



2023 Policy Recommendations



SPCA's recommendations to improve animal welfare in Aotearoa New Zealand.

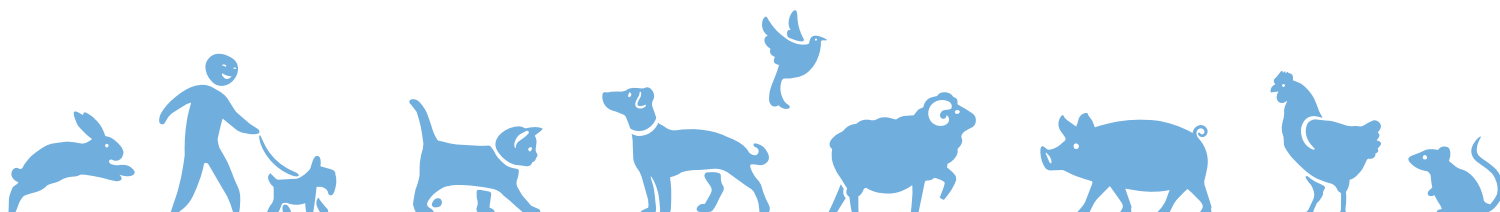
SPCA is the preeminent animal welfare and advocacy organisation in New Zealand. The Society has been in existence for over 150 years with a supporter base representing many tens of thousands of New Zealanders across the nation. The organisation includes 33 Animal Welfare Centres across New Zealand and approximately 60 inspectors appointed under the Animal Welfare Act 1999.

As the oldest and largest animal welfare charity in New Zealand, SPCA drives positive, progressive change to end animal cruelty, improve animal protection and promote the humane treatment of all animals.

SPCA created the following recommendations as a guide to action to improve the welfare of all animals in New Zealand. The top ten list features those changes that would be the most impactful. The main body of the document lists additional changes which would lead to improved animal welfare.

If you are interested in discussing any of these recommendations in more detail or if any further information is required, the Society is happy to discuss this matter further.

If elected, what will your party do to create a better New Zealand for all animals?



SPCA's Top 10 Recommendations



These are the highest priorities for SPCA and are highlighted throughout the text.

Amend the Animal Welfare Act to include a definition of sentience and an acknowledgment of both positive and negative mental states	pg. 5
---	-------

National animal welfare education funded in every school across New Zealand	pg. 5
---	-------

Increased government responsibility for funding enforcement of the Animal Welfare Act	pg. 6
---	-------

Introduce a National Cat Act to improve outcomes for people and animals	pg. 9
---	-------

Introduce a regulation preventing permanent tethering or chaining of dogs	pg. 9
---	-------

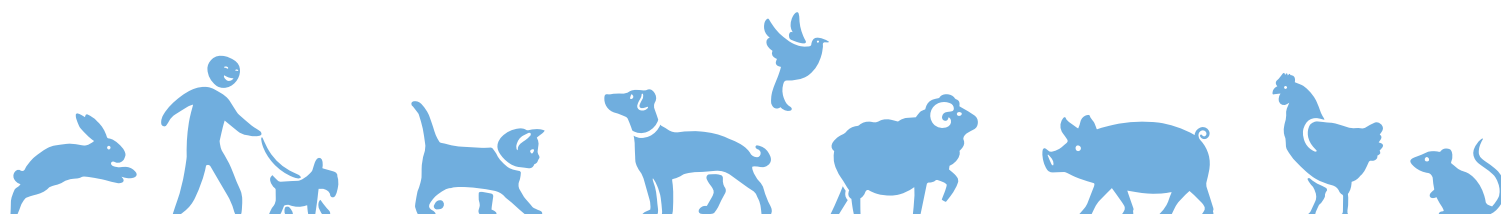
Ban the private sale and use of fireworks in New Zealand	pg. 9
--	-------

End the use of all cages and close confinement systems in New Zealand including colony cages for hens and farrowing crates for sows	pg. 11
---	--------

Set strong and consistent requirements for shade and shelter for livestock	pg. 11
--	--------

Ban the use of poisons such as brodifacoum and pindone and require traps to pass standardised welfare assessment	pg. 13
--	--------

End greyhound racing and the use of animals in rodeo events in New Zealand	pg. 16
--	--------



Government Accountability for Animal Welfare

Animal Welfare is important. New Zealanders love our animals, have high expectations that animals in New Zealand are protected and provided with a Good Life, and rely on animals for a substantial part of our export earnings.

A. Raise the profile of animal welfare within Government, for example through elevation of animal welfare into its own business unit within the Ministry for Primary Industries and by appointing a Commissioner for Animals

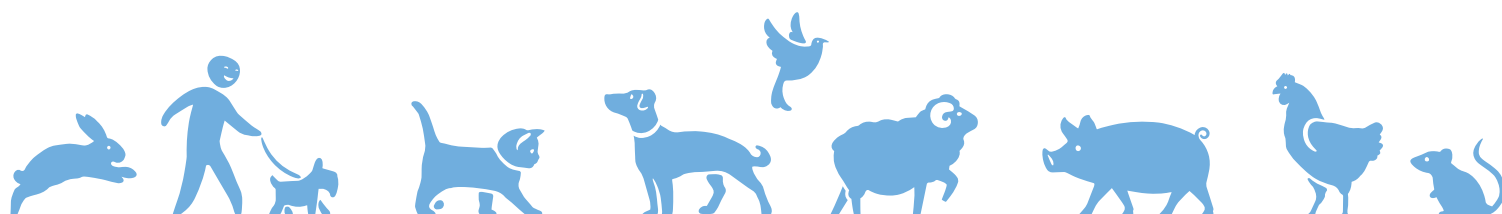
The Ministry for Primary Industries serves a dual function of promoting growth of the animal agricultural industry while also safeguarding animal welfare, risking a conflict of interest. Animal welfare can and should be a core consideration of the primary industries, but there must be the appropriate authority and resources to administer the system effectively.

B. Release a new Animal Welfare Strategy

The current animal welfare strategy is out of date. New Zealand risks falling from being one of the leaders in the world in our animal welfare standards. The government must provide a collaborative, modern vision and ongoing leadership to protect New Zealand's animals.

C. Review and update all codes of welfare within three years, and ensure they are kept up to date on an ongoing basis

Codes of welfare are issued under the Animal Welfare Act to provide minimum standards, recommendations for best practice, and guidance for people in charge of animals. Many codes of welfare are out of date with current science and best practice, even though the government promotes codes as being 'flexible enough to be modified and improved as community expectations, good practice, scientific knowledge and technical advances allow'. Recent successful legal challenges against the codes have shown that they need urgent review.



Acknowledgement of Mental States and Positive Animal Welfare

The Animal Welfare Act is currently focused on minimising suffering and needs to be updated to reflect current understanding of animal welfare and a Five Domains approach.

A. Amend the Animal Welfare Act to include a definition of sentience and an acknowledgment of both positive and negative mental states

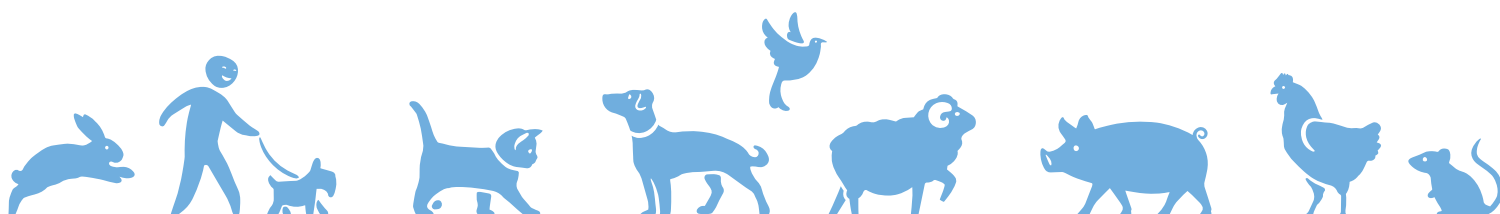
The inclusion of sentience in the long-title of the Act, with no accompanying definition, makes the practical impact of its inclusion unclear. Animals are referred to as “it” throughout the Act, which objectifies animals and does not support the recognition of their sentience. Sentience is the capacity of animals to perceive by their senses and, thereby, to consciously experience both negative and positive mental states which are important to them and which influence their welfare. This range of mental states should be explicitly acknowledged in legislation.

B. National animal welfare education funded in every school across New Zealand

National animal welfare education teaches learners - our future change makers - an ethical perspective, connection and a personal sense of responsibility coupled with a compassionate and caring attitude towards other animals and the environment.

C. Redefine ‘physical, health, and behavioural needs’ in the Animal Welfare Act

The definition of quotes around ‘physical, health and behavioural needs’ is central to the function of the Act and the welfare of animals. The current wording is inadequate and insufficient to provide the required level of protection for all animals. Scientific understanding of animal behaviour has progressed markedly since the Act was drafted. Phrases such as “opportunity to display normal patterns of behaviour” and “physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress” are too opaque and, although their intent may be clear, their effectiveness in achieving the purpose of the Act is poor.



Improving Compliance

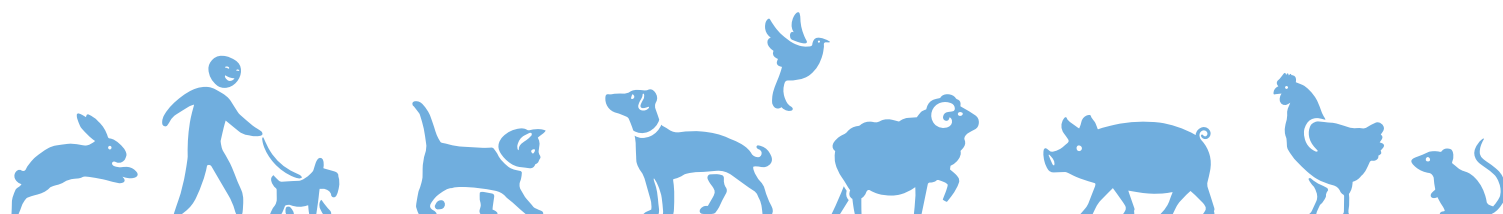
New Zealanders depend on SPCA and MPI to jointly enforce the Animal Welfare Act. However, the public are often surprised to find out that these enforcement functions do not receive the governmental support they need to fulfil this critical role and are frustrated by the limitations of current legislation which hamper enforcement.

A. Increased government responsibility for funding enforcement of the Animal Welfare Act

New Zealand has 50,000 commercial farms and over 64% of New Zealand households are home to a companion animal. While the export of animal products earns approximately \$35 billion from latest SOPI (Dairy, Beef + Lamb, and Seafood) for New Zealand, currently a tiny fraction of MPI's budget is dedicated to animal welfare enforcement, education and policy. SPCA's Inspectorate is forced to rely on charitable donations to fund its animal welfare enforcement work.

B. Amend 127(5)(a) of the Animal Welfare Act from “willfully ill-treated contrary to section 28” to “ill-treated contrary to section 29(a)”

Section 127(5) of the Act is utilised by inspectors regularly to remove animals from properties without a warrant. Currently, if an inspector has reasonable grounds to believe that an animal has been ill-treated (such as by being assaulted), they may only remove the animal from the property if they can satisfy themselves that the act of ill-treatment was willful. Often at the stage of first inspection the inspector will have limited information and would likely not yet have spoken to the suspect. Forming a belief that an act of ill-treatment was conducted willfully with limited information is too onerous a threshold to reach to authorise removal of the animal. As a result, this subsection is very rarely used and animals may, as a result, be left at properties of risk until further information can be collected. Amending the threshold to that of s29(a) will allow an inspector to remove an animal which they reasonably believe has been ill-treated and keep that animal safe while further enquires are made.



C. Authorise disposal of seized animals in further circumstances

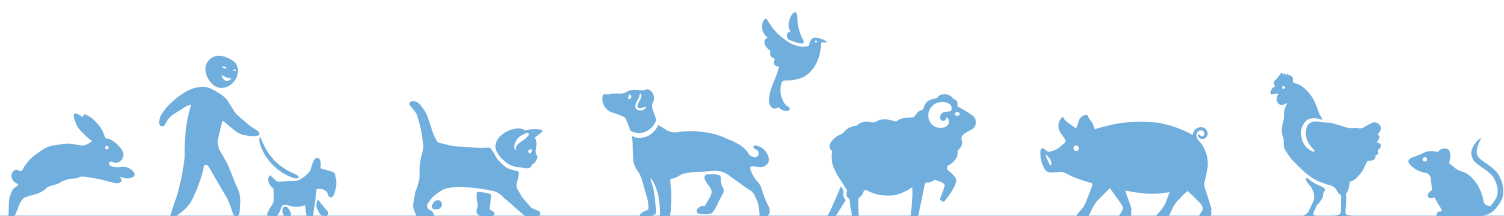
Animals removed from properties for welfare reasons are cared for by SPCA. Animals must be appropriately housed and provided for until such time as they can be safely returned to the owner or otherwise forfeited. Long term custody of seized animals can present multiple problems, including welfare compromise through confinement and very high cost to SPCA, a charity. Currently, disposal of seized animals requires either a prosecution to be initiated, or the owner to be unknown. In reality, the majority of animals seized by inspectors meet neither of these thresholds. Currently, SPCA is forced to seek disposal of these animals under the Search and Surveillance Act 2012 (in particular sections 154 and 163). An amendment to s136A to allow SPCA to seek disposal of animals where it is not safe to return the animal to the owner (such as where to do so would place the animal at risk of harm) would greatly benefit those animals by reducing the length of time they were required to be kept in SPCA custody.

D. Authorise inspection of animal environments and equipment by animal welfare inspectors

Section 127 authorises entry onto land for the purpose of inspecting animals only. Animal welfare innately involves more than the animal itself and can include such things as shelter, water and food receptacles, collars and covers, fencing and supplementary food etc. As it currently stands, an inspector may reasonably require a person to improve or change the environment or equipment of an animal but has no statutory power to check whether the improvement or change has been made. Instead, where a recheck on such issues is required to ensure the welfare of an animal is being met in accordance with the Act, a search warrant must be obtained. An amendment to s127, making it clear that entry onto land for the purpose of inspecting environmental or equipment issues directly related to the animal is allowed would greatly improve the efficiency of the Act.

E. Create an infringeable offence for failing to comply with a Notice of Instruction under s130 AWA

Section 130(1)(b) of the Act authorises inspectors to issue a written notice to animal owners and persons in charge of animals to take steps to prevent or mitigate suffering. These notices are used in situations where unreasonable or unnecessary pain or distress are present or likely to be present and have the purpose of placing the responsibility for animal welfare on the person in charge, rather than shifting it to SPCA. Where non-compliance with a notice is detected, the only currently available option is to file charges under s130(3) to place the person in front of a court. Financial and logistical realities mean this very rarely happens without further charges being available. The result is that there is often no sanction at all for a person breaching the requirements of s130(1)(b) where an animal has suffered as a result. Creating an infringeable offence for this offending, similar to the infringeable offence for failing to comply with a compliance notice under s156I, would increase the effectiveness of these written notices and substantially improve animal welfare.



F. Establishment of Animal Welfare Courts

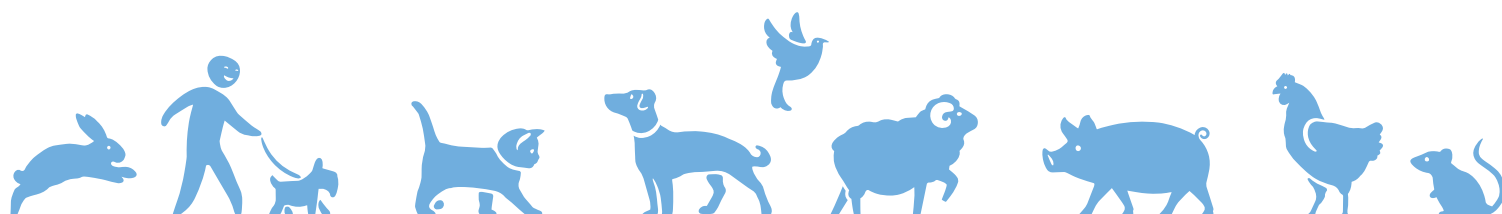
Animal abuse and neglect are distinctive social and criminal justice issues and court staff may need training and education to understand current scientific knowledge of animal welfare and sentience. Currently, animal welfare prosecution cases can take several years to move through the courts. While cases are ongoing, these vulnerable animals must be held by SPCA. Having dedicated Animal Welfare Courts would allow cases to progress more quickly, improve animal welfare and reduce costs.

G. Increased penalties for animal welfare offending and research into reoffending prevention such as rehabilitation programmes

People convicted of offences against animals can be disqualified from owning animals, but this provision is seldom used, and the ban periods are typically short. Reoffending rates are high for animal abuse offences but there are currently no proven effective methods for preventing reoffending.

H. Repeal regulations that have a tendency to undermine the purpose and function of the Act

Regulating some prohibited behaviours can adversely affect animal welfare outcomes. A number of activities that were regulated in the Animal Welfare (Care and Procedures) Regulations 2018 have the potential to cause significant pain and distress to animals. An unintended effect of regulation is to minimise the impact of the offending on the animal as enforcement action through the criminal courts is made more difficult due to the offending also being captured by regulation. For example, the act of cutting off the ears of a dog (“cropping”) should be (and is) considered an act of ill-treatment, however the ability to obtain a conviction against an offender for an offence under the Act is made more difficult due to its inclusion in the regulations.



Companion Animals

New Zealand has one of the highest rates of companion animal ownership in the world. There is strong public pressure for policies that promote responsible pet ownership and address common welfare issues.

A. Introduce a National Cat Act to improve outcomes for people and animals

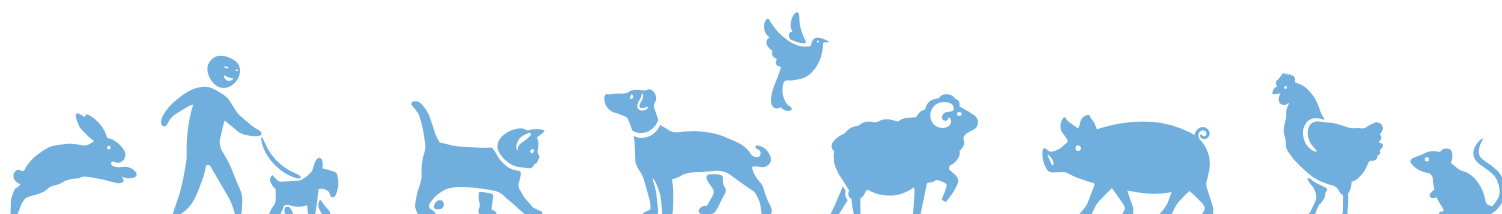
Current ad hoc management of cats is ineffective and inhumane, impacting on the cats themselves, our native wildlife, and our communities. A national cat act will provide for comprehensive, consistent, effective and humane management of all cats and support a national approach to toxoplasmosis management.

B. Ban the private sale and use of fireworks in New Zealand

Firework noise has a serious negative impact on the welfare of many animals (including companion animals, wildlife, and farmed animals), causing significant fear and distress. Harms to animals from fireworks are preventable through the permanent prohibition on the sale and use of fireworks by members of the public.

C. Introduce a regulation prolonged permanent tethering or chaining of dogs

The issue of perpetually tethered or confined dogs is one of the most common welfare compromises encountered by SPCA inspectors. The negative welfare impact on the animal is often moderate to severe, with some dogs being subject to years of continual physical and mental suffering. The Act as it currently stands requires the collection of evidence of a fairly complex quality to have any chance of a successful conviction (e.g. If tethered dog is provided with food, water and shelter, is difficult to prove the Animal Welfare Act has been breached). Regulating the reasonable tethering or confinement of dogs would allow inspectors to take appropriate steps to reduce animal suffering in a more effective and efficient manner. There is strong public pressure for this issue to be addressed.



D. Ban the importation, sale and use of electric collars used for the training and control of companion animals

Electric shock collars deliver an electric current, through contact points on the dog's neck, which cause pain and/or distress to the dog. Electric shocks must be sufficiently painful or distressing to cause a change in behaviour. Using these training techniques can lead to aggression, anxiety, and other behaviour problems. There are more effective and humane alternatives to electric shock collars.

E. End classification of dogs as 'menacing' by breed or type by repealing section 33C, 78A and Schedule 4 from the Dog Control Act

Decades of research has shown that breed specific legislation is not an effective means of reducing dog bites and is associated with welfare harms. Many countries have now repealed breed specific legislation (legislation which places restrictions on specific breeds and types of dogs).

F. Establish a database of registered rescues and regulatory framework for data collection e.g. shelter statistics

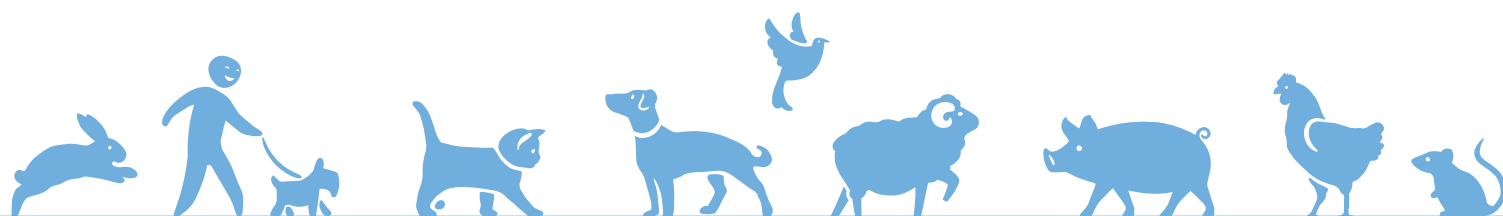
Facilitation of standardised, accurate and comprehensive data collection amongst shelter and rescue organisations in New Zealand will provide understanding of the risk factors and allow implementation of national strategies to address overpopulation and euthanasia rates.

G. Introduce compulsory desexing of companion cats and dogs at the point of sale or transfer of ownership

Desexing is a key component of responsible pet ownership, and is a fundamental mechanism to address problems with overpopulation. Desexing can ensure improved outcomes for the individual animal, other animals, and people. Desexing rates must be increased to reduce overpopulation and pressure on rescues, and should be compulsory (except for registered breeding animals). Government funding and support should be available to encourage voluntary desexing of companion animals.

H. Set standards to prevent companion animals from being permanently kept in inappropriate housing

Common misunderstandings of the species-specific needs of companion animals have resulted in these species routinely being housed in inappropriate environments. All companion animals need ample space in their enclosures to express their full behavioural repertoire and maintain healthy physiological functions. Given what we know about the complex social and emotional lives and cognitive abilities of animals, it is unacceptable to house any species of animal in small, barren environments.



Farmed Animals

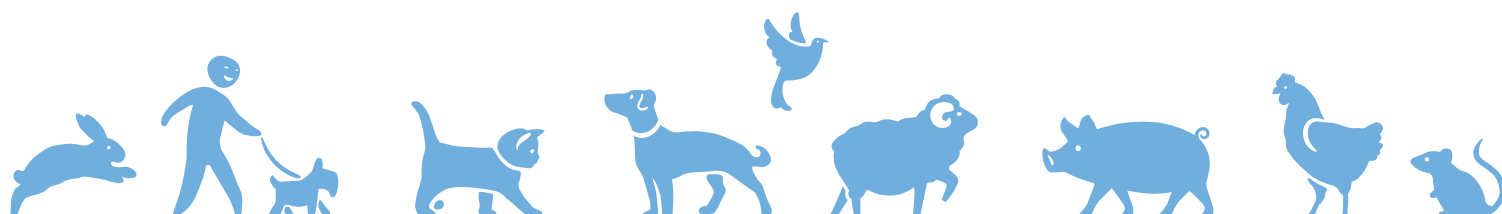
Each year over 100 million animals are raised on farms in New Zealand for food. There is increasing public pressure to eliminate certain farming practices. In order for New Zealand to protect its animals and its reputation for high-quality, ethical and sustainable food and fibres, there must be greater priority placed on animal welfare.

A. End the use of all cages and close confinement systems in New Zealand - including colony cages for hens and farrowing crates for sows

Millions of animals are farmed in cages in New Zealand each year. The use of cages and close confinement prevents animals from displaying species specific behaviour, which is cruel, unnecessary, and a breach of our Animal Welfare Act. Over 112,000 people signed a petition to ban farrowing crates, and all supermarkets and major retailers have already agreed to go cage-free for hens. If necessary, the government should provide support to ensure that farmers can meet or exceed phase-out dates, including funding for on-farm training of new practices and for research into technology and innovation.

B. Set strong and consistent requirements for shade and shelter for livestock

New Zealand's pastorally farmed animals can suffer if they are not provided with either natural or artificial shelter that protects them from the elements such as extreme temperatures, solar radiation, and inclement weather including rain, wind, hail, and snow. SPCA advocates for clear, enforceable standards that require shade and shelter for farmed animals. Our organisation considers that wording that requires vague concepts such as "the means to minimise heat stress" do not go far enough, and do not meet the purposes of the Animal Welfare Act 1999.

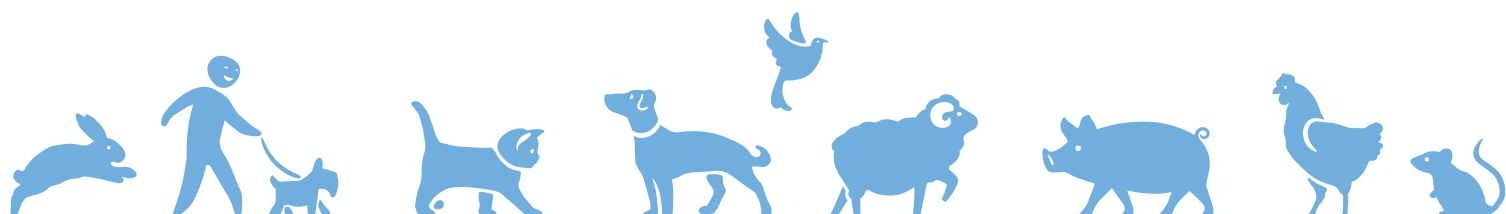


C. Implement comprehensive country of origin and animal welfare labelling schemes that will allow consumers to make informed choices

Many animal products available for sale are imported from countries that have animal welfare standards that differ from our own. Animal products for sale in New Zealand should be produced to welfare standards that meet or exceed New Zealand law and should be labelled accordingly. Mandatory, consistent, and clear labelling on animal products would enable consumers to make informed decisions when purchasing. Labelling should include standardised legal definitions of terms such as barn-raised, free range, outdoor, and organic.

D. Implement the Better Chicken Commitment

Over 120 million chickens are farmed for meat in New Zealand each year. Modern chicken breeds grow too quickly, resulting in painful health problems. The Better Chicken Commitment requires slower growing breeds, lower stocking densities, the use of enrichment and better lighting in sheds. It is an opportunity for the industry and government to demonstrate a commitment to sustainable and ethical food production.



Animals in the Wild

SPCA advocates for the protection of all wild animals from human actions that compromise their welfare. Where the capture or killing of wild animals is permitted, this must only be performed using methods that minimise negative impacts on animal welfare.

A. Ban the use of poisons, such as brodifacoum and pindone for the management of animals considered pests

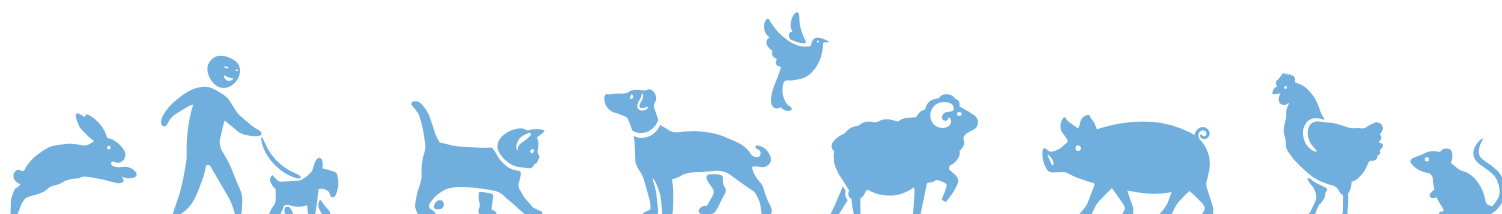
SPCA advocates for a ban on the use of brodifacoum and pindone for use in pest management due to the welfare harms for both targeted and non-targeted animals. The availability of brodifacoum and pindone undermines the serious harms that these toxins pose, and the need for pest management that is guided by principles that draw on integrated pest management and humane treatment of animals. SPCA advocates for research and development of humane alternatives for animal population control, including the replacement of lethal methods with effective non-lethal methods that minimise negative impacts to animal welfare, such as limiting reproductive abilities.

B. Require traps to pass standardised welfare assessment (e.g. NAWAC Guideline 09) for use, sale, and importation into New Zealand

By only allowing the importation, sale, and use of traps that have passed standardised animal welfare performance testing, there is greater assurance of the protection of the welfare of animals considered pests, improves consumer certainty about whether they are using humane traps, encourages improvements in trap technology that minimise the welfare harms, and strengthens claims that the country has some of the highest standards of animal welfare in the world.

C. Amend the Act to clarify its application to wild animals

Sections 30A to 30E control the hunting and killing of wild animals and animals in a wild state and provide certain protections for those animals. It is unlawful to recklessly or willfully ill-treat an animal in a wild state, however statutory defences are available at both s30A(3) and 30B(1)(a). The way these offences and defenses interact and affect each other is unclear and causes confusion for both the public and enforcement agencies. A definition of the terms “captured” and “in captivity” added to section 2 would be helpful, as would a refinement of the definition of the term “hunt and kill” to make it clear that hunting and killing is lawful so long as it is not conducted recklessly or willfully resulting in unreasonable or unnecessary pain and distress.

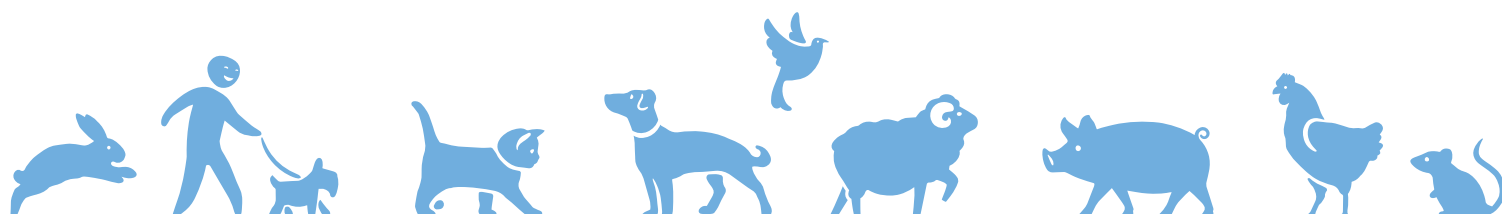


D. Ban the use of snares, leghold traps, and glue traps in New Zealand

Snares, leghold traps, and glue traps inflict severe physical and psychological pain, distress, and suffering on captured animals. Snares are indiscriminate and capture a wide range of non-target wildlife and animals. This includes native and protected wildlife and companion animals. Prohibition on the import, sale, and use of snares, leghold and glue traps in New Zealand will protect the welfare of animals intentionally and unintentionally targeted with trapped by these devices.

E. Set capture, stunning and slaughter requirements for commercial fishing, including a ban on bottom trawling

There are no humane slaughter requirements for wild-caught fish. Consequentially, wild finfish are subjected to highly stressful and inhumane harvesting methods e.g. being hooked or netted and left to suffocate in air. Humane stunning and slaughter requirements should be applied to wild-caught finfish, as they are with farmed finfish. Additionally, technologies developed for aquaculture, especially innovations in humane slaughter, may be applicable in commercial fisheries. Requirements should also address fishing methods, including gear types, depth and durations, to minimise the impact of the capture process on fish welfare and decrease by-catch of non-target species.



Research, Testing and Teaching

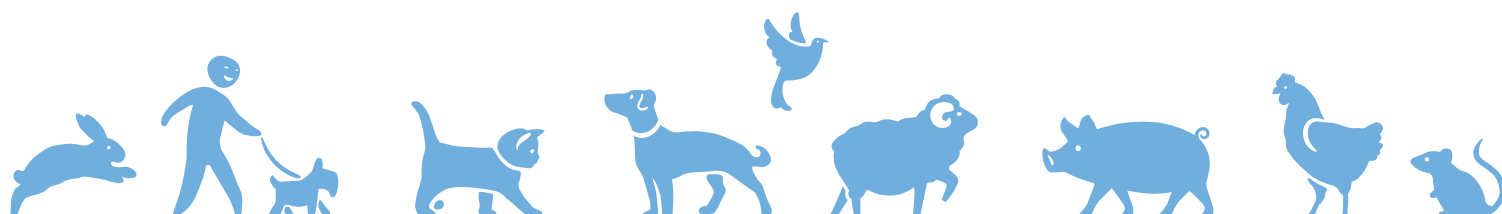
SPCA advocates for animals to be replaced in research, testing, and teaching by non-animal alternatives. While animals continue to be used, there must be greater transparency and accountability.

A. Broaden the definition of animal in the Act to include larval fish

Zebrafish are a common experimental model, which are predominantly used during the larval stages of development. Larval fish are currently excluded under the definition of animals in the Act and therefore are not protected under any part of the Act. Scientific evidence indicates that zebrafish during larval stage commence active behaviours indicative of the onset of sentience meaning there is an obligation to protect them. Declaring fish to be animals during larval stage will allow for ethical oversight of experimental work carried out on zebrafish in New Zealand and may also have implications for the welfare of larval fish in commercial aquaculture.

B. End the practice of dissection in secondary school and younger

Animal dissection is typically used in the teaching of anatomy and physiology. A growing body of research indicates that student learning outcomes can be achieved just as well or even better with non-animal alternatives to traditional dissection. Additionally, banning dissection for secondary school and younger will promote the replacement of animals in science education, which is a fundamental ethical principle underpinning the regulation of the use of animals in teaching.



Entertainment, Sport and Work

The social license to use animals for entertainment depends on the expectations that these industries safeguard their welfare. The New Zealand public have clearly demonstrated that they reject entertainment which relies on animals suffering pain, fear or distress.

A. End commercial greyhound racing in New Zealand

The greyhound racing industry in New Zealand has a demonstrated history of being unwilling or unable to adequately address significant animal welfare concerns. Animal welfare issues include: breeding practices that lead to poor welfare outcomes; distress or injuries that result from racing or training; inadequate socialisation and environmental enrichment; poor nutrition; inadequate housing; administration of banned or unregistered substances; illegal live baiting; the fate of unwanted greyhounds; and the difficulties in rehoming greyhounds once their racing career is over.

B. End the use of animals in rodeo events in New Zealand

Rodeo involves events that can cause significant injury and unreasonable suffering and distress to the animals involved. The National Animal Welfare Advisory Committee has stated that all except one rodeo event taking place in Aotearoa New Zealand raised either serious or moderate concerns about their impacts.

