

Tuesday, August 23, 2016

Regulation of Australian Agriculture  
Productivity Commission  
Locked Bag 2, Collins Street East PO  
Melbourne Vic 80031

To whom it may concern,

**Re: Submission to the 'Regulation of Australian Agriculture' Issues Paper**

I appreciate the opportunity to provide the following submission for your consideration.

### **Introduction**

Australians are, by and large, an animal loving nation. And now, more than ever before, we are becoming increasingly better-informed with regard to how our farm animals are treated, and it is very clear that their treatment is -well below community expectations. This is evidenced in the national outrage over our live export trade, where 86% of Australians want live trade to be transitioned to boxed meat exports (1) and, stepping outside the agriculture sector, following the greyhound racing industry exposé, 82% of Australians want the 'sport' banned (2). Further, the greyhound racing issue has also spilt over into many other areas of concern to the community. And politicians are receiving more correspondence about animal welfare issues than most other issues (3).

Australia is also well below international standards – Australia scored 'C', along with India, Brazil, Malaysia and the Philippines, specifically in the protection of farm animals (4). Interesting to note that New Zealand scored an 'A' (5).

### **Conflict of interest and the cost to farm animals**

The Commonwealth, and state and territory Departments that are responsible for the welfare of farm animals, are also responsible for maximising the interests of producers. Two more diametrically opposed responsibilities you would be hard-pressed to find, and yet here they are – both in the same departments. Obviously, this is a clear conflict of interest, where commercial interests will always override animal welfare interests, with tragic consequences for the animals. This conflict of interest also extends to animal welfare research. Most research is industry-funded – with government providing 50% (6). So our taxes are paying for half the research that is strongly driven and dominated by the industry.

As a result, it is legal to:

- toss live male chicks into grinding blades, similar to an industrialised blender, or thrown into piles in large plastic bags to be gassed;
- slaughter pigs using gas chambers that have them screaming and thrashing to escape;

- not have CCTV to monitor for torture and abuse in intensive farming and slaughterhouse facilities;
- inject to induce the birth of premature calves to speed up the mother cow's milk production – despite welfare implications (Prohibited in New Zealand from June 1, 2015);
- remove her new-born calf, and if male, now term 'wastage', and truck him to slaughter;
- deprive that calf from liquid food (any sustenance) for 30 hours prior to slaughter;
- keep a hen in a cage for the purpose of egg production.

For sheep and cattle:

- not to supply daily access to water;
- not to have a specific feed interval;
- not to provide shelter to prevent heat and cold stress;
- not provide adequate inspection so that health and welfare issues can be dealt with promptly, as they arise, and thus reduce suffering;
- live export – As it has done from the very beginning, the trade continues to inflict extreme cruelty on its animal victims, from their place of birth to slaughter, and on a massive scale.

And without pain relief, to:

- mules sheep;
- castrate, tail dock, suture severe cuts, and inseminate sheep;
- dehorn (Extremely painful. Further - 2.1% of calves die after dehorning due to blood loss, and /or infection);
- Spaying northern cattle;
- disbudding of dairy replacement heifer calves (Caustic chemicals are also allowed);
- castrate cattle;
- brand (anywhere except the face/head) with no pain relief;
- clip the tail off a piglet, or cut his or her teeth off without pain relief;
- de-beak a chick with a red-hot blade (many die from the pain and trauma);
- continually impregnate a dairy cow, to give birth to produce milk for humans that was meant for her calf.

This is just a sample, but significant in that these same acts carried out on animals classified as 'domestic pets' would constitute an offence under animal cruelty laws.

In other words, animals deemed non-domestic pets, suffer legalised cruelty.

In some instances, even the same species can have either the protection of an act to prevent cruelty, or not, depending on how the animal is used:

e.g. - Confining a dog, used in a puppy factory, to a cage for 23.5 hours a day is legal.

Confining the same dog, classified as a 'domestic pet' to a cage for 23.5 hours a day is illegal.

From birth to slaughter, the unnaturally short lives of Australian farm animals are full of pain, misery and fear. Triple that for live export animals.

### **Enforcement**

As poor as regulations for the welfare of farmed animals are, inadequate management of these standards, and of enforcement of animal welfare legislation continue by government regulators. The Department of Agriculture's failures to enforce ASEL and ESCAS, has resulted in the need for animal welfare groups to investigate, and obtain covert footage to expose often gross and extreme cruelty.

This is also because the decision to prosecute largely rests with the very government regulators, whose primary role is to facilitate the animal food production industry.

A small list of incidents of the failed audit and enforcement systems of the Department of Agriculture/Primary Industry which were, instead, exposed by animal advocacy groups, includes:

- Inhumane slaughter of Australian cattle in Indonesia ('4 Corners' 2011);
  - Inhumane slaughterhouse conditions for Australian sheep and cattle in Turkey (2011);
  - Inhumane treatment of pigs at Victorian piggery (2011);
  - Inhumane treatment of bobby calves at a Victorian slaughterhouse (2012);
  - Inhumane slaughter of horses at a Victorian knackery (2012);
  - Inhumane treatment of turkeys at a slaughterhouse in NSW (2013);
  - Hens stocked grossly in excess of minimum allowable (120,000 in 20,000 cages) (2013);
  - Same facility as above: Same stocking density issues, plus abandoned and starving hens in the manure pits under the cages (2014);
  - Australia's largest pig slaughterhouse, owned by Rivalea, where footage was obtained of pigs screaming and thrashing as they gasp for air in the gas chambers:  
Footage was also obtained of one lame pig, unable to enter the gas chamber, dragged, kicked and 'shocked excessively' with an electric prod (2014);
- (Supplied by Animals Australia, in more detail, in their submission to the Productivity Commission)

### **IOAW (Independent Office of Animal Welfare)**

It is clear that, as long as there are government departments responsible for both the welfare of animals, and for facilitating the very industry that commercially exploits them, there will be glaringly obvious conflicts of interest, with tragic outcomes for the animals.

The establishment of an IOAW is the obvious solution, and has received the support of the Australian Labor Party, the Australian Greens, and the Animal Justice Party (7). A 2016 survey found that most Australians would be more likely to vote for a candidate who supported the establishment of an independent body to improve standards of animal welfare at a national level (8). A further 84% of Australians believe that the Federal Government should set goals for animal welfare and have a plan to meet them (9).

Similar statutory bodies, with expert and independent animal welfare advisory bodies, are already operating at a national and supranational level in New Zealand, the United Kingdom, Canada, and the European Union (10).

Australia's IOAW should be a statutory body, and truly independent from any and all industry with a commercial interest, and government departments responsible for facilitating those interests. For example, an IOAW should not reside within any agriculture portfolio, but could reside with the Attorney General's Department.

An IOAW should:

- include animal advocacy experts, independent scientists and ethicists;
- oversee federal, state and territory laws and regulations affecting animal welfare (all species), and include monitoring, investigation and enforcement;

- make recommendations to government and non-government agencies on legislation, policies, and practices and services affecting animals;
- include jurisdiction for the implementation and enforcement of Australian legislation and Standards by all relevant State and Territory bodies;
- be actively involved in, and work with the OIE ('World Organisation for Animal Health') in any and all ongoing efforts to improve animal welfare internationally.

### Conclusion

Animals, who have the misfortune of being born a farm animal, instead of a domestic pet, are still sentient beings. They too feel fear, pain, joy, and grief.

It is only human discrimination that has deprived them of the same protection from cruelty as domestic pets.

And that discrimination is based on convenience, maximising profits, and denial.

On an industrial scale, the industry brings farm animals into the world not for who they are, but for the financial gain from what those animals can produce.

In the process, they inflict upon them unimaginable suffering and, finally, brutal and savage slaughter.

This is all made possible by an industry that is largely self-regulated, and governed by departments who are in the impossibly juxtaposed position of having to maximise producers' interests, whilst at the same time, enforce the animal welfare standards that do not maximise producers' interests. The evidence for the losers here is overwhelming.

For the welfare of animals, across **all** areas of animal use, the establishment of an Independent Office of Animal Welfare (IOAW) is long overdue, and urgently needed.

Please do not hesitate to contact me should you require clarification, or further information.

Yours faithfully,

Cheryl Forrest-Smith

I declare that I am on the Executive of Animals Australia.

However, my submission is my own, and independent of Animals Australia.

References x 10:

- (1) Galaxy opinion poll (2010)
- (2) ABC 'Landline' (July 15, 2016)
- (3) Animals Australia submission to the 'Regulation of Australian Agriculture' Issues Paper (February 19, 2016)

- (4) <http://api.worldanimalprotection.org/country/australia>
- (5) <http://api.worldanimalprotection.org/country/new-zealand>
- (6) Animals Australia submission to the 'Regulation of Australian Agriculture' Issues Paper (February 19, 2016)
- (7) <http://www.voiceless.org.au/the-issues/independent-offices-animal-welfare>
- (8) <http://www.voiceless.org.au/the-issues/independent-offices-animal-welfare>
- (9) World Animal Protection: New research reveals Aussies want strong animal welfare commitments this election (April 5, 2016)
- (10) In the European Union, the Directorate-General of Health and Consumers is responsible for animal welfare; New Zealand and India have statutory bodies to advise government – The National Animal Welfare Advisory Committee and the Animal Welfare Board, respectively. See Dr Jennifer Ford, 'Advance Australian animal welfare: The urgent need to re-establish national frameworks.' (World Animal Protection, 2016)