



# Animal Defenders Office

*Using the law to protect animals*

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The Animal Defenders Office Inc. is accredited by the National Association of Community Legal Centres.

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Pest Animals Declaration  
C/- Environment Division  
Environment, Planning and Sustainable Development Directorate  
GPO Box 158, Canberra City ACT 2601

By email: [ACTBiosecurity@act.gov.au](mailto:ACTBiosecurity@act.gov.au)

Dear Sir/Madam

## **Submission on the Proposed Amendments to the Pest Plants and Animals (Pest Animals) Declaration Discussion Paper**

Thank you for the opportunity to provide comments on the proposed amendments to the Pest Plants and Animals (Pest Animals) Declaration discussion paper—May 2019 (“**the Paper**”).

### *About the Animal Defenders Office*

The Animal Defenders Office (“**ADO**”) is a nationally accredited community legal centre that specialises in animal law. The ADO is run by volunteer lawyers, law students and other professionals. The ADO offers information and representation for individuals and groups wishing to protect animals. The ADO also produces information to raise community awareness about animal protection issues, and works to advance animal interests through law reform.

The ADO is based in the Australian Capital Territory (“**ACT**”) and is a member of the National Association of Community Legal Centres.

### *Comments*

The ADO recognises that some animal, fish and insect species that have been introduced into Australia by humans may adversely affect ecosystems and eco-communities. The ADO notes that these ecosystems and eco-communities, together with the environment in general, have also been drastically affected by humans.

While the ADO supports measures to protect these ecosystems and eco-communities that have been so significantly affected by humans, the ADO does not support any protection measures that cause pain or suffering to individual sentient animals.

We note that the Paper contains no reference to animal welfare. In our view, for the purposes of the public consultation process, the Paper should have included a discussion on the animal welfare consequences of changing an animal’s status to a declared pest status. This could have included, for example, whether exemptions apply under the *Animal Welfare*

Act 1992 (ACT), such as the exemption to the cruelty offence of administering poison (par. 12(2)(b)). The ADO strongly opposes the baiting or poisoning of any animal regardless of their legal status, on the grounds that such measures cause unjustified and unreasonable pain and suffering to sentient animals.

### *Conclusion*

In conclusion, the ADO does not oppose changing animals' status in law. We do, however, strongly recommend against the use of lethal 'control' measures that may be permitted by the changed status.

### **Tara Ward**

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