

Submission on Independent Office for Animal Welfare.

Thank you for this opportunity to respond and please accept my Submission in support of the introduction of an Independent Office for Animal Welfare. My support is based on this Office being comprised of individuals who are most responsive to the welfare needs of animals and are at arm's length from any vested interests in animal industries. Further, I believe that this Office should not assume authority or control over separate investigations of animal industries by organisations such as Animals Australia and the RSPCA. The agency of these organisations to conduct their own independent investigations is entirely appropriate and in line with community expectations.

Discussion: Inquiry into the regulation of Australian agriculture: Farm animal welfare

I come from a background in small crops farming. My experience and observation of animals extends to poultry: ducks, chickens, geese; horses, cows, goats, a pet lamb, dogs, cats, guinea pigs and a tame rat. Animals are sentient beings that demonstrate an entire range of feelings, including happiness, anxiety and depression, contentment and curiosity. Our understanding of animals also allows us to acknowledge that animals suffer stress, fear and pain, as we do.

In Australia, the contrasting roles of responsibility towards animal welfare and the economic goals of 'productivity' in mass animal agriculture are in direct opposition. The inherent compassion shown towards animals on subsistence households and small family farms has largely been replaced by harsh exploitation through economies of scale. Intensive animal industries have corrupted and disintegrated the natural bonds between humans and animals: former healthy living conditions of farm animals have become warped by profit into concentrated confines of physical, mental and emotional cruelty.

The 'freedoms' that are referred to in animal welfare legislation: *freedom from hunger and thirst, discomfort or pain, injury and disease, fear or distress and the ability to express normal behaviours* are entirely unattainable within modern industrial practices. For example: where once, farmers may have slaughtered chickens or calves on the home property, thus minimising harm to these animals, this is no longer the case in the market economy. Today, young calves of 6 weeks and under (bobby calves) will endure a full 12 hours in transportation to the slaughterhouse. They will be deprived of water for 18 hours, and be without food for up to 30 hours. More than likely, these very young animals will be treated roughly and without patience or compassion: in short, with cruelty.

Extreme brutality in the wool trade in Australia has been exposed by PETA, after a five-month period of undercover surveillance. Video footage of workers in a shearing shed subjecting sheep to unimaginable cruelty cannot be denied. Unsuspecting members of the public purchasing woollen garments would be shocked and horrified had they understood the implications of their purchases. The routine cruelty of these workers continues with impunity, due to laws against surveillance that act to harbour intolerable abuse.

While my submission does not directly address the terms of reference or questions posed regarding regulations that may impact on agricultural productivity, I believe it adds to the general debate regarding our autocratic use and abuse of animals in society and substantiates the need to instate an office of animal welfare that is, above all, totally independent from any animal industry or related Government department.

Do existing animal welfare regulations (at the Australian and state and territory government levels) efficiently and effectively meet community expectations about the humane treatment of animals used in agriculture production?

The community are stakeholders in animal welfare but it is not always evident what is happening to farmed animals. Surveillance laws work in favour of industrial cruelty: factory farms harbour horrific conditions and their exposure by whistle-blowers is fraught with intimidation and the threat of jail in breaking these laws. Government has,

seemingly, worked in collusion with industry to keep exposure of this brutality out of the public eye. Human health is also placed at risk through industrial farming. Mad cow disease and swine flu have emerged from feeding cows their own excrement and from diseased animals living in filthy conditions in pig farms. The river mouth of the Mississippi in US is affected by eutrophication, referred to as a 'dead zone', due to the complete loss of all marine life for hundreds of square kilometres. The water is devoid of oxygen, so fish cannot survive. This disaster has been caused by nitrogen leached into the river mouth from fertiliser run-off and soil erosion.

There is also a growing concern relating to the intense suffering of animals in factory farms, puppy mills and entertainment industries, including performing animals in the circus and in the greyhound and horse racing industries. Shocking treatment of animals has been witnessed by the public, via the media. Increasingly, the public regard these breaches of animal welfare with anger. Rightly so, as brutality cannot be justified or sanctioned in a first-world country. The merciless sacrifice of animal welfare to the cycloptic aim of exponential financial growth, cannot be reconciled with an expectation of responsible duty of care demanded by an aware community. For example, there is a groundswell of those who are sickened by the Live Animal Export trade and demand an end to this horrific brutality.

Certain practices of stunning livestock are also the subject of scrutiny: Hillman (2009) states that when animals are stunned, they suffer extreme pain, described as 'torture'. Unable to cry out or move, as a result of the massive electric current that paralyses them, they helplessly suffer fear, pain and distress.

More and more consumers are turning our backs on what we believe to be the unethical exploitation of animals. This should be clear by the strong grassroots movement towards a vegan lifestyle. Perhaps, reconciliation between government objectives for financial gain and a robust market may yet be found through a shift in agriculture towards greater support for these changes in consumer choice. Plant-based diets require small crops farming: this is good news when livestock is a cause of soil erosion and global warming and where drought ravages throughout the driest continent on earth. It should be equally clear, however, that an independent Office for Animal Welfare is an essential measure in retaining consumer confidence in the immediate future.

The Ethics of Animal Welfare.

Most Australians feel a close connection to animals and can relate to, interpret and communicate with a variety of farm and companion animals. In fact, it may be said that while animals cannot speak as we do, many internalise and understand human language to an extensive degree, as an additional 'second language'. This fact is most obvious to those who work with animals or have cared for companion animals. Further, it is recognised that due to particular brain cells, common in both humans and animals, called 'mirror neurons', animals can readily mimic humans.

For example: I had a dog that would jump into the car and, with paws on the steering wheel, would try to 'steer' the immobile car, when he wanted to go for a drive. Animals understand a lot more than we give them credit for. Are dogs more intelligent than animals we term 'livestock'... or do we choose to believe this and call ruminants 'stupid'? What purpose does this serve, other than to salve an uneasy conscience and achieve distance from the living creatures we plan to slaughter? What do we really know about the depth of understanding a particular breed of animal may have? In any case, it is ethical to treat animals with care, compassion and kindness in recognition of the living, breathing, feeling creatures they are.

To what extent can we justify the use of animals as commodities for profit?

Mankind exploits animals through every available avenue of corporate greed. By ignoring our many commonalities with animals, the human conscience allows itself to be salved to enable the exploitation of animals: we rob animals of their fur, wool, flesh and feathers. We are cold and calculated in our treatment of animals; we steal their babies, deprive their natural joy in freedom, we confine them in cages and destroy their close bonds of connection with

their own kind. Yet, before humans shared words as language, our earliest ancestors communicated in gestures and expressions, much as non-human animals do.

Comparative expressions of human-animal language and intelligence:

For those persons who have experienced a stroke, coherent speech and the interpretation of language may be wholly or partly lost when neural cells die: aphasia may rob stroke patients of their use of even the simplest words. How, then, would it feel to be considered devoid of intelligence, confined in a cage and divested of all that is natural to our happiness, enjoyment and our way of life? How do we justify the deprivation of animals from *their* right to enjoy life, as Nature intended?

Stroke victims who suffer from Wernicke's aphasia can have an inability to understand both written and spoken language. Such is the damage to brain cells, the memory is (permanently or temporarily) incapacitated, unless other neural pathways can be established. Sufferers are unable to provide a coherent response to answer questions or to communicate effectively. This affliction can render a person's mental faculties as legally invalid. Many sufferers instantly become less capable of reason and less articulate than a chimpanzee. One may ask: does this make a mentally afflicted person less than human... does it indicate that a healthy chimpanzee is comparatively superior in intelligence?

In Diane Ackerman's book: *One Hundred Names for Love*, she describes how her husband Paul West, a celebrated author, was reduced to the verbal capacity of a chimpanzee. It took time, instruction, intense therapy and constant practice to recover and to regain complex and abstract forms of language and his extensive literary skills. To what extent can animals understand human language? Children are taught language and communication. When taught, most animals are capable of extensive forms of communication. Are animals 'less than' because they are not in human form? Do our human differences give us the right to cause animals harm?

Research indicators: similarities between human and animal behaviours.

Research provides evidence that animals are not incognisant or oblivious to human understandings. Equally, humans must understand that animals share a worldview defined by their own needs and wellbeing. The physical attributes of an animal also make it impossible for them to use the verbal expressions of human language with ease, as we do. However, consider the range of expression provided by the gorilla, 'Koko', who was reared by Dr. Francine Patterson, of the Gorilla Foundation. Koko can understand around 2,000 English words and express over 1,000 words by using American Sign Language.

Research calls the entire legal framework, by which we justify the treatment of animals, into question. Just like a young child, Koko asks for her favourite story book to be read to her. Koko expresses basic wants and needs: "I want a drink", "I need your help." She can specify, "Give me candy" and share complex feelings: "That hurts," "I'm ashamed," "I'm sorry," "I want to play." Koko responds with appropriate empathy to caregivers, asks questions and describes her various feelings and emotions. Koko named her own pet kitten, using the descriptive word: "All Ball" to christen her ball of fluff and was grief-stricken when told of its death (in abstract) without actually seeing the young cat that was hit and killed in a car accident.

Researchers believe that 'Michael', another rescued gorilla who was taught sign language, describes the death of his mother when he signs: "Cry. Sharp noise, loud – bad – think trouble. Cut neck. (This, with a gesture at his neck.) Squash meat - mouth-tooth; lip-girl-hole. (Indicative of injuries to face and neck.) Michael clearly signs that a female gorilla, thought to be his mother, was shot and butchered by poachers.

Transposing legal frameworks of reference in animal welfare.

At the time of Paul West's stroke, Koko's and Michael's ability to understand and communicate both subtle and complex forms of language may have been considered more intelligent, more 'human', than that of the formerly articulate author during his recovery time. So, within a legal framework of reference, how do we reconcile our treatment of animals from those defined as 'human'... despite NO DIFFERENCE between the intelligence of a mentally afflicted person and an animal with a tested IQ of 85? **In a landmark court ruling in Argentina, in December 2014, orang-utan 'Sandra' was granted the status of "non-human persons" with legal rights following a habeas corpus challenge.**

Legal right of animals to a 'merciful death' Vs 'lawful rights' of religious groups.

It may seem easy for some to dismiss claims of intelligence in sheep, cattle and those termed 'livestock'. However, these animals are capable of showing affection, of being playful, of feeling pain and suffering. Under Australian law, exemption is permitted to religious groups: thereby, our laws validate and affirm the practice of slitting the throats of sheep *while still conscious*. **The law states that the animal must be 'stunned' immediately after their throat is slit. How can this be deemed an acceptable duty of care?**

Religious exemptions also allow the use of 'reversible' stunning in cattle. Exsanguination is the aim of bleeding the animal while it is still alive; if the animal dies *before* it has bled out it is deemed 'unsuitable'. **Where is the protection of law towards the animal that regains consciousness or to whom the 'effectiveness' of stunning procedures has not rendered it unconscious before it is 'stuck' with the knife?**

The CSIRO Codes of Practice (1994) states that: most 'reversible' stunning procedures in calves do not last longer than 45 seconds. The Codes instruction on 'sticking' an animal (2.6.3.2.) states that: *All animals which are not irreversibly stunned should be stuck and bled out immediately after stunning to ensure animals do not regain consciousness.* **Reversible stunning, therefore, allows abattoir workers 45 seconds to kill an animal. How is this task possible... is this action EVER effectively achieved? The Codes recommendation indicates there is a: "strong argument for the use of irreversible stunning in some species."** Religious groups, however, believe their ideologies permit them the 'right' of exemption, purely on the basis of those beliefs and in denial of these recommendations. Cutting the throat of a live animal is shockingly cruel and must not be permitted: it is not the inherent right of any individual or group to inflict brutality to dying animals. **Animals must be accorded pain relief: the ideologies of individuals or religious groups should NEVER take precedence over animal welfare!**

Blackmore & Newhook, (1982) state:

In the majority of animals, the electrocardiogram (ECG) continued to show a normal pattern for more than 10 min after slaughter. There was an initial rise in blood pressure in the first 5 to 7 s and it remained elevated for a further 10 to 20 s. The results of this work are discussed with reference to definition of death appropriate for statutory purposes and the implications for the humane slaughter of sheep.

Further, the stunning of an animal immediately after the throat is cut may render them paralysed and unable to move while 'bleeding out' in suffering; so, the mercy of death is unavailable to these helpless animals. While it is understood that the aim of religious groups is *minimisation* of pain, research clearly refutes that this is achievable. As far as the animal is concerned, a more merciful death with less pain is preferable to suffering the throat being cut while conscious. The few short words of a traditional prayer, prior to slitting the throat, holds no 'dignity' or reprieve for this painful death, as is claimed by religious believers. **Justification of merciless slaughter, in the name of religion, is entirely unacceptable in Australia, as it rightly should be! The basis upon which the religious question rests can be disputed. An animal's heart will continue beating independently of brain function and long after the animal is brain dead. Therefore, irreversible stunning does not prevent satisfactory bleed-out.**

Further concerns: suffering caused by the restraint of animals for religious killing also deserves consideration: *Restraint can be a significant source of distress. It is a particular risk in ritual slaughter and should be considered separately from the act of throat cutting.* (Adams & Sheridan, 2008, p73.)

The distress of restraint and the needlessly excessive suffering of ritual slaughter defeats the purpose and requirement of a ‘humane death,’ which is stated as an essential element of ritual by religious groups. Associated health risks in consuming meat with elevated cortisol levels, resulting from stressed animals could, likewise, pose concerns to such groups.

Will we survive the HUMAN exploitation by corporate governance?

In the seeming belief that human existence is invincible in the face of environmental exploitation, are we committing to the extinction of our species in the name of ‘economic productivity’? We are jeopardising our health and the future for short-term profits. At what point do we look at what this short-term exploitation is doing to our planet, our lifestyles and our survival? The irreversible effect of increased antibiotic resistance, which has resulted from intensive farming practices to increase meat production, is a prime example. The onslaught of negative effects is cumulative: stinking cesspools of manure run-off affects our environment; methane is bubbling in the Condamine; the Great Artesian Basin by CSG is routinely poisoned by fracking chemicals. We commit wholesale destruction of our ecology: in mining; the killing of bees through toxic pesticides; an escalating loss of biodiversity; the injuries and slaughter of native wildlife resulting from broadscale clearing of habitat; the irreparable damage to the Reef; global warming; and the absorption of carcinogenic substances through GMOs in our food. Animal agriculture is a cause of deforestation and global warming, water scarcity by intensive water use, pollution, gaseous emissions and degraded air quality, antibiotic resistance, world hunger... the list goes on! When will we consider other options... even meat cloning makes more sense in terms of animal welfare, in the protection of our planet and in sustaining those who choose to eat meat.

Conclusion:

Few of us would doubt that we have an innate duty towards the protection and care of animals. Yes, the public desperately want an independent office to review the practices of industry and to investigate and report *independent of industry* on animal welfare issues. A conflict of interest arises between animal welfare and the economic goals of ‘productivity’ in mass animal agriculture and animal industries. Consumers, as stakeholders in animal welfare, demand change!

Evidence of acute distress from the restraint and excessive suffering of animals during ritual slaughter calls into question the perceived ‘rights’ to exemption of religious ideologies. Shouldn’t animals have an ‘exemption’ from a needlessly cruel and painful death?

More and more, legal frameworks are being re-examined. To what extent can we justify the use of animals as a commodity? What legal rights can be claimed, as rightful protection for animals from unnecessary pain and suffering? Are animals discriminated against because they are not in human form? Do our human differences give us the right to harm animals?

The instatement of an independent Office of Animal Welfare is strongly supported in the community. However, in view of predominant interests in productivity, there are concerns that a focus on market interests may override issues of responsibility towards animal safety and welfare. Questions arise as to committee structure and the authenticity of an ‘independent’ report process. Does the role of this Office serve mainly to justify increased productivity and economic growth? Are the aims of the Office of Animal Welfare intended to address the concerns of community and the welfare needs of animals... or, rather, is this recent consideration a rubber stamp to the machinations of productivity-based departments?

It is essential that animal welfare organisations such as Animals Australia and the RSPCA retain authorisation to conduct their own, quite separate, unhindered investigations and reports. This authority should include unannounced spot-checks, as would be in line with community expectation, following the horrific abuses of the greyhound racing industry.

We all have choices: plant-based diets, vegan options or, perhaps, fresh bloodied steaks of cloned meat cells. Freedom from world hunger may seem light years away. But many people are justifiably 'fed up' with the harsh treatment of animals, the unethical domination of food supply to starving populations and the concurrent assault on our environment. Every day, consumers vote with their feet. Australian shoppers in contemporary society have higher expectations than ever in these ethical values: many of us are taking a stance for compassion. We are holding up the banner in support of a greater range of freedoms. The most powerful of all is granting animals 'non-human person' status. Imagine a world where animals have the freedom from being classified as a commodity for profit. One day, in the not-too-distant future, animals may attain entitlement to the peaceful enjoyment of a life well lived. As an added bonus, human survival on Planet Earth stands a stronger chance against extinction of our species.

Within the immediate future, however, in view of the pressing need for greater transparency and humane treatment within animal industries, the proposal of an Independent Office of Animal Welfare can only be accepted in good faith of the stated intentions of the Agricultural Productivity Commission.

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