

15th July 2011



Committee Secretary
Senate Standing Committee on Rural Affairs and Transport
PO Box 6100
Parliament House
Canberra ACT 2600

Re: Submission on Animal Welfare standards in Australia's live export markets, terms of reference, from Northern Rivers Community Legal Centre, Animal Law and Education Project (ALEP).

The Northern Rivers Community Legal Centre provides a range of services to the public including advice, casework and community education on a range of legal matters. We also host an Animal Law & Education Project (ALEP) which focuses on raising community awareness and providing education regarding animal law protection issues. ALEP is run by volunteers; lawyers, law students, farmers, companion animal and wildlife carers. We consider live animal export to be a significant animal welfare issue for our community, having held two well-attended workshops where participants from a range of backgrounds including cattle farmers, meat workers, livestock agents, meat processors, animal carers and activists all united in the belief that current live animal export practices did not meet the expectations of Australian community standards.

ALEP submits that live export is inherently cruel and that the Government should be looking into phasing out the industry. We address the terms of reference below.

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;

The sudden suspension of the live export trade to Indonesia could have been avoided had the MLA, Livecorp and relevant industry bodies paid due care and attention to the welfare conditions of animals in the slaughterhouses where Australian animals are sent. Throughout the past twenty years, revelations of cruel and below standard practices abroad have beleaguered the industry and each and every time that measures were sought to deal with the issue they have promptly reappeared. No or insufficient improvements to the welfare of animals have resulted.

ALEP shares the concerns of the National Consultative Committee on Animal Welfare (NCCAW) that live animals should not be transported in systems, or to destinations in a manner that is known to be associated with significant suffering or death. The committee names individual suitability for transport and acceptance and adaptation to a new diet as two factors that should be

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taken into consideration to provide adequate welfare and ALEP submits that these factors are simply not possible to take into consideration in the sheep export trade. Sheep behaviour makes it difficult to assess an individual's suitability and the sheer number of sheep exported makes it impossible to do so.

According to the DAFF website,

NCCAW* considers the live sheep trade with the Middle East should immediately be:

- halted on animal welfare grounds, and
- not be permitted to resume, or
- any new trade with any other country to commence, until all issues affecting the assured stability of the trade are resolved by establishment of appropriate inter-Governmental protocols between importing countries and Australia.

This report was written in 1994 and following review 14 years later, the NCCAW decided not to amend their position, indicating that calls for improved welfare have not been answered and the longevity of welfare concerns should be of great concern to Australians as the Government and private sector has made enquiry into animal welfare yet failed to follow up on the findings.

The stocking density for sheep (3 per square metre) heading to the Middle East remains too high and do not allow for proper thermoregulation. This is contrary to recommendations in the OIE.

Adoption of the OIE gives the misleading perception to the Australian population that international standards are in place. The OIE was initially established and retains as its primary role as a disease regulating instrument. Welfare is not one of the organisations specialities or focus areas. Attempts to appease Australian concerns about the welfare of cattle sent abroad through adoption of the OIE which is of significantly lower standards than the National Codes of Practices show that the perception that welfare can be ignored or not treated with due seriousness and concern persists.

The MLA should have taken primary care in the first instance to ensure that no Australian cattle are sent to abattoirs that slaughter in the way that Four Corners program depicted. The presence of the boxes with the Livecorp logo clearly visible indicates that the industry has made only tokenistic attempts at improving the welfare conditions for the slaughterhouse workers and not taken the needs of the animals in consideration. These boxes decrease animal welfare but make for easier handling for workers. Claims by the industry that these are for animal welfare are misleading and deceptive. Furthermore, MLA claims that it had implemented training programs showing that attempts in the past by the MLA have been ineffective. High staff turn over is a problem that MLA cannot contend with and ALEP submits that no Australian cattle should be sent abroad.

ALEP refers you to the report by Graeme Mc Ewen, 'The Australian Governments role in the live animal trade; a policy veneer', Barristers Animal Welfare Panel, 6th August 2007. This report enumerates repeated failures to improve the lives of animals sent abroad in the live export trade.

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

New Zealand took the admirable step of severely curbing live export to improve welfare outcomes in 2007 recognising the inherent cruelty of the trade and that it conflicted with their primary animal welfare legislation.

In the EU, although new legislation was drafted in 2004, due to be enacted in 2009, enforceability issues and conflicts of opinion have hindered full adoption of the tougher codes, meaning live export cruelty continues largely without adequate law to prevent it. If countries with a long history

of cooperation cannot find a solution to the animal welfare problems inherent in live export, Australia at a distance from even our closest neighbours should invest our energies and resources into other pursuits and leave live export to history.

ALEP submits that the only way to ensure that Australia's animals are not subject to cruelty is to keep them in Australia.

3. Other related matters.

OIE standards effectively lower the standards already present in Australia. Reading the OIE is distressing; it details cruelty inconceivable to the majority of Australians without offering best practices for good welfare. The ASEL details best practices yet has enforcement issues. It is not possible to enforce such rigidity abroad as we have seen it frequently hard to enforce animal protection in Australia. Making it an international problem is to Australia

Countries around the world look to phase out or ban live export as New Zealand has, and ALEP submits that the only true solution to the live export industry's ongoing battle with welfare issues is to phase out the industry. The sending of animals on long haul sea voyages to the Middle East can never be humane or address their welfare needs as it is by definition, cruelty to land based, grass feeding, social animals.

Australia needs to focus energy on regulating markets within our jurisdiction as the only way to ensure good welfare for Australian animals.

Yours faithfully

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