

SUBMISSION OF DR LOUISE FLOYD TO SENATE ENQUIRY INTO LIVE EXPORTS:

SUBMISSION IN A NUTSHELL:

1. The Government should BAN live exports, rather than simply looking for ways to review the industry. That is because the industry is inherently cruel and because jurisdictional issues mean that Australia will always face considerable difficulties enforcing animal cruelty laws on foreign soil. The private members bill of Senators Wilkie and Xenophon should be supported.
2. If the Government refuses to ban the industry, then the Government should make substantive changes [similar to some of those suggested by eg Graeme J McEwan in *Animal Law: Principles and Frontiers* (Chapter Three: Live Animal Exports – www.bawp.org.au/animallaw/chapter03.html)]:
 - **Form a specialist, independent body specifically established for the promotion, monitoring, regulation and advancement of animal welfare issues relating to live exports. Ensure the RSPCA and Animals Australia are key stake holders in this body and ensure the body has powers to enforce standards and prosecute (rather than just eg to lobby). This might avoid the present apparent conflicts of interest where trade bodies (which currently overview the industry) are also ‘regulating’ animal welfare issues. Clearly, trade is being pursued at the expense of animal welfare.**
 - **Pass new and clearly enforceable legislation on animal welfare, especially in the live export trade. Ensure this forms a coherent new regulatory regime.** This would replace what has been called the current ‘mish mash’ of standards which exists at the moment – the present laws are either not being enforced or are not enforceable. Particular attention should be directed towards ways in which legislation could be extraterritorially enforced.
 - **Penalties should also be made significantly more severe and there should be a much more active practice of prosecuting those who breach those standards.**
 - **Activities in the industry should be continuously and comprehensively monitored,** not simply audited from time to time or at the beginning of the resumption of trade.
 - **The Government should ensure that export permissions are only granted to meat producers who are exporting to approved abattoirs. Cattle should have both GPS trackers attached to them and they should be accompanied by independent inspectors (eg from RSPCA and Animals Australia) to ensure that Australian beef is not being slaughtered beneath Australian standards.**

FURTHER MATTERS – REBUTTING THE ARGUMENTS OF THE MLA & AL

- Suggestions by the MLA that Australia needs to continue live exports in order to influence animal welfare standards are ridiculous. Australian Authorities have had 18 years to deal with these issues and have failed repeatedly. There have been similar long running animal welfare issues in Middle Eastern trade as well as in Indonesia.
- Suggestions by the MLA that ‘Australia spends more time on animal welfare issues than many other nations and is therefore to be praised’ are laughable. Australia obtains profits from this trade to a greater extent than many other nations and hence has a responsibility to consider animal welfare issues.
- Claims by meat producers that there will be permanent and widespread financial problems for Australian farmers if the trade is phased out are not correct. This trade is still relatively new – introduced under the Howard Government. It is not a generational way of life which meat producers cannot live without. Recent press reports (News Ltd - 18 June 2011) predict a good outlook for the Australian meat industry. Further, there should be increased opportunities for eg Australian abattoir workers and vets if the animals are kept on shore and the processed meat is sent overseas.
- Many meat producers claim to be innocent victims of the current suspension of trade. Cases such as *Belandra* (Federal Court 2005) and *Blackadder* (High Court 2003) demonstrate how poorly many Australian workers have been treated by the meat industry. Mr Blackadder was found to have been unfairly dismissed from his abattoir job. When his reinstatement was ordered, his employer failed to give him work, hence leaving him open to being made redundant. The High Court of Australia found this to be contrary to Australian workplace law. In the *Belandra* decision, Justice North raised questions as to whether some abattoir workers were being targeted because they were members of a union.
- The Australian nation was founded under the Deakin settlement, one of the basic ideas of which was that the *manner* in which people earned their money was important. There is no humanity in the live export trade. This is an opportunity for the Government to demonstrate that it actually stands for something good. BAN LIVE EXPORTS.

CONCLUDING REMARKS

I am happy to discuss this submission and also to appear in person in front of the Enquiry. I note that there are farmers in my family and I am not writing from an anti-farming perspective.

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