



AUSTRALIAN LIVESTOCK
EXPORTERS COUNCIL



RED MEAT ADVISORY COUNCIL

Inspector-General of Animal Welfare: Consultation Paper

MARCH 2023

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INTRODUCTION

The Red Meat Advisory Council (RMAC) welcomes the opportunity to provide a submission to the Department of Agriculture, Fisheries and Forestry (DAFF) consultation paper on the proposed expansion of the current office of the Inspector-General of Live Animal Exports (IGLAE) to include additional animal welfare related objectives and expertise, forming the Inspector-General of Animal Welfare and Live Animal Exports.

RMAC is Australia's only policy leadership and advisory forum made up of producers, lot feeders, processors, manufacturers, retailers and livestock exporters, representing the entire red meat supply chain from paddock to plate. RMAC members are the following prescribed industry representative bodies under the *Australian Meat and Live-stock Industry Act 1997* (AMLI Act):

- Australian Livestock Exporters' Council,
- Australian Lot Feeders' Association,
- Australian Meat Industry Council,
- Cattle Australia,
- Goat Industry Council of Australia, and
- Sheep Producers Australia

Australia's red meat and livestock industry is comprised of more than 76,000 businesses and collectively services 25 million Australians and over 100 export destinations every day with safe, high quality and nutritious red meat. Approximately 428,000 people are employed in the industry, representing 1.7% of Australia's key industry total employment, and 29% of Australia's direct employment in agricultural production.

A priority under the red meat industry's strategic plan (Red Meat 2030) is to set the standard for world class animal health, welfare, and production practices. Significant industry funds are invested in research, development, and adoption programs to ensure best-practice animal welfare and the identification of ways to continually improve.

DISCUSSION ON THE CONSULTATION PAPER

Animal welfare standards and guidelines

The red meat and livestock industry acknowledges and respects that animal welfare is important to the Australian community. Collectively, the red meat and livestock industry understands the importance of high animal welfare standards and our responsibility to deliver good animal welfare outcomes. Indeed, good animal welfare is at the heart of every livestock industry business model, as our customers only value livestock delivered in good health. However, the consultation paper does not contain any recognition of this.

It is not in any producer's, processor's or livestock exporter's interests to have poor animal welfare outcomes. This is why collectively over the past five years the red meat and livestock sector, through MLA and LiveCorp, has invested \$67.1 million on strategic projects and activities related to animal health and welfare¹². Unlike animal activist groups, MLA and LiveCorp invest these funds directly on

¹ https://www.mla.com.au/globalassets/mla-corporate/about-mla/documents/planning--reporting/new-2021-22_mla-annual-report_web-final.pdf, page 12.

² LiveCorp Annual reports 2017-18 to 2021-22: <https://livecorp.com.au/article/2irWvEVpR3XeeBTcDe3cnb>

improving the health and wellbeing of livestock on farm and in the live export supply chain. Live exporters also employ several staff, as animal welfare compliance managers, veterinarians, stockpersons and in-market trainers and consultants that directly work on improving animal welfare on a day-to-day basis. Exporters have also been responsible for training staff and continuous improvement in feedlots and abattoirs overseas.

The industry also recognises that one of the most effective ways to ensure good animal welfare is to enshrine it in our industry accreditation systems such as the Livestock Production Assurance Program, the National Feedlot Accreditation Scheme, Livestock Global Assurance Program etc. Such programs are replicated across other livestock production industries as well.

Industry's involvement in establishing appropriate, consistent standards and guidelines is crucial to its success. Currently, animal welfare standards and guidelines are set and reviewed nationally through a partnership between industry, Commonwealth, State and Territory Government under the auspices of Animal Health Australia.

Industry notes that animal welfare standards and guidelines are implemented inconsistently across jurisdictions. Some states and territories play little role in regulating and enforcing them. National consistency should always be the goal but in a Federation of diverse states and territories, differences will always exist. Therefore, industry supports a continuous review cycle for the Australian Animal Welfare Strategy to ensure it is contemporary.

Several activist groups, with an extreme animal rights agenda (as opposed to an animal welfare perspective), have long argued that a single national animal welfare commission administered by the Commonwealth is necessary to set national standards. In fact, it could be perceived that this argument influenced the Labor Party's policy to establish an Inspector-General. Ultimately, however, only industry can implement animal welfare standards relating to livestock production on a consistent national basis through accreditation systems and commercial drivers.

Roles and responsibilities

The Australian Government recognises the limitation of Federation in the consultation paper, proposing a new Inspector General for Live Animal Exports and Animal Welfare (the Inspector-General) by rebranding the current Inspector General for Live Animal Exports, confining the scope to live animal exports where the Commonwealth has exclusive jurisdiction.

The election commitment for establishing the Inspector-General seeks to strengthen reports to the Parliament on:

- new and emerging live export markets
- the number of head exported and mortalities
- any allegations of breaches of animal welfare standards and investigations undertaken
- any sanctions or other action taken for breaches of Australia's animal welfare standards.

Transparency

The Department of Agriculture, Fisheries and Forestry (DAFF), as the regulator of live animal exports, already publishes reports to Parliament every six months, including the species and number of head exported, departure port, destination port and mortalities for every voyage by sea. DAFF also publishes

data each month on the number of livestock exported by species, by destination market, either by sea or air. This enables interested parties to see how livestock export destinations change over time, including to new and emerging markets.

DAFF publishes quarterly regulatory performance reports, which provide details of allegations and summaries of all new and ongoing investigations of non-compliance under the Exporter Supply Chain Assurance System (ESCAS). Allegations on non-compliance are published no matter whether they are classified as minor, major or critical non-compliances. These cover alleged breaches of animal welfare standards, or control and traceability throughout the supply chain. Completed investigations are also reported in the period it concludes.

DAFF will also publish a report if a notifiable mortality incident occurs. For buffalo and cattle, the thresholds for a notifiable mortality incident are 0.5 per cent or three animals (whichever is greater). For all other species, the thresholds are 1 per cent or three animals (whichever is greater). The last reportable mortality incident occurred in 2021 for a cattle consignment to Vietnam. The last notifiable mortality incident for a consignment of sheep occurred in 2017.

DAFF publishes reports completed by independent observers onboard sea voyages, which contain details of any breaches of the Australian Standards for the Export of Livestock (ASEL) observed during loading, throughout the voyage or during discharge at the destination. DAFF also has the ability to publish reports regarding regulatory applications and decisions, such as regulatory exemptions.

The current suite of public reports, either tabled in Parliament and/or published on the department's website already provide a comprehensive, transparent picture of the livestock export supply chain. Both the number of different types of reports and the detail published within them far exceed the amount of information made public throughout the rest of the livestock and red meat supply chain. We have nothing to hide and welcome transparency.

Indeed, the industry would welcome the transfer of this reporting to an independent statutory officer charged with monitoring and reviewing the regulatory performance of DAFF, their systems and processes. This would provide a degree of independent oversight of the regulator and their performance, giving greater confidence to the community.

The election commitment won't in any way expand the breadth of information already publicly available either via parliament or the department's website. The livestock export industry is already arguably one of the most transparent and reported on industries in Australia and possibly globally. It is critical that the new Inspector-General of Live Animal Exports and Animal Welfare should avoid duplication.

Privacy and personal safety

We do seek assurances that published or reported information protects the privacy and personal safety of members of the industry and any information is published in accordance with the *Privacy Act 1988* and the Australian Privacy Principles.

We believe this is a relevant consideration given the proposed accension of some reporting from the DAFF website to parliamentary reporting in the consultation paper. In seeking to establish increased parliamentary reporting, the implications and impact of parliamentary privilege applying to those reports should be considered in the context of protecting personal safety and privacy. It is not uncommon for members of industry, be they participants or indeed peak councils, to receive threats to their safety from animal activist extremists.

Indeed, industry would very much welcome the new Inspector General considering how this information is used by those that seek to end the export of livestock from Australia. Already there are countless examples of published information being misconstrued or deliberately presented out of context to make nefarious claims about the trade. The utilisation and application of publicly available information about the industry should very much be a consideration of the new office, and the result must be fair to participants of the red meat industry.

Independence and accountability

The Inspector-General should demonstrate the utmost independence and accountability in the functions of developing animal welfare standards relating to live animal exports. We interpret this as a goal of the policy and believe that there are strong grounds for DAFF's Animal Welfare Branch in the Traceability, Plant and Live Animal Exports Division to become part of the office of the Inspector-General remit to ensure maximum independence and integrity in the standards developed by the department.

Another key transparency measure for the livestock export industry is the presence of Independent Observers on vessels. One of the key premises of the Independent Observer concept is to not perform a regulatory function per se but a monitoring, verification and reporting role. Given the focus in the consultation paper on transparency and strengthening reporting we believe there is a strong case for Independent Observers to form part of the new office to ensure genuine independence from the regulator in performing their function.

Accordingly, the total FTEs/headcount of the current Inspector-General of Live Animal Exports, DAFF's Animal Welfare Branch and Independent Observers should not exceed current numbers. As there has already been a massive expansion over the last two decades in what is considered cost recoverable, with the costs paid by industry quadrupling in that time³.

Finally, it is concerning that the core reporting functions of the proposed Inspector-General are exclusively focussed on negative metrics. Meaningful consideration needs to be given on the inclusion of positive metrics that can help to drive positive animal welfare outcomes such as those contained in the Australian Beef and Sheep Sustainability Frameworks that help underpin Australia's global positioning as a leader in animal welfare.

Staffing and establishment

The consultation paper seeks advice whether the new Inspector-General should replace the current Inspector General for Live Animal Exports now, necessitating repeal of the current statutory position or by amending the current statutory role and continuing the term of the current Inspector General, Mr Ross Carter, in December 2024. Industry firmly believes that Mr Carter should see out his term and continue to carry out his review functions.

If the new office encompassed the Animal Welfare Branch (including the current Assistant Secretary/Senior Executive Service Band 1 (SESB1 officer) and Independent Observers, then we would support its implementation sooner through transfer of functions and staff in the Administrative Arrangements Orders. This would be the quickest and most efficient way to expand the roles and functions of the office. If the Australian Government believes Mr Carter needs additional expertise, the

³ See SG Heilbron, op.cit., June 2016, p26.

appointment of the aforementioned SESB1 as a Deputy Inspector General of Animal Welfare should be sufficient for the office to carry out the expanded remit.

Expertise

The consultation paper seeks advice on the expertise that should staff the Inspector-General's office. Based on the points raised above, as well as the belief that the best animal welfare expertise resides within industry, the staff transferred over from the Animal Welfare Branch should be rebalanced to include some expertise and proficiency in the following fields:

- industry engagement
- regulatory best practice
- privacy law
- accreditation systems and processes
- international trade.

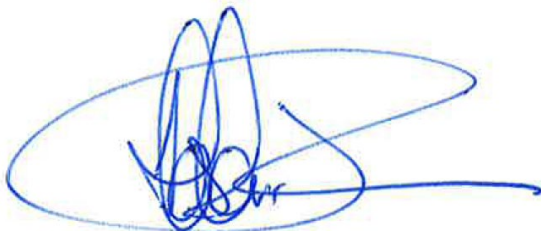
These should also be drawn from existing resources within DAFF to the greatest extent possible while the recruitment of staff with livestock industry experience would be positively received.

As identified in the Moss Review, a number of regional offices had been closed over the proceeding decade due to cost efficiencies and this resulted in a significant loss of expert staff with the necessary live export experience to perform the required regulatory functions. RMAC asserts that if we are to have an effective Inspector-General, there should be an Inspector-General presence at regional offices located in the major live export ports (such as Darwin, Townsville and Fremantle).

To maintain community and industry confidence in the Inspector-General, it is essential that the agency avoids generating any perception that it is being disproportionately influenced by animal activists or ideology. Finally, a statutory industry consultation forum, comprised of all relevant national peak industry councils should be considered.

CONCLUSION

RMAC and its members appreciate the opportunity to submit industry's views on the proposed expansion of the current office of the Inspector-General of Live Animal Exports and expects that the information and perspectives provided will assist the department in its implementation.



Alastair James
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On behalf of:



AUSTRALIAN LIVESTOCK
EXPORTERS COUNCIL



AUSTRALIAN LOT FEEDERS'
ASSOCIATION



Australian
Meat Industry
Council



CATTLE
AUSTRALIA



Goat Industry Council of Australia



SHEEP
PRODUCERS
AUSTRALIA