Challenges to implementing animal welfare standards in New Zealand

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Abstract

The New Zealand Animal Welfare Act 1999 imposes a duty of care on all owners and persons in charge, to provide for the physical, health and behavioural needs of the animals in their care. The Act provides for the development of codes of welfare by the National Animal Welfare Advisory Committee (NAWAC) and gives legal status to the minimum standards that they contain when issued by the Minister of Agriculture. Codes are used to promote appropriate behaviour, establish minimum standards of animal care and encourage best practice by those in charge of animals. One of the main challenges in developing codes of welfare is to integrate the various, and often conflicting, social, ethical, economic and production management value judgments, with the available science, in a way that does not stifle innovation or require frequent alteration of the codes. In New Zealand we believe this is best achieved using minimum standards which are designed as animal-orientated statements of desired welfare outcomes, accompanied by one or more indicators by which achievement of the outcome can be measured or objectively assessed. Codes are primarily directed at educating the owners or persons in charge of animals of their legal obligations, encouraging voluntary compliance, and supporting industries in the development of compliance and quality assurance programmes. The challenge is to develop a consistent, whole-of-system approach to animal welfare compliance that focuses on interventions which encourage voluntary compliance or deter non-compliance before offending becomes serious and animal welfare is unnecessarily compromised. The aim of this paper is to describe New Zealand’s policy, which is to develop outcome-based welfare standards, to promote and demonstrate maximum voluntary industry compliance with them, and to ensure that any serious breaches are detected and responded to effectively.

Keywords: animal welfare, codes, compliance, implementation, New Zealand, standards

Introduction

New Zealanders’ attitudes, like every nationality, are influenced by our history, the high value we place on our unique natural environment, the different ways we each use or interact with it, and the value we place on taking advantage of new and innovative opportunities. New Zealand has had balanced and comprehensive legislation covering animal cruelty since 1840. Since the 1980s, a series of organisations, groups and initiatives have been developed to form a strong animal welfare infrastructure in New Zealand. One such group was a ministerial advisory committee which developed voluntary codes of recommendations and minimum standards for animals. In the 1990s the legislation was reviewed in response to changing practice, advances in scientific knowledge and shifts in societal values. The Animal Welfare Act 1999 (MAF 1999) recognises that we are a nation dependent on agriculture and our unique environment. This means the export of animal products and animals, environmental protection and the use of animals, whether in research, testing and teaching, entertainment or as companions, are the subject of contemporary and progressive primary legislation (Animal Welfare Act 1999), with supporting regulations (secondary legislation) and tertiary legislation. Codes of Welfare are deemed to be regulations and are subject to parliamentary review. They are empowered by tertiary legislation and must follow the principles and policies of law established in the primary Act. New Zealand is fortunate in having a ‘One Minister, One Act, One Ministry’ situation in relation to animal welfare policy and practice (Bayvel & Cross 2010).

The Act imposes a duty of care on all owners and persons in charge, to provide for the physical, health and behavioural needs of the animals in their care and to ensure that unnecessary and unreasonable pain and distress are alleviated. The definitions of the physical, health and behavioural needs in the Act paraphrase the five freedoms promulgated by the UK Farm Animal Welfare Council (FAWC 1979). The definitions include:

• adequate shelter;
• proper and sufficient food and water;
• the opportunity to display normal behaviour;
• appropriate physical handling which minimises the risk of unreasonable or unnecessary pain or distress; and
• protection from, rapid diagnosis of and treatment of injuries and disease.