



Submission to the Productivity Commission Draft Report on the Regulation of Australian Agriculture

18th August, 2016

Edgar's Mission is a not-for-profit sanctuary for rescued farmed animals in Lancefield, Victoria. Our mission is to create a humane and just world for all. With a simple mission of kindness Edgar's Mission works to expand the public's circle of compassion to include all animals through education, advocacy, community enrichment and farm tours.

We thank you for the opportunity to comment on this draft report. Our responses are limited to section 5 – as the area of farmed animal welfare is our expertise.

DRAFT RECOMMENDATION 5.1

The Australian Government should take responsibility for ensuring that scientific principles guide the development of farm animal welfare standards. To do this, an independent body tasked with developing national standards and guidelines for farm animal welfare should be established.

The body should be responsible for determining if new standards are required and, if so, for managing the regulatory impact assessment process for the proposed standards. It should include an animal science and community ethics advisory committee to provide independent evidence on animal welfare science and research on community values.

Edgar's Mission supports the establishment of an independent body to develop national standards and guidelines for farmed animals in Australia. We also strongly support the separation of agriculture policy from farmed animal welfare monitoring and enforcement functions.

Saying that, we are hesitant from the outset that the language used throughout much of the document and, especially, in Draft Recommendation 5.1 echoes industry wording. It begs the question: will the formation of the body be biased to echo industry sentiment? We will discuss in answer to the information request on processes below.

Edgar's Mission acknowledges the significant improvements in animal welfare, human health along with a reduction in the environmental footprint that comes from a plant-based diet. We further appreciate plant-based diets won't be achieved by the majority of the

populace in the short term, so until then animal welfare needs to be better addressed in animal use industries.

INFORMATION REQUEST 5.1

The most effective governance structure for an independent body tasked with assessing and developing standards and guidelines for farm animal welfare

Structure

Edgar's Mission strongly supports the establishment of an Independent Office of Animal Welfare that is representative of not only the community's broad range of views of animal agriculture and welfare but has at its heart the interests of the animals themselves. Our vision of the structure is in line with that proposed by Animals Australia, for a statutory authority headed by a CEO and to be informed by an expert panel.

Vested Interests

For this body to be viewed as independent and to gain public confidence, the panel must include animal protection groups with no industry vested interests, such as Animals Australia, and fairly proportion them with industry-aligned groups. It's also vital to the body's legitimacy that the membership be as free from conflicts of interest as possible, and where they exist they need to be well understood and managed.

There are many complex relationships and interdependencies between the stakeholders involved in farmed animal welfare i.e. researchers, scientists, industry groups, governments and some animal welfare bodies, some of which were discussed in the report. As an example, the RSPCA holds obvious conflicts of interest in its programs and workings with industry bodies.

Specifically, the 'RSPCA approved' quality assurance scheme for animal products speaks to this conflict. While the RSPCA is a highly respected institution with much to bring to the panel on animal welfare and scientific expertise, their industry affiliations and funds from animal use industries mean it's challenging for them to speak for the good welfare of farmed animals. Further, the RSPCA is directly influenced by industry members, who are represented on some state RSPCA boards.

Equal Representation

The body should ensure the views of animal welfare stakeholders do not continue to be overshadowed by livestock industries and government officials by better balancing the membership of the body. As evidenced in the case study on changes to sheep mulesing standards in box 5.6 (pg. 191), the reference group included only two animal welfare representatives and one vet compared to 20 representatives from livestock industries and government – both of whom have interests in promoting a profitable agricultural system and whose interests were described in the report as being antagonistic to those of animals (citing Mundt 2015, pg. 189). In this scenario, the balance of power is clearly skewed and results predictably favour profiteering over any animal welfare concerns.

Representation could be balanced by including animal welfare experts from animal protection groups for each production system and through the supply chain. Industry groups have representatives from peak egg, dairy and pork bodies, thus the animals should

be represented by animal protection experts in egg, dairy and pork production systems. This would allow for more specialised animal welfare input and a broader range of animal welfare perspectives.

Equal representation is critical to arriving at a fair outcome, especially as boards and panels arrive at decisions through voting and/or consensus.

What the body's responsibilities should include (and whether it should make decisions or recommendations and if the latter, to whom)

The body should be responsible for conducting inquiries and drafting reports into animal welfare. This body, as the animal welfare expert, would naturally present as the authoritative voice and thus be in charge of setting legally binding mandatory standards, providing support to industry to implement and to monitor their implementation and enforcement. It should also provide advice and recommendations to policing bodies on how enforcement of mandatory standards could be undertaken effectively and consistently across jurisdictions.

The government and industry are driven by political motivations and vested interests. As an independent party, the body would provide recommendations to national, state and territory governments on the consistent integration of animal welfare legislation.

What processes the body should use to inform and gauge community values on farm animal welfare

Overuse of "Science"

Before discussing the processes in regard to community engagement, first we must point out a seemingly inadvertent bias in the Draft Report on the topic of animal welfare. Speaking on behalf of the farmed animals we care for, we voice our objection to the use of blanket terms "scientific principles" and "animal science", and which are noted throughout Section 5 and in Draft Recommendations 5.1. These same terms are consistently used to excuse and justify practices that are unmistakably cruel and inhumane – oftentimes it's not science that proves an action is wrong, it's an ethical judgement. We frequently see this language used to twist and bias evidence of cruelty to manipulate policy in favour of industry wants and at the expense of true animal welfare.

We commend the Draft Report authors for their recognition of the World Organisation for Animal Health's definition of animal welfare, which goes beyond purely physical health markers, leading to the conclusion: "Welfare is related to health and wellbeing, but extends beyond survival to consider the quality of an animal's life."

As it stands, the industry dominates policy and the discourse surrounding its development. The use of the term "science" in the development of state and territory regulation for farmed animals has traditionally been used to demonstrate "survival". Chickens *can* survive caged in a space the size of an A4 piece of paper, sows *can* survive in a 0.6 by 2.2m crate, lambs *can* survive having the folds of skin around their rear seared off and mother cows *can* survive having their calves taken year after year and producing over 35 litres of milk a day. Yes, the majority can survive and it cuts costs, so it has been written into standards and integrated into law.

Science, funded by the industry, has seen broiler chickens selectively bred from what the average person thinks a chicken looks like to a creature who grows from freshly hatched to slaughter weight in 5 to 7 weeks. Science isn't used to tell us how these birds suffer physically, burdened under the weight of their oversized muscles, that they're crowded into vast sheds or that they must stand and sit in excrement for their entire lives (which is only cleaned once the chickens are taken away). It isn't used to tell us how painful or terrifying it is when the heavy birds are carried by their underdeveloped legs and pushed into transport crates. These birds have never sunbathed, pecked at the grass or dustbathed – but they *can* survive.

Industry-funded science tells us it's better to grind male chicks alive rather than throw them in the bin to die slowly. This might well be true, but how could either method ever be considered "humane" and acceptable? The public's outraged reaction is not simply because they are misinformed of the facts, it's because they have seen evidence of the reality and they know it's cruel. Further to that, exploring the difference between one cruel practice and another crueller practice does not produce a valid result.

Relying purely on science, with community expectations acting as a red flag, does not bode well for farmed animal welfare. For most community members, animal industries operate under a shroud of secrecy and the public have limited ways of learning about the treatment of farmed animals. We simply shouldn't wait for an animal protection group to expose another abhorrent practice and for the public to react, there must be a moral judgement element in the establishment of the body for it to be a purely independent arbitrator of farmed animal welfare.

On the other side of science, we learn that pigs are smarter than dogs, sheep have great memories, chickens can count and cows create complex social bonds – yet none of this informs current animal welfare policy. We're seeing a policy shift around puppy mills, triggered by the overwhelming public reaction to the cruelty. Yet if we were to only listen to industry sentiment, science tells us these dogs, just like breeding sows, can survive in these conditions. And it's not because of science that we know puppy mills are wrong, it's through compassion. Any complete aversion to and dismissal of emotions when it comes to the reality of tragic animal cruelty is a denial of the objective truth.

Processes of Community Engagement

Edgar's Mission holds firmly that animal use industries are severely out of alignment with animal loving communities when it comes to animal welfare. Animal use industries have enjoyed the benefits of the shroud of secrecy for many years, but with the advent of social sharing and unprecedented communication, bit by bit this cover is being lifted. What we're seeing is a natural reaction, an aversion, by many compassionate Australians to the unnecessary suffering of farmed animals.

Currently, the regulations for farmed animal welfare are wanting at best, written as a defence for producers in favour of institutionalised cruelty. Informing the community about animal production systems coupled with the sentience of farmed animals is a critical part of gauging their values, given the lack of community knowledge of the practices involved, and is the right step towards positing new regulations.

While battery cages, sow stalls and live animal exports have received public exposure through the media and public campaigns, little is known about the extent of welfare

concerns in these and other production systems. When it comes to laying hens, the media and animal welfare campaigns often refer to caged and free range systems, focusing on the confinement aspect. But in the egg industry there are numerous systemic but less known practices that cause animal discomfort, fear and pain that should be disclosed and discussed as part of any research into community expectations. For caged production systems most hens have their beaks painfully trimmed, male chicks (who make up around 50% of hatchlings) are considered waste and so gassed or macerated days after hatching and it's common practice for every commercial laying hen to be transported and slaughtered after only two years.

Other examples where much of the community lacks awareness of industry practices, among numerous, are the breeding and treatment of bobby calves in the dairy industry and the high lamb mortality rates because lambing in winter reduces feed costs.

Considering the popularity of pets, especially cats and dogs, it's vital that any body seeks to give proper weight to the needs of farmed animals as well as traditional companion animals. Farmed animals endure a vastly disproportionate amount of suffering, their plight is dire and it's time their welfare was seriously and compassionately considered.

To Inform and Gauge Values

If this body has the role of informing the community in order to extract and gauge values, it would in essence carry educational responsibilities. These communications with the public would need to be balanced and truthful representations of industry practices without narrowing the options to only two, as in the example of grinding male chicks or leaving them to die slowly.

Other ways of gauging public sentiment could be to search Google Trends with key terms, document the rise and popularity of "meat-free" and "cruelty-free" food and consumer campaigns, through petitions and memberships and engagement with animal protection groups.

Additionally, a consistent truth in labelling system would go a long way to assist consumers to make informed choices. As the system currently stands consumers know little about the treatment methods afforded food and fibre producing animals.

How such a body should be funded?

Funding should either come from governments, state, territory and federal and/ or from levies placed on animal products. It would have more real and perceived independence if funding weren't sourced from the industry due to the conflict of interest.

While this puts an increase burden on government, we believe this is justified given the sheer volume of animals affected and the high value of livestock production in Australia, valued at \$27 billion in 2014-2015.

Conclusion

The overarching aims of Edgar's Mission are to work towards a kinder world, where all animals are treated with compassion and respect. While we firmly believe the move towards a plant-based diet is the only way to put a stop to the unnecessary cruelty to

farmed animals in the agricultural sector, in the interim we support a truly independent and legally authoritative Independent Office of Animal Welfare. Given the additional human health benefits of a plant based diet coupled with better environmental outcomes we believe the community will rightly support measures to improve the lives of farmed animals. To this end, we ask: "If we could live happy and healthy lives without harming others... why wouldn't we?"