

## **NAWAC GUIDELINE 07:**

# **Taking account of society's ethical values, technical viewpoints and public opinion**

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### **1. Introduction**

NAWAC is sometimes asked about the extent to which “public opinion” influences its recommendations. While NAWAC has, in the past, occasionally used this phrase, there is scope for misunderstanding the sense in which NAWAC has used the term. Three dimensions of general background thinking are relevant when considering animal welfare issues, and only the last refers explicitly to elements of “public opinion”.

### **2. Three dimensions of general background thinking**

When developing its recommendations, NAWAC inevitably takes into account, both directly and indirectly, the general background thinking that underlies the issue. The Animal Welfare Act 1999 allows for this. Three dimensions of general background thinking are relevant:

- (a) NAWAC has regard to the general ethical values of society with respect to animals, including the values of animal-using stakeholders, taking into account the evolution of attitudes towards animals and their care.

An example of the evolution of attitudes towards animals and their care is the change, over the last 25 to 30 years, from considering animals primarily as possessions and commodities to the current view which strongly emphasises that they are sentient beings with the capacity to suffer. This shift, among other changes, was reflected in the Animal Welfare Act 1999. The Act focuses on a duty of care towards animals, and that has much wider implications than the mere avoidance of cruelty highlighted by the Animals Protection Act 1960, which the 1999 Act replaced. Such shifts do not represent capricious surges in public sentiment; rather, they are well-established changes in thinking adopted both among animal-using stakeholders and generally within our society. They tend to take place over a lengthy period and become firmly held.

- (b) NAWAC has regard to technical views about animal welfare, especially when NAWAC considers what the physical, health and behavioural needs of animals are and how they might reasonably be met.

Such technical views evolve with time, at least partly because of the development of scientific knowledge and available technology. Shifts in such thinking result from deliberate and careful analysis and critique.

- (c) Specific points of direct relevance to the issue being considered, which often have a foundation in the first two dimensions noted above, may be raised by submitters during a public consultation period.

NAWAC carefully considers all such submissions. They usually represent a wide spectrum of views on animal welfare generally and on specific features of the particular issue for consultation. In this sense, they reflect different aspects of current “public opinion”.

### **3. Society's ethical values versus public opinion**

It is important to distinguish between background societal ethical values and current public opinion on particular matters, and to note that a surge of interest in a particular matter may or may not be a good measure of a change in general society's ethical values.

Accordingly, NAWAC takes the term "societal ethical values" to mean the general background of thought in New Zealand society regarding what are and are not considered to be acceptable ways of caring for and managing animals. NAWAC will continue to distinguish these wider background values from current issues highlighted during a public consultation period.

### **4. NAWAC takes all three dimensions into account**

When considering animal welfare issues and when developing its recommendations, NAWAC takes all three dimensions of general background thinking into account and accords appropriate weight to all of them.

When NAWAC is considering a draft code of welfare, the Animal Welfare Act 1999 requires NAWAC to take into account, among other things, "good practice" and "scientific knowledge", which incorporate the first two dimensions (societal ethical values and technical viewpoints), and to publicly consult on the draft code, which incorporates the third dimension (public opinion).

<p>This guideline was approved by NAWAC on 8 December 2004. This guideline is not a legal interpretation of the Animal Welfare Act 1999. It is anticipated that this guideline will be updated from time to time in light of experience gained by NAWAC during its deliberations.</p>
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