



ALTA 2005
The University of Waikato

Abstracts from the Legal History Interest Group

The Dance of Legislation - the Animal Welfare Act 1999
Neil Wells

Abstract

The Animal Welfare Act 1999 has been internationally acknowledged as leading edge animal welfare law. The principles were conceived in 1990 and the bill finally passed in 1999. The author was a major contributor to the process over that decade having written the original review paper in 1991, the Cabinet Papers in the mid 90's and the Animal Welfare Bill in 1997. It was this Bill (known as the Hodgson Bill) that galvanized the government to table a second Bill and in 1999 the Primary Production Select Committee considered both the Hodgson Bill and the Animal Welfare (No.2) Bill. The author was engaged by Parliament as an Independent Specialist Advisor to the Committee for the consideration stages of the Bills. This paper traces the origins of animal cruelty law, the duty of care to animals, and the philosophy behind the physical, health and behavioral needs of animals. The paper also traces the "dance of legislation", describing the Parliamentary process and the political twists and turns that are not normally exposed to public gaze. The author is a barrister, Associate Head of School of the School of Natural Sciences at Unitec New Zealand, where he is a senior lecturer in animal law and legal system.