

Submission to the Senate inquiry: 'Improvements in animal welfare for Australian live exports'

Submitted by Sentient: The Veterinary Institute for Animal Ethics

Sentient (The Veterinary Institute for Animal Ethics) is an independent forum and lobby group that aims to bring the recognition of animals as sentient beings to the national agenda and to ensure that their needs are appropriately and ethically addressed by governments, industry and the public. As a veterinary driven body, Sentient offers a scientific position and perspective within an ethical framework to further the animal protection and welfare movement.

The Sentient Executive Committee appreciates the opportunity provided by this Senate inquiry to apply our veterinary expertise in identifying and offering solutions to the animal welfare issues arising from Australian live exports. Our fundamental position is to call for a permanent end to Australia's involvement in this trade. It is inherently fraught with serious animal welfare risks at all stages of the process and has been characterised by ongoing breaches of existing and proposed welfare standards, despite years of attempts at improvement. We believe that animals should be slaughtered humanely as close to the point of production as possible. Sentient therefore wishes to join the RSPCA Australia and Animals Australia in supporting the Live Animal Export Restriction and Prohibition Bill 2011¹ to end all live animal exports by mid-2014. We applaud the wisdom of the New Zealand government, who announced in December 2007 that "the export of livestock for slaughter will be prohibited unless the risks to New Zealand's reputation as a responsible exporter can be adequately managed"¹, and propose that the Australian federal government take the same stance now.

We are dismayed that the Australian Federal Government has recently resumed the live export trade with Indonesia, despite not yet having heard the Senate inquiry and in complete disregard of community concerns or with any guaranteed safeguards for animal welfare. We support a swift transition to a total ban of live animal export trading with Indonesia.

In the meantime we wish to highlight the extensive welfare issues faced by our livestock and to advise ways of addressing these for as long as the trade continues.

¹ www.biosecurity.govt.nz/commercialexports/animalexports/exportrequirements



1. **Investigate and report into the role and effectiveness of Government, Meat and Livestock Australia, Livecorp and relevant industry bodies in improving animal welfare standards in Australia's live export markets.**

The Department of Agriculture Fisheries and Forestry (DAFF) has consistently maintained that Australia's involvement in the live export trade provides us with the opportunity to influence change and improve animal welfare conditions in the Middle East and other export destinations. This has not been borne out by history. Despite eighteen years of attempted animal welfare improvements by government and industry, footage and documented evidence over the past decade has demonstrated severe ongoing abuses. DAFF and industry have failed in their role of administering and enforcing the legislation related to live export, a responsibility given to DAFF's internal organisation the Australian Quarantine and Inspection Service (AQIS). We propose this has been due to the close interdependence between government and industry, from which arises a lack of transparency, independence in monitoring and enforcing of standards.

Rather than following Recommendation 1 of the Keniry Report² for the development of new national standards for live animal export, to be directly referenced in the AMLI Act and the EC Act and thus subject to parliamentary review, DAFF set up a Livestock Export Standards Advisory Committee (LESAC) to advise on standards prepared by industry representatives. This committee developed the Australian Standards for the Export of Livestock,³ which were incorporated by an administrative order only, and not directly referenced in the core acts. Although export licence holders must comply with the six ASEL standards, these standards themselves are not subject to direct parliamentary review. Furthermore, they do not apply to the health and welfare of livestock after they disembark, this being acknowledged as the responsibility of the importing country.⁴ Consequently, animal welfare abuses occurring at destination, such as inhumane standards of handling and slaughtering, are overlooked.

Even in terms of enforcing and monitoring the application of the ASEL standards, DAFF has demonstrated gross incompetence by its failure to deliver on agreed outcomes. Firstly, its focus has been on 'high mortality voyages', which does not address the impact of non-fatal causes of suffering onboard, such as heat stress, infectious diseases or traumatic injury. This is clearly an inadequate measure of animal welfare. Secondly, when exporters breach their licence conditions, which is known to occur (even from the limited data available

² Keniry, J, Bond, M, Caple, I, Gosse, L and Rogers, M (2003) Livestock Export Review, Final Report, A Report to the Minister for Agriculture, Fisheries and Forestry

³ www.daff.gov.au/livestockexportstandards Australian Position Statement for the Export of Livestock, 2011

⁴ www.daff.gov.au/livestockexportstandards Australian Position Statement for the Export of Livestock, 2011



publicly)⁵, AQIS has failed to invoke any sanctions, although the penalty as stated under Section 54 (3) of the AMLI Act is imprisonment for five years, or an appropriate fine imposed instead of or in addition (subsection 4B (2) *Crimes Act 1914*).

Malcolm Caulfield⁶ has described in AQIS “a culture of not applying sanctions against exporters (or others responsible) where there are breaches of the law in relation to live export. The response seems to be to try and prevent future or further breaches by imposing additional conditions on exporters for future shipments”. For example, in seven of the ten live export shipments of sheep between January 2006 and November 2007, where the 2% mortality ‘trigger point’ was exceeded, additional space requirements were imposed for the exporter’s next voyage.

Furthermore, Recommendation 4 of the Keniry Report⁷, that export ships must have veterinarians contracted to AQIS on board, was not adopted, but rather, veterinarians have continued to be contracted by, and accountable to, exporters. This raises a potential conflict of interest for veterinarians, which could lead to perceived pressure from their contracting exporter or employer to downplay animal welfare issues and produce their reports accordingly. Consequently, no independent parties are present on board to provide truly independent monitoring and account of livestock welfare.

2. Investigate and report on the domestic economic impact of the live export trade within Australia.

The economic significance of the Australian live export trade and the potential negative impact on local and international markets that could arise from its cessation have been grossly exaggerated. Numerous reports have demonstrated that the live animal export market directly competes with the local meat processing sector, and therefore, a phasing out of this industry would have minimal impact and in fact, would generate greater benefits for farmers and the economy.^{8, 9, 10, 11}

⁵ Caulfield, M. (2009) Handbook of Australian Cruelty Law, chapter 4, point 4.114, Animals Australia, Melbourne

⁶ Caulfield, M. (2009) Handbook of Australian Cruelty Law, chapter 4, point 4.114, Animals Australia, Melbourne

⁷ Keniry, J, Bond, M, Caple, I, Gosse, L and Rogers, M (2003) Livestock Export Review, Final Report, A Report to the Minister for Agriculture, Fisheries and Forestry

⁸ ACIL Tasman (2009) The value of live sheep exports from Western Australia. A review of adjustments that would be required if live exports ceased from WA and Economic analysis of Australian live sheep and sheep meat trade

⁹ SG Heilbron Economic and Policy Consulting (2010) The Future of the Queensland Beef Industry and the Impact of Live Cattle Exports

¹⁰ Keniry, J, Bond, M, Caple, I, Gosse, L and Rogers, M (2003) Livestock Export Review, Final Report, A Report to the Minister for Agriculture, Fisheries and Forestry

¹¹ Martin, P, van Mellor, T and Hooper, S, ABARE (2007) Live Cattle Export Trade, Importance to Northern and Southern Australian Beef Industries



3. Other related matters. Animal welfare standards for Australian live exports

Before the resumption of trade, the Australian government was proposing to suspend the live export trade to Indonesia until “a new regulatory system to ensure appropriate animal welfare standards” was established¹². The only detail outlined was the adoption of the (voluntary) World Organisation for Animal Health (OIE) recommendations in Indonesian abattoirs to be reached by 2015. The argument for this was that all of our live export trading partners are members of the OIE and recognise those recommendations, the use of which “would have the best likelihood of gaining agreement and cooperation from our trading partners”¹³. Whilst the government acknowledges that Australian Standards exceed those of the OIE, it proposes that allowances will be made for developing countries¹⁴, a position which is not consistent with DAFF’s claims that Australia is raising international animal welfare standards purely by our involvement in the trade. Sentient believes that this position risks expectations of lower animal welfare standards and furthermore that voluntary compliance leaves little or no reason, motivation or accountability to comply, given the likely financial and commercial implications for the exporter, importer and receiving abattoirs.

History has demonstrated the ineffectiveness of industry’s localised abattoir workforce training strategies to instil a fundamental knowledge of animal welfare issues and compliance with OIE recommendations.¹⁵ Meat and Livestock Australia (MLA) have themselves identified that “due to the enormous turnover of people in the slaughter teams and their relatively low social status, it is not a good strategy to invest in training personnel in animal handling practices at this level.”¹⁶ Training efforts must be expanded to include all abattoir categories and shift from the traditional focus on higher output facilities.

Furthermore, the Sentient Executive Committee holds grave concerns about the OIE recommendations for the slaughter of animals, some of which do not comply with recommendations by Dr Temple Grandin, the acknowledged world authority on animal slaughter.¹⁷ OIE recommendations for animal restraint allow the use of leg restraints such as rope casting for cattle and the tying of three or four legs for sheep, goats and small camelids for mechanical stunning methods and for slaughter without stunning. Whilst acknowledging the

¹² <http://www.liveexports.gov.au> Australian Government action on live exports

¹³ <http://www.liveexports.gov.au> Australian Government action on live exports

¹⁴ <http://www.liveexports.gov.au> Australian Government action on live exports

¹⁵ For example, the Indonesian Animal Welfare Taskforce, with representatives from MLA, Livecorp and APFINDO, the local feedlot association, was established five years ago in order to improve Indonesian abattoir standards and train abattoir workers, yet there is ongoing evidence of poor animal welfare

¹⁶ Beere, G and Pettiford, S (2005) Opportunities to improve slaughter standards and profitability in Indonesia, Project LIVE.229, Meat and Livestock Australia Ltd, North Sydney

¹⁷ Grandin, T (2010) Recommended Animal Handling Guidelines Audit Guide: A Systematic Approach to Animal Welfare, American Meat Institute Animal Welfare Committee



associated risks of stress and bruising, the animal welfare requirement is for ‘competent animal handlers’¹⁸. These recommendations breach Grandin’s recommendation for non-slip footing to reduce panic and agitation, with restraint devices that fully support livestock or provide non-slip footing so livestock can stand without slipping. It is also highly optimistic to expect that competent animal handlers will be available and that competent handling per se, will reduce the stress and terror experienced by animals attempting to resist such restraints, particularly given their variations in species, breed, temperament and limited experience of being handled by humans.¹⁹

The OIE recommendations also fail to specifically proscribe the Mark 1 Restraint boxes that were designed, funded and installed by Australian industry and which force animals to be tripped onto their sides before having their throats cut. Dr Temple Grandin has described these restraint boxes as having “breached every humane standard anywhere in the world” and as “unacceptable and absolutely atrocious”. Her recommendation for restraint is that “equipment that is designed to cause falling before stunning or religious slaughter should not be used”, with any system causing more than 1% of animals to fall before stunning or ritual slaughter constituting a failed audit.²⁰

Furthermore, OIE recommendations do not insist upon stunning livestock before full frontal throat cutting and bleeding; this is merely permitted, with a requirement for a high level of operator competency when pre-slaughter stunning is not used.²¹ Currently, approximately 90% of cattle slaughtered in Indonesia are not stunned,²² and the Australian government has not made this a requirement for the resumption of trade with Indonesia. This is inconsistent with best practices in Australia. All Australian cattle are stunned, although a small minority of abattoirs continue to perform stunning immediately after ritual slaughter. We acknowledge this is an inconsistency within Australian Standards and believe this is a practice that should be outlawed in all countries due to the risk of inaccuracies in application and timing.²³

According to Dr Temple Grandin: “When stunning is done correctly, the animal feels no pain and it becomes instantly unconscious. Stunning an animal correctly also results in better meat quality.”²⁴ **We unequivocally assert that when our livestock are sent overseas, humane stunning must be enforced, and performed in a**

¹⁸ www.oie.int Slaughter of Animals, Article 7.5.6

¹⁹ Owing to the fact that most exported cattle originate from Northern Australian extensive farming systems

²⁰ Grandin, T (2010) Recommended Animal Handling Guidelines Audit Guide: A Systematic Approach to Animal Welfare, American Meat Institute Animal Welfare Committee

²¹ www.oie.int Slaughter of Animals, Article 7.5.9

²² MLA/Livecorp Live Trade Animal Welfare Partnership, Final report – Indonesian point of slaughter improvements (2009/10)

²³ http://kb.rspca.org.au/What-is-halal-slaughter_116.html

²⁴ Grandin, T (2010) Recommended Animal Handling Guidelines Audit Guide: A Systematic Approach to Animal Welfare, American Meat Institute Animal Welfare Committee



way that ensures the animal is unconscious and insensible to pain before sticking commences, and that they be restrained in a way that ensures stunning is effective.²⁵

The argument that pre-slaughter stunning is inconsistent with Halal practices is refuted by its acceptance by Majelis Ulama Indonesia, the Indonesian Halal certifying body.²⁶ Furthermore, Islamic and Jewish leaders and communities in Australia have expressed acceptance of pre-slaughter stunning during ritual slaughter for both domestic consumption and live export, on the grounds that electrical and percussion stunning do not injure the animals and so remain in line with religious requirements.²⁷ Even were this not the case, Sentient strongly argues that religious freedom should never include a right to inflict suffering of this nature on any living being, whether human or non-human.

4. Recommendations by the Sentient Executive Committee

In response to this situation, Sentient proposes the following:

- The development and enforcement of new national standards for live animal export that include the welfare of animals during transport and in their countries of destination and that are subject to parliamentary review.
- That any documented agreed framework between Indonesia and Australia be of a more robust nature than that of the Memoranda of Understanding currently in place between Australia and Egypt with respect to the 'Closed System' facility in Egypt. The compliance to the requirements of these Memoranda was poor given that historically breaches were common across many facets of the OIE guidelines.
- That an independent 'third party' framework of enforcing and monitoring compliance against agreed standards be immediately installed into the industry using Temple Grandin's recommendations for animal handling as a minimum benchmark²⁸. This framework must be transparent and provide for identifying and reporting on both compliant Indonesian abattoirs, and, where non-compliance leads to animal welfare abuses and imposed sanctions.
- This monitoring to be conducted by Australian AQIS accredited veterinarians specifically deployed as independent veterinary experts and other officers who accompany the livestock to their destination, therefore ensuring that agreed Australian Standards are complied with and have international effect.

²⁵ As stated in the Australian Model Codes of Practice for the Welfare of Animals SCARM Report 79 & NCCAW 2000

²⁶ <http://www.mui.or.id/>

²⁷ www.animalsaustralia.org/speeches/ritual_slaughter.php

²⁸ Grandin, T (2010) Recommended Animal Handling Guidelines Audit Guide: A Systematic Approach to Animal Welfare, American Meat Institute Animal Welfare Committee



- Establishment of an Australian veterinary taskforce to approve, audit and monitor livestock management onboard and by abattoirs at importing countries.
- The government to ensure the independence of the veterinary taskforce, as per Recommendation 4 of the Keniry Report (2004), stipulating that the veterinarians performing regulatory functions must not be employed by the exporter but should be contracted by and directly accountable to AQIS.
- Sentient proposes the deployment of its veterinary members to provide independent veterinary advice and services in order to meet such requirements.
- In combination with this independent veterinary taskforce, truly independent organisations such as the RSPCA and Animals Australia be free to inspect premises and processes and are also part of the consultation and auditing process.
- These standards must protect the welfare of livestock by specifying, amongst other requirements:
 - Effective pre-slaughter stunning, with appropriate equipment for the species and class of livestock.
 - Procedures in place to confirm the animal is effectively stunned and signs of insensibility are monitored to the point of death.
 - Having a qualified meat inspector present during the slaughter process of each animal, as specified in the Australian Industry Standards, is essential to verify this.
 - Upright restraint during the slaughter process.
 - Banning of any device or practice that causes livestock to fall before slaughter, including traditional roping slaughter or Mark 1 Restraint boxes (or any variation of these).
- Federal Policy change that legislates upright stunning of all livestock to render them unconscious before slaughter, applicable to Indonesian and other export destinations and to all Australian abattoirs.
- The Commonwealth Government to apply sanctions to exporters if the standards are not met, which in effect cancels their licences and involves prosecution.
- Australian livestock to be exported exclusively to independently audited and approved abattoirs, which must have met Australian standards such as:
 - The mandatory inclusion and use of stunning equipment in serviceable order.
 - Training and monitoring in the effective use of pre-slaughter stunning.
 - Training for abattoir staff to ensure that animals are moved through the facility in a calm and quiet manner to help minimise stress to both livestock and their handlers as recommended by Temple Grandin²⁹ and Australian Animal Welfare Strategy³⁰.

²⁹ Grandin, T (2010) Recommended Animal Handling Guidelines Audit Guide: A Systematic Approach to Animal Welfare, American Meat Institute Animal Welfare Committee

³⁰ www.daff.gov.au/animals/plant/health/welfare/aaws



- That the intended outcome of the above mentioned training be the appointment of a skilled and individually licensed workforce that has been deemed competent to stun and slaughter livestock in accordance with the required standards.
- That workforce competency can be regularly assessed, as carried out in Australia, according to the Industry Animal Welfare Standards, which AAWS promotes via training and accreditation.
- That the licensed operators be held accountable, along with their employing entity, for compliance to the methods that they have been deemed competent against. Identified non-compliance to the methods to result in potential loss of worker/employer license or penalties commensurate with the breach.
- All personnel involved in the slaughter process to be aware of their responsibility to care for the welfare of the animals under their control, as stated in the Industry Animal Welfare Standards – Livestock Processing Establishments: Preparing Meat for Human Consumption 2nd ed – AMIC 2009 and highlighted by AAWS.
- Premises and equipment to be constructed, located, cleaned, maintained and used in a way which minimises risk of injury, pain and suffering and causes the least practical disturbance to the animals, as stated in the Australian Model Codes of Practice for the Welfare of Animals SCARM Report 79.
- The implementation of a traceability system whereby Australian livestock can be monitored from the point of production to the point of slaughter. Sentient supports the use of radio frequency identification tags, in line with the current National Livestock Identification System (NLIS) as suggested by DAFF. The responsibility of system management and auditing should be strictly independent and integrated into the above mentioned compliance and monitoring framework. Given that it is currently monitored by MLA the responsibility should be shifted to within the monitoring and compliance framework.
- The Australian government to reinstate the ban on live export and to maintain this ban until all of the above conditions can be met. We further advocate that when the trade resumes, the Australian government should propose and honour a deadline by which it should be permanently banned if compliance with such standards is not maintained.

Sentient Executive Committee

President Katherine van Ekert, BVSc

Vice President Adele Lloyd, BVSc, BEng



Sentient

Veterinary Institute for Animal Ethics

Secretary Rosemary Elliot, BVSc, BA(Hons), MPsyh

Public Officer Matthew Lloyd

Contact details:

Email: contactus@sentient.org.au

Webpage: www.sentient.org.au

Address: PO Box 2084, Strawberry Hills, 2012

