

Review: Implementation of Moss Review's Recommendations (LAE)

To Whom It May Concern;

Thank you for the opportunity to contribute to this review.

I am of the opinion that multiple events regarding the regulation of Live Animal Export (LAE) by the Department of Agriculture (Dept) in Australia has continued to be substandard to the projected 'Moss recommendations' goals. Allowing exemptions for multiple ASEL guidelines has eroded much confidence that the 'Moss recommendations' may have initiated.

These events highlight a weakness in the regulation, understanding or respect of the applicable animal welfare science by the Dept and the underlying ongoing need to ensure sound and acceptable animal welfare conditions for animals within the LAE system.

Examples:

- 1- Rec 1-5, 'Ensure compliance...'. Blatant and undeniable failures to ensure compliance with the ASEL by awarding exemptions such as the Al Shuwaikh sailing with double tiered decks. The operators of this vessel had over a decade to have their ship conform to the newly implemented single tier only standards introduced in January 2020. To allow this ship to sail unmodified caused a plummet in public confidence that the LAE trade was prioritising animal welfare based on science.
- 2- Rec 5- 'looking forward...'. This recommendation is made redundant by allowing superseded standards to be used, such as the double tier voyage of the Al Shuwaikh and the voyage of the Al Kuwait (during the sheep trading moratorium) allowed with 'exemptions' outside of regulatory specifications. Undermining public confidence of animal welfare protection and proving that the regulator was not robust in ensuring standards and regulations are met.
- 3- Rec 6- 'fosters and incorporates best practice science...'. Again this is made redundant by allowing the exemptions to the Al Shuwaikh and the Al Kuwait, allowing them to put animals at risk of scientifically proven dangers, especially of heat stress/ stroke/ death.
- 4- Rec 8- 'recognising contribution of animal welfare organisations with non-compliance...'. Again, there was much voicing and action against allowing animals to be loaded on non-compliant voyages as mentioned above, including legal appeals.
- 5- Rec 9- 'Sufficiently resourced to deliver timely outcomes...'. This has repeatedly failed to occur as evidence by the slow, almost glacially so speed of Independent Observer (IO), and high mortality reports being released, especially any that were contentious and damning to the trade (i.e. IO 8's report of the Al Shuwaikh). The repeated refusal / minimisation requests of FOI documents requested. The reasoning generally being that the Dept is under resourced and does not have the staff available to meet these reasonable requests.
- 6- Rec 10- 'Investigative capacity...'. Clearly this is not met, or reports/FOI requests would be available and forthcoming in a timely manner that could prevent further animal welfare occurrences. Many ESCAS breaches are still being reported by non-industry parties such as Animal Australia.

- 7- Rec 14- 'Re-establishment of an Animal Welfare Branch...'. I am unaware of this having happened.
- 8- Rec 22- 'Dept to enhance skills required for LAE work...'. I am hoping the IO reports/voyages are helping to build a level of relevant, first-hand knowledge of the trade and how the reality of 'operations' occur at sea, V's a desktop perspective.
- 9- Rec 24- 'Automated monitoring development...'. I am only aware of one company, KLTT, trialling some temperature data loggers (Kestrel) that they themselves have said they do not trust the numbers of. 24/7 temperature, ammonia and CO2 loggers should be mandatory. The technology has been used on car carriers for decades.
- 10- Rec 25- 'Updated instructional material to be updated...'. If this is available it has not been made widely known. I have not seen anything of this sort.
- 11- Rec 29- 'Development of a collaborative relationship between the Dept and AMSA...'. This does not seem to be established as the double tier exemption of the AI Shuwaikh, had Michael McCormick appear to ride roughshod over both AMSA and the Dept to ensure the exemption was granted, post new legislation outlawing double tiered sheep ships on animal welfare, science-based reasoning. This occurred regardless of both regulators advising otherwise and that the voyage should not proceed. Best practice science and welfare was flagrantly overruled by politics.
- 12- Rec 30- 'Stakeholder forums to be established...'. I am unaware of any forums unless this review is considered one? If they do exist more transparency of what, when and where would be appreciated.
- 13- Rec 31- 'Developing a whole of Dept integrity measures...'. Incidents above highlight the manner in which this recommendation has fallen short of its target of capability, culture and integrity. Much work is still needed to satisfy the general public and stakeholders that animal welfare and animal welfare science is considered important enough to the Dept for them to regulate without fear or favour.

There are many individual examples of poor transparency and apparent weak regulation that can be identified through reports, or the lack thereof (either entire reports or excessive and overly protective redaction).

The exemptions to current regulations make it appear to that the Dept is simply making up regulations on the go as challenged or requested by organisations or individuals that have financial or professional vested interests, and not in line with the animal welfare goals sought by the 'Moss Recommendations'. The almost predictable FOI refusals or blocking appear to say more than many of the refused and requested documents probably have to say. This in itself is indicative of a poorly resourced, poorly transparent or uncooperative Dept/ regulator and has eroded confidence in the Dept's integrity immensely.

What the public seek is clear regulations based on respectable animal welfare science that are then regulated with consistency and effective responses/ mitigation strategies applied to adverse events/ operators.

Your Sincerely

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