the <i>Institute of Medical and Veterinary Science Act 1982</i> |

MEETINGS: GENERAL AND SPECIAL

Two general Committee meetings were held during the 2014-15 financial year on 25 August 2014 and 20 May 2015 respectively.

No special Committee meetings were held during the 2014-15 financial year.

Attendance by appointed members at meetings:

| Member | Meeting attendance 25 August 2014 | Meeting attendance 20 May 2015 | Comments |
|--------------------|--------------------------------------|-----------------------------------|------------------------------|
| Dr Ian Carmichael | In attendance | NA | Term ended 14 September 2014 |
| Prof Alan Tilbrook | NA | In attendance | Appointed 19 March 2015 |
| Mr Andrew Ogilvie | Apology | NA | Term ended 14 September 2014 |
| Mr David Basham | NA | In attendance | Appointed 19 March 2015 |
| Mr Warren Starick | In attendance | NA | Term ended 14 September 2014 |
| Ms Kerry Moses | NA | In attendance | Appointed 19 March 2015 |
| Dr Dianne Evans | In attendance | In attendance | Reappointed |
| Mr Richard Mussell | Observer | In attendance | Appointed 19 March 2015 |
| Dr Sue Bigwood | Apology | NA | Term ended 14 September 2014 |
| Dr Susan Hazel | In attendance | In attendance | Reappointed |
| Dr Denise Noonan | In attendance | In attendance | Reappointed |
| Mr Rocky Warren | NA | In attendance | Appointed 19 March 2015 |

Although not a member, Mr Mussell attended the 25 August meeting as an observer at the invitation of the Chair.

GOVERNANCE ARRANGEMENTS

DEWNR support to the Animal Welfare Advisory Committee by providing an Executive Officer and Secretary for administration and governance. Reporting on this matter is contained in the DEWNR Annual Report 2014-15.

MANAGEMENT OF HUMAN RESOURCES

The Animal Welfare Advisory Committee members (other than government employees) received the following remuneration as determined by the Governor until the expiry of their term of office of AWAC on 14 September 2014:

- Chair: \$Nil. The Presiding Member in the reporting period was employed under the *Public Sector Act 2009* and is not eligible for remuneration.
- Member: \$2,400 per annum.

The Governor has determined that the level of remuneration of the committee in its new term of office will be:

- Chair: \$221 per four hour session. The Presiding Member in the reporting period was employed under the *Public Sector Act 2009* and is not eligible for remuneration.
- Member: \$177 per four hour session. Employees under the *Public Sector Act 2009* are not eligible for remuneration.

EMPLOYEE NUMBERS, GENDER AND STATUS

The Animal Welfare Advisory Committee has no staff of its own and utilises the services of DEWNR. Reporting on this matter is contained in the DEWNR Annual Report 2014-15.

Executive, administrative and project support were provided to the Animal Welfare Advisory Committee from existing DEWNR resources.

The gender balance of the Animal Welfare Advisory Committee is taken into consideration when members are appointed. During this reporting period, membership of Animal Welfare Advisory Committee was made up of four males and four females.

The following matters are contained in the DEWNR annual report 2014-15:

- Workforce Diversity
- Workplace Adaptation
- Executives
- Leave Management
- Performance Development
- Leadership and Management Development
- Employment Opportunity Programs
- Work Health and Safety and Injury Management
- Reporting Against the *Carers Recognition Act 2005*
- Disability Access and Inclusion Plans
- Government Buildings Energy Strategy
- Public Complaints
- Sustainability Reporting
- Financial Performance
- Account Payment Performance.

CONTRACTUAL ARRANGEMENTS

The Animal Welfare Advisory Committee did not enter into any contractual arrangements during this reporting period.

FRAUD

It is declared that there were no instances of fraud detected in the activities undertaken by the Animal Welfare Advisory Committee in this reporting period. Financial services are provided to the Committee by DEWNR. Strategies to detect instances of fraud are reported in the DEWNR Annual Report 2014-15.

CONSULTANTS

The Animal Welfare Advisory Committee did not engage any consultants in this reporting period.

OVERSEAS TRAVEL

It is declared that no member of the Animal Welfare Advisory Committee has travelled overseas on Committee business during this reporting period.

ASBESTOS MANAGEMENT IN GOVERNMENT BUILDINGS

The Animal Welfare Advisory Committee does not own any buildings and is therefore not required to develop an asbestos risk reduction program.

URBAN DESIGN CHARTER

No events occurred in 2014-15 that required the Animal Welfare Advisory Committee to consider the principles of urban design contained in the South Australian Urban Design Charter.

FREEDOM OF INFORMATION – INFORMATION STATEMENTS

As a DEWNR administered entity, the Animal Welfare Advisory Committee participates and abides by the arrangements outlined in the DEWNR Freedom of Information regime. Reporting on this matter is available on the DEWNR internet site. Please visit <http://www.environment.sa.gov.au> to view the FOI statement.

WHISTLEBLOWERS PROTECTION ACT 1993

Reporting requirements against *the Whistleblowers Protection Act 1993* require the Animal Welfare Advisory Committee to report on the number of occasions on which public interest information has been disclosed to a Responsible Officer of the agency. There were no disclosures made during the 2014-15 financial year.

REGIONAL IMPACT ASSESSMENT STATEMENTS

The Committee did not undertake any regional Impact Assessment Statements during the 2014-15 financial year.

RECONCILIATION STATEMENT

The Animal Welfare Advisory Committee would like to acknowledge the land on which it meets is the traditional lands for the Kurna people and that it respects their spiritual relationship with their country. The Animal Welfare Advisory Committee also acknowledges the Kurna people as the custodians of the Adelaide plains region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

In fulfilling its functions, the Animal Welfare Advisory Committee is cognisant of the cultural and natural heritage of traditional owners and strives to achieve positive outcomes wherever these matters are concerned.

ACKNOWLEDGEMENTS

The Animal Welfare Advisory Committee would like to thank the Minister and staff of DEWNR for the support and encouragement that it has received over the year.

The Committee values the time of invited guests to provide information and promote informed discussions.

Person/entity

| | |
|-----------------------------|--|
| Dr Mark Peters (PIRSA) | PIRSA observer |
| Mr Richard Mussell (AWL SA) | AWL observer after the resignation of Mr Robb |
| Ms Sandy Wyatt | SARDI observer and assistant |
| Ms Merridie Martin | Presentation on dog and cat management initiatives |
| Mr Matt Corby | Presentation on live baiting of greyhounds |