

I moved to Fremantle, Western Australia in 2003 for work, and was appalled to see the treatment of animals as they were shipped overseas. After one year of living and seeing these animals treated in an absolutely abhorrent fashion, I made enquiries and became a member of PACAT –People Against Cruelty in Animal Transport. There is a groundswell of support for the anti-live export trade lobby and I believe it will continue to grow. The recent landmark case where West Australian Police, acting on behalf of the West Australian Government and the Office of the WA State Solicitor, have laid animal cruelty charges against a leading WA live export company for breaching the WA Animal Welfare Act, is a most significant step forward for animal welfare at this time.

The WA Government has advised national animal protection body **Animals Australia** that charges have been laid against **Emanuel Pty Ltd** and two directors which allege that the company between the 10th and 14th November 2003 breached Section 19 (1) and 19 (3) (a) (b) (d) and 80 of the WA Animal Welfare Act

The offences allege that the exporter breached Section 19 (1) of the WA Animal Welfare Act ; a person must not be cruel to an animal,
S.19 (3) (a) transporting an animal in a way that is likely to cause it harm;
(3) (b) confining an animal in a way that is likely to cause it unnecessary harm and
(3) (d) not providing proper food.

The charges relate to a complaint lodged in December 2003 by Animal Australia which alleged that a shipment of over 100,000 sheep which departed Fremantle for the Middle East aboard the livestock vessel MV Al Kuwait breached the WA Animal Welfare Act. (*see background document following*)

Acting on expert legal advice that the live export of sheep potentially breached Section 19 of the WA Animal Welfare Act, Animals Australia in conjunction with international farm animal welfare group, Compassion in World Farming conducted an investigation in Kuwait in November 2003.

Investigators, including Animals Australia's Communication Director Lyn White met the MV Al Kuwait on arrival into Kuwait City. Evidence documented by investigators supported by 20 years of industry research into the causes of death aboard live export vessels was provided to authorities to support a complaint that this shipment was in breach of WA animal welfare laws.

The news that charges had been laid was welcomed by Animals Australia and their legal counsel in Western Australia, leading barrister Martin Bennett. Mr. Bennett on behalf of Animals Australia had instigated Supreme Court action in January 2005 to compel the government to investigate the complaint. The action was withdrawn on being advised that the government were instigating a full investigation.

Martin Bennett said:

“It is pleasing to see a positive outcome to the investigation prompted by the Supreme Court legal action taken by Animals Australia. The shipment in question of live sheep was an industry-typical shipment as regards treatment of sheep and mortality rates, as such, the outcome of the prosecution could have wide-ranging ramifications for the live sheep trade generally.”

Glenys Oogjes, Executive Director of Animals Australia said today:

“This has been an incredible journey. Animals Australia welcomes the news that cruelty charges have been laid. We applaud the State Government, State Solicitor’s office and WA police for examining the evidence on its merits.

“The voyage by the Al Kuwait in November 2003 was entirely representative of the industry. There was nothing unusual about it then or now, which is why Animals Australia laid this particular complaint. It was a normal voyage and as a result animals suffered and died.

Despite the implementation of new industry standards, nothing has changed. This prosecution is the most significant ever undertaken in regards to animal protection laws in Australia. This is no longer a matter of political alliances or economic considerations – it is now up to the judicial system in Western Australia to determine whether live animal export breaches the Animal Welfare Act,” concluded Ms Oogjes.

I was and am still amazed that a country such as Australia condones such a practise, especially when abattoirs in Western Australia are closing down due to lack of industry support. The old argument that Western Australia relies on the live export trade to generate income is tired and wearing thin. The livestock need to be slaughtered and processed within Australia, keeping the jobs in Australia, and treating the animals concerned humanely. **Reports of sheep enduring extended periods on these ships and then once reaching Saudi Arabia being skinned alive**, contrary to Halal killing method destroys the argument that the livestock needs to be alive to ensure they are killed in alignment with the Muslim religious beliefs. These animals are not being killed in the Halal way and it is an embarrassment that this argument is still used.

Senator Bartlett’s Animal Welfare bill is bringing to the forefront issues that needs to be addressed,

Australian Senate's Rural and Regional Legislation Committee has extended the public comment period on Senator Bartlett's National Animal Welfare Bill to 30th November 2005. In response to this I would like to forward

1. The circumstances under which **egg-laying hens** are kept are abhorrent in the extreme, and the public demands that the government addresses this issue, and bans battery cages (maybe with a phase-out period of three years). De-beaking must be banned forthwith, since it causes the birds lifelong pain. The wire floors of the cages cause hens tremendous pain in their legs and feet, evidenced by footage available showing them trying to move their weight, within their hopelessly cramped conditions, from one leg to the other.

2. **Broiler chicks** are packed in their tens of thousands into sheds and, like their egg-laying "cousins," never see the light of day or feel grass under their feet. They are fed a diet of antibiotics and growth hormones, the former just to keep them alive in these appalling conditions, and the latter making them so grossly deformed that their legs cannot cope with the weight. There must be a limitation placed on the number of birds per enterprise, and limitations on the numbers of birds in sheds.

3. **Pigs** are known to be as intelligent and sensitive as dogs, yet sows are confined to concrete and metal cages barely larger than their own bodies for most of their lives. They never see daylight except when they are loaded onto trucks headed for the slaughterhouse, by which time they are worn out from constant breeding and many are unable to walk. There is no justification, moral or economic, for this cruel confinement in which a sow is lucky if she can move one step back or one step forward. Codes of Practice state that hooved animals become "foresore" from being confined on concrete surfaces, yet the "Model CoP for the Welfare of Animals - Pigs" provides for just that. Sows live in sow stalls until they are due to give birth, when they are moved to an even smaller structure, a farrowing crate - and there, she cannot even reach to touch her young. This denies the animals the most fundamental rights, the "Five Freedoms". Sow stalls are banned in the UK and Florida, and are being phased out in the EU. The Australian public demands that the government do the same and end this appalling cruelty. "Producers" claim that this curbs aggression - if the animals were not so grossly overcrowded, there would be no aggression issue. Piglets ears are notched, their tails cut off, their teeth clipped, and they are castrated without any anaesthetic or analgesia; this would be a criminal offence if they were cats or dogs.

4. **The live export trade** has been denounced as the gross cruelty that it is by various interest groups, and a WA exporter is facing cruelty charges over what was a voyage "representative of the industry" (Animals Australia, 2005). Animal welfare in the trade is measured solely by mortality rates, without regard to the fact that for every animal who dies, countless others suffer appallingly - blindness, lameness, salmonellosis (a form of gastro-enteritis), starvation (inanition, shy feeding), and trauma from brutal handling. The government and the industry openly state that they cannot influence animal welfare in importing countries, so no animals should be sent to countries which have absolutely no animal welfare safeguards in place. The journey is long and arduous, on third world wrecks of ships, most of which are registered under "flags of convenience", and those unlucky enough to survive the journey are the victims of horrific cruelty in the destination countries. Review

after review has failed to address these issues. The live export trade must end.

4. **Animals in saleyards and feedlots** are often left without food water or shelter (certainly in Tasmania at least). They are deprived of the use of their natural behaviours in conditions that are usually atrocious. Safeguards must be put into place to address the issue of "curfews" (denial of food and water in the animals' language), and shelter at these establishments. **"Bobby" calves and young lambs** often are too weak from being removed from their mothers to stand, and should never be loaded for transport.

In addition, animals are now routinely being transported on trucks from Western Australia to the Eastern states - simply because there is no journey time limit in the Model CoP. Clearly this is a cruel, unnecessary and indefensible practice, and it must be banned. Animals should (if they must) be slaughtered as close as possible to the point of production.

5. **Surgical mutilations** - mulesing (speaks for itself), and the docking of the tails of dairy cattle and horses must be banned. There is absolutely no evidence to suggest that there is any benefit to the animal or the herd with this practice; in fact it is detrimental. The docking of the tails (not to mention cutting the ears) of dogs has been banned, why do farm animals not receive the same legislative protection?

It is time for these inhumane practices to cease and Australia to realise its potential as a nation that leads the way in humanitarian matters.

"The greatness of a nation and its moral progress can be judged by the way its **animals** are treated" Mahatma Ghandi

Thank you for your time,

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