

10<sup>th</sup> October 2025

Hon Jackie Jarvis MLC

Minister for Agriculture and Food; Fisheries; Forestry; Small Business; Mid West

E: Minister.Jarvis@dpc.wa.gov.au

### **Animal Welfare Amendment (Chief Animal Protection Officer) Bill 2025**

Animal Care Australia is a national incorporated association established to consult with government in advocating for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, companion animals, animals used for educational or entertainment purposes or kept for conservation.

Given the potential impacts to animal welfare and the manner in which it is legislated by this Bill Animal Care Australia believes it is prudent to provide our feedback to ensure you have a balanced perspective when considering the Bill during debate in Parliament.

As you are aware, the Bill <sup>1</sup> was introduced into the Legislative Council WA by Amanda Dorn member of the Animal Justice Party (AJP) on 18 September 2025. It is noted this Bill will impact/amend the Animal Welfare Act 2002 <sup>2</sup> and make consequential amendments to the Cat Act 2011<sup>3</sup>; the Dog Act 1976 <sup>4</sup>; and various other Acts.

The Bill proposes to establish the position of Chief Animal Protection Officer (CAPO), and associated office together with an Animal Protection Advisory Committee (APAC).

The terms ‘animal welfare’ and ‘animal protection’ are used but neither is defined clearly. The term ‘animal protection’ is not supported by Animal Care Australia as it does not have the same meaning or outcome as ‘animal welfare’ and is a public friendly term adopted by the animal rights extremist/ideological movement following substantial backlash of animal rights in the public space.

Should this Bill progress further then Animal Care Australia recommends replacing animal protection with animal welfare throughout the Bill including for CAPO - Chief Animal Welfare Officer and APAC – Animal Welfare Advisory Committee and clearly defining animal welfare as part of the Intent of the Act in s. 3.

The Bill proposes to remove most of the formal roles of the RSPCA. **This is strongly supported by Animal Care Australia.**

RSPCA is removed as a term in s. 5 and consequently the Bill proposes to remove RSPCA throughout the Act. **This is strongly supported by Animal Care Australia.**

Animal Care Australia provides the following feedback and suggestions to specific sections within the Bill:

- In proposed **s. 5B(4)** it is unclear why the office of CAPO should not be an office in the Public Service? This is clearly an attempt to distance the office of CAPO from the government but it is not appropriate given this office will be overseeing and be responsible for Acts (legislation). Statutory officers, like the Ombudsman or Auditor General, lead specific independent agencies still within the public service. Therefore, **s5 B(4) is NOT supported by Animal Care Australia.**

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<sup>1</sup> [WA Animal Welfare Amendment \(Chief Protection Officer\) Bill 2025](#)

<sup>2</sup> [Animal Welfare Act 2002](#)

<sup>3</sup> [Cat Act 2011](#)

<sup>4</sup> [Dog Act 1976](#)

- Proposed **s. 5E(1)(b) - Persons eligible for appointment** - is a list of knowledge or expertise required of the CAPO. Only one of many is required. This list requires work to ensure a suitable appointment with a range of experience related to one of the animal sciences and then experience with regulation, administration, and education. As it stands, almost anyone, including each representative of the Animal Care Australia Committee would meet this criterion.
- In proposed **s. 5M(1)(e)(ii)** Animal Care Australia suggests replacing “coordinating stakeholder action” with “coordinating stakeholder consultation”.
- Animal Care Australia recommends **adding s. 5M(1)(i)** “maintaining a list of stakeholders for each animal industry that must be consulted under 5M(1)(e)(ii)”. Stakeholders to be drawn from each animal industry as we have recommended below, to form part of s. 5ZF.
- Proposed **s. 5M(2)** ‘The Chief Animal Protection Officer may take such action as the Chief Animal Protection Officer considers appropriate generally to protect and promote the welfare, safety and health of animals’ and **s. 5M(3)** ‘The Chief Animal Protection Officer has all the powers that are needed for the performance of the Chief Animal Protection Officer’s functions’ are very broad and require specific detail in the regulations. These two sections are potentially dangerous without the appropriate levels of transparency and accountability.
- **Animal Care Australia has concern** regarding the powers and immunity proposed by **s. 5Q, 5R, 5U**. Such powers sound like those best reserved for Parliamentary Inquiries and Courts.
- Animal Care Australia questions proposed **s. 5ZE(2)** which lists advice the APAC may provide but does not include commercial agricultural livestock at all. Why is this important industry and its animal welfare considerations being ignored?
- Proposed **s. 5ZF(2)(a)** alludes to the expertise and representation of APAC members – this is **NOT SUPPORTED** in its current form. The Act must expressly require representation from all groups involved in the keeping and care of animals, whether in domestic, commercial, or wild contexts.

**Animal Care Australia recommends** a representative from each of the following areas forms the APAC and that this list of animal industries is incorporated **into s. 5ZF**:

- (a) commercial agricultural livestock,
  - (b) domestic animals,
  - (c) exhibited animals,
  - (d) animal research,
  - (e) horse and greyhound racing,
  - (f) rodeo,
  - (g) wild animals - both native and introduced,
  - (h) hunting and fishing,
  - (i) any other industry concerning Animal Welfare prescribed by the regulations.
- Proposed amendments to **s. 33** removes RSPCA ability to appoint inspectors. Other amendments remove the formal role of RSPCA completely. **These are supported by Animal Care Australia.**  
General inspectors can be appointed as “designated inspectors” who’s role focuses on intensive production, abattoirs and knackeries including monitoring compliance with directions. The change is that designated inspectors must also be general inspectors.  
Note that scientific inspectors continue for licensed scientific activities - this is **supported**.  
Currently there are “authorised persons” who can withdraw infringement notices. Animal Care Australia would like to see further information relating to this process and how a withdrawal of infringement is assessed.
  - Proposed amendments to **s. 82** remove the role of RSPCA to appear in proceedings. The CAPO or delegate appointed by the CAPO appears on behalf of the CAPO.

If, as Animal Care Australia understands this process, inspectors commence proceeding but it is

proposed that the CAPO (or delegate) prosecutes in court – **Animal Care Australia supports s. 82.**

- Proposed **s. 90A** creates information officers (the CAPO is one) who can “request” information from the public service and from the RSPCA. This includes confidential, secret and other otherwise protected information. **This is supported by Animal Care Australia** if our recommendations regarding appointment of the CAPO and representation on the APAC are implemented.
- Proposed **s. 92** amendment removes the RSPCA’s existing protection from liability. **This is fully supported by Animal Care Australia.**

While Animal Care Australia has provided this feedback and we do support a considerable number of proposed changes to the WA Animal Welfare Act and who is responsible for its implementation and enforcement, Animal Care Australia does not support the need for it to be ‘independent’ from the animal industry.

Animal Care Australia does not see a conflict of interest – rather the responsibility of ensuring the continued improvement of animal welfare outcomes requires its own authority that sits separately to the Ministers that oversee the many different portfolios that interact with animals. This authority must be the first point of operational review for the animal welfare of these animals.

An Animal Welfare Commission and Commissioner will provide an avenue for all aspects to be maintained, reviewed and evaluated without the interference of political agendas, the rhetorical ideology of animal rights/protection activists or the favouring to avoid change within the animal keeping community.

The Animal Welfare Commission will create a single over-arching body responsible for and improving animal welfare outcomes throughout the state. Its ability to advise the ministers of the various government bodies and to have full oversight of the enforcement of animal welfare legislation will provide a level of independence no longer reliant on the whims of any one government minister or department while having the capacity to consult with stakeholders and the public alike.

One organisation coordinating and improving animal welfare with oversight will re-prioritise animal welfare to the level that society expects.

Animal Care Australia has developed a proposed/draft Act that implements an Animal Welfare Commission and Animal Welfare Commissioner and it is attached to this letter. We hope that you will find this proposal more suitable than the Bill proposed by a political party that is ideologically driven.

Should you require further details about the Bill or our proposed Animal Welfare Commission, please do not hesitate to reach out as we would be happy to meet with you to further discuss..

Kind regards,



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## **About Animal Care Australia**

As a nationally recognised animal welfare organisation, Animal Care Australia encourages continued development of animal welfare standards and Codes of Practice for animal husbandry, breeding, training, sale, and sporting exhibitions for a wide range of animal species, including pets, animals used for educational or entertainment purposes or kept for conservation, and in particular native birds, reptiles, and mammals.

Animal Care Australia was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation, and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice.

By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare.

By educating our members and the public about the importance of treating animals with kindness and respect for their needs and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care.

Animal Care Australia provides priority to the following:

- advocating for stronger welfare outcomes
- advocating to increase education of the public in animal welfare and best care techniques
- educate the public on handling their animals with kindness & respect and the importance of their needs
- educate the public in the differences between animal welfare and animal rights