



The veterinary voice in animal welfare

Implementation of Moss Review Recommendations: Submission from Sentient

To Whom it May Concern,

Thank you for the opportunity to contribute to the review conducted by the Inspector-General of Live Animal Exports of the Department of Agriculture, Water and the Environment's progress in implementing the 31 recommendations of the independent Moss review (*Review of Regulatory Capability and Culture of the Department of Agriculture and Water Resources in the Regulation of Live Animal Exports*).

Sentient is an independent Australian veterinary association dedicated to animal welfare advocacy. Our members are represented in academia, private practice (companion, equine and large animals), non-government, government and industry settings, with expertise in many fields including animal welfare, animal behaviour, clinical medicine, epidemiology and the use of animals in teaching and research. A number are qualified specialists in particular disciplines or have extensive experience within industries such as live export, horse racing and greyhound racing. Sentient has presented at international and national conferences, published papers, contributed numerous submissions to state and federal government inquiries, and provided evidence at parliamentary public hearings. We also host final year veterinary science students for Public, Industry and Community placements in animal welfare advocacy. Sentient is registered with the Australian Charities and Not-for-profits Commission.

Overall, we submit that the Department continues to give priority to supporting the viability of the live export trade over its regulatory role of safeguarding animal welfare. This will always be the case given the Department's inherent conflict of interest in attempting to achieve both roles, regardless of the sound recommendations arising from the independent Moss review. Our view is supported by ongoing exemptions granted to non-compliant exporters, with disregard of science-based recommendations, and the difficulty any member of the public still has in freely obtaining documents such as independent observer reports. The ongoing lack of transparency of this trade in itself is cause for concern that the findings of animal welfare science are still not being effectively implemented to protect animals from suffering during live export voyages. We do not believe that acceptable standards of animal welfare are compatible with live animal export. The Department's failure to implement the Moss review recommendations in practice support this view.

Recommendation 1: That the department ensure the Australian Standards for the Export of Livestock are reviewed on a regular basis to reflect industry, scientific and regulatory developments and community expectations concerning live animal exports.

Recommendation 2: That the department undertake to clarify the interaction between the Export Control Act 1982 and the Australian Standards for the Export of Livestock and the operation of state and territory animal welfare laws regarding live animal exports.

Recommendation 3: That the department work with the live animal export industry to develop comprehensive animal welfare indicators relating to every point of the export supply chain and for those indicators to become part of the regulatory framework.

Recommendation 4: That the department take steps to have the Australian Standards for the Export of Livestock prescribed as regulated standards, with appropriate penalties, for the purpose of strengthening the regulatory framework and encouraging compliance.

Recommendation 5: That the department as the regulator of live animal exports adopt a dynamic, forward looking posture to its regulatory responsibilities.

Sentient commentary: Recommendations 1 to 5 aimed to ensure compliance with ASEL. Such compliance has been blatantly flouted. We need only refer to the exemption the Department granted to allow the *Al Shuwaikh* to sail with double-tiered versus single-tiered decks post the new single-tier standard introduced in 1 January 2020. This target date was suddenly reset to 2023. Granting exemptions to non-compliant vessels makes a mockery of the Department's stated commitment to improve conditions for animals on live export carriers. There is ample scientific evidence for increased suffering of sheep on double-tiered vessels due to reduced ventilation and poor air quality, regardless of stocking density, increased risk of injuries and reduced ability to visually monitor the animals. Another glaring breach of ASEL was allowing the *Al Kuwait* to sail after the summer prohibition introduced on 1st May, despite scientific evidence that this placed the sheep at increased risk of heat stress, heat stroke and death. Concerns expressed by animal organisations about the fate of these sheep were later confirmed with reports that thousands of animals suffered from heat stress.

Recommendation 6: That the department develop a regulatory approach which fosters and incorporates scientific best practice to ensure continual improvements in animal welfare outcomes for live animal exports.

Sentient commentary: This has not been achieved due to the exemptions granted to non-compliant vessels (see previous point).

Recommendation 7: That the department strengthen the approved arrangements model for live animal exports by introducing full inspections of consignments on a random unannounced basis.

Sentient commentary: This has not been achieved.

Recommendation 8: That the department adopt a regulatory approach that recognises the contribution of animal welfare organisations in identifying non-compliance with the Australian



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Standards for the Export of Livestock, the Exporter Supply Chain Assurance System and animal welfare standards.

Sentient commentary: Sentient has submitted at least 2 FOI requests to the Department that were rejected on the grounds this would create “too much work”. Our requests were in relation to high mortality voyages, and hence, were submitted in the spirit of identifying non-compliance with ASEL. In our experience, Recommendation 8 has not been achieved. The most detailed knowledge we have seen regarding non-compliance with ASEL and ESCAS has been published by Vets Against Live Export (VALE), who to our knowledge, have never been invited to contribute reports to the LEAWG. Sentient recommends that all members of LEAWG have full access to all reports in order to effectively contribute to improvements in animal welfare. Without this occurring, and without the public being aware of the outcomes of the Department’s meetings with animal welfare organisations, we see no evidence that Recommendation 8 has been achieved.

Recommendation 9: That the department ensure reportable mortality events and other noncompliance relating to live animal exports, are investigated by staff members with appropriate skills and training who are sufficiently resourced to delivery timely outcomes.

Sentient commentary: Timely outcomes in reporting mortality events and other non-compliance relating to live animal exports have not been achieved. Besides the pattern of repeated refusals to provide FOI documents to animal organisations, including to Sentient, the public release of Independent Observer and high mortality reports on the Department’s website has been unacceptably and consistently slow.

Recommendation 10: That a consolidated investigative capacity or a joint triage system be developed between the department’s Live Animal Exports Branch and Enforcement and Sanctions Branch to investigate issues concerning industry non-compliance with the Australian Standards for the Export of Livestock, the Exporter Supply Chain Assurance System and animal welfare standards.

Sentient commentary: This has not been successful in practice, hence the ongoing reports of ESCAS breaches being provided through exposes by organisations such as Animals Australia.

Recommendation 11: That the department ensure it receives the reporting necessary to assess the health and welfare of livestock during the export process.

Sentient commentary: This has not been achieved due to Departmental failure to act effectively on concerns raised in IO reports and in some instances, to Departmental redaction of IO reports. We request an independent review of IO summaries and original IO reports to assess their transparency and integrity.

Recommendation 14: That the department re-establish an Animal Welfare Branch and place animal welfare at the centre of its regulatory activities in relation to live animal exports.



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Sentient commentary: This has not been achieved. We submit that the Department should only appoint veterinarians who hold post graduate qualifications and/or have specific work experience that ensures they have a sound understanding of the complexities of animal welfare science. At the very least, all Department veterinarians should have completed Australian and New Zealand membership examinations in animal welfare. Given the significance of the welfare aspects of live animal exports, all veterinarians should be required to undertake specialist training and/or assessment.

Recommendation 19: That the department require Australian Government Accredited Veterinarians and authorised officers to make a declaration each year of any personal conflict of interest.

Sentient commentary: How will the Department monitor this to identify false declarations?

Recommendation 24: That the department work with the live animal export industry and the Australian Maritime Safety Authority to develop automated monitoring of animal welfare indicators on-board vessels.

Sentient commentary: We are unaware of any mandatory automated monitoring of indicators such as temperature, ammonia or CO2 levels. Heat stress remains one of the major animal welfare risks and yet there is no mention of implementing a guide for all those responsible for assessing animal welfare (stockpersons, AAVs and IOs) to use during voyages. The full reporting of the extent and duration of heat stress must be included in all reports as well as the effectiveness of actions to mitigate heat stress.

Recommendation 27: That the department engage with the states and territories and other stakeholders to develop national animal welfare coordination to improve animal welfare outcomes in relation to live animal exports.

Sentient commentary: VALE is a major stakeholder but has never been approached to discuss key welfare issues. Sentient recommends that VALE routinely be provided an opportunity to meet with the Department to discuss welfare issues of concern in order for this recommendation to be considered completed.

Recommendation 29: That the department and the Australian Maritime Safety Authority, in their respective regulatory roles, develop and maintain a collaborative relationship for the effective regulation of live animal exports.

Sentient commentary: The Department's granting of an exemption to allow the *Al Shuwaikh* to sail despite having not complied with the single-tier exemption provides evidence of a lack of collaboration with the AMSA, who advised the voyage should not proceed due to the potential impact on animal welfare.



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Recommendation 30: That the department establish appropriate forums to consult with stakeholders and assess community expectations.

Sentient commentary: Sentient has submitted to numerous inquiries into the live export trade since 2011. We are not aware of any forum to assess community expectations since the Moss review. Genuine consultation requires such forums to be widely advertised with reasonable notice of submission deadlines.

Recommendation 31: That the department strengthen its regulatory capability and culture, including in relation to live animal exports, by developing its whole-of-department integrity measures.

Sentient commentary: We have seen no evidence of whole-of-department integrity measures that reassure the community of the department's capability to safeguard the welfare of exported livestock. Examples of exemptions granted to non-compliant exporters and of ongoing lack of transparency reflect what we regard as an ongoing priority to maintain the live export trade above ensuring acceptable animal welfare standards.

7/9/2020

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