# Animal Welfare Legislation Amendment Bill 2019: Analytical Essay

Law reform is the process in which the law is modified to better reflect the society's needs, and changes. Legislations, bills and acts are amended to change the law, fix faults or to add a section and new rules in the existing legislation. The 'Animal Welfare Legislation Amendment Bill 2019' was an act to amend the 'Animal Welfare Act 1992,' among many others. The objects of this Act are to recognise that animals are sentient beings, that they in summary deserve to be treated with compassion, and that people have a duty to care for the physical and mental welfare of their animals. This is to be achieved particularly by promoting and protecting the welfare of animals, providing for the proper and humane care, management and treatment of animals; the deterring and preventing of animal cruelty and the abuse and neglect of animals; and by enforcing these laws. Beneath promised laws the Australian Capital Territory will become the first jurisdiction in Australia to recognise animals as "sentient beings." (According the article 3, 'Canberra set to recognise animals as sentient beings' that are able to feel and perceive in Australia first.' Written by Elise Scott, Tahlia Roy and Niki Burnside.)

This law contains imprisonment and fines if anyone were to abandon their animal, commit animal cruelty, use electric shock collars, laying poison and unlawful confinement. Those who drive their animals without proper restraints are likely to suffer a $16 000 fine with a one year imprisonment. The new amendments now also make it legal to break into a person's car if the animal is in the direction to harm or death. (This information is mentioned in the article 'New Animal Welfare Laws in ACT Will Recognise Animals as Sentient Beings' written by Courtney Fry. Article 2.) Overall, corrective amendment is necessary to remove impediments to effective investigation, enforcement and prosecution of animal welfare offences. The bill makes targeted amendments to ensure the Act can achieve those objectives. The consultation period for the 'Animal Welfare Legislation Amendment Bill 2019' lasted from the 13th of December 2018 to the 7th of February 2019. Not long after, the amended act was then presented in the Legislative Assembly on the 16th of May 2019 where it became official.

This law was amended due to the social and human values that were expressed by the community. The essential human and social values relevant to this law are the rejection of unfairness and an insistence on essential equality and understanding, respect for the integrity and dignity of animals and mercy. Each of these demands go to the core to what we believe, the duty to recognise that animals are sentient beings who deserve to be treated with respect and compassion. The law has been amended to reflect the changing attitudes towards animal cruelty due to our values and after RSPCA noted the 50 000 reports of mistreatment in ACT alone, the community finally recognised that this law needed to be changed.

The individuals who brought the idea of this amended law are the individuals who have animals themselves and can understand that their animals do feel emotion. There were many protests and demands on the amendment of the law so that those who committed such crimes and abuse against animals could finally pay for the damage caused. Not only this but after many displays of animal abuse on the media, not just the ACT but in Australia, the public are understandably horrified and enraged when the punishment provided is inadequate. (This was evident in the article 'Penalties for animal cruelty double, but is that enough?' written by

Alexandra Whittaker. Article 1.)

Some of the new sections added can affect the individuals bounded by the amended law. For example, the draft bill includes a new section (44 (3A)) that restricts the number of dogs people can have in a public place. This is an error as the correct limit is now three. The intent of this new section is to improve public and animal safety however it can affect those who are passionate in taking care of more than three dogs. Those that are ardent in caring for their dogs, specifically more than the maximum of three limit, it will affect them personally and they will most probably not agree with the new amendment.

To add, on the 21st of May 2019 only four days after the act was presented to the Legislative Assembly, RSPCA released a report explaining their gratitude and support for the new amendments. They state; “Understanding and recognising animal sentience is important to help identify the needs of animals and to assess their welfare in different circumstances.” RSPCA ACT has high hopes that the introduced legislation will continue to stimulate debate on how people can increasingly be not only responsible pet owners, but advocates for high standards of animal welfare and well-being. The proposed changes will have a significant impact on pet owners who continuously do the wrong thing and will prove as an advantage for businesses much like RSPCA.

In conclusion, the amendments in the ‘Animal Welfare Legislation Amendment Bill 2019’ are proposed to ensure that the Australian Capital Territory has a best practice and effective regulatory system that protects and promotes the welfare of animals, prevents and discourages cruelty to animals while responding appropriately to animal welfare abuses.