



SUBMISSION ON THE PROPOSED AUSTRALIAN ANIMAL WELFARE STANDARDS AND GUIDELINES FOR SHEEP

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ABOUT VOICELESS

As an innovator, capacity builder and ideas-generator, Voiceless plays a leading role in the development of a cutting edge social justice movement, animal protection.

With a highly professional and well-educated team, Voiceless brings together like-minded compassionate Australians from the legal, academic, non-profit and education sectors to form strong and effective networks.

Voiceless believes in the provision of quality information, analysis and resources to inspire debate and discussion and to empower individuals and organisations to generate positive social change.

Voiceless is a non-profit Australian organisation established in May 2004 by father and daughter team Brian and Ondine Sherman.

To build and fortify the animal protection movement, Voiceless:

- gives grants to key projects which create the groundswell for social change;
- cultivates the animal law community through the provision of leadership, educational opportunities and resources; and
- raises awareness of animal protection issues within the education system in order to strengthen democratic skills, promote critical thinking and encourage advocacy amongst students.

PATRONS

J.M. COETZEE, Nobel Prize for Literature Winner 2003, author of 'Lives of Animals' and 'Elizabeth Costello'

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1 Introduction

- 1.1 The Government has invited comment from the community on the proposed Australian Animal Welfare Standards and Guidelines for Sheep. In pursuit of this aim, the Government has released the following documents for consultation with the community
- (a) the Draft Australian Animal Welfare Standards and Guidelines for Sheep: Public Consultation Version 1.0;
 - (b) the Sheep Regulation Impact Statement; and
 - (c) discussion papers.
- 1.2 This submission will make recommendations on these documents where appropriate, and will use the following abbreviations for clarity of expression:
- (a) 'S&G': the Draft Australian Animal Welfare Standards and Guidelines for Sheep: Public Consultation Version 1.0
 - (b) 'RIS': the Sheep Regulation Impact Statement
 - (c) 'DP': a discussion paper provided by the Government (topic specific) in addition to the RIS
 - (d) 'MCOP': the Model Code of Practice for the Welfare of Animals: Sheep, 2nd Ed. 2004
- 1.3 Although the S&G makes palpable efforts to improve the welfare conditions and treatment of sheep, the subjectivity of the standards and the unenforceability of the guidelines are altogether ineffective in achieving substantial animal welfare progress within the livestock industry. The sweeping generalities used and broad discretion granted to producers indicates the unlikelihood that the S&G will be capable of mandating any significant and meaningful departure from current practices. The 'uncertainty for industry,' identified in the RIS as one of the main problems under the existing MCOP, can only be effectively resolved by standards that set 'clear and verifiable' requirements for those responsible for their implementation.¹
- 1.4 The definition of animal welfare in the S&G² and the RIS³ is not adequate. Animal welfare must be defined in more detail, being a core tenant of the S&G. The definition should read something to the effect: "*animal welfare refers to the physical and psychological state of an animal and how well he or she is coping with the conditions in which he or she lives, considered in terms of the five freedoms: freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury or disease, freedom to express normal behaviour and freedom from fear or distress.*⁴ *Measuring an animal's state of welfare requires an assessment of an animal's physical condition; physiological functioning; brain state; behaviour; and feelings.*⁵
- 1.5 A more subtle observation relates to the use of language. When an individual animal is reduced to 'it' (reflecting the legal property status of animals), welfare is a difficult consideration to keep in mind. For the purposes of fostering humane farming practice, the pronouns 'he' or 'she' should be used instead. Though not all stakeholders share

¹ RIS at vi

² S&G, p35

³ 1.2.2, RIS, p17

⁴ RSPCA Australia knowledgebase/RSPCA policies/Five freedoms for animals, <http://kb.rspca.org.au/Five-freedoms-for-animals_318.html>

⁵ Donald Broom, 'Animal Welfare: Future Knowledge, Attitudes and Solutions' (Paper presented at the Australian Animal Welfare Strategy International Animal Welfare Conference, Gold Coast, 31 August 2008)

<http://www.daff.gov.au/__data/assets/pdf_file/0003/1046451/26-donald-broom.pdf>.

the interest in personifying animals, true welfare is unattainable while the cattle are considered objects.

2 Response to the RIS

2.1 The Government is seeking consultation as to which option or variation of sheep welfare standards is best. The options and variations are:

Option A: Converting the proposed national standards into national voluntary guidelines (the minimum intervention option);

Option B: The proposed national standards as currently drafted;

Option C: One or more variations of the proposed national standards as follows:

Variation C1: All mulesing with pain relief

Variation C2: Restrict mulesing age to less than 6 months of age

Variation C3: Single penning for wool production ban

Variation C4: Tethering ban

Variation C5: Mandate pain relief for laparoscopic LAI and ET

Variation C6: Require docked tails to have at least one free palpable joint

The Government is also seeking views on further formulation or variations to the existing proposals.

2.2 Option A is unacceptable, as it fails to resolve any of the welfare or compliance issues identified in the RIS and would render all guidelines utterly unenforceable at law. Option B is similarly inadequate, for the welfare and enforceability reasons mentioned above and discussed more specifically throughout these submissions. Voiceless urges the government to adopt Option C, by installing an amended version of the S&G, inclusive of all of the proposed variations C1 to C6.

(a) In regard to additional variations, Voiceless proposes:

(i) *Variation C8:* All castration with pain relief

(ii) *Variation C9:* All tail docking with pain relief

(iii) *Variation C10:* Ban on the use of electro-immobilisation

(iv) *Variation C11:* Mandatory pain relief for all surgical procedures

(A) Voiceless recognises that the types of pain relief specific to sheep and appropriate for such procedures are not currently available to non-veterinarians. Given the dire need for alleviation of the pain and stress caused to sheep during and after these surgeries, and the successfulness of these drugs in trials and experiments, immediate steps should be taken to deregulate access and increase their availability.

(B) The pain relief administered must be appropriate and sufficient to provide immediate, as well as lasting, relief to the sheep. In most cases, a combination of short and long lasting pain relief drugs

and anaesthesia will be necessary to provide complete pain relief.⁶

- (v) *Variation C12*: Ban on use of electric prodders
- (vi) *Variation C13*: Ban intensive sheep production systems
- (vii) *Variation C14*: Ban on exsanguination without stunning

- 2.3 The RIS rightly considers public education alone to be an impractical and ineffective alternative to national standards, yet its value in transforming public perceptions and awareness of welfare issues should not be discounted. As social attitudes towards livestock production evolve through education and information, consumer choice and political pressure will bring about welfare advancements for the animals in the industry.
- 2.4 The RIS claims the lack of national consistency results in excess regulatory burden⁷ and the S&G therefore aims to promote national consistency. However, the high level of discretion afforded by the S&G does not create consistent welfare requirements. The highest welfare standard should be adopted as a minimum and uniformed in each jurisdiction. See relevant topic areas of the S&G for Voiceless's detailed position on the minimum standards.

3 Discussion of the S&G

- 3.1 Voiceless has reviewed the S&G in conjunction with the MCOP, being the Code that the S&G purports to amend, and makes the following comments. Throughout the analysis, reference will be made to the RIS and relevant DPs. Each section of the S&G is considered in the order they appear in the proposed draft.

4 Introduction of the S&G

- 4.1 The discussion of the 'risk to welfare' to sheep should be amended to include psychological stress, which can be caused by the denial of a sheep's five basic freedoms or his or her natural behaviours.⁸
- 4.2 The discussion of what constitutes a 'reasonable action' makes mention of both the 'experienced person' and 'similarly experienced people.' The legal implications of allowing reasonable actions to be determined by reference to the latter are that a person responsible for the welfare of sheep could be excused from acting unreasonably, if an equally unexperienced or untrained person might have acted in the same way. This is unacceptable, as it would allow for the liability of nearly any abuse of the S&G to be dismissed.⁹

5 Responsibilities

- 5.1 Voiceless objective

- (a) Although Voiceless advocates for the elimination of all forms of sheep exploitation, we demand the use of best practice business management while it exists. This includes, but is not limited to, thorough record keeping subject to periodic government review, mandatory government-approved training courses for all staff involved with sheep, and standards which set inviolable limits for numbers of sheep within livestock production systems.

⁶ RIS at 34

⁷ 2.1.3, RIS

⁸ S&G at 7

⁹ S&G at 7

5.2 To be amended:

- (a) G1.1 A person must maintain appropriate records with regard to the management of sheep. This should be a standard, rather than a guideline, and should be amended to clarify what types of records must be kept.
 - (i) At a minimum, documentation must include health and vaccination records, as well as feed and breeding programs.
 - (ii) The standard should also stipulate how often these records must be updated and the length of time that they should be kept.
- (b) G1.1 The term 'appropriate action' in respect of distressed, weak, injured or diseased sheep is vague and insufficient to provide guidance to sheep managers. This should be amended to require the provision of immediate treatment by a veterinarian or skilled staff member to sheep that have been identified as distressed, weak, injured or diseased. This should be a standard, rather than a guideline.
- (c) G1.2 *Agistment responsibilities must be communicated, documented and clearly understood by both parties.* This should be a standard, rather than a guideline.
 - (i) The division of responsibilities between the parties must be recorded by standard form contract or some other reasonable and verifiable means in order to ensure that the welfare of sheep is not compromised by misunderstanding or future disagreement about the terms of the arrangement.
 - (ii) The inclusion of a supplementary guideline should recommend that, at a minimum, a sufficiently detailed agistment agreement will include a description of the livestock, the fees to be paid, the facilities to be provided, insurance information, and details regarding access to veterinary services.
- (d) G1.3 The guideline regarding staff induction programs should define what minimum level of training is required to be deemed 'appropriate'. This should be a standard, rather than a guideline.
 - (i) Staff inductions should review appropriate and humane husbandry and handling practices.
 - (ii) Training sessions should also impart information about the emotional (incorporating psychological, social and behavioural) nature, needs, and preferences of sheep, both generally and with regard to the individuals and classes of sheep in their system.
 - (iii) The RIS recognises the adverse welfare outcomes for sheep where unskilled or unsupervised farm hands perform husbandry procedures. These occurrences must be minimised by thorough and rigorous staff induction and training programs.¹⁰
 - (iv) Unqualified staff members must never be permitted to conduct surgical or invasive sheep husbandry procedures.

5.3 To be added:

¹⁰ RIS at 35

- (a) The S&G should set a minimum shepherd to sheep ratio, in order to ensure that the welfare of sheep does not suffer for lack of adequate manpower resources.
 - (i) Although the required number of shepherds per head of sheep will fluctuate according to terrain, breed of sheep, and modes of transport, agreed that a 1/1000 shepherd to sheep ratio is the absolute maximum number of sheep at which satisfactory care can be provided.¹¹
- (b) The standards should include a minimum level of condition scoring, at which sheep are considered to be demonstrative of adequate care and welfare. The condition scoring should include factors such as body fat score, behavioural indicators, etc. These measurements are already in use in the industry and would be easy to implement as a standard.¹²

6 Feed and water

6.1 Voiceless objective

- (a) Given the critical nature of adequate and nourishing food and clean water to the well-being and vitality of all animals, Voiceless advocates that sheep have free and constant access to both.

6.2 To be amended:

- (a) S2.1 The standard should be amended to 'regular' rather than 'reasonable' access to avoid any confusion caused by subjective analyses of reasonableness. Access to feed and water constitutes an essential and nonnegotiable need.
 - (i) To ensure 'adequate and appropriate feed and water', the S&G ought to provide that the quality of water must be adequate to maintain sheep health. Drinking water, which contains potentially toxic levels of salts, or other substances, should be monitored and managed to minimise deleterious effects.
- (b) G2.1 The guideline recommendation which permits the deprivation of food and water for up to 48 hours is unacceptable. Any deprivation of sustenance for more than 24 hours has no justification and must be prohibited by the S&G. The following information serves to support the prohibition of lengthy food deprivation, and should therefore be considered:
 - (i) The deprivation of food for 24 hours reduces the number and composition of some types of bacteria in the rumen. However, potentially pathogenic bacteria (including Clostridium, Salmonella, Escherichia coli) are not similarly controlled by the deprivation of food, and may actually increase in number after more than 12 hours of deprivation, causing significant implication for sheep and human health.¹³
 - (ii) Pre-slaughter stresses, including food deprivation, reduce the levels of glycogen in the muscle, which results in sheep meat of a higher pH and a lower quality. The pH levels of meat are indicated by meat tenderness and colour. Studies have shown that high pH meat, which is tough, dark,

¹¹ UK Farm Animal Welfare Council, "Report on the Welfare of Sheep" at 12

¹² WA Department of Agriculture and Food, "Condition Scoring of Sheep" <http://www.agric.wa.gov.au/PC_91885.html>

¹³ Fisher, Muir, and Gregory, "The animal welfare implications of depriving sheep of feed to facilitate transport and slaughter" (2009) at 9 (citing Hogan et al. (2007) and Rostagno (2009))

and more likely to spoil through microbial proliferation, is significantly correlated with longer deprivation periods.¹⁴

- (c) G2.2 Where food and water cannot be sufficiently provided, and arrangements for sale, agistment, or relocation cannot be made, sheep farmers should have the option of surrendering the animal to an animal welfare organisation, sanctuary or carer without prejudice against him or her for inability to provide care. Humane killing should be treated as a last resort only.
- (d) G2.3 The guideline that weaned lambs gain weight is too broad. A breed-specific chart or graph of minimum growth weights over time (ie. increase in grams per day) should be provided to ensure that adequate sustenance is being provided.
- (e) G2.7 Sheep must be closely monitored, and positive preventative action must be taken to prevent access to contaminated and spoilt feed, toxic plants, and harmful substances. This should be a standard, rather than a guideline.
 - (i) Guidelines to achieving this standard should include storage of hay and other feed in a manner which prevents the growth of mould and bacteria. The presence and rapid growth of mould or bacteria causes heating, which reduces the energy, vitamins and palatability available from the feed.¹⁵
 - (ii) Spoilt or contaminated feed also increases the exposure of sheep to harmful mould and bacteria that can cause disease, poor fertility, and weakened newborns.¹⁶

7 Risk management of extreme weather, natural disasters, disease, injury and predation

7.1 Voiceless objective

- (a) Voiceless advocates for a strict onus of responsibility to be placed on those responsible for protecting sheep from preventable detriments to their welfare. Although we accept the often unpredictable and universally tragic effects of natural disasters on both humans and non-human animals, adverse welfare effects caused by extreme weather, disease, injury and predation are foreseeable factors within livestock production and must be prevented at any cost.

7.2 To be amended

- (a) S3.1 Although Voiceless accepts that the 'reasonable action' required of a person in charge cannot always be uniformly defined, we believe that the guidelines in this section represent the minimum precautions which must be taken and which should be enforced.
- (b) S3.2 The standard requiring inspection of the sheep at intervals is much too vague, allowing for literally any length of time to pass between inspections. The standard should be amended to require daily inspection of sheep in intensive production systems and daily, or at least weekly, inspections of pastured grazing sheep. Regular inspection is essential to ensuring that the dietary needs

¹⁴ Fisher, Muir, and Gregory, "The animal welfare implications of depriving sheep of feed to facilitate transport and slaughter" (2009) at 10 (citing Petersen (1984))

¹⁵ Manitoba Agriculture, Food and Rural Initiatives, "Spoiled Feeds, Molds, Mycotoxins and Animal Health"

¹⁶ Manitoba Agriculture, Food and Rural Initiatives, "Spoiled Feeds, Molds, Mycotoxins and Animal Health"

of the sheep are being met and that there are no predatory or biological threats to their safety and welfare.

- (c) S3.3 The phrase 'appropriate treatment' is too broad and may result in the unnecessary death of sheep whose sickness, injury, or disease is neither chronic nor untreatable. The standard should require genuine consideration of rehabilitative treatments, or the voluntary surrender to an animal welfare organisation, sanctuary or carer. Only when a sheep is affected by a fatal sickness, injury, or disease and suffering will surely ensue, may humane killing be considered or permitted.
- (d) G3.3 *Structures or areas that are likely to entrap, injure, bog, or otherwise endanger sheep must be removed or fenced off to prevent access to hazardous environments. Sheep who appear to be isolated from the flock, caught in structures or bogged should be inspected and treated immediately. Humane killing is not an acceptable form of 'appropriate action,' unless to avoid prolonged suffering.* This should be a standard, rather than a guideline.
- (e) G3.4 Drought management strategies should be amended to include surrender of sheep that cannot be sustained to an animal welfare organisation, sanctuary or carer. Humane killing should only be exercised as a last resort and in extreme circumstances to avoid prolonged suffering.
- (f) G3.6 *Sheep and lambs must be provided with adequate shelter from the elements in both heat and cold. Where natural protection is not available, shade, windbreaks, or sheds must be provided.* This should be a standard, rather than a guideline.
- (g) G3.7 *Sheep must not be shorn during winter months without provision of adequate protection, as this would remove their only defence against cold stress and inclement weather.*¹⁷ This should be included as a standard, rather than a guideline.
- (h) G3.9 *Sheep handling must be minimised during extreme weather and particularly during extremely hot weather. Sheep overheat easily, which can cause stress or death.*¹⁸ This should be a standard, not a guideline.
- (i) G3.10 *Predator control programs must be implemented where predation is a risk.* Failure to do so is likely to result in death to some sheep and emotional and psychological stress for others. This should be a standard, rather than a guideline.
- (j) G3.11 *Development of a health management plan must be devised and implemented for all sheep farms.* This should be a standard, rather than a guideline.
 - (i) Guidelines to achieving this standard should include that advice on sheep disease prevention and treatments be sought from qualified advisors after any major outbreak.
 - (ii) Expert advice should also be sought regularly, and in conjunction with any major changes to facilities, breeds, or treatment methods.
- (k) G3.12 *Unexplained diseases and deaths should be immediately investigated, to avoid potential spread of disease or persistence of unknown threats to welfare.*

¹⁷ WA Department of Agriculture and Food, "Sheep welfare – avoiding losses due to hypothermia" (2010) <http://www.agric.wa.gov.au/objtwr/imported_assets/content/pw/ah/fn_sheep_welfare_hypothermia.pdf>

¹⁸ Organic Agriculture Centre of Canada, "Heat Stress in Ruminants" <http://oacc.info/Docs/AnimalWelfare/AWTF/Heat_stress_ruminants.pdf>

- (l) G3.13 *Sheep must be vaccinated against relevant diseases, including annual, strategic and once off vaccinations.* This should be a standard rather than a guideline.
- (m) G3.15 *Internal and external parasites must be monitored and humanely controlled.* The reasonability of efforts to control these parasites requires consideration of factors including prevalence, severity, and the invasiveness of the relevant treatment for individual afflictions.
- (n) G3.16 *Where flystrike is a risk, preventative techniques such as genetic selection, tactical crutching and clips must be preferred.* This should be a standard.
 - (i) Tail docking and mulesing should be prohibited. Otherwise, these procedures must only be permitted in exceptional circumstances and with pain relief.
 - (ii) Previously flystruck sheep, or those with high wrinkle scores, should be surrendered to an animal welfare organisation, sanctuary or carer or otherwise removed from the breeding program, without resorting to “culling”.

8 Facilities and equipment

8.1 Voiceless objective

- (a) Voiceless advocates for the construction of facilities that guarantee the safety and the ability of sheep to express natural behaviours and instincts at every stage of the livestock production process. We demand that basic needs such as shade or shelter be provided in every outdoor pen and lot where sheep will be kept.

8.2 To be amended:

- (a) G4.2 *Shade is required for outdoor pens where sheep are kept for extended periods in hot weather.* Failure to provide shade increases risks of overheating, which can lead to stress or death.¹⁹ This should be a standard, rather than a guideline.
- (b) G4.4 *Facilities must be free from protrusions and obstacles that may cause injury.* This should be a standard, rather than a guideline.

8.3 To be added:

- (a) The standards should establish a mandatory minimum amount of space per sheep, to ensure that sheep are not kept in overcrowded and stressful conditions.
- (b) *Sheep housed indoors must be provided with natural periods of light and dark during the 24 hour cycle, and sufficient levels of light to be properly inspected.* This should be a standard.

9 Handling and husbandry

9.1 Voiceless objective

¹⁹ Organic Agriculture Centre of Canada, “Heat Stress in Ruminants”
<http://oacc.info/Docs/AnimalWelfare/AWTF/Heat_stress_ruminants.pdf>

- (a) Voiceless advocates for a prohibition on all forms of forcible mustering and sheep 'dragging', given the unacceptable levels of distress these acts are likely to cause to sheep.²⁰ Voiceless also strongly opposes the use of the electric prodder and advocates for a total prohibition against it in all circumstances. Voiceless further advocates the preferred use of humane methods of identification over any invasive procedures such as tattooing.

9.2 To be amended:

- (a) S5.1 The standard which allows a sheep to be lifted off the ground by only one leg or by the head, ears, horns, neck, tail or wool in the case of an emergency is too broad. A state of emergency exception calls for a subjective judgment which may defeat the rule. In a practical sense, the standard as drafted offers very little protection to the sheep and poses obstacles to enforcement and accountability for violations. The standard should be amended to prohibit the lifting of sheep in this manner without exception. Otherwise specific examples should be given of when it might be necessary to lift a sheep in this manner.
- (b) S5.1 The standard which allows a sheep to be dragged by one leg in the case of an emergency is too broad. A state of emergency exception calls for a subjective judgment which may defeat the rule. In a practical sense, the standard as drafted offers very little protection to the sheep and poses obstacles to enforcement and accountability for violations. The standard should be amended to prohibit the dragging of sheep by one leg without exception. Otherwise specific examples should be given of when it might be necessary to lift a sheep in this manner.
- (c) S5.1 The standard which allows a sheep to be dragged by mechanical means in the case of an emergency is too broad. A state of emergency exception calls for a subjective judgment which may defeat the rule. In a practical sense, the standard as drafted offers very little protection to the sheep and poses obstacles to enforcement and accountability for violations. The standard should be amended to prohibit the dragging of sheep by mechanical means without exception. Otherwise specific examples should be given of when it might be necessary to lift a sheep in this manner.
- (d) S5.4 should be amended to prohibit electric prodders in all circumstances.
- (e) S5.7 Tethering of sheep must be prohibited by the standards as it results in deprivation of exercise and social contact. The perceived need for tethering can be easily resolved by the provision of fenced areas for grazing, with little cost implications.
 - (i) Although tethering may have a lesser immediate impact upon sheep welfare than one-off practices such as mulesing and tail docking, the potential duration of the effects of tethering contribute to its severity.²¹
- (f) G5.3 The standards must be amended to prohibit single penning, as it results in deprivation of exercise and social contact, and may have severe mental health impacts upon sheep. Otherwise specific examples should be given of when it might be necessary to single pen a sheep, for example upon veterinary advice.
 - (i) Although single penning may have a lesser immediate impact upon sheep welfare than one-off practices such as mulesing and tail docking,

²⁰ UK Code of Recommendations for the Welfare of Livestock- Sheep, s48

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69365/pb5162-sheep-041028.pdf>

²¹ RIS at 30

the potential duration of the effects of single penning contribute to its severity.²²

- (g) G5.7 *Overcrowding of sheep in pens or yards must be avoided and precautions must be taken to prevent smothering.* This should be a standard, rather than a guideline.
- (h) G5.9 *Sheep must be returned to feed and water as soon as possible after handling.* This should be a standard, rather than a guideline.
- (i) G5.10 *Unnecessary sheep handling must be avoided during extreme weather.* This should be a standard, rather than a guideline.
- (j) G5.15 *Horn trimming must avoid excessive damage to soft tissue.* This should be a standard, rather than a guideline.
- (k) G5.16 *Earmarking, tattooing, tagging, and vaccination must be done in a way that avoids pain and risk of infection to the greatest extent possible and with instruments that are sharp and clean.* This should be a standard, rather than a guideline.
- (l) G5.17 *Sheep fitted with nets or coats must be inspected regularly to ensure that they do not become tangled, cast or adversely affected by grass seeds.* This should be a standard, rather than a guideline.
- (m) G5.18 *Insect worry must be managed by implementing control measures where appropriate.* This should be a standard, rather than a guideline.
- (n) G5.19 *Care must be taken when shearing and crutching to minimise cuts, and severe cuts must be treated promptly.* This should be a standard, rather than a guideline.

9.3 To be added:

- (a) Electro-immobilisation has been banned in New South Wales and Tasmania, and should be explicitly prohibited throughout Australia in these standards.
- (b) The standards should require that contractors specialising in a specific husbandry service (mulesing, shearing, dipping, etc.) demonstrate a certification of competence prior to being granted a license to conduct these husbandry procedures.
- (c) Pregnant ewes in lambing season must be provided short-term housing, in order to avoid adverse health consequences caused by unnecessary stress.²³ This should be included as a standard.
- (d) To guard against external parasites, showers, injectables, pour-on's, and other alternatives should be preferred to plunge dipping. This should be included as a standard.

10 Tail Docking and Castration

10.1 Voiceless objective

- (a) Voiceless advocates for the exhaustion of all humane alternatives before resorting to tail docking and castration, and would permit its use only where it

²² RIS at 30

²³ Department of Primary Industries, "Sheep- Guidelines for the Provision of Shelter" <<http://www.dpi.vic.gov.au/agriculture/beef-and-sheep/sheep/handling-and-management/sheep-guidelines-for-the-provision-of-shelter>>

achieves a significant and positive outcome for the welfare of the sheep. Consequent benefit or convenience to the human handler of the sheep is not a sufficient justification for performance of these procedures. Any tail docking or castration procedure performed at any age must be accompanied by complete pain relief.

10.2 To be amended:

- (a) S6.1 The standard requiring that tail docking or castration procedures be performed by a person with relevant knowledge, experience and skills is not sufficient to guarantee the welfare of the sheep involved. The standard should be amended to state that only a veterinarian, or formally accredited operator with access to appropriate pain relief products, may perform the procedure only where such procedure will achieve a significant and positive outcome for the welfare of the sheep. This is consistent with RSPCA Australia policy recommendations.²⁴
- (b) S6.2 *Where an invasive procedure is deemed to be necessary, it must be undertaken at the earliest age possible and before the sheep is 12 weeks old.* This concurs with the welfare recommendations discussed in the MCOP and is reiterated in the Tail Docking and Castration DPs.
- (c) S6.4 *All invasive animal husbandry procedures, including tail docking and castration, must be accompanied by appropriate pain relieving and/or pain preventing products, regardless of the age of the sheep.* This should be incorporated as a standard, rather than a guideline.
 - (i) The 6 month limit for use of pain relief is not enforceable, since there are currently no methods of age detection that can verify the age of a sheep less than 1 year old.²⁵
 - (ii) The requirement that pain relief be used in all invasive procedures is consistent with RSPCA Australia policy recommendations as set out in the DPs.²⁶
 - (iii) The requirement for use of pain relief in all invasive procedures is further supported by the UK Farm Animal Welfare Council's finding that "there is no evidence to indicate that the pain responses in lambs docked below one week is less than that for sheep docked at older ages."²⁷
 - (iv) Practicality and cost objections cannot justify the adverse effects to welfare experienced by sheep who undergo these procedures without pain relief.
- (d) G6.1 *Tail docking and castration must only be done where there is a clearly established need and no alternatives, and the procedure results in benefits to life-time sheep welfare and better flock management.* Consequent benefit or convenience to the human handler of the sheep is not a sufficient justification for performance of these procedures. This should be a standard, rather than a guideline.
- (e) G6.5 *Good hygiene must be practiced in relation to tail docking and castration.* This should be a standard, rather than a guideline.

²⁴ Tail Docking DP at 13; Castration DP at 8

²⁵ Castration DP at 2

²⁶ Tail Docking DP at 13; Castration DP at 8

²⁷ Tail Docking DP at 12

- (f) G6.7 *Operators must adopt appropriate strategies to minimise risk and impact of common infections.* This should be a standard, not a guideline.
- (g) G6.8 *Lambs must be appropriately restrained in a lamb cradle and, when released, should land on their feet to avoid contact of the wound with the ground.* This should be a standard, not a guideline.
- (h) G6.9 *Lambs must only be separated from their mothers for the minimum time necessary to conduct tail docking or castration, and must be allowed to be mothered up as soon as possible.* This should be a standard, rather than a guideline.
- (i) G6.13 *Sheep must be inspected regularly and with minimal disturbance for signs of post-operative complications during the healing process.* Immediate treatment by a veterinarian or skilled staff member must be provided wherever complications are detected. Humane killing should not be considered to be an “appropriate action.” This should be a standard, rather than a guideline.
- (j) G6.14 *All tail docking and castration procedures must be accompanied by pain relief, regardless of age or deemed practicality.* This should be a standard, rather than a guideline.
- (k) G6.16 *After placement in paddocks, lambs must not be forcibly mustered and yarded until wounds are healed.* This should be a standard, not a guideline.
- (l) G6.17 *Tail docking must be performed using the hot knife or rubber ring method, rather than the sharp knife method.* This should be a standard, rather than a guideline.
 - (i) Research has shown that the hot knife and rubber ring methods elicit a lower physiological and behavioural pain response than the sharp knife method.²⁸
- (m) G6.18 *A hot knife must be operated at the recommended temperature.* This should be a standard, rather than a guideline.
- (n) G6.20 *The docked tail must be long enough to cover the vulva in female lambs and be of similar length in males.* This should be a standard, rather than a guideline. Health and welfare issues resulting from excessively short docking of tails include rectal prolapse and squamous-cell carcinoma.²⁹
- (o) G6.21 *Tail docking must never be done for cosmetic reasons, show competitions or carcass competitions.* This should be a standard, rather than a guideline.
- (p) G6.22 *Lambs destined for slaughter before they are 12 weeks old, or before the onset of puberty, must not undergo castration or tail docking.* This should be a standard, rather than a guideline, since there is no biological or physiological justification for the infliction of the severe pain involved in these procedures.

11 Mulesing

11.1 Voiceless objective

- (a) Voiceless advocates for the mandated implementation of immediate initiation of selective breeding programs to create wrinkle-free stock on all production

²⁸ Tail Docking DP at 6

²⁹ Tail Docking DP at 7

farms, and thereby eliminate any future necessity for the mulesing procedure altogether. Until the government compels the industry to make good on its expired promise to phase out mulesing, Voiceless urges that the standards require the exhaustion of all humane alternatives. Mulesing must only be performed when it is necessary to achieve a significant and positive outcome for the welfare of the sheep. Consequent benefit or convenience to the human handler of the sheep is not a sufficient justification for performance of these procedures. Any mulesing procedure performed at any age must be accompanied by complete pain relief.

11.2 To be amended:

- (a) S7.1 The standard requiring that mulesing be performed by a person with relevant knowledge, experience and skills is not sufficient to guarantee the welfare of the sheep involved. The standard should be amended to state that only a veterinarian or person formally accredited under the National Mulesing Accreditation Program may perform the procedure.
- (b) S7.2 *Where mulesing is absolutely necessary, a person must not mules sheep who are less than two days old or more than 12 weeks old.* This is consistent with the MCOP recommendations and should be a standard, rather than a guideline.
- (c) S7.3 *All invasive animal husbandry procedures, including mulesing, must be accompanied by appropriate pain relieving and/or pain preventing products, regardless of sheep age.*
 - (i) Where it is deemed necessary to mules, the extreme pain involved in the procedure must be alleviated through the use of Tri-Solfen, which has been shown to reduce pain and stress response, as well as shortening wound healing times.³⁰
- (d) G7.1 *Alternative options for breach strike prevention including clips, crutching, shearing and chemicals must be considered before undertaking mulesing, which should only be performed as a last resort.* This should be a standard, rather than a guideline.
- (e) G7.3 *In areas prone to high breech flystrike risk, lambs with a high dag score and/or high wrinkle score must be surrendered to an animal welfare organisation, sanctuary or carer, or be otherwise removed from the breeding program.* Humane killing is not an appropriate response to healthy sheep with undesirable genetic traits and should be prohibited. This should be a standard, rather than a guideline.
- (f) G7.4 *In assessing breach flystrike and the need for mulesing, factors that must be considered are: sheep who are at a high risk of breech flystrike on the property on which they are kept; lambs are intended to be kept as adult sheep; sheep are likely to be old and kept as adults in areas prone to breech strike.* This should be a standard, rather than a guideline.
- (g) G7.5 *The mulesing operation must only remove sufficient wool-bearing skin appropriate to the conformation of the lamb being treated to achieve flystrike protection.* This should be a standard rather than a guideline.
- (h) G7.6 *Where mulesing is performed, lambs must be mulesed at 2-12 weeks of age.* This should be a standard, rather than a guideline.

³⁰ Finlayson, Kate "The Welfare Implications of Mulesing Alternatives"
<http://vip.vetsci.usyd.edu.au/contentUpload/content_3128/KateFinlayson.pdf>

- (i) G7.7 *Mulesing must only be done where there are no alternatives and the procedure results in benefits to life-time sheep welfare, better flock management, and a reduced work (occupational) health and safety risk.* This should be a standard, rather than a guideline.
- (j) G7.8 *Mulesing must be accompanied by pain relief in all circumstances and operators must seek advice on current pain minimisation strategies.* This should be a standard, rather than a guideline.
- (k) G7.9 *Good hygiene must be practiced in relation to mulesing.* This should be a standard, rather than a guideline.
- (l) G7.11 *Operators must adopt all necessary strategies required to eliminate the risk and impact of common infections.* This should be a standard, not a guideline.
- (a) G7.12 *Lambs must be appropriately restrained in a lamb cradle and, when released, should land on their feet to avoid contact of the wound with the ground.* This should be a standard, rather than a guideline.
- (b) G7.13 *Lambs must be separated from their mothers for the shortest possible time.* This should be a standard, not a guideline.
- (c) G7.15 *Haemorrhage must be minimised by preventing overheating of lambs and allowing them to settle after mustering.* This should be a standard, rather than a guideline.
- (d) G7.17 *Sheep must be inspected regularly and with minimal disturbance for signs of post-operative complications during the healing process, and appropriate action taken.* Immediate treatment by a veterinarian or skilled staff member must be provided wherever complications are detected. Humane killing is not considered to be an "appropriate action." This should be a standard, not a guideline.
- (e) G7.18 *After placement in paddocks, lambs must not be forcibly mustered and yarded until wounds are healed.* This should be a standard, not a guideline.
- (f) G7.20 *Mulesing must not be undertaken during extreme weather.* This should be a standard, not a guideline.

11.3 To be added:

- (a) The S&G should mandate the immediate initiation of selective breeding programs to create wrinkle-free stock on all production farms, and thereby eliminate any future necessity for the mulesing procedure altogether. Sheep with undesirable genetic traits should be surrendered to an animal welfare organisation, sanctuary or carer rather than killed.

12 Breeding management

12.1 Voiceless objective:

- (a) Voiceless desires that sheep be permitted to express natural procreative behaviours, free of artificial insemination and grotesque reproductive manipulation. Where artificial breeding procedures are deemed vital to the achievement of wrinkle-free stock, all procedures must be conducted with sedation and complete pain relief. Voiceless insists that pregnant ewes and lambs be provided with comfort and care and be treated with due respect for the unique bond between mother and child. Any weak or orphaned lambs must

be surrendered to a veterinarian, an animal welfare organisation, sanctuary or carer for treatment.

12.2 To be amended:

- (a) S8.1 The standard prohibiting unreasonable pain, distress, or injury during artificial breeding procedures is too vague to provide effective protection for sheep. Without perceptible indications as to what constitutes an unreasonable, as opposed to a normal or expected, level of pain or distress, the standard serves little purpose. All procedures must be accompanied by complete pain relief and sedation, to minimise pain, distress and discomfort to the greatest degree possible.
- (b) G8.1 *Only veterinarians, or technicians who possess an understanding of sheep reproduction and behaviour, should be permitted to conduct artificial breeding procedures.* Failure to possess the required skill and competence in performance of these techniques will undoubtedly result in serious risks to the welfare of sheep involved. This should be a standard, rather than a guideline.
- (c) G8.3 *In the last 4-6 weeks of pregnancy, management practices must minimise stress on ewes.* This should be a standard, not a guideline.
- (d) G8.5 *Ewes that receive severe injuries during lambing or who are affected by a severe adverse outcome must receive urgent veterinary treatment.* Humane killing must only be used as a last resort. This should be a standard, not a guideline.
- (e) G8.6 *Lambing ewes must be placed in a sheltered paddock with quality feed, regardless of weather.* This should be a standard, not a guideline.
- (f) G8.7 *Predators must be controlled before and during lambing, to avoid risk of physical harm and severe emotional stress on lambing ewes.* This should be a standard, not a guideline.
- (g) G8.8 *Newborn lambs orphaned at birth must receive colostrum or colostrum substitute as soon as possible after birth.* This should be a standard, not a guideline.
- (h) G8.9 *Weak or orphaned lambs with very little chance of survival should be surrendered to an animal welfare organisation, sanctuary or carer.* Humane killing must only be used as a last resort to avoid prolonged suffering. This should be a standard, not a guideline.
- (i) G8.10 The guideline requiring that rams be checked for injury and disease at 'regular intervals' is too vague to achieve the intended welfare objective. The S&G should stipulate the appropriate frequency for inspection of rams in various housing situations. This should be a standard, not a guideline.
- (j) G8.12 *Veterinarians and technicians conducting artificial insemination, embryo transfer or electro-ejaculation of sheep must be trained and competent in these techniques.* This should be a standard, rather than a guideline.
- (k) G8.13 *Semen collection using an artificial vagina must be used in preference to electro-ejaculation.* This should be a standard, rather than a guideline.
- (l) G8.14 Laparoscopic artificial insemination (LAI) and embryo transfer (ET) are extremely invasive procedures which must never be conducted without the use

of sedation, analgesia and aseptic pain relief techniques.³¹ This should be included as a standard.

13 Intensive Sheep Production Systems

13.1 Voiceless objective

- (a) Voiceless advocates for a prohibition against all intensive livestock production systems. These systems, by their very nature, deprive sheep of their basic freedoms and are consistently characterised by abhorrent and inhumane conditions.

13.2 To be amended:

- (a) S9.1 *A person in charge must ensure that sufficient feed and clean, fresh water is available daily to sheep in intensive production systems.*
- (b) S9.2 *Inspections of sheep within intensive production systems must be conducted daily, not just within the first week of entry into the system.* Regular and thorough daily inspections are essential to ensuring the health and welfare of sheep, and to providing immediate veterinary treatment when necessary.
- (c) S9.3 The standards must dictate what kinds of measures qualify as 'reasonable actions' which may be taken with regard to sheep that are unable to adapt to an intensive production system.
 - (i) The MCOP recommends that sheep unsuited for intensive production systems are to be returned to pastured grazing.³²
 - (ii) Humane killing is not a reasonable action in these circumstances.
- (d) G9.1 *Drinking equipment must be inspected regularly to ensure that sheep have continual access to water.* Adequate water is essential to the welfare of the sheep, and this should be a standard, not a guideline.
- (e) G9.2 *Water troughs must be cleaned regularly to prevent contamination.* This should be a standard not a guideline.
- (f) G9.3 *Feed troughs must be cleaned regularly to prevent faecal contamination and build-up of stale or spoiled feed and dust.* This should be a standard, not a guideline.
- (g) G9.4 *Trough space must be adequate for the feeding system to allow the daily intake of feed and water and to minimise bullying and shy feeders.* This should be a standard, rather than a guideline.
 - (i) For concentrated feeding, the RSPCA recommends that approximately 45 cm of trough space should be allocated for each sheep.³³
 - (ii) For hay feeding, the RSPCA recommends that approximately 12 to 15 cm be allocated for each sheep.
 - (iii) The trough space needs of sheep may fluctuate according to various factors, including the presence or absence of horns.

³¹ RIS at 66

³² MCOC at 14

³³ New RSPCA Welfare Standards Requiring the Installation of CCTV in Abattoirs Processing Mammals, E 5.3 (2010) FW1.13

- (h) G9.8 *Managers of intensive systems must be aware of current information in intensive sheep management and health, and have contact with professionals with relevant expertise.* This should be a standard, rather than a guideline.
- (i) G9.12 *Removing sheep from the system* must not be a management option for shy feeders. This should be removed from the guideline. The guidelines must clarify that shy feeders are to be returned to pastured grazing and that humane killing is not permitted in these circumstances.
- (j) G9.14 *Sheep must not be housed in single pens, except upon veterinary advice.* The consequent lack of exercise and social contact is extremely detrimental to the mental well-being of sheep. This should be a standard, rather than a guideline.
- (k) G9.15 *Removing sheep from the system* must not be a management option for shy feeders. This should be removed from the guideline. The guidelines must clarify that shy feeders are to be returned to pastured grazing and that humane killing is not permitted in these circumstances.
- (l) G9.16 *Prior to entry into an intensive system, sheep must be inspected for disease and injury and appropriate treatment undertaken.* Failure to do so jeopardises the health and welfare of every sheep in the system. This should be a standard, rather than a guideline.
- (m) G9.18 *Intensive systems must have adequately-sized hospital pens for sick or injured sheep.* This should be a standard, rather than a guideline.
- (n) G9.19 *Dead sheep must be removed as soon as possible.* Failure to do so jeopardises the health and welfare of every sheep in the system. This should be a standard, rather than a guideline.
- (o) G9.21 The minimum space allowances in Table 9.1 are insufficient to secure sheep welfare. Minimum space allowances must include specifications for straw bedded lying areas and total floor areas and at a minimum should be guided by RSPCA recommendations.³⁴
- (p) G9.22 *Dust must be minimised within the intensive system.* Dust has been shown to cause significant respiratory complications.³⁵ This should be a standard, rather than a guideline.
- (q) G9.23 *Pen surfaces must be maintained to minimise slipping and injury.* This should be a standard, rather than a guideline.
- (r) G9.24 *Pen surfaces must be constructed and maintained in a way that reduces the build-up of manure and urine.* This should be a standard, rather a guideline.
- (s) G9.25 *Shade and shelter must, where necessary, be provided to prevent heat and cold stress.* This should be a standard, not a guideline.
- (t) G9.26 *All ventilation equipment must be checked regularly to ensure it is fully operational.* Failure of ventilation systems will result in the build-up of excessive heat, moisture, carbon dioxide, dust, noxious gases and infectious organisms the environment.³⁶ These conditions present a hazard to sheep welfare, and the

³⁴ New RSPCA Welfare Standards Requiring the Installation of CCTV in Abattoirs Processing Mammals, E 5.3 (2010)

<<http://www.rspca.org.uk/ImageLocator/LocateAsset?asset=document&assetId=1232719854371&mode=prd>>

³⁵ Lynn Pezzanite, Dr. Michael Neary, Terry Hutchens, Dr Patty Scharko, "Common Diseases and Health" Purdue University (2009) at 5-6 <<http://www.extension.purdue.edu/extmedia/AS/AS-595-commonDiseases.pdf>>

Problems in Sheep and Goats

³⁶ Lynn Pezzanite, Dr. Michael Neary, Terry Hutchens, Dr Patty Scharko, "Common Diseases and Health" Purdue University (2009) at 5-6 <<http://www.extension.purdue.edu/extmedia/AS/AS-595-commonDiseases.pdf>>

insurance of operative ventilation systems should be a standard, rather than a guideline.

- (u) G9.27 *Indoor housing systems with controlled or forced ventilation that rely on automatic equipment must be inspected daily, or have a back-up system to warn of mechanical failure.* This should be a standard, rather than a guideline.
- (v) G9.28 *Natural or artificial light must be adequate for inspection and should be provided on a 24 hour day/night cycle.* This should be a standard, rather than a guideline.
- (w) G9.29 *Contingency plans must be in place for unexpected interruptions to water or feed supply, outbreak of disease, extreme weather conditions, personal accident or injury or natural disaster.* This should be a standard, rather than a guideline.
- (x) G9.30 *Fire alarms and fire fighting equipment must be fitted and maintained in all indoor housing systems.* This should be a standard, rather than a guideline.

14 Humane Killing

14.1 Voiceless objective

- (a) Voiceless strongly opposes the killing of animals, no matter how 'humane' that death may be perceived to be by the livestock industry. We urge that all animals with the potential for rehabilitation be immediately surrendered into the care of a veterinarian or animal welfare organisation, sanctuary or carer for treatment. Voiceless supports the complete elimination of exsanguination and clubbing as forms of 'humane killing.'

14.2 To be amended:

- (a) S10.2 The exception allowing an incompetent person to kill a sheep when there would be an unreasonable delay until direct supervision by a knowledgeable and experienced person is available is too broad. In order to serve any purpose as an enforceable rule, the standard must provide some indication as to what constitutes an unreasonable delay. The requirement for relevant knowledge and skill is in place to prevent such situations, and a vague exception cannot be permitted to defeat the rule.
- (b) S10.3 The standard requiring immediate death for any sheep suffering from severe distress, disease or injury is far too vague, since the concept of reasonable treatment is entirely subjective. Failure to sufficiently outline the circumstances which mandate prompt killing places the lives of sheep at risk and undermines the enforceability of the standard.
 - (i) The S&G must outline the steps that must be taken before a sheep is deemed to be beyond reasonable treatment, including, at the minimum, a consultation with a veterinarian.
 - (ii) Sheep suffering only from severe distress, absent any painful injury or disease, must not be killed and must be surrendered to an animal welfare organisation, sanctuary or carer for rehabilitation.
- (c) S10.4 The 'reasonable action' required of a person to confirm the sheep's death is too vague as drafted. The standard should explicitly include the signs of death included in G10.2.

- (d) S10.5 *No sheep may be killed by a blow to the head, regardless of age.* The risk of causing injury and consequential suffering, rather than immediate death, is too great to ever warrant the use of this method.
- (e) S10.6 The standard permitting death to a conscious sheep by exsanguination when no firearm, captive bolt or lethal injection is reasonably available is far too vague to achieve any welfare objective. The standard makes no mention of any state of emergency which would justify such an urgent and inhumane death. Failure to define the circumstances that would necessitate the use of this method undermines the enforceability of any regulation against its use. Exsanguination that is not preceded by stunning must be prohibited in all circumstances by these standards.
- (f) G10.4 The guidelines should define exactly what qualities make a knife suitable for exsanguination other than simply being 'sharp.'

15 Conclusion

- (a) The S&G as drafted is insufficient to guarantee the welfare of sheep in Australia, since it condones the persistence of cruel and extreme husbandry procedures performed upon sentient beings without pain relief. The suffering experienced by sheep under the current MCOP has already been recognised and acts as the driving force for these reforms. The Government should use this opportunity to effect real and meaningful change to sheep welfare, rather than simply perpetuating the status quo through broad subjective standards and unenforceable guidelines.
 - (i) The best way to begin remedying the draft is to shed the dichotomy of standards and guidelines. None of the proposed initiatives is particularly difficult to implement, expensive when viewed in an industry context, or demanding of anything more than the consumer should already be able to expect from Australian livestock farmers.
 - (ii) The S&G must be further amended to include all of proposed Variations C1 through C14, since these represent the minimum changes which must be made immediately in order to achieve any reasonable protection of sheep welfare.
 - (iii) Finally, the Government should incorporate the comments and recommendations presented above, which draw upon information from government and respected independent bodies both within Australia and abroad. Voiceless hopes that the Government will present a final draft of the S&G that reflects these changes and which acts as a pivotal landmark instrument in the ongoing struggle for animal welfare.

Respectfully submitted by Ruth Hatten, Legal Counsel, Voiceless