

SENATE ENQUIRY

ANIMAL WELFARE STANDARDS IN AUSTRALIA'S LIVE EXPORT MARKETS

SUBMISSION

It is my submission that the live export of Australian animals should be banned.

However, I refer to the following terms of reference:

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, including:

a) The level, nature and effectiveness of expenditure and efforts to promote or improve animal welfare standards with respect to all Australian live export market countries;

i) expenditure and efforts on marketing and promoting live export to Australian producers;

ii) ongoing monitoring of the subscription to, and practise of, animal welfare standards in all live export market countries;

iii) actions to improve animal welfare outcomes in all other live export market countries and the evidence base for these actions.

b) The extent of knowledge of animal welfare practices in Australia's live export markets including:

i) formal and informal monitoring and reporting structures;

ii) formal and informal processes for reporting and addressing poor animal welfare practices.

Investigations into the live export industry have demonstrated that Meat and Livestock Australia (MLA) and LiveCorp were aware of the level of mistreatment of our animals overseas. This is disappointing to both the Australian people and to those unwitting Australian farmers who pay for and expect these bodies to both ensure that certain minimum standards are upheld with respect to the treatment of Australian animals overseas.

The use of Australian-designed Mark I restraint boxes has been demonstrated to be particularly cruel as death to the animal is prolonged and painful. 103 of these Mark I boxes have been installed in Indonesia under the MLA/Livecorp program.¹

Self regulation of this industry by MLA and LiveCorp does not work and there is a clearly a conflict of interest between the interest of the industry in preserving its existence and the welfare of the animals involved. The Australian Standards for the Export of Livestock (ASEL) were developed by LiveCorp and are "practicable standards set by and for industry"². An industry dominated committee now develops the ASEL and is not subject to parliamentary scrutiny.

The ASEL are inadequate as they are unenforceable or simply unenforced. Tens of thousands of animals continue to die each year on live export vessels. Investigations conducted by AQIS regularly reveal clear breaches of ASEL, however rarely have AQIS imposed penalties on exporters.

In 1999, 829 cattle died by suffocation when ventilation failed aboard the *Temburong* on its way to Indonesia. In 1996, at least 67,488 sheep aboard the *Uniceb* died after the ship caught fire and sank in the Indian Ocean. In 2002, 880 cattle and 1,400 sheep died on the *Becrux* due to overheating. In 2003, over 5,500 sheep aboard the *Cormo Express* died when the Saudi Arabian importer rejected the sheep on the grounds they were infected with scabby mouth.

Exporter compliance with the ASEL standards in relation to animal welfare is difficult due to the practicalities of identifying and treating sick animals due to the high number of animals per shipment. For example, in the *Department of Local Government & Regional Development v Emanuel Exports Pty Ltd*, Crawford M found that the "manner of confinement of the sheep, that is the combination of the density of the sheep in the pens, the low ceiling and poor lighting made it practically impossible to observe clinical signs such as diarrhea or weight loss and that in the vast majority of cases those conditions were not identified before death"³.

Confining large numbers of animals under crowded conditions can lead to outbreaks of infectious diseases such as salmonellosis, which can rapidly spread between animals during the voyage overseas. Cattle die from heat stroke, trauma and respiratory disease. I refer to my comments above with respect to the impracticalities of monitoring livestock due to the sheer numbers per shipment.

¹ Dr Jones, Bidda, *The Slaughter of Australian Cattle in Indonesia: An Observational Study* (RSPCA Australia, 2011), p 4.

² Department of Agriculture, Fisheries and Forest (DAFF) (2003) *Livestock Export Review – Final Report; A Report to the Minister for Agriculture, Fisheries and Forestry* (Keniry Report), p 10.

³ (Perth Magistrates' Court FR9975-7/05; FR10225-7/05; FR10253-5/05; judgment handed down 8 February 2008) in Caulfield, Malcolm, 'Live Export of Animals' in *Animal Law in Australasia*, eds. Peter Sankoff & Steven White (2009, The Federation Press), p 162.

The vastness of Australia also makes genuine monitoring of export consignments an impracticality. In *Animal Welfare Authority v Keith William Simpson*⁴, the offender and his company were convicted of animal cruelty and of transporting animals in a way that inflicted “unreasonable or unnecessary” suffering after more than 1,400 goats were transported for 58 hours from New South Wales to the Northern Territory without food, water or rest. In *Department of Local Government and Regional Development v Gregory Keith Dawson*⁵, the Prosecution submitted that “these sorts of offences are not easily detected, particularly given the vastness of WA livestock are not generally in the public eye”.

Australia’s presence in importing countries does not give us greater influence to improve animal welfare. Australian industry presence in Indonesia has made animal welfare worse as Australian funded and installed equipment has set a standard of cruelty that the Indonesians are now copying (please refer above). Animal welfare in importing countries will only improve when animal welfare legislation is passed or when current animal welfare legislation is amended to include penalty provisions and is enforced. This would take time and millions of Australian animals would continue to suffer whilst (by all means, non-guaranteed) change was attempted by the importing country.

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

- a) Impact on regional and remote employment especially in northern Australia;
- b) Impact and role of the industry on local livestock production and prices;
- c) Impact on the processing of live stock within Australia.

The export of cattle could be replaced by the export of meat products, which would provide jobs for Australians here. There is capacity within Australia for Australia’s major meat processors to process all cattle and sheep currently going to live export. There are at least two de-commissioned abattoirs in northern Australia that could be re-commissioned to process the additional chilled and frozen meat exports, which would replace live exports.

ACIL Tasman’s reviews into the live sheep trade found that phasing out live sheep exports would have minimal impact on farmers and would in fact reap greater benefits for farmers and the economy through increased processing in Australia. Reports into the impact of live cattle exports on Queensland’s beef industry have found that live exports are directly competing with the beef processing sector to the point of threatening its future viability. Chilled and frozen meat exports from Australia are already worth more than the value of live exports annually and would further increase if Australia was not providing importing nations with the alternative of live animals.

3. Other related matters.

Animals are sentient creatures that experience fear, anxiety, distress and pain. It is our responsibility as Australians to ensure that our animals do not suffer within or outside of Australia.

“Since 1998 there have been three major reviews of the live export industry commissioned by the Commonwealth Minister for Agriculture, Fisheries and Forestry in response to increasing public concern over animal welfare issues.”⁶

There have been enough ‘reviews’ prompted by the concerns expressed by the Australian public in respect to the issue of live exports. It is time that significant and decisive action is taken on this issue. The industry has an agenda and self interest at heart only – to preserve its existence. The Australian public, particularly those not directly involved in the live export trade, can consider this issue objectively without any conflict of interest. We all know what the public response was to ABC’s *Four Corners* program. The Australian community is not naïve enough to believe that Australia can guarantee that our animals will not continue to be so brutally and unacceptably mistreated in recipient countries.

⁴ Unreported, Darwin Magistrates’ Court, Magistrate Wallace, 4 September 2008.

⁵ Unreported, Fremantle Magistrates’ Court, Magistrate Musk, 22 July 2008 at 65.

⁶ Caulfield, M, above n 2, p 158.