

**AUSTRALIAN ANIMAL WELFARE
STANDARDS AND GUIDELINES
FOR
SHEEP**

**Public Consultation Response
Action Plan
May 2014**

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EXECUTIVE SUMMARY

This document is based on summarised submissions received for the draft standards and guidelines for sheep (May 2014) and the associated Consultation Regulation Impact Statement (RIS). The document identifies where there is a need or a desire for change in the standards and guidelines and if agreed, how this might be accomplished. It follows the format of the proposed standards and guidelines where possible. Specific issues are presented in the context of *background information of relevance* (the proposed standards), *submissions and considerations* (including cross reference to the Consultation RIS) and proposed actions.

Acknowledgment is given to Ms Kelly Wall, Animal Health Australia Project Officer and Dr Robin Vandegraaff of *Animal Health and Welfare Systems* who performed the initial analysis and summary of the submissions. This document initially functioned as a comprehensive summary and analysis of submissions for the writing and reference groups and will now be published as a record of decisions and recommendations made at the final reference group meeting. Tracked changes to standards and guidelines have been preserved to illustrate changes proposed or accepted.

Fifty four substantial submissions have been received relating to the draft standards and guidelines and the RIS. These have been analysed and are reported on in this document. 965 on-line questionnaires have also been completed with results reported against relevant topics. In addition approximately 13,850 email letters have been received, of which the vast majority supported notions of better welfare standards.

Submitters will not be responded to directly. Only organisational submissions are identified in this report unless there is particular merit in the individual's submission. Submissions published or quoted are listed at Appendix one.

It has not been possible to generally recognise individual submissions in this report. In all cases the concerns raised by individuals have been also raised by organisations, and therefore the issues have been identified in this report. Acknowledgement is generally given to the degree of interest and effort that has gone into these submissions and in particular, the ongoing participation by RSPCA Australia and Animals Australia throughout the development process.

The (proposed) categorisation and handling of issues identified in the public consultation is described. The four main decision-making principles used for standards are that they are desirable for livestock welfare, feasible for industry and government to implement, important for the livestock-welfare regulatory framework and will achieve the intended outcome for livestock welfare.

The combined writing groups considered a summary analysis of the many detailed submissions to the public consultation of the standards and guidelines for sheep and cattle.

They then closely considered the draft documents and decided there were only minor changes required on the basis of the justification provided.

There was recognition of prior process where many of the issues had been comprehensively considered in previous writing and reference group meetings. It was decided not to further update the discussion papers used in consultation.

Reference group discussions determined that there was little justification needed, with limited science or no scientific practical basis in response to the submissions. A small number of edits have been made, including ensuring the language has been made consistent across the documents.

A number of draft guidelines were proposed for elevation to standards however these were not generally progressed because they failed to meet one or more of the decision making principles.

This approach was generally supported by the reference group but consensus was not reached on all issues, including on the major variations proposed in the RIS. It was decided to proceed independently with all RIS variations in the Decision RIS for a total of seven options.

SUMMARY OF RIS VARIATIONS AND RECOMMENDATIONS

RIS Variation	Recommendation as a new standard	Recommendation as a RIS Variation	Comment
C1: All Mulesing with pain relief	Not supported	Supported	See Chapter 7 for further discussion
C2: Restrict Mulesing age to less than 6 months of age	Not supported	Supported	See Chapter 7 for further discussion
C3: Single penning for wool production ban	Supported	No longer separately required in the RIS.	See Chapter 9 for further discussion
C4: Tethering ban	Not supported	Supported	See Chapter 5 for further discussion
C5: Mandate pain relief for ET/LAI	Not supported	Supported	See Chapter 8 for further discussion
C6: Require docked tails to have at least one free palpable joint	Supported	No longer separately required in the RIS.	See Chapter 6 for further discussion
S5.1 A (short version)	Supported	Supported	See Chapter 5 for further discussion

The public consultation process has resulted in two new standards, revision to 10 standards and revision to, and inclusion of, 18 guidelines. The overall recommendations from the reference group to governments is to consider

endorsement of the documents based on the revised proposed standards and guidelines.

Kevin de Witte
Animal Health Australia,
May 2014

DOCUMENT PURPOSE

This document provides a summary of submissions received during the five month long public consultation period for the draft Australian Animal Welfare Standards and Guidelines for Sheep and the associated Consultation RIS, and the subsequent consideration of these documents by the writing and reference groups.

The document also identifies any recommendation for change in the standards and guidelines resulting from the public consultation process and proposes to government how this might be accomplished. Associated documents are the revised Australian Animal Welfare Standards and Guidelines for Sheep and the Decision RIS.

The Australian Animal Welfare Standards and Guidelines - Sheep ('the proposed standards') form the basis for legally enforceable standards for the welfare of all sheep, in all types of farming enterprises in Australia. They will apply to all those with responsibilities for the care and management of sheep. It is intended that the proposed standards and guidelines will replace the existing Model Code of Practice for the Welfare of Animals – Sheep ('the existing code').

The development of nationally consistent animal welfare arrangements for various industry sectors has been identified as a major priority by all levels of government, industry and welfare organizations. In addition it is a key policy objective under the Australian Animal Welfare Strategy (AAWS). The AAWS has identified enhanced national consistency in regulation and sustainable improvements in animal welfare based on science, national and international benchmarks and changing community standards as areas of priority effort.

The RIS process assessed the proposed standards in accord with the requirements of the Council of Australian Governments. The RIS was also used to facilitate public consultation on the proposed standards. The RIS was prepared for AHA by Tim Harding & Associates in association with Rivers Economic Consulting.

Major actions from the post consultation development process are summarised in the executive summary. Detailed discussion on all actions arising from the public consultation can be found in the relevant part of this document.

CONSULTATION PROCESS

An open public consultation ran from 7 March – 5 August 2013. Government Minister's for Agriculture directed that consultation be extended from the agreed 60 days for a further 90 days just before the initial closure.

Media releases from AHA occurred prior and during the consultation period. Paid advertisements were placed in larger regional newspapers and one major weekend newspaper just prior to 7 March. At that time, reference group organisations (government, industry and welfare) were asked to duplicate and disseminate the prepared messages through their own networks and resources. Organisations were encouraged to consult with their members and to maintain a log of all related activities. AHA maintained updates on the AHA website and at the consultation site www.animalwelfarestandards.net.au. In most cases the complementary efforts were timely and helpful.

Three categories of submission were received: substantial written documents, part or full completion of an online survey, with or without additional comments and email letters, many in a similar format. AHA preferred respondents to forward written comments electronically. Submissions were made via the website, email, fax or post. The web based survey was available at the following site:
<http://www.animalwelfarestandards.net.au>.

All submissions will be treated as public documents. Written submissions from organisations and substantial submissions from individuals are published on the website www.animalwelfarestandards.net.au.

INDEPENDENT CONSULTANT

Dr Robin Vandegraaff of *Animal Health and Welfare Systems* was contracted to independently examine and summarise written and on-line survey submissions to the public consultation process for the Australian Animal Welfare Standards and Guidelines for Sheep. His report made observations, conclusions and recommendations to AHA for consideration by the writing and reference groups.

MAJOR WRITTEN SUBMISSIONS - CONTENTIOUS AND POPULAR ISSUES

General comments in the 44 major written submissions, unrelated to specific standards or guidelines, contained some common themes. They were

1. Criticism (mostly by welfare advocates and lawyer groups) of the use of "general" standards and subjective terms such as "reasonable", "adequate" and "appropriate" – covered under 'language and construction' below;

2. Concern (mostly in livestock industry organisations) about the capacity and commitment of government regulatory authorities to monitor and enforce compliance, and the consistency of enforcement by states and territories;
3. The practical difficulties in compliance with pain relief, veterinary procedures and age limits in extensive sheep production systems;
4. Concern and mistrust in some industry groups about the potential for courts to prosecute on the basis of failure to comply with guidelines – covered under ‘scope’ below;
5. The perceived lack of specificity (by welfare advocates) in some standards and their preference for adopting guidelines as standards;

The most controversial issues related to individual draft standards were:

1. Mulesing (S7.2)
 - calls for prohibition
 - with pain relief in all ages
 - age limits – various ages suggested
2. Pain relief for other surgical procedures
 - castration, tail docking (S6.2, S6.4)
 - mandate pain relief irrespective of age (welfare/rights groups)
 - mandate at any age is impractical (producer groups)
 - artificial breeding procedures (S8.1)
 - veterinary only (welfare groups)
 - convert G8.12 (training) and/or G8.14 (analgesia) to a standard
3. Availability of water daily (S2.1) – non-acceptance of “reasonable access”
4. Provision of shelter (G3.6, suggested should be converted to a standard)
5. Slaughtering of sheep
 - by head trauma (S10.5)
 - slaughter by bleeding out (S10.6)

These issues were highlighted most frequently in written submissions and characterised by an “agreement” rate of less than 70%, and/or attracting the greatest number of comments in the on-line survey. Further discussion on these topics occurs as relevant in each chapter below.

ON-LINE SURVEY

The on-line survey sought responses on each of the 37 draft standards - specifically, whether or not the Standard would benefit the welfare of sheep – and on the 26 questions raised in the Regulatory Impact Statement.

There were 965 responses to the survey. An average of 579 (60%) commented on the welfare standards. The survey has been criticised for its low value, length and the confusing nature of the questions but it is still supported by some survey respondents as a means of consultation. The overall view is that the survey has added little to the overall process with views expressed being consistent with other material and no new facts emerging.

Of the 37 survey questions seeking a response on the overall benefit of the standards, 34 returned a rating of “Agree” or strongly agree” of 70% or higher, including 13 rating 80% or higher. The generic question, Q3 “Will the sheep welfare standards help protect the welfare of sheep?” returned the lowest approval rating, with 39% “Agree” or “Strongly agree”, and 51% “Disagree” or “Strongly disagree”. This is an interesting outcome, repeated in the cattle survey, considering the high “agreement” rating for the majority of individual standards.

Three draft standards returned an “agreement” rating of less than 70% - they were:

- S7.2 – age limits for mulesing (“agreement” rating of 69%)
- S10.5 – slaughter of lambs by head trauma (“agreement” rating of 54%)
- S10.6 – slaughter of sheep by bleeding out (“agreement” rating of 55%)

The large number of comments made by respondents on these questions generally reflected the views presented in written submissions.

Generic question (Survey Q3): Will the sheep welfare standards help protect the welfare of sheep?

No. of responses	% Agree	% Disagree	% Neutral	No. of comments
677	39	51	10	249

The 249 comments fell into 8 categories. The following table gives the percentage of comments by category in a sample of 100 responses.

Category	Number of comments
Endorsement	11
Partial Improvement	16
If well enforced	15

Inadequate-unenforceable (single or limited issue)	34
Other	2
Informal	22
TOTAL	100

Many category 1 responses (the “inadequate-unenforceable” category) reflected misinterpretation of the question, disregarding the word “help” and targeting one or more specific welfare issues.

Q4: Is the first of several directional questions throughout the survey asking “Do you wish to answer questions or provide further comment on the sheep welfare standards?” The respondent would then be taken to the relevant section of the survey.

Q5: Will S1.1 - "A person must take reasonable actions to ensure the welfare of sheep under their care", help protect the welfare of sheep?

No. of responses	% Agree	% Disagree	% Neutral	No. of comments
650	72	22	6	227

It is not intended to publish further detail for the survey, except in relation to the RIS.

EMAIL LETTER SUBMISSIONS

Approximately 13,850 email letters have been received, of which the vast majority supported better welfare standards. In many cases objections to specific standards or practices were raised, but few new alternatives to achieve sheep husbandry outcomes were proposed. Many email submissions sought to compare the treatment of livestock with that of urban companion animals.

The majority of concerns focused on daily access to water, shelter/shade provisions and pain relief for all surgical procedures. Many submissions raised concerns that the standards and guidelines for sheep will not protect them from cruelty, still allowing workers to strike animals (in a reasonable manner) and use electric prodders (under specified conditions).

Submissions expressed concern that sheep can still be subjected to mulesing and artificial breeding practices, considered by many submitters to be dangerous and unnecessary for sheep welfare.

Email submissions repeatedly stated that sheep are just as capable of feeling pain and fear as any other animal and alleged that the standards do not reflect the

growing community concern about animal welfare, or the values society holds about how these animals should be treated.

Numerous submissions reflected concern about the cost to farmers and suggested that if costs were reduced, farmers could provide better welfare. E.g. *“More and more our farmers are seeing their marginal profits squeezed out of them by Coles and Woolworths... so every cent has to be gleaned from somewhere... goodbye animal welfare”*.

REGULATION IMPACT STATEMENT

Background

A key aspect to creating animal welfare standards is to identify the costs and benefits that the proposal will have for a wide range of stakeholders. This is typically done by preparing a RIS, as required by COAG, to assist final decision making state and territory by governments.

A RIS is prepared by the department, agency, statutory authority or board responsible for a regulatory proposal. The RIS for the standards and guidelines for sheep has been developed by AHA in conjunction with the reference group. The RIS includes recommendations for the most effective and efficient option and formalises and documents how authorities have assessed the costs, benefits and the possible changes to an existing (or a new) regulation. There are a number of assumptions and limitations recognised in this complex and lengthy document. In general terms, the RIS is accepted to be sufficiently accurate for the intended purpose as a guide to decision making.

Authorities are required to conduct public consultation to seek feedback and determine the level of support for the RIS. When the RIS is assessed, it must include a consultation statement that shows how consultation was undertaken, who was consulted and a summary of their views, and how those views that were considered. The RIS consultation summary will be based upon this report.

Importantly the RIS considered alternative options and variations to the standards in terms of costs and benefits. These were:

- **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:
 - C1 - All Mulesing with pain relief
 - C2 – Restrict Mulesing age to less than 6 months of age
 - C3 – Single penning for wool production ban

C4 – Tethering ban

C5 - Mandate pain relief for ET/LAI

C6 - Require docked tails to have at least one free palpable joint.

The reference group agreed that four options would be retained and one additional variation included for final consideration. Agreement was not reached on a recommended option. Further detail is provided below in the specific issues by chapter sections.

RIS Submissions

In relation to the on-line survey; of the 965 respondents, only approximately 90 went on to answer the specific RIS questions towards the end of the survey. These limited results indicated no clear picture in regard to the preferred options, other than general support for the all of the RIS variations under option C to be considered. Further details are provided in the relevant chapters. Very few informative comments were made. Further specific details will be reported in the Decision RIS. No further variations were supported.

Copies of the written submissions are available at;
<http://www.animalwelfarestandards.net.au/cattle/submissions/>

In general terms the 17 **animal welfare/rights groups** supported Option C (Variations C1-C6) as presented in the RIS; in addition several suggested further variations. For example Sentient proposed additional variations – proposing a phase out of all mulesing and mandating pain relief for all surgical procedures. These proposals are discussed in the relevant chapters. No further variations were supported.

RSPCA Australia suggested the RIS does not take into account the extent to which compliance costs can be internalised and passed on through the supply chain. The costs of higher welfare options proposed in the RIS are all attributed to ‘sheep farmers’ alone. The RSPCA claimed the RIS discounts the ability of sheep farmers to internalise these costs, and the steady increase in demand and market share for higher welfare products, distorting the perception of how the economic impacts may be distributed.

The RSPCA also challenged the statement in the RIS that Tri-Solfen is a Schedule 4 drug, only available through a veterinarian and therefore difficult to obtain. Re-scheduling of the three active ingredients will make Tri-Solfen a Schedule 5 drug from February 2014, so it will be readily available to mulesing operators.

Some written submissions made specific comments on statements and assumptions in the RIS. For example the RSPCA Australia expressed concern that *“the RIS does not appear to take into account the extent to which compliance costs can be internalised and passed on through the supply chain. The costs of higher welfare options proposed in the RIS are all attributed to ‘sheep farmers’ alone. The RIS*

appears to play down the ability of sheep farmers to internalise these costs simply on the basis that 'the market share for other animal welfare-related products indicates that only a small percentage of consumers would be likely to be influenced in their purchasing decisions. This ignores the steady year-on-year increase in demand and market share for higher welfare products, and subsequently, distorts the perception of how the economic impacts may be distributed'.

Twenty two **Sheep industry organisations** (notably AgForce, AMIC and ALRTA) and many individual producer submissions generally supported Option B and opposed all the variations.

WPA supports the adoption of national Standards as mandatory underpinned by unenforceable Guidelines.

WPA supports the Standards with some amendments as proposed in Edition 1, Public Consultation Version 1.0 of the Australian Animal Welfare Standards and Guidelines – Sheep.

WPA proposes the conversion of parts of S5.1 and entire S6.2 and S6.4 to Guidelines, the removal of S10.5 and S10.6 A and the amendment of S5.3. The variations are not supported except for a simpler S5.1. and noting that C3 single penning restrictions became S9.7 and C6 tail length to be one palpable free joint became S6.3, as subsequently incorporated in the amended in Option B. No preference for any option was stated.

SCA expressed sentiments that supports the adoption of national Standards as mandatory underpinned by unenforceable Guidelines but raised a number of concerns around implementation and harmonisation.

SCA proposes the conversion of parts of S3.2 and S5.1 to Guidelines, the removal of S10.6 A and the clarification of export facility exclusion and the term 'cryptorchidism'. The variations are not supported except for a simpler S5.1. and noting that C6 tail length to be one palpable free joint became S6.3, as subsequently incorporated in the amended in Option B. No preference for any option was stated.

In response to the written submissions from SCA and WPA regarding S5.1, a new Option C7 was included in this Decision RIS. This option would omit standard S5.1b which lists various ways in which the manner of handling sheep would be considered unreasonable.

While broadly stating their opposition to all variations and presenting specific arguments against these. VFF, WAFF, SCA, AgForce and WPA all supported Variation C6 with Victorian Farmers Federation stating their belief that *Concern that accurately tail docking to two joint is difficult to replicate and the production preference for some producers for one joint for several reasons including to lessen time and stress at crutching. VFF believe this will be of no detriment to animal welfare and this is supported by the RIS which documents that there is no variation in welfare benefit between tail docking at either one, two or three joints.*

NSW Farmers supported Option A because it was *“not convinced that an additional layer of regulation will actually improve animal welfare outcomes as intended. The vast majority of producers already ensure that the welfare of animals in their care is upheld and for the minority of cases where this does not occur there is already legislation, the Prevention of Cruelty to Animals Act, which can be used to enforce minimum standards.”* NSW Farmers’ submission included specific arguments opposing Variations C1, C2 and C5 and supporting Variation C6. It also suggested the RIS failed to recognise that many husbandry practices (including mulesing) are carried out to mitigate or prevent endemic diseases which, in the view of NSW Farmers, have more welfare effects than preventive husbandry practices.

The Australian Association of Stud Merino Breeders (AASMB) also supported Option A and opposed Option B and all variations under Option C. Its position was based on mistrust of the 2009 Primary Industries Ministerial Council (PIMC) Resolution (that Guidelines will not be regulated) and the statement in the draft standards and guidelines for sheep that noncompliance with one or more guidelines will not constitute an offence under law. The AASMB’s concern here is *“not primarily one of fear of prosecution of its members or their clients per se but that the pursuance of this strategy would prepare a pathway for opponents of agriculture to advance their social / political agendas, wasting valuable community and industry resources with no benefit to the animal.”*

The TFGA’s submission indicated conditional support for Option B and included specific opposition to Variation C1. While generally supporting Option B, WAFF proposed several amendments to standards and specifically indicated opposition to all Variations including Variation C6.

Wool Producers Australia (WPA) indicated support for Variation C6 and indicated specific opposition to Variations C1 to C5. WPA supported the standards with some amendments as proposed in Edition 1, Public Consultation Version 1.0 of the Australian Animal Welfare Standards and Guidelines – Sheep. WPA chose to support or reject standards on an individual basis, with suggested amendments to S5.1 and S5.3 as currently proposed. WPA also proposed the conversion of parts of S5.1 and entire S6.2 and S6.4 to Guidelines and the removal of S10.5 and S10.6. WPA supported the adoption of national standards as mandatory underpinned by unenforceable guidelines.

As reported above, submissions by industry organisations and many individual producers varied, with many favouring Option B and opposed all the variations except C6.

Many industry organisations made the point that their industry’s continuing support for the standards and guidelines is dependent on successful harmonisation of State and Territory welfare legislation.

The four **Government submissions** (VIC, TAS, QLD and NSW) received generally supported the proposed national standards (Option B) with some variations. Governments have otherwise indicated support for national standards throughout the development process.

DEPI Victoria supported only Variation C5 – it is already regulated in Victoria – and rejected the other variations.

Tasmania supported Variation C5 and notes that it is currently a vet only procedure in Tasmania but made no direct comment on the other variations.

The Queensland Government (DAFF) submission took issue with aspects of the RIS, suggesting some imbalance and omissions in the benefit cost analyses, over estimation of the costs and omission of key benefits (e.g. of training dogs and effective control of dogs) and inadequate coverage of government costs. There is support of all variations, except possibly C2 which was not mentioned and C6 - the requirement for a minimum of two free palpable free joints in tails is supported. Variation C5 is supported as in QLD Laparoscopic artificial insemination and embryo transfer are acts of veterinary science.

NSW Department of Primary Industries supports the development of national livestock standards and guidelines and is committed to their implementation into regulation once they are finalised and endorsed. The issue of muzzling of working dogs has been raised as a concern and has received careful consideration.

The SA, WA, ACT and NT Governments made no formal submissions to the public consultation process, presumably on the grounds that they had all had opportunity to provide comment during the drafting stage. Those in this group with significant sheep populations expressed full support for Option B.

RIS options organisational position summary table

RIS Options supported	Organisation
Support Option A	NSWFF, AASMB
Support Option B (often with qualifications)	Most governments with further comments in text above. TGFA, AMIC, ALRTA SA, NSW, WA, NT Governments
Support Variation C1	QDAFF
Support Variation C2	
Support Variation C3	QDAFF
Support Variation C4	QDAFF
Support Variation C5	QDAFF, Vic DEPI, Tas DPIPW
Support Variation C6	WPA, SCA, VFF, WAFF, AgForce
Support Option C (all variations)	Animal welfare/rights groups from 17 organisations including Animals Australia (not C6) and RSPCA Australia.

Summary of On-line Survey RIS questions

Included in the on-line survey was a number of questions raised in the Regulatory Impact Statement. Q1-18 sought views and advice of interested parties in providing information and data that would further assist in the assessment of the impacts (costs and benefits) expected under the standards (option B) proposed in the RIS. The RIS questions (1-18), seeking more specific information, were answered by an average of 38 (4%) of respondents. Little useful data was received.

The remainder of questions related to the RIS (Q19-26) sought preferences for Options A, B and C. In reference to the total of 965 survey responses, RIS questions 19-26 (relating to Options A, B and C Variations) were answered by an average of 80 (8%) of respondents. The RIS variations questions (Q19-26) are considered in the relevant chapters where the issue is discussed.

Below is a synopsis of the questions and the public responses to them. In general, only a small proportion of survey participants answered the RIS related questions. There was little confidence that the sample was representative of the population and there was a high risk of bias. It is difficult to attach any significance to this small

volume of responses for some questions. A much larger number (624) felt that the survey had given them sufficient information and allowed them to comment adequately.

On-line survey RIS options

Q62: Which variations to the sheep welfare standards should be adopted?

Variation	% of responses	No. of Responses
C1 (pain relief for mulesing)	52.5%	74
C2 (mulesing under 6 months old only)	39.7%	66
C3 (ban single penning for wool production)	46.1%	65
C4 (ban tethering)	44.0%	62
C5 (pain relief for artificial breeding)	47.5%	67
C6 (docked tails to have at least one free palpable joint)	45.4%	64
None	7.1%	10
All	50.4%	71
Total Respondents:		141

Q63: Which option provides the best combination of costs and benefits?

Answer Choices	% of responses	No. of Responses
Option A	9.5%	7
Option B (the proposed standards)	18.9%	14
Option B with Variation C1 (pain relief for mulesing)	36.5%	27
Option B with Variation C2 (mulesing under 6 months old only)	8.1%	6
Option B with Variation C3 (ban single penning for wool production)	8.1%	6
Option B with Variation C4 (ban tethering)	4.1%	3

Option B with Variation C5 (pain relief for artificial breeding)	5.4%	4
Option B with Variation C6 (docked tails to have at least one free palpable joint)	9.5%	7
Total		74

On-line survey questions related to the RIS process

Q72: The RIS has adequately demonstrated the need for the proposed sheep welfare standards?

No. of responses	% Agree	% Disagree	% Neutral
89	64	17	19

Q73: The RIS has fully identified the costs of the proposed sheep welfare standards?

No. of responses	% Agree	% Disagree	% Neutral
82	38	19	43

Q74: The RIS has fully identified the benefits of the proposed sheep welfare standards?

No. of responses	% Agree	% Disagree	% Neutral
91	49	23	28

Q75: The RIS has fully identified the range of stakeholders affected by the proposed sheep welfare standards?

No. of responses	% Agree	% Disagree	% Neutral
86	42	24	34

Q76: Do you have any general comments relating to the RIS?

Summary of responses

There were 39 responses. Answers with any relevance to the question related to positions on pain relief, importance of welfare and reputation of the sheep industry. This material is covered adequately in the major submissions. Those with direct relevance to the question should be taken into consideration in the development of RISs for future standards and guidelines.

Survey questions relating to the public consultation process

The final section of the on-line survey comprised a series of questions seeking views about the public consultation process undertaken by AHA. A summary of tabulated responses and comments is presented below.

Q77: Where did you hear about this public consultation process?

Answer Choices	Responses % and No.	
Via an organisation that I belong to.	45.32%	286
Via an email or letter from AHA.	8.24%	52
Via the media.	6.97%	44
Via the internet.	34.71%	219
Other - please provide details in comments at the end.	4.75%	30
Total		631

Q78: Have you previously participated in any consultation process relating to sheep welfare or the sheep welfare standards?

Answer Choices	Responses % and No.	
Yes	11.57%	73
No	88.43%	558
Total		631

Q79: Which of the following best describes what area you live in?

Answer Choices	Responses % and No.	
Rural	40.73%	257
Urban	31.70%	200
Metropolitan	27.58%	174
Total		631

Q80: What State/Territory do you reside in?

Answer Choices	Responses % and No.	
QLD	17.43%	110
NSW	25.36%	160
VIC	22.50%	142
TAS	3.65%	23
ACT	1.90%	12
SA	7.61%	48
WA	14.90%	94
NT	1.27%	8
Overseas	5.39%	34
Total		631

Q81: What occupation best describes your main area of work or interest in relation to sheep welfare?

Answer Choices	Responses % and No.	
Sheep producer	10.42%	65
Other livestock producer	1.60%	10
Livestock industry	2.88%	18
Livestock agent	0%	0
Veterinarian	2.40%	15
Animal welfare or animal rights organisation	20.35%	127
Training provider	1.12%	7
Researcher	3.21%	20
Student	7.53%	47

Answer Choices	Responses % and No.	
Retiree	6.09%	38
Home duties	6.57%	41
Public servant	8.17%	51
Other	29.65%	185
Total		624

Q82: This survey was easy to understand and complete?

No. of responses	Agree	Disagree	Neutral
624	77%	6%	17%

Q83: I believe the information provided to me as part of this survey helped me comment on the sheep welfare standards and the RIS?

No. of responses	Agree	Disagree	Neutral
624	69%	7%	24%

Q84: This survey helped me communicate my views about the draft sheep standards and the RIS?

No. of responses	Agree	Disagree	Neutral
624	81%	4%	15%

Q85: How would you recommend AHA consult for future Draft Australian Animal Welfare Standards and RIS?

Answer Choices	Responses % and No.	
Online questionnaire	79.01%	448
Hard copy questionnaire	3.00%	17
Written submission	4.94%	28
Telephone survey	3.00%	17

Answer Choices	Responses % and No.	
Other - please provide further details in comments at end.	4.76%	27
Don't know	5.29%	30
Total		567

This pattern of responses probably reflects the demographic responding to the on-line survey.

Q86: Do you have any general comments relating to the consultation process and how it might be improved?

There were 221 responses to this question. A sample of 100 responses was allocated into 9 categories. The results for the sample responses are given below.

Category	Responses %
Publicise more widely	46
Biased toward industry	1
Open to abuse by activists	2
Style, language, definitions	11
Technical or timing problems with survey	3
Too complex / long	2
Provide feedback on survey outcomes	1
Good process or "No"	11
Informal (did not address the question)	23
TOTAL	100

The "publicise more widely" category was characterised by complaints from respondents that they "found out about the process by accident" and that advertising and promotion of the process was limited and failed to reach key community groups and farmers. It included several suggestions for greater public exposure to the consultation process, including television advertising, Facebook page, other interactive social media forums, public meetings and even mail to individual livestock producers.

A variety of suggestions were made in the "Style, language and definitions" category; many sought "more background", facts to "jog the memory" and better definition of terms used in the draft standards and guidelines for sheep and the survey questions.

The “Informal” category included a variety of critical and/or partisan statements unrelated to the consultation process.

Actions

The few written submissions containing specific technical comment on statements and assumptions in the RIS were referred to Tim Harding and Associates for consideration in the RIS. Little new data or argument was made available during the consultation process. The underlying methodology of the RIS will not be revised. The RIS has not been revised in light of changes to any standard as proposed below in this report, as these do not have a cost impact. At this time there are no additional cost impacts acknowledged. Full details are available in the Decision RIS.

INTERNATIONAL STANDARDS

Comparisons to other countries sheep welfare standards was not identified as a significant issue. Further country by country discussion is provided in the consultation RIS (section 1.2.3.5) and is not provided in this report. Global developments by the World Organisation for Animal Health (OIE) and the International Organisation for Standardization (ISO) are discussed here. The 178 countries of the World Organisation for Animal Health (OIE) endorsed animal welfare guiding principles for livestock at its General Assembly in 2012. These are published in the **OIE International Animal Health Code. Article 7.1.4.**¹

Eleven general principles for the welfare of animals in livestock production systems:

1. Genetic selection should always take into account the health and welfare of animals.
2. Animals chosen for introduction into new environments should be suited to the local climate and able to adapt to local diseases, parasites and nutrition.
3. The physical environment, including the substrate (walking surface, resting surface, etc.), should be suited to the species so as to minimise risk of injury and transmission of diseases or parasites to animals.
4. The physical environment should allow comfortable resting, safe and comfortable movement including normal postural changes, and the opportunity to perform types of natural behaviour that animals are motivated to perform.
5. Social grouping of animals should be managed to allow positive social behaviour and minimise injury, distress and chronic fear.

¹ http://www.oie.int/index.php?id=169&L=0&htmfile=chapitre_1.7.1.htm

6. For housed animals, air quality, temperature and humidity should support good animal health and not be aversive. Where extreme conditions occur, animals should not be prevented from using their natural methods of thermo-regulation.

7. Animals should have access to sufficient feed and water, suited to the animals' age and needs, to maintain normal health and productivity and to prevent prolonged hunger, thirst, malnutrition or dehydration.

8. Diseases and parasites should be prevented and controlled as much as possible through good management practices. Animals with serious health problems should be isolated and treated promptly or killed humanely if treatment is not feasible or recovery is unlikely.

9. Where painful procedures cannot be avoided, the resulting pain should be managed to the extent that available methods allow.

10. The handling of animals should foster a positive relationship between humans and animals and should not cause injury, panic, lasting fear or avoidable stress.

11. Owners and handlers should have sufficient skill and knowledge to ensure that animals are treated in accordance with these principles.

Professor David Fraser and others have developed a scientific paper that informed these OIE general principles. It was published in the *Veterinary Journal*² in June 2013. The Australian Animal Welfare Standards and Guidelines for Sheep are consistent with these principles.

The International Wool Textile Organisation (IWTO) best practice guide *Guidelines for Wool Sheep Welfare* was developed in 2013. The objective of this guide is to clearly define and widely promote animal welfare practices in wool production, relevant to the wide diversity of production environments around the globe.

While specifically relevant to the global wool sheep production industry, these good welfare practices are closely aligned with the OIE Terrestrial Animal Health Code.

http://www.iwto.org/uploaded/publications/WEB_IWTO_Sheep_Welfare_Guidelines_Web.pdf

General issues

General issues including scope of the standards, language and construction of standards, definitions, consistency in legislation, monitoring and enforcement, of the standards, independence and credibility of the standards development process, decision making, post consultation process and future communication have been

²David Fraser, Ian J.H. Duncan, Sandra A. Edwards, Temple Grandin, Neville G. Gregory, Vincent Guyonnet, Paul H. Hemsworth, Stella M. Huertas, Juliana M. Huzzey, David J. Mellor, Joy A. Mench, Marek Špinko, Rebecca Whay. *General Principles for the welfare of animals in production systems: The underlying science and its application*. The *Veterinary Journal* 198 (2013) 19–27.

discussed comprehensively during the development process. Some are outside the scope of this particular development process but may be relevant to the planned revision of the Standards and Guidelines Development Business Plan for all future livestock welfare projects.

SCOPE – RELATIONSHIP BETWEEN THE STANDARDS AND GUIDELINES

The standards and guidelines document is a dual purpose document. It is intended to provide a basis for developing laws and also a basis for industry quality assurance programs. The intended wide readership requires that a plain English approach be used. Various concerns about the role of the guidelines are acknowledged.

The standards are the animal welfare requirements that will become law. Standards use the word ‘must’.

The guidelines are the recommended practices to achieve desirable animal welfare outcomes. Guidelines use the word ‘should’. Noncompliance with one or more guidelines will not constitute an offence under law.

The guidelines are not written to describe how to achieve these standards, instead they describe a better welfare position than the standard. The overall philosophy is that the private sector has the prime responsibility for livestock welfare and that this document will provide a basis for determining acceptable practices with the guidelines pointing towards best practice. This development process has created an opportunity for all three sectors of stakeholders to work together to develop or refine agreed industry guidelines on a regional or national basis and to focus research investment on contentious issues.

Prosecution against the regulations is the option of last resort. Industries are expected to have shared ownership of the standards and guidelines and to champion their uptake through education and engagement and to foster a culture of best practice and continuous improvement.

The position taken by PIMC 15, in May 2009, is that guidelines, regardless of their purpose in existing Codes and the new standards and guidelines documents, will not be regulated.

In particular agreement was reached that:

“All future revisions of Model Codes and ‘Australian Standards and Guidelines’ documents must provide a number of:

- a) clear essential requirements (‘standards’) for animal welfare that can be verified and are transferable into legislation for effective regulation, and

- b) guidelines, to be produced concurrently with the standards but not enforced in legislation, to be considered by industry for incorporation into national industry QA along with the standards.

From the interpretation section of the introduction in the proposed Australian Animal Welfare Standards and Guidelines for Sheep:

- *Standards — the animal welfare requirements designated in this document (i.e. the requirements that must be met under law for livestock welfare purposes) The standards are intended to be clear, essential and verifiable statements. However, not all issues are able to be well defined by scientific research or are able to be quantified. Science cannot always provide an objective or precise assessment of an animal's welfare and, consequently, where appropriate science is not available, the standards reflect a value judgement that has to be made for some circumstances. Standards use the word 'must'. They are presented in a box and are numbered with the prefix 'S'. The use of hyperlinks in the standards indicates a defined term.*
- *Guidelines — the recommended practices to achieve desirable animal welfare outcomes. Guidelines use the word 'should' and complement the standards. Noncompliance with one or more guidelines will not constitute an offence under law.*

Use of defence clauses is not considered to be an advantage for the regulatory system and has not been used. It is acknowledged that suggestions for restructure of the standards and guidelines have been made but it is not intended to make any structural change at this time.

The standards do not relate to transport or live exports Recommendations in relation to land transport, ships, aircraft or the live export process are not addressed in this report.

General standards – language and construction

The dual purpose nature of the draft standards and guidelines for sheep and the plain English approach used means that the document has a broader extension value to the sheep industry and community than just the creation of regulations. The draft standards and guidelines for sheep contains standards that are general and outcomes based or are detailed and prescriptive, or a mixture of the two types. The value of the general standards has been agreed by the majority of the reference group.

General standards are written because the complexity of biological systems means that it is impossible to develop standards which anticipate all circumstances that could have adverse outcomes or account for regional or environmental differences. The use of general standards has been minimised as it is recognised that it creates a need for further explanation or interpretation.

The use of general, non-prescriptive standards creates a dilemma for regulators and industry. Animal welfare activists believe that this approach promotes the retention of current, unacceptable practices. Specifically, there are concerns about the use of common usage terms such as 'effective, (used once) reasonable, at the first reasonable opportunity (used twice), appropriate, and adequate (used once), which have not been and are not intended to be, specifically defined. These views were expressed and taken into account during the drafting process and in general the usage of general terms has been reduced.

The term 'reasonable' is used nine times and 'appropriate' used three times in standards. It is acknowledged in law that the word 'reasonable' has the prima facie meaning of 'reasonable' in regards of those existing circumstances of which the defendant, called upon to act reasonably, knows or ought to know.

In the introduction of the draft standards and guidelines for sheep a 'reasonable action(s)' is characterised as 'those actions regarded as reasonable to be done by an experienced person in the circumstances to address a problem, as determined by accepted practice and by other similarly experienced people. Use of the term has been agreed by the reference group to reflect the complexity of circumstances covered by the standards. It is acknowledged that the clause is open to interpretation and creates some uncertainty.

Usage in relation to 'at the first reasonable opportunity' has been criticised for implying a lack of timeliness or urgency, with alternatives to the phrase suggested such as 'promptly' or 'immediately'. These options have been considered by the reference group and rejected in favour of the more flexible phrase to allow sheep owners to optimally prioritise their responsibilities.

The use of the phrase; "to minimise risk to the welfare of sheep" in the objectives statements of the draft standards and guidelines for sheep points towards a common understanding of what is 'reasonable' in sheep husbandry in those areas where a complex interaction of factors make it difficult to create an acceptable prescriptive rule for the country. The expectation of what is 'reasonable' may be different between the sheep industries and the community. This reflects the widening knowledge gap between urban populations and livestock production systems. This conundrum may require prosecution test cases, education, and over time community expectations may change.

Governments support the notion and value of general standards and there has been a conscious effort to develop the best option for clear, essential and verifiable standards where possible. Of the 38 standards proposed in the draft, approximately 17 standards are general or have non-prescriptive elements.

An economy of words is pursued in the standards with minimal descriptive terms. The preferred use of terms has been built on the basis of past legal workshops, standards development and implementations. Notably, The Australian Animal Welfare

Standards and Guidelines for the Land Transport of Livestock³. The lack of prescription and resulting inefficiency is acknowledged but this is in due recognition of the vast range of mitigating factors that may impact on welfare management in certain situations, for example during a natural disaster.

Use of defence clauses is not considered to be an advantage for the regulatory system and has not been used in the document. Revisions to specific standards are examined on a case by case basis later in this report.

Definitions

As stated above, the standards and guidelines document is a dual purpose document. The intended wide readership requires that a plain English approach be used and common use definitions are preferred. The definitions proposed have been carefully reviewed as they are an integral part of the draft standards and guidelines for sheep and are important to achieve consistent implementation of the standards.

Comprehensive debate has occurred on the key issue of competency and its definition. Many submissions referred to the terms “knowledge, experience and skills”, which are used throughout the draft standards and guidelines for sheep to describe competency requirements in relation to both general animal husbandry and more specific invasive procedures. The tendered view is that for such standards to be effective and verifiable, a system of assessment (and/or a record of training or accreditation) must be available to prove or disprove compliance. Where training and certification is required for a husbandry practice, this is specified.

Revisions to specific standards are examined on a case by case basis later in this report.

Consistency in legislation, monitoring and enforcement

The improvement of the regulatory system is only part of the justification for developing welfare standards. The achievement of harmonisation between jurisdictions regulatory systems is a major benefit of the standards development process. It is now accepted by a majority of parties that while full consistency is the ultimate goal, and ongoing reviews will continue to move that way, jurisdictional sovereign rights will remain a basis for minor variations prescribing different standards, judged to be appropriate for local conditions. These differences will occur despite the limitations of the science-base and enforceability of some standards.

Jurisdictions have stated previously for the RIS that no new resources will be made available for compliance and enforcement activities. Implementation is important but it is not an issue for the development of the standards. The RIS is a major test of the efficiency of new regulations and the value to the system. It is believed that there is industry and government commitment to the implementation of welfare standards.

<http://www.animalwelfarestandards.net.au/land-transport/>

Public submissions expressing uncertainty and lack of confidence about the capacity and commitment of governments to promote, monitor and enforce regulated standards did not include any reference to the role of industry organisations in these activities or the development of industry quality assurance programs, which have been promoted by some industry groups as the preferred “self-regulatory” compliance strategy.

Consistency of enforcement programs is an important but separate issue from settling the standards and guidelines themselves, and from the role of industry groups in promotion and monitoring of compliance.

Independence and credibility of the standards development process

AHA works to protect and improve animal health and welfare within Australia. AHA is a not-for-profit public company established by the Australian, state and territory governments and major national livestock industry organisations. AHA’s role is to facilitate improvements in Australia’s animal health policy and practice in partnership with the livestock industries, governments and other stakeholders.

Under the AAWS, AHA manages the development of Australian Animal Welfare Standards and Guidelines for Sheep under an agreed development business plan established in 2005 and reconfirmed by government in 2009.

The vision is to establish national livestock welfare standards that reflect contemporary scientific knowledge, competent animal husbandry and mainstream community expectations, and that these standards are maintained and enforced in a consistent, cost-effective manner.

The fundamental components and workings of the development process are described in the introduction of the draft standards and guidelines document and in the agreed development business plan, available at the consultation website www.animalwelfarestandards.net.au.

An independent Chair oversees the two committees involved in development. The writing and reference groups have an agreed terms of reference, new membership, communication and record keeping policies for the project. The preparation of the standards represented a significant investment of time and effort by all parties, especially members of the writing and reference groups.

The sheep writing group is responsible for drafting the standards and guidelines for sheep. It is comprised of representatives from state and territory governments through Animal Welfare Committee (AWC), Sheepmeat Council of Australia (SCA), WoolProducers Australia (WPA), CSIRO and the Department of Agriculture. The group is led by an independent Chair and supported by AHA. The RSPCA national body is specifically consulted at certain times for more complete animal welfare ethical considerations.

The sheep reference group is comprised of representatives from all aspects of sheep care and management. Sheep reference group meetings are held to review the

standards and guidelines draft and to provide further guidance - a public consultation period is part of the process. The group is led by an independent Chair and supported by AHA.

The role of AHA is to:

1. Manage the overall process for the development of standards and guidelines according to the revised Standards and Guidelines Development Plan and under the direction of the writing group funding members and the reference group for each project.
2. Provide support to the Chair and provide leadership to facilitate solutions for animal welfare issues.
3. Recruit and manage outside consultants for key tasks, specifically; literature review, RIS, public consultation and editing.
4. Provide project support.
5. Ensure that final reports satisfy stakeholder requirements.

The overall outcome is to maintain a high level of consensus in decision making and transparency in recording any revised position. The project groups will disband with the passage of the documents to governments for consideration for endorsement in 2014

The initial decision in 2008 to develop the sheep welfare standards was a shared decision between all governments and the sheep industry peak bodies, Sheepmeat Council and Wool Producers Australia. It is acknowledged that the slow pace of development has in some cases contributed to mistrust over lack of apparent communication. Restricted resources for communication has meant that some participants may not have been adequately informed, and that the demands of some stakeholders cannot not be met. Communication has relied on key industry, community, service provider, and government stakeholders, promoting, and passing information on, the process to their networks of contacts. A project meeting history is available at the website: <http://www.animalwelfarestandards.net.au/sheep/>

At the AHA-Government livestock Welfare Relationships Workshop on 8 and 9 March 2011, commitment was given to reviewing the Australian Animal Welfare Standards and Guidelines Development Business Plan at the completion of the sheep and cattle welfare projects. The concerns of welfare organisations, particularly in relation to the consultation process and resources were acknowledged. Subsequently, the Department of Agriculture Fisheries and Forestry (DAFF, now Department of Agriculture) commissioned a review of the standards and guidelines development process by the firm, Price Waterhouse Coopers. The report in July 2013 (available on the departments website) recommended fine tuning of various elements of the process which is acknowledged to be relevant for future standards development projects and less relevant for this project which is now in the final stages.

The conclusion of the revision of the sheep welfare standards will be conducted according to the business plan described at the website <http://www.animalwelfarestandards.net.au/>

Finalisation with a recommendation to Ministers is planned for May 2014.

Decision making

Ultimately the revised standards and guidelines and the revised RIS are recommended to Ministers via the AWC, for consideration for endorsement.

The AWC is comprised of senior government representatives within departments of Agriculture who have animal welfare responsibilities. The AWC reports to the heads of Department (formally Primary Industries Standing Committee), which in turn reports to Ministers with responsibility for Primary Industry matters.

The Standing Council on Primary Industries (SCoPI) has considered priority issues of national significance affecting Australia's primary production sectors which require a sustained and collaborative effort across jurisdictions and address key areas of shared Commonwealth, state and territory responsibility and funding for Australia's primary production sectors.

SCoPI has developed and implemented policies and strategies for achieving agreed national approaches to biosecurity, productivity and sustainability of primary industries (including fisheries and forestry industries) and food security. It encouraged greater collaboration and promotes continuous improvement in the investment of research and development resources nationally.

Post consultation process

Following compilation of submissions, AHA prepared documents for consideration firstly by the writing group and then the reference group consistent with the development business plan. Whilst the focus is primarily on the standards, all matters are considered. Further details on participants and process are available at the below website:

<http://www.animalwelfarestandards.net.au/>

The categorisation and handling of issues identified in the public consultation was:

1. Irrelevant, not understood or factually incorrect material – no further action, explanation may be recorded. Where there has been a simple error of fact or interpretation of the proposed documents – this is not mentioned or corrected in this report. Communications with the stakeholder may have occurred to clarify issues of concern.
2. Minor correction or clarification – changes made and compiled for reference group consideration, including all guideline changes proposed.

3. Significant specific issue but no new solutions proposed in the context of previous reference group discussions – no further action but an explanation provided in the body of the consultation response report which may be further discussed.
4. Significant specific issue described, to be further considered by the reference group or subject to further collaborative working group process.

There were many suggestions for guidelines to become standards and vice versa. If the suggestions were accepted, the resultant action was to either redraft or delete the guideline or standard. Appropriate recommendations have been made for subsequent actions. Changes to standards and definitions with legal and/or cost implications will be examined under the RIS process.

As previously mentioned the four main decision-making principles used for standards are that they are:

- Desirable for livestock welfare
- Feasible for industry and government to implement
- Important for the livestock-welfare regulatory framework and,
- Will achieve the intended outcome for livestock welfare.

To expand on these major points in relation to any revision:

- Desirable for livestock welfare - the proposal leads to a worthwhile improvement in the welfare of sheep including that it is based on scientific research that has not yet been recognised and evaluated by the reference group. The specific proposal is proportionate to the magnitude of any proven welfare issue. Work health and safety considerations take precedence over sheep welfare, particularly in an emergency situation. There is a legal basis for this and also in a practical sense an injured person is not able to further care for the sheep.
- Feasible for industry and government to implement. The proposal is able to be implemented by industry and government with reasonable adjustment and cost. The RIS is a useful test of cost considerations.
- Important for the livestock-welfare regulatory framework. Preference is given to standards and guidelines that are prescriptive and are able to be measured or audited. Alignment with existing animal welfare concepts expressed in existing laws and the standards and guidelines proposal. The specific proposal has not been previously rejected by the reference group in the context of the current standards and guidelines framework and fills a gap in the current draft standards and guidelines for sheep proposal. This aspect also includes the number and variety of responses that indicate shared concerns and the depth of reasoning behind these concerns and the proposed solutions.

- Will achieve the intended outcome for livestock welfare. The proposal does not contradict or confuse other laws or proposed standards and guidelines or does not result in an action that has negative consequences for sheep.

The list does not infer emphasis in the logic that may be applied and in most cases there were multiple reasons for a decision. Only the main reason for a recommendation in this draft report is cited. In many cases several of the above points were relevant.

Submissions from animal welfare/rights organisations and from many individuals apparently supporting them, disputed the introductory statement that the standards “reflect available scientific knowledge, current practice and community expectations”. Claims that the standards are out of touch with community values and expectations and do not lead to industry change in current practice, are difficult to substantiate particularly with the evidence provided. These views were also expressed and taken into account during the drafting process. Further revisions to specific standards are examined on a case by case basis later in this report.

Future communication and extension

There is a huge need for tailored consultation and communication with relevant industry sectors once the standards are endorsed by state and territory governments. This consultation should include a detailed discussion on the implementation of standards into state or territory legislation. There will need to be consideration of how successful sustained, long term communication might be achieved by stakeholders. In part this will be assisted by the AAWS which has recently developed a communication strategy for the sheep welfare standards.

The Communication Strategy was supported by the AAWS and its development was managed by Meat and Livestock Australia on behalf of the AAWS Livestock and Production Animals Working Group. One of the two documents produced is written specifically for the final launch of the cattle and sheep standards and guidelines and the other is a more generic 'template' for other standards and guidelines as they are developed and released in the future.

SPECIFIC ISSUES BY CHAPTER

Chapter 1 Responsibilities

S1.1 A person must take reasonable actions to ensure the welfare of sheep under their care.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S1.1	Various	<p>Open to interpretation (RSPCA, ALQ¹, WSPA², other welfare/rights groups) - Impossible to audit (Sentient) – do not accept “reasonable actions”</p> <p>Definition of “reasonable actions” is inadequate - should not refer to “accepted practice” or “experienced person in the circumstances” (many submissions)</p> <p>WSPA – S1.1 is not verifiable unless “reasonable actions” and “welfare outcomes” are defined</p> <p>RSPCA, WSPA, ALQ, Sentient – all want some or all elements of G1.1 incorporated into S1.1</p> <p>Reword to require a person..... to have a duty of care to ensure the welfare of those sheep” – which includes reasonable actions in G1.1 (Vic DEPI)</p> <p>ALQ -...”this standard should either require ‘competency’ in a person’s dealing with sheep and competency could be achieved by an accredited national training scheme...”</p>	No further action was agreed

No change recommended by the writing group or the reference group. It is acknowledged that this is a general standard that is difficult to enforce but has an important message for the acceptable management of sheep. The value of the general standards has been agreed by the majority of the reference group in previous meetings. The use of general standards has been minimised as it is recognised that it creates a need for further explanation or interpretation.

The term ‘reasonable’ is used nine times and appropriate used three times in standards. It is acknowledged in law that the word ‘reasonable’ has the prima facie meaning of ‘reasonable’ in regards of those existing circumstances of which the defendant, called upon to act reasonably, knows or ought to know.

In the introduction a ‘reasonable action(s)’ is characterised as ‘those actions regarded as reasonable to be done by an experienced person in the circumstances to address a problem, as determined by accepted practice and by other similarly experienced people. It is not intended that all reasonable actions are described in this

document'. Use of the term has been agreed by the reference group to reflect the complexity of circumstances covered by the standards. It is acknowledged that the clause is open to interpretation and creates uncertainty.

In considering the need for further standards, the project groups assessed four main decision-making principles for standards. That the proposal is:

- Desirable for livestock welfare
- Feasible for industry and government to implement
- Important for the livestock-welfare regulatory framework and,
- Will achieve the intended outcome for livestock welfare.

The following to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
G1.1	Hides (Vet) in relation to cattle	<p>Should include new dot point knowledge of local patterns of disease, disease prevention and use of low stress stock handling techniques.</p> <p>AGREED CHANGE</p> <p>G1.1 Elements of responsibility for sheep management should include:</p> <ul style="list-style-type: none"> • understanding the standards and guidelines for sheep welfare • obtaining knowledge of relevant animal welfare laws • understanding sheep behaviour <u>and use of low stress stock handling techniques</u> • planning and undertaking actions for the enterprise to meet the welfare standards and address contingencies that may arise • assessing the quantity, quality and continuity of feed and water supply • handling to minimise stress, and using handling aids, facilities and other equipment appropriately • undertaking hygienic husbandry procedures in a manner that minimises the risks to sheep welfare • understanding and following chemical and drug treatment instructions for sheep 	<p>WG agreed – additional dot point - knowledge of local patterns of disease, disease prevention and use of low stress stock handling techniques to remain consistent with cattle.</p> <p>SRG supported and agreed the changed placement of the new dot point.</p>

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<ul style="list-style-type: none"> identifying distressed, weak, injured or diseased sheep, and taking appropriate action knowledge of local patterns of disease, disease prevention and use of low stress stock handling techniques maintaining appropriate records humanely killing sheep by appropriate methods, or seeking the assistance of someone who is capable and equipped to kill them humanely. 	
G1.2	Vic DEPI in relation to cattle	<p>Suggest change to “understood by all parties involved”.</p> <p>Previous - G1.2 Agistment responsibilities should be communicated, documented and clearly understood by both parties.</p> <p>AGREED CHANGE</p> <p>G1.2 Agistment responsibilities should be communicated, documented, and clearly understood by all both parties <u>involved</u>.</p>	<p>WG agreed to the suggested change to remain consistent with cattle.</p> <p>SRG supported.</p>

Two revisions to the guidelines have been recommended in this chapter in response to the submissions.

Chapter 2 Feed and Water

S2.1 A person in charge must ensure sheep have reasonable access to adequate and appropriate feed and water.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S2.1	Various	<p>Access to water at all times (i.e. daily) - RSPCA, AA¹, WSPA, ALQ, PAM², Sentient, Saklani and followers (most content identical to RSPCA), Animals Australia, ALC³, other lawyer groups, several individual submissions, General public.</p> <p>Daily access to water should be a standard except for assembling for yarding and/or transport (Vic DEPI).</p> <p>Should include a maximum time off water (TOW) for on-farm consistent with the times allowed during transport (Vic DEPI).</p> <p>PETA suggests replace “reasonable” with “sufficient to meet all welfare needs, as judged by clear, verifiable factors”.</p> <p>“Reasonable access” implies access should not be assured or guaranteed but merely “reasonable”.</p> <p>Re-word to make it an offence to fail to provide adequate and appropriate feed and water, subject to the defence of no failure to take reasonable care (LSSAⁿ, L MacLaren MLC)</p>	<p>No Further Action. See text in chapter one and in general issues for discussion of ‘reasonable actions’.</p> <p>LSSA models its suggestions on SA Animal Welfare Act, avoiding ambiguity of terms including “reasonable”. It is alleged that “reasonable care” is an easier concept in the courts. This view was not upheld.</p> <p>TOW – standard agreed not consistent with the draft standards and guidelines for sheep approach to date. Transport is a more stressful situation that requires prescriptive limits.</p>
New Standard	Various	<p>Mandate a minimum condition score of 1.5 (RSPCA SA, WSPA) – between 2.5 and 5 (PAM) – minimum score 1.3 (AVA) – 1.5 (Evans).</p>	<p>No further action was agreed - MLA have recently released Body Condition Score (BCS) guide. A BCS standard was considered to be too prescriptive for a national approach.</p>

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
New Standard	Vic DEPI	A new Standard should specify a minimum “mob average” body condition score for each class of sheep (Vic DEPI)	No Further Action - Roughage question considered covered by ‘adequate and appropriate’.

See chapter one for discussion on general standards and ‘reasonable’.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
Objective	Evans	Sheep have access to - insert ‘appropriate’ feed and water to minimize the risk to their welfare insert ‘prevent hunger and thirst, and to meet physiological requirements’.	No further action was agreed
G2.1	Various	<p>Convert to a Standard to replace S2.1 (PETA, WSPA, Sentient, Evans)</p> <p>Reduce time off to 36 hours (WSPA) – DAFF to justify 48 hours.</p> <p>Deprivation of feed or water for more than 48 hours is prima facie evidence of cruelty unless it can be demonstrated that it was unavoidable in the circumstances (MacLaren)</p> <p>Deprivation for 48 hours is excessive for lambs, lactating or pregnant ewes and <i>any sheep</i> under excessively hot conditions (Sentient)</p> <p>G2.1 Sheep should have access to feed and water daily, except where reasonable management practices, such as shearing, preparation for sale, transport, slaughter and drenching, result in a longer period of water deprivation, to a maximum of 48 hours. Feed and water deprivation exceeding 48 hours should be avoided.</p>	No further action was agreed
G2.2	WSPA	<p>Upgrade to a standard</p> <p>G2.2 If sufficient feed and water cannot be provided to sheep, options that should be considered are to relocate, agist, sell or humanely kill the sheep before sheep welfare is adversely affected.</p>	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
G2.5	Vic DEPI	Upgrade to a standard add “to ensure adequate supply”. G2.5 Regular assessment should be made of the needs of the sheep in relation to the quantity and quality of feed and water.	No further action was agreed
G2.6	MacLaren	Upgrade to a Standard G2.6 Self feeders and watering points should be checked regularly and maintained.	No further action was agreed
G2.7	PAM	Delete “or managed”. G2.7 Access by sheep to contaminated and spoilt feed, toxic plants and harmful substances should be managed or avoided if possible.	No further action was agreed

The sheep writing group and the sheep reference group agreed to no changes in chapter two.

Chapter 3 Risk Management

- S3.1 A person in charge must take reasonable actions to ensure the welfare of sheep from threats, including *extremes of weather*, *drought*, fires, floods, disease, injury and predation.
- S3.2 A person in charge must ensure the *inspection* of sheep at intervals, and at a level appropriate to the production system and the risks to the welfare of sheep.
- S3.3 A person in charge must ensure appropriate treatment for sick, injured or diseased sheep at the first reasonable opportunity.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S3.1	Various	<p>Replace “reasonable” with “appropriate” (Evans)</p> <p>Not strong enough – Access to shelter must be available at all times (RSPCA, WSPA, AA, ALQ, PAM, PETA, Saklani, Lawyer groups and others)</p> <p>Replace “ensure the welfare of” with “protect” (MacLaren)</p>	No further action was agreed G3.6 exists to provide guidance. Shelter presents challenges in most production systems.
S3.2	Various	<p>Inadequate for enforcement – needs more detail to define limits and contingencies (PETA, MacLaren)</p> <p>Change to At least every two days (AA, Edgar’s Mission)</p> <p>Should be a guideline (SCA’).</p>	No further action was agreed
S3.3	Various	<p>LSSA – concerns with “at the first reasonable opportunity” – undefined and creates strong defence.</p> <p>Remove “at the first reasonable opportunity” (Evans)</p> <p>Insert “prompt and” before “appropriate” and replace “reasonable” with “available” (AA).</p>	No further action was agreed

It is acknowledged in law that the word ‘reasonable’ has the prima facie meaning of ‘reasonable’ in regards of those existing circumstances of which the defendant, called upon to act reasonably, knows or ought to know.

In the introduction a ‘reasonable action(s)’ is characterised as ‘those actions regarded as reasonable to be done by an experienced person in the circumstances

to address a problem, as determined by accepted practice and by other similarly experienced people. It is not intended that all reasonable actions are described in this document'. Use of the term has been agreed by the reference group to reflect the complexity of circumstances covered by the standards. It is acknowledged that the clause is open to interpretation and creates uncertainty.

Usage in relation to 'at the first reasonable opportunity' has been criticised for implying a lack of timeliness or urgency, with alternatives to the phrase suggested such as 'promptly' or 'immediately'. These options have been considered by the reference group and rejected in favour of the more flexible phrase to allow sheep owners to optimally prioritise their responsibilities.

The use of the phrase; "to minimise risk to the welfare of sheep" in the objectives statements points towards a common understanding of what is 'reasonable' in sheep husbandry in those areas where a complex interaction of factors make it difficult to create an acceptable prescriptive rule for the country. It is this difficulty in developing a single national standard for say, inspection of sheep, that is relevant and fairly applicable for all sheep management circumstances, that precludes the further development of a national standard.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
Numerous	Various	G3.1, 3.3, 3.5, 3.7, 3.10, 3.12, 3.14 – convert to Standards (RSPCA SA, PAM, Sentient) – add G3.6 (WSPA, Sentient) G3.5 - 9 (Evans), G3.2 include in S3.2 (Sentient), G3.7, G3.9 (PETA), G2.12, G3.13, G3.16 (MacLaren), G3.9, G3.16 (Sentient), Convert G3.7 and G3.14 to standards (Vic DEPI, Evans) - Convert G3.14 to a standard (LSSA), G3.10, and G3.12 should be standards (Evans).	No further action was agreed
G3.3	Vic DEPI, Evans	Part of G3.3 must be a Standard – amend to "A person observing sheep caught in a structure or bogged must ensure appropriate action is undertaken at the first reasonable opportunity to alleviate the welfare problem". Add without delay G3.3 Sheep that appear to be isolated from the flock, caught in structures or bogged should be inspected immediately and appropriate action taken <u>without delay</u> .	No further action was agreed Agreed delete "immediately" and add "without delay" to be consistent with wording of guidelines. SRG supported.
G3.6	Vic DEPI, Evans, AA	Convert first part of G3.6 to a Standard G3.6 Sheep and lambs should be provided with adequate shelter. In the absence of natural	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		protection, consideration should be given to the provision of shade, windbreaks or sheds.	
G3.8	Dr A R Butler	<p>Needs better emphasis (or re-wording as a Standard):</p> <p>“Shearing itself is one of the most, if not <u>the</u> most stressful husbandry practice that we do to sheep.It is the event to which sheep develop the greatest behavioural aversion. For sheep, many adverse events may follow shearing, including hypocalcaemia, hypoglycaemia, plant poisoning (through hungry sheep consuming plants in quantities not normally consumed), severe blood loss, fractures, severed tendons, backline dermal necrosis and severe infections including CLA. The risk of hypothermia due to cold wet windy weather following shearing is well known”.</p> <p>G3.8 Protection for sheep around shearing may include:</p> <ul style="list-style-type: none"> • postponing shearing • using snow combs • providing shelter • providing wind breaks • providing additional feed. 	No further action was agreed – acknowledge shearing is stressful however it’s over in 15mins. Creating aversion
G3.16	Windsor	<p>Reference to clips as better technology is risky given the results.</p> <p>G3.16 Where flystrike is a risk, preventive techniques that should be considered are:</p> <ul style="list-style-type: none"> • selecting replacement sheep with greater genetic resistance to flystrike • culling sheep with high wrinkle scores • culling previously struck sheep • tactical crutching/shearing during high prevalence periods • strategic chemical use • using an effective flock worm control program and/or grazing management to prevent scouring • selecting replacement sheep with correct tail length and/or breech modification • tail docking lambs 	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<ul style="list-style-type: none"> • using clips and other appropriate new technologies • mulesing lambs. 	

Considerable discussion occurred at the reference group meeting on the topic of 'shelter'. No changes were made but it is acknowledged as an important issue for sheep and one for which it is difficult to develop a meaningful and fair statement for regulation. One revision to the guidelines have been recommended by the writing group in this chapter in response to the submissions.

Chapter 4 Facilities and Equipment

S4.1 A person in charge must take reasonable actions in the *construction*, maintenance and operation of *facilities* and equipment to ensure the welfare of sheep.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S4.1	Various	Open to interpretation – RSPCA , ALQ, WSPA, AA et al - <i>Don't accept "reasonable actions"</i> WSPA seeks to replace " <i>take reasonable actions</i> " with " <i>ensure</i> " "Facilities" must include shade (AA).	Definition of construction and facilities - use plain English meaning. No further action was agreed
New Standard	Sentient	Mandate training " <i>in the appropriate use of facilities and equipment</i> ".	No further action was agreed

See chapter one discussion. No change the standards recommended.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
Numerous	Various	All Guidelines (G4.1-G4.5) should be converted to Standards (RSPCA, Sentient) G4.1 should be a Standard (WSPA) G4.2 should be a Standard (Evans, RSPCA SA, ALQ, PAM) Don't need G4.2 if G3.6-7 are standards (WSPA) G4.3 and G4.4 should also be standards (Evans, RSPCA SA, PAM).	No further action was agreed
G4.4	Vic DEPI	Upgrade to a Standard – otherwise in conflict with S4.1 and LTS SA3.1 (iv). G4.4 Facilities should be free from protrusions and obstacles that may cause injury.	G4.4. No further action was agreed is a higher recommendation than S4.1 and the change from 'may' will mean a lower recommendation.

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>SA3.1 A person in charge must ensure that the vehicles and livestock handling facilities are constructed, maintained and operated in a way that minimises risk to the welfare of livestock.</p> <p>Vehicles and facilities must:</p> <ul style="list-style-type: none"> i) be appropriate to contain the species; and ii) have effective airflow; and iii) have flooring that minimises the likelihood of injury or of livestock slipping or falling; and iv) be free from internal protrusions and other objects that could cause injury; and v) have sufficient vertical clearance for livestock to minimise the risk of injury. 	<p>Problem with LTS SA 3.1 iv – ‘could’ should be ‘will’ is a contextual issue that should be addressed in a future revision of the LTS. It refers for the potential of an object to cause injury to be mitigated, as opposed to dealing with a recognised hazard. It was stated that the recognition of a higher degree of risk in transport situations is appropriate.</p>

The sheep writing group and the sheep reference group agreed to no changes in chapter four.

Chapter 5 Handling and Husbandry

S5.1 A person must handle sheep in a reasonable manner.

S5.1b A person handling sheep must not and must not:

- 1) *lift* sheep off the ground by only one leg, or by the head, ears, horns, neck, tail or wool, unless in an *emergency*; or
- 2) throw or drop sheep, except to land on its feet from a height less than 1.5one metress; or
- 3) strike sheep in an unreasonable manner, punch or kick; or
- 4) drag sheep that are not standing by only one leg, except in an emergency to allow safe handling, *lifting*, treatment or humane killing; or
- 5) drag sheep by only the ears, or tail; ~~or wool~~; or
- 6) drag sheep by mechanical means, except in an *emergency*, for the minimum distance to allow safe handling, *lifting*, treatment or humane killing.

S5.2 A person in charge of a dog that habitually bites sheep must ensure the dog is muzzled ~~the dog~~ while working sheep.

S5.3 A person in charge must ensure a sheep is shorn before the wool length is greater than twice the average annual growth for that breed. reaches 250mm in length.

S5.4 A person must consider the welfare of sheep when using an electric prod, and must not use it:

- 1) on genital, anal, or udder ~~or facial~~ areas of sheep; or
1b) on facial areas, unless sheep welfare is at risk; or
- 2) on sheep less than three months old ~~unless their~~ sheep welfare is at risk;
or
- 3) on sheep that are unable to move away; or
- 4) in an unreasonable manner on sheep.

S5.5 A person must not trim or grind the teeth of sheep.

S5.6 A person must not alter the anatomy of the prepuce of sheep by incising the surrounding *skin* (pizzle dropping).

S5.7	A person in charge must ensure that tethered sheep are able to exercise daily.
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The following changes to standards were suggested: (please note numbering may be out in this chapter)

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S5.1	Various	<p>Replace “reasonable” with “appropriate” (LSSA)</p> <p>Insert “or carry” to S5.1 (1) (LSSA)</p> <p>No dropping or dragging at all (RSPCA, AA, others)</p> <p>No striking at all (Evans, RSPCA, AA, ALQ, PETA, Sentient, Saklani et al)</p> <p>S5.1(3) is unclear (AVA) - Remove “in an unreasonable manner” (PETA, AA)</p> <p>S5.1(4) - Remove “that are not standing” (PETA, MacLaren)</p> <p>Convert to a Guideline (NSW Farmers, SCA) – actions listed are already covered by cruelty legislation and the list omits several other unacceptable practices??</p> <p>Unnecessary – covered by S1.1 (NSW Farmers, SCA)</p> <p>Should finish with the word “manner” – remainder converted to Guidelines (WPA)</p> <p>S5.1 A person must handle sheep in a reasonable manner and must not:</p> <ol style="list-style-type: none"> 1) lift off the ground by only one leg, or by the head, ears, horns, neck, tail or wool, unless in an emergency; or 2) throw or drop, except to land on its feet from a height less than one metre; or 3) strike in an unreasonable manner, punch or kick; or 4) drag sheep that are not standing by only one leg, except in an emergency to allow safe handling, lifting, treatment or humane killing; or 5) drag by <u>only</u> the ears, <u>or</u> tail, or wool; or 6) drag by mechanical means, except in an emergency, for the minimum distance to allow safe handling, lifting, treatment or humane killing. <p>The first revision is in relation to S5.1 – a further two options developed by the writing group are</p>	<p>Agreed add “only” to S5.1.5 to avoid confusion, and more misinformation, the standard needs to be as clear as possible and not hinder current practices such as shearing and the use of a cradle to handle lambs.</p> <p>‘Carry’ is covered by ‘lift’.</p> <p>These suggestions do not recognise practical aspects of sheep handling that are often in the best interests of the sheep.</p> <p>Use of ‘reasonable’ dealt with in chapter one.</p> <p>Sheep industry states standard is too descriptive. LTS equivalent standard.</p> <p>Agreed leave as is, as the argument to remove was philosophical argument. Standard provides clarity, direction, consistency.</p> <p>Agreed to address industries concerns take at RG.</p> <p>The SRG did not support the proposed new standard S5.1A or the simplified S5.1B.</p> <p>SRG did agree to split standard S5.1 into two standards for clarity.</p>

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>presented below. Some of this material will be deleted from the final report. S5.1A is proposed by AHA as an intermediate option based on Land Transport standard SA5.7 and Cattle S5.1.</p> <p>S5.1A A person must handle sheep in a reasonable manner and must not:</p> <ol style="list-style-type: none"> 1) *lift* off the ground by only one leg unless the sheep is less than 15 kilograms live weight , or by the head, ears, horns, neck, tail or wool, unless in an *emergency* ; or 2) throw or drop, except to land on its feet from a height of less than one 1.5 metres; or 3) strike in an unreasonable manner, punch or kick; or 4) drag sheep that are not standing except in an emergency for the minimum distance to allow safe handling, *lifting*, treatment or humane killing. <p>S5.1B is proposed by SCA and WPA in conjunction with a new guideline G5.1A.</p> <p>S5.1B A person must handle sheep in a reasonable manner.</p>	<p>SRG agreed the removal of wool and the height change to 1.5metres. RSPCA did not support this change.</p>
S5.2	Various	<p>Mandate muzzling with <i>basket muzzles</i> while working (RSPCA, Sentient, Saklani et al)</p> <p>Delete “habitually” or mandate muzzles when working sheep (Evans)</p>	No further action was agreed
S5.3	WPA, WAFF	<p>Remove or reword. WAFF: “Unless there is a great deal of science backing the 250mm in length rule, the words should be changed to “a person in charge must ensure a sheep is shorn at a time that is appropriate for its breed”.</p> <p>“and production system” (WPA)</p> <p>S5.3 A person in charge must ensure a sheep is shorn before the wool <u>length is greater than twice the average annual growth for that breed.reaches 250 mm in length</u></p>	<p>Agreed change to allow for all sheep breeds and wool length.</p> <p>SRG supported.</p>
S5.4	Various	<p>Ban electric prodders (Evans, RSPCA, WSPA, AA, ALQ, PAM, Sentient, Saklani, ALC)</p> <p>Use only for welfare or in emergency (PETA)</p> <p>S5.4(4) – “unreasonable manner” is ambiguous (LSSA)</p>	No further action was agreed - Relates to repeated ineffective use

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>S5.4 A person must consider the welfare of sheep when using an electric prod, and must not use it:</p> <p>1) on genital, anal <u>or</u> udder or facial areas of sheep; or</p> <p><u>2) on facial areas, unless sheep their welfare is at risk; or</u></p> <p><u>2)3) on sheep less than three months old unless sheep welfare is at risk ; or</u></p> <p><u>3)4) on sheep that are unable to move away; or</u></p> <p><u>4)5) in an unreasonable manner on sheep.</u></p>	<p>When you need release a jam up animals in a race.</p> <p>SRG supported.</p> <p>SRG agreed to change “their” to “sheep”.</p> <p>SRG agreed to add “unless sheep welfare is at risk” to 2nd point.</p> <p>RSPCA does not agree to this change.</p>
S5.5	PGAWA, WAFF, several individual producers	Remove – valuable management tool prolongs life.	No further action was agreed - Illegal in most states and science shows no long term positive welfare.
S5.7	Various	<p>Ban permanent tethering or for “long periods” (QDAFF, Evans, RSPCA, WSPA, AA, SCTRLHC, ALC, General public)</p> <p>This standard should additionally specify that tethered sheep must be inspected daily (TAS DPIWE).</p> <p>Should additionally mandate “<i>continuous access to water and appropriate grazing vegetation</i>” (Sentient)</p> <p>Support existing wording (AgForce, WPA)</p> <p>Support Variation C4 (WAFF)</p>	No further action was agreed
<u>Tethering definition</u>	<u>Vic</u>	<u>The securing of an animal to an anchor point to confine it to a desired area. It is not short term tying up or hobbling.</u>	No further action was agreed
New Standard	Evans	A person in charge must ensure that wool is removed from the face of a sheep, if the sheep is unable to see.	No further action was agreed

Revisions to three standards have been recommended in this chapter by the writing and reference groups in response to the submissions. This is not believed to add any cost to current sheep enterprises.

The first revision is in relation to S5.1. After much discussion by the reference group it was decided to create a separate standard for handling as proposed by SCA and WPA and to revise the remaining points.

S5.3 has been revised to more accurately reflect a feasible regulatory measure that is desirable for sheep welfare.

S5.4 has been revised to allow the use of electric prodders on facial areas, where sheep welfare is at risk, after much discussion. This means that where it is necessary to 'back up' sheep in a race way if there is a pile up or like situation, then it is permissible to use the prodder on a facial area having due regard for avoiding the eyes. This provision is also relevant to the The Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock and if accepted, should figure in a future revision of the The Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock.

C4: ban permanent tethering– See sections A3.4 of the Consultation RIS.

In relation to the matters raised in the RIS variations, the following explanation is offered;

Variation	Action	Comment
C4: Tethering ban	Not supported as a standard.	Supported for inclusion in RIS option C.

RIS survey question 69 (RIS Q24) - Do you believe that the benefits likely to be achieved under Variation C4 of Option B, including the welfare benefits of banning tethering of sheep and reduction in excess regulatory burden, are justified?

No. of responses	% Agree	% Disagree	% Neutral
89	65	12	12

In general it is believed that tethering is not a significant threat to the welfare of sheep if properly managed as required by the proposed standard S5.7. Tethering is a minority practice that does not warrant further regulatory action.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
G5.1A	SCA, WPA	<u>G5.1A A person handling sheep should:</u>	SRG did not support this guideline.

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<ul style="list-style-type: none"> • <u>Only lift the sheep off the ground by only one leg, or by the head, ears, horns, neck, tail or wool, in an extreme emergency;</u> or • <u>Allow a sheep to land on its feet if dropped from a height more than one metre; or</u> • <u>Avoid striking, punching or kicking sheep to any extent; or</u> • <u>Only drag sheep that are not standing by only one leg, to allow safe handling, <i>*lifting*</i>, treatment or humane killing in an extreme emergency; or</u> • <u>Only drag sheep by the ears, tail or wool in an extreme emergency; or</u> • <u>Only drag sheep (that are not standing) by mechanical means, for the minimum distance to allow safe handling, <i>*lifting*</i>, treatment or humane killing in an extreme <i>*emergency*</i>.</u> 	
SRG G5.3	Robinson	Self-contradictory G5.3 Sheep should be restrained and isolated for the minimum time necessary. Sheep isolated in a pen should be provided with a pen mate <u>or a mirror.</u>	SRG agreed to add “or a mirror” as per Australian Code.
SRG G5.3a	SRG	<u>A person tethering sheep should:</u> <ul style="list-style-type: none"> • <u>ensure the tether is long enough to allow adequate exercise and grazing</u> • <u>ensure the tether does not become entangled</u> • <u>inspect the sheep a minimum of once per day</u> • <u>not tether sheep by the leg or foot</u> • <u>ensure sheep have adequate shelter.</u> 	Agreed new standard as per in line with cattle. As requested in meeting David Champness has drafted new guidelines for consideration.
Numerous	Various	G5.5 Upgrade to a Standard (Vic DEPI) G5.7 – first part should be a Standard (Vic DEPI) – replace with “ <i>A person in charge must not overcrowd sheep in a pen, race or yard and must ensure the sheep are freely able to move, turn</i>	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p><i>around, or rise from a lying position unobstructed in a pen or yard”</i></p> <p>G5.15 should be converted to a Standard (ALC, WSPA, Saklani et al)</p> <p>G5.2, G5.15, G5.17, G5.19-G5.22 – convert to Standards (RSPCA SA) – G5.10 also (PAM) – G5.13-5.14 as well (MacLaren) – WSPA, Evans similar.</p> <p>Majority of Section 5 Guidelines should be Standards (Sentient)</p> <p>G5.17 should be a Standard – add “<i>or ram harness</i>” (Vic DEPI)</p> <p>G5.20 Should be promoted to an enforceable Standard and specify that (1) shearing must not occur if cold, wet or windy weather occurs or is expected and adequate shelter is not available; and (2) newly shorn sheep must be provided with shelter, food and water sufficient to meet all welfare needs.</p>	
G5.16	RSPCA	<p>Remove reference to earmarking.</p> <p>G5.16 Earmarking, tattooing, tagging and vaccination should be done in a way that minimises the risk of infection and with instruments that are sharp and clean.</p>	No further action was agreed
G5.19	PETA	<p>Should be accompanied by a Standard specifically dedicated to the handling and treatment of sheep before, during and after shearing.</p> <p>G5.19 Care should be taken when shearing and crutching to minimise cuts, and severe cuts should be treated at the first reasonable opportunity.</p>	No further action was agreed – considered covered in other guidelines.
G5.20		<p>Should be promoted to an enforceable Standard and specify that (1) shearing must not occur if cold, wet or windy weather occurs or is expected and adequate shelter is not available; and (2) newly shorn sheep must be provided with shelter, food and water sufficient to meet all welfare needs.</p>	No further action was agreed - risk management issue.

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>G5.20 When harvesting wool, consider:</p> <ul style="list-style-type: none"> • stopping if cold, wet and windy weather is experienced or predicted and adequate shelter is not available • releasing newly shorn sheep into adequate shelter or allowing sheep to remain in the shed until the risk has passed • ensuring there is adequate feed and water available for newly shorn sheep. 	
G5.21	Vic DEPI	<p>Ram sedation – potentially in conflict with Vic POCTA.</p> <p>G5.21 Rams that are sedated for shearing or crutching should be managed to prevent exposure, sunburn and smothering and in accordance with the directions of the prescribing veterinarian.</p>	<p>Agreed add “and” for better English.</p> <p>SRG supported.</p>

One small revision to the guidelines have been recommended by the writing group in this chapter in response to the submissions.

Chapter 6 Tail Docking and Castration

S6.1 A person performing tail docking or castration must have the relevant knowledge, experience and skills, or be under the direct supervision of a person who has the relevant knowledge, experience and skills.

Tail docking

S6.2 A person must not *tail dock* sheep that are more than six months old without using appropriate *pain relief* and haemorrhage control for the sheep.

S6.3 A person must leave a docked tail stump of a sheep with at least ~~two~~ one *palpable free joints* remaining.

Castration

S6.4 A person must not *castrate* or use the cryptorchid method on sheep that are more than six months old without using appropriate *pain relief* and haemorrhage control for the sheep.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S6.1	Various	<p>“Community expectations” are that these operations should be performed by (or under the supervision of) a veterinarian (Saklani and followers)</p> <p>All invasive procedures must be done by veterinarians, with pain relief in all ages (Sentient).</p>	No further action was agreed
S6.2 and S6.4	Various	<p>Necessary invasive procedures must be performed with pain relief irrespective of age (All welfare/rights groups, Evans, many individual submissions, general public) – ie delete <i>“that are more than 6 months old”</i></p> <p>Mandate pain relief in all ages by 2015 (RSPCA)</p> <p>“Little evidence supports the notion that animals at an early age suffer less than those that are older or adult” (Windsor – Sydney Uni)</p> <p>3 months (PAM)</p>	<p>No further action was agreed - Extensive impracticability of pain relief noted agreed to go to RG and most likely higher.</p> <p>Impractical due to pain relief registration – agreed no room to move due to states. NSW ACT already states vet only.</p>

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>Castration by rubber rings only under local anaesthetic provided by veterinarian – if >6months surgical by a veterinarian (Craddock - Vet)</p> <p>Tail docking by hot knife or rubber rings only – up to 6 months under local anaesthetic (Craddock - Vet)</p> <p>Research results show ring castration is more painful than surgical castration with pain relief (Windsor)</p> <p>S6.2, S6.4 impractical – no pain relief is “economic, effective and registered” (PGAWA, WAFF) – convert to a Guidelines (WAFF, WPA)</p> <p>S6.4 – “cryptorchid” should be replaced by “cryptorchidism” (SCA)</p> <p>S6.2 A person must not tail dock sheep that are more than six months old without using pain relief and haemorrhage control <u>for the sheep</u>.</p> <p>S6.4 A person must not castrate or use the cryptorchid method on sheep that are more than six months old without using pain relief and haemorrhage control <u>for the sheep</u>.</p>	<p>Standards reflect current Acts.</p> <p>Agreed to add “for the sheep” at the end of the standard for completion.</p> <p>SRG supported the changes and agreed to add “appropriate”.</p>
S6.3	Various	<p>Insert “dock the tail through the joint space and” before “leave.....” (Evans, RSPCA SA, WSPA, PAM)</p> <p>Amend to “one free palpable joint” (WPA)</p> <p>Convert S6.3 to a Guideline (AWI) – not practical to be prescriptive....better to include 3 joints in G6.20</p> <p>Unenforceable – producers cannot guarantee length and too many field errors – RIS states no welfare benefit (Craig, Marriott, Silcock, SCA)</p> <p>Objective unclear – 3 joints is optimum – no evidence two is better (PGAWA, SCA)</p> <p>One joint or two is acceptable (WAFF)</p> <p>Replace with 2 Standards – one mandating G6.20 for breeders and Variation C6 for slaughter lambs(Vic DEPI)</p>	<p>Industry support one joint not two – 3 joints best practice.</p> <p>Science stated 1 vs. 2 not much difference in measureable welfare.</p> <p>WG AGREED to change to one.</p> <p>SRG supported.</p>

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		No scientific support for two joints over one (NSW Farmers, SCA – i.e. support Variation C6) S6.3 A person must leave a docked tail stump of a sheep with at least <u>one</u> two palpable free joints remaining.	
New standard	LSSA	New standard is required to prevent concurrent tail docking and castration.	No further action was agreed
New standard	AA	New standard S6.2 (a)/6.4(a): ‘Tail docking and castration must be accompanied by available registered pain relief measures’.	No further action was agreed
New standard	RSPCA	New standard is required to prohibit tail docking of lambs destined for slaughter.	An assured market does not exist in Australia.
General issues	Welfare groups, vets, General public	Necessary invasive procedures must be performed with pain relief irrespective of age. All invasive procedures must be done by veterinarians , with pain relief in all ages (Sentient) Ban invasive procedures where the ultimate benefit is measured in convenience of the operator (HSI).	No further action was agreed, not practically achievable.
General issues	Producer groups	Pain relief is impractical , labour intensive, expensive, short-term and limited value. Pain management is over days or weeks. Allowing animals to good quality feed, minimising time that lambs spend away from their mothers and ensuring that procedures are done quickly and cleanly are far more effective for pain management than the administration of a drug. The age of a sheep is not easily measurable and therefore it will be difficult to impossible to enforce any standard which has an age limit. An alternative and measurable age limit may be when sheep get their adult teeth (NSW Farmers).	No further action was agreed, states legislation in place. Agreed convenience of the operator often has positive welfare implications. Issue of pain relief noted and agreed to go to RG and most likely higher for resolution.

Three revisions to the standards have been recommended in this chapter by the writing and reference groups in response to the submissions. This is not believed to add any cost to current sheep enterprises.

S6.2 has been revised for clarification.

S6.3 has been revised to only require one free palpable tail joint to remain after tail docking.

S6.4 has been revised for clarification.

C6: Require docked tails to have at least one free palpable joint – See sections A3.6 of the Consultation RIS.

In relation to the matters raised in the RIS variations, the following explanation is offered;

Variation	Action	Comment
C6: Require docked tails to have at least one free palpable joint	Supported.	No longer required in the RIS.

RIS survey question 71 (RIS Q26): Do you believe that the benefits likely to be achieved under Variation C6 of Option B including the welfare benefits of mandating one free palpable joint with respect to tail-docking procedures and a reduction in excess regulatory burden, are justified?

No. of responses	% Agree	% Disagree	% Neutral
87	73	10	17

In general it is believed that one free palpable free joint vs. two palpable free joints holds no welfare difference and is not a significant threat to the welfare of sheep if properly managed as required by the proposed standard S6.3.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
Numerous	Various	<p>Upgrade to a standard</p> <p>G6.2 to a Standard (RSPCA SA, WSPA, PAM, Vic DEPI, Evans)</p> <p>Convert G6.3 to a Standard (LSSA) – i.e. S6.2 and S6.4 should set an age limit of 3 months</p> <p>Convert G6.22 to a Standard (LSSA, RSPCA, ALQ, ALC, Saklani); - add a ban on tail-docking as well (MacLaren)</p> <p>Convert G6.8, G6.10, G6.11, G6.13, G6.16, G6.18 and G6.21 to Standards (Evans, RSPCA SA, WSPA) - and G10.14, G10.17 (PAM) and G6.5, G6.7 and G6.8 (PETA)</p> <p>Convert G6.5 to a Standard (WSPA)</p> <p>Mandate G6.20 (Tas DPIWE, RSPCA, Saklani)</p>	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		Majority of Section 6 Guidelines should be Standards (Sentient).	
G6.4	SRG	Delete “to” and replace with “of”. Tail docking, castration and other marking procedures should be planned with consideration of to the age of lambs, weather, staff availability and facilities, including the use of temporary or permanent yards.	
G6.7	Vic DEPI	Omits an abundance of other diseases worthy of mention in a welfare guideline. G6.7 Operators should adopt appropriate strategies to minimise the risk and impact of common infections, such as by Erysipelothrix rhusiopathiae and Clostridium tetani , through vaccination of lambs and/or their mothers.	WG Agreed to delete examples as too descriptive. SRG supported.
G6.16	Robinson	Replace “mustered and yarded” with “driven or yarded”. G6.16 After placement in paddocks, lambs should not be forcibly mustered and yarded until wounds are healed.	No further action was agreed
New Guideline	JE Watts	Guideline recommending farmers adopt selection techniques for short-tailed sheep.	No further action was agreed
New guideline	SRG	G6.22a A person should use the most appropriate tools and least painful method to castrate sheep that is applicable to the production system.	
Definition	SRG	Change definition “cryptorchidism” to cryptorchid.	Agreed by SRG for correctness.

One revision to the guidelines has been recommended in this chapter by the writing group in response to the submissions.

Chapter 7 Mulesing

S7.1	A person performing* mulesing* must have the relevant knowledge, experience and skills, or be under the *direct supervision* of a person who has the relevant knowledge, experience and skills.
S7.2	A person must not *mules* sheep that are less than 24 hours old or more than 12 months old.
S7.3	A person must not *mules* sheep that are 6–12 months old without using *pain relief*.
S7.4	A person must not *mules* sheep showing signs of debilitating disease, weakness or ill-thrift.
S7.5	A person *mulesing* sheep must only remove wool-bearing skin.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S7.1	Various	<p>Unenforceable – no available means of assessing competency (LSSA)</p> <p>Operator should be under the supervision of, or trained by, a veterinarian (Saklani)</p> <p><i>“Mulesing must only be performed by a registered veterinarian using appropriate anaesthesia and analgesia”</i> (Sentient)</p> <p>Mulesing contractors should be trained and accredited (BAAA, de Fraga, LCA)</p> <p>Abandons the existing MCOP requirement for a formal accreditation process (Vic DEPI, RSPCA, AA, Edgar’s Mission)</p> <p>Omit <i>“or be under the direct supervision of”</i> (RSPCA)</p>	No further action was agreed
S7.2	Various	<p>Between 2-12 weeks only (i.e. elevate G7.6 to a Standard - RSPCA, ALC, PAM, Saklani)</p> <p>24H-12 weeks (Evans, RSPCA SA)</p> <p>24H-8 weeks (WSPA)</p> <p>24H-4 months (Sentient)</p> <p>Support 12 months (AgForce) <i>“Variation C2 provides no flexibility for the small proportion of producers who, due to genuine external constraints such as incomplete musters in pastoral areas or seasonal conditions resulting in</i></p>	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p><i>a heavy fly attack, cannot safely mules all lambs before the age of 6 months”.</i></p> <p>Support 12 months (AWI, Glanna, WAFF) – Variation C2 would put producers at risk of breach of S1.1, 3.1, 3.3 and 7.4 in seasons of extreme weather or natural disasters and for some producers, force mulesing during peak flystrike period.</p> <p>12 month ‘cut-off’ is an ambit age point - if done well with pain relief, there is no need for an age limit (Windsor) – dispute basis of G7.6</p> <p>Add “except in exceptional circumstances” (WAFF).</p>	
S7.3		<p>Pain relief regardless of age (Variation C1- RSPCA, AA, WSPA, BAAA, ALC, PAM, Evans, General public, others)</p> <p>Benefits very few sheep – most mulesing is done <6 months</p> <p>Operators/ research evidence equal or more pain in younger sheep (Windsor, Animal Ethics, Glanna station)</p> <p>Little evidence that pain level is lower in sheep less than 6mths (Windsor, AVA)</p> <p>Tri-Solfen (S4*) is the only registered product – must be under veterinary supervision which is not practical in all circumstances (AgForce, WPA, PGAWA)</p> <p>Tri-Solfen works and should be used in all ages (Glanna Merino Stud); high animal welfare benefits, better incentive to phase out mulesing, other benefits (Animal Ethics)</p> <p>RIS argument for pain relief for castration (S6.4) could be applied to mulesing – i.e. contractor use acceptable (PGAWA)</p> <p>Oppose Variation C1 – impractical, too costly (WAFF)</p> <p>*Tri-Solfen is now S5</p>	<p>No further action was agreed</p> <p>Discussed under RIS variation C1 below.</p>
S7.5		<p>Insert “<i>not perform a radical mules operation and</i>” after “<i>must</i>” (Vic DEPI)</p> <p>Add “<i>and the minimum required to achieve flystrike protection</i>” (i.e. G7.5 - Evans)</p> <p>Remove S7.4 and S7.5 – already covered by S1.1 and S7.1 (NSW Farmers).</p>	<p>No further action was agreed</p>

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
New Standard	RSPCA	Mandate breeding and selection for resistant conformation.	No further action was agreed
New Standard	AA	Lambs for slaughter before 12 weeks old, or the onset of puberty, must not be mulesed .	No further action was agreed, An assured market does not exist in Australia.
General issues	Various	Many welfare/rights and lawyer groups (AA, PETA, ALQ, Sentient, Animal Liberation SA, BAAA ¹ , and ALC) called for a ban on mulesing and/or promoted /demanded mandatory pursuit of alternatives for flystrike control .	No further action was agreed
General issues	PETA	<p>The mulesing standards should be amended so that:</p> <p>The various matters currently mandated in MCOP mulesing Appendix be afforded the status of standards.</p> <p>Sanction-reinforced deadlines require the good faith pursuit of regulatory approval for adequate long-lasting pain relief options.</p> <p>The note below the Standards be removed and replaced with “Mulesing is considered to include removal of skin from the breech using shears, injections and clips”.</p>	No further action was agreed
Mulesing Definition	WPA	<p>New definition suggesting remove “and/or tail”.</p> <p>As tail modification is common.</p> <p><i>Mulesing (mules, mulesed) - The removal of skin from the breech and/or tail of a sheep using mulesing shears.</i></p>	<p>WG Agreed No change. International parity – problem.</p> <p>SRG did not support – agreed no change to original version.</p>

No change the standards recommended by the writing group. A revision to the Mulesing definition has been recommended by the writing group in this chapter in response to the submissions. This is not believed to add any cost to current sheep enterprises.

In relation to the matters raised in the RIS variations, the following explanation is offered;

Variation	Action	Comment
C1: All Mulesing with pain relief	Not supported as a standard.	Supported for inclusion in RIS option C.
C2: Restrict Mulesing age to less than 6 months of age	Not supported as a standard.	Supported for inclusion in RIS option C.

C1: All Mulesing with pain relief – See sections A3.1 of the Consultation RIS.

RIS survey question 66 (RIS Q21) – Do you believe that the benefits achieved under Variation C1 of Option B, including the welfare benefits of pain relief with all mulesing and reduction in excess regulatory burden, are justified?

No. of responses	% Agree	% Disagree	% Neutral
89	77	17	6

In general it is believed that pain relief for all mulesing will provide benefits for sheep subjected to the mules operation but was lacking the support of WoolProducers Australia. The availability of the registered pain relief agent Tri Solfen, will be made more freely available as an S5 in early 2014.

In general it is believed that the extension of the use of pain relief for all mulesing should not be mandated if mulesing is properly managed as required by the proposed standards S7.1 to S7.5. The sheep industry recognises the need to minimise the use of surgical mulesing and is committed to a significant investment in research for the adoption of alternative non-surgical methods.

C2: Restrict Mulesing age to less than 6 months of age - See sections A3.2 of the Consultation RIS.

RIS survey question 67 (RIS Q22) Do you believe that the benefits likely to be achieved under Variation C2 of Option B, including the welfare benefits of requiring mulesing to be performed under 6 months of age and reduction in excess regulatory burden, are justified?

No. of responses	% Agree	% Disagree	% Neutral
82	77	15	8

In general it is believed that restricting the age of mulesing to less than 6 months of age will deprive the sheep industry of necessary flexibility to deliver welfare benefits to a select portion of the sheep flock that varies according to seasonal weather patterns.

In general it is believed that the continuation of mulesing to 12 months of age with pain relief if properly managed as required by the proposed standards S7.1 to S7.5

will be an acceptable sheep welfare outcome. The sheep industry recognises the need to minimise the use of surgical mulesing and is committed to a significant investment in research for the adoption of alternative non-surgical methods.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
Objective	Evans	Amend to: “In circumstances where mulesing is necessary for the long-term welfare of the sheep INSERT ‘and non-surgical alternatives cannot be implemented’, it is done in a manner that minimises the impact of the procedure.	No further action was agreed
Numerous	Various	Upgrade to standards G7.8 – pain relief is always available – should be elevated to a Standard (RSPCA, PETA, AA, Saklani, Evans) G7.1, G7.7 to Standards (with amendments – PETA) G7.1, G7.7, G7.12, G7.17, G7.18 and G7.20 – convert to Standards (RSPCA SA, WSPA) – add G7.9 (PAM) - similar suggestions from Evans and Sentient.	No further action was agreed
G7.18	Robinson	Replace “mustered and yarded” with “driven or yarded”. G7.18 After placement in paddocks, lambs should not be forcibly mustered and yarded until wounds are healed.	No further action was agreed
New Guideline	NSW Farmers	A new guideline should also be added before G7.5 which reads: “Where it is appropriate to the conformation of the lamb being treated to achieve flystrike protection, tail stripping should be considered in preference to mulesing”. The addition of tail stripping and this guideline will maximise welfare outcomes by ensuring that mulesing is only performed when necessary.	No further action was agreed, Mulesing definition not amended.

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
General issues	Andrew Wood (NSW Farmers, Armidale)	<p>“The complexities of individual micro-climates, the need for flexibility in timing of mulesing operations to enhance rapid recovery and promote best practice, are all factors that are taken into consideration when timing this key procedure to minimise fly strike deaths.</p> <p>Flexible, best practice management options must remain open for farmers to adapt to changing environmental conditions with respect to responsible animal welfare.”</p>	No further action was agreed

Chapter 8 Breeding Management

S8.1 new A person performing artificial breeding procedures on sheep must have the relevant knowledge, experience and skills, or be under the *direct supervision* of a person who has the relevant knowledge, experience and skills.

S8.1 A person performing artificial breeding procedures on sheep must not cause unreasonable pain, distress or injury to sheep.

S8.2 A person must be a veterinarian, or operating under veterinary *supervision*, to perform surgical embryo transfer and laparoscopic insemination of sheep.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S8.1	Various	<p>Define “artificial breeding procedures” in the Glossary (LSSA)</p> <p>Remove “<i>not cause unreasonable pain</i>” and replace with “<i>take action to minimise any</i>”(LSSA, Evans) or “<i>make every effort not to cause any</i>” (MacLaren)</p> <p>“unreasonable” is subjective and undefined – elevate G8.14 to a Standard (Variation C5 - RSPCA, AA, ALC, Saklani et al, Vic DEPI)</p> <p>Support existing wording (Agforce, WAFF) – welfare is covered by existing wording.</p>	No further action was agreed
S8.2	Various	<p>Exclusively vet only (Evans, RSPCA SA, ALQ, WSPA)</p> <p>Or acting under direct supervision by a veterinarian (Sentient, Vic DEPI)</p> <p>Support existing wording (AgForce)</p> <p>Oppose – technicians in Tasmania highly trained and AVA certified (TFGA).</p>	No further action was agreed
New Standard	Vic DEPI	<p>To require persons performing AB procedures to have relevant knowledge, skills and experience etc...(Elevate G8.12 training and competency).</p> <p><u>A person performing artificial breeding procedures on sheep must have the relevant knowledge, experience and skills, or be under the *direct supervision* of a person who has the relevant knowledge, experience and skills.</u></p>	WG Agreed new standard. SRG supported.

One new standard has been recommended by the writing and reference groups in this chapter in response to the submissions.

A new S8.1 has been recommended to reflect the concerns about the risks to the welfare of sheep subjected to artificial breeding procedures, consistent with other surgical procedures for sheep. This is not believed to add any cost to current sheep enterprises.

C5: Mandate pain relief for ET/LAI – See sections A3.5 of the Consultation RIS.

In relation to the matters raised in the RIS variations, the following explanation is offered;

Variation	Action	Comment
C5: Mandate pain relief for ET/LAI	Not supported as a standard.	Supported for inclusion in RIS option C.

RIS survey question 70 (RIS Q25) - Do you believe that the benefits likely to be achieved under Variation C5 of Option B, including the welfare benefits of mandating pain relief for laparoscopic artificial insemination (LAI) and embryo transfer (ET) and a reduction in excess regulatory burden are justified?

No. of responses	% Agree	% Disagree	% Neutral
87	75	13	12

In general it is believed that the extension of the use of pain relief for all artificial breeding procedures does not provide sufficient benefit for ewes if properly managed as required by the proposed standards S8.1, S8.2 and S8.3. The sheep industry recognises the value of artificial breeding to maximise genetic progress and is committed to a significant investment in research for the adoption of better adapted sheep.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
G8.1	SRG	<u>Change technicians to persons</u> Technicians <u>Persons</u> responsible for breeding management should have an understanding of reproduction and behaviour of both the ewe and the ram.	agreed
G8.4	SRG	<u>Delete “and” and add “but”.</u>	agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		G8.4 Lambing ewes should be monitored, and but disturbed as little as possible.	
G8.5	Vic DEPI	Upgrade to a Standard – otherwise conflict with S3.3 and cruelty legislation. G8.5 Ewes that receive severe injuries during lambing or that are affected by a severe adverse outcome (prolapsed uterus, unable to remove lamb) should receive urgent treatment or be humanely killed <u>without delay</u> .	No further action was agreed
G8.9	Vic DEPI	Upgrade to a Standard – otherwise conflict with POCTA. G8.9 Weak or orphaned lambs with very little chance of survival should be humanely killed without delay.	WG Agreed – add “without delay”. SRG supported.
G8.12	WG	Agreed not considered needed. G8.12 Technicians conducting artificial insemination, embryo transfer or electro-ejaculation of sheep should be trained and competent in these techniques.	WG Agreed delete SRG Supported
G8.13	WG	Moved positions under “Rams” heading.	Agreed
General	WG	Slight revision in sub heading changes	WG Agreed SRG supported
Numerous	Various	G8.13 – upgrade to a Standard to prohibit electro-ejaculation (Evans, RSPCA, ALQ, ALC) G8.3-8.9, G8.14 should be Standards (Evans) G8.1, G8.5-8.7, G8.9 and G8.14 – convert to Standards (RSPCA SA) – add G8.3-4, 3.6, 3.8 (PAM, WSPA) - include G8.3, 8.10 and 8.12 (Sentient).	No further action was agreed Guideline G8.13 relocated to section on rams

Several revisions to the guidelines and one deletion has been recommended in this chapter in response to the submissions.

Chapter 9 Intensive Sheep Production Systems

- S9.1 A person in charge must ensure that feed and water is available daily to sheep in *intensive production systems*.
- S9.2 A person in charge must ensure the daily *inspection* of all sheep in the ~~first week of confinement, to ensure adaptation to the~~ intensive production system*.
- S9.3 A person in charge must take reasonable action where sheep have not adapted to an *intensive production system*.
- S9.4 A person in charge must not allow faeces and urine to accumulate to the stage that compromises the welfare of sheep in an *intensive production system*.
- S9.5 A person in charge must ensure an indoor housing system for sheep has effective *ventilation*.
- S9.6 A person in charge must ensure sufficient space to allow all sheep to *lie* on their sternums at the same time in an *intensive production system*.
- S9.7 A person must not permanently house a sheep in a single pen for fine wool production.
- ~~A person in charge must ensure a sheep housed in a single pen for fine wool production is able to turn around, see, hear, smell and touch neighbouring sheep.~~

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision		Recommendation / Action Taken / Revised Content
S9.1	Sentient, Evans	Mandate Continuous (not “daily”) access to water Make water access a separate Standard .		No further action was agreed
Definition	SRG AHA	intensive production systems	An operation where sheep are confined for a period longer than four weeks for the purposes of wool, meat or milk production, and are dependent on the daily supply of feed and or water provided	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>by human or mechanical means.</p> <p>Does not include rams housed for breeding, or stud sheep in preparation for showing <u>or sheep held in a confinement area.</u></p>	
S9.2	Sentient	<p>“First month” – not “first week”.</p> <p>S9.2 A person in charge must ensure the daily inspection of <u>all</u> sheep in the first week of confinement, to ensure adaptation to the intensive production system.</p>	<p>WG Agreed to delete reference to a timeframe as the essential act is daily inspection, at all stages of confinement.</p> <p>SRG supported.</p>
S9.3	Various	<p>Vague – no guide to “reasonable action” (LSSA, AA) – replace with “appropriate” (Evans)</p> <p>Reword to “A person in charge must remove sheep exhibiting signs of sickness, digestive conditions or injury or stereotypic behaviours such as repetitive motion, wool biting and mouthing of railings from the intensive production system as soon as practicable” (LSSA).</p>	<p>No further action was agreed, covered by G9.11</p>
S9.4, S9.5	Sentient	Prescribe every 24 hours and maximum ammonia level of 25 ppm	No further action was agreed
S9.6	Sentient	Amend to allow lateral recumbency (Evans, RSPCA, AA, ALQ, Saklani) ... add “ <i>stand up, turn around and walk freely...</i> ”	No further action was agreed - no difference in science between sternal and lateral recumbency.
S9.7	Various	<p>Remove and elevate G9.14 to a Standard to prohibit single penning (Evans, RSPCA, AA, ALC, Saklani)</p> <p>S9.7 and G9.14 are inconsistent (AVA)</p> <p>Support Variation C3 (WAFF)</p>	<p>SRG agreed a new standard on banning single penning. Old Standard S9.7 deleted as no longer relevant.</p>
S9.7b	SRG	<u>Ban Single penning</u>	SRG agreed.

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<u>S9.7 A person must not permanently house a sheep in a single pen for fine wool production.</u>	
New Standard	Evans	A person in charge must ensure that appropriate bedding is provided and maintained in a hygienic state.	No further action was agreed
New Standard	Evans	A person in charge must ensure that water is constantly available to sheep in intensive production systems (i.e. amend S9.1).	No further action was agreed
New Standard	Evans	A person in charge must ensure that sheep in intensive production systems are inspected daily (i.e. amend S9.2).	Agreed.
General issues	Various	Need to stipulate if and where these Standards apply to stock containment areas used for feeding sheep in droughts and floods (Vic DEPI) This section does not recognise that shedded sheep are a vastly different production system to feedlots. The significance of this difference is such that this should go back to the writing group and they should develop separate Guidelines for shedded and feedlot sheep (NSW Farmers) Need to define “intensive sheep production systems” to distinguish them from pre-export facilities (SCA)	No further action was agreed Live export is excluded, explicit as stated the definition.

Two revisions to the standards have been recommended in this chapter by the writing and reference groups in response to the submissions. A revised definition of intensive production systems is proposed to exclude management confinement feeding for clarity.

S9.2 has been revised to reflect the need to inspect confined sheep daily to ensure their welfare needs are met adequately. This is not believed to add any cost to current intensive sheep enterprises.

C3: Single penning for wool production ban – See sections A3.3 of the Consultation RIS.

In relation to the matters raised in the RIS variations, the following explanation is offered;

Variation	Action	Comment
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C3: Single penning for wool production ban	Supported for inclusion as a standard.	Supported for inclusion in RIS option C.
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RIS survey question 68 (RIS Q23) –Do you believe that the benefits likely to be achieved under Variation C3 of Option B, including the welfare benefits of banning single penning of sheep and reduction in excess regulatory burden, are justified?

No. of responses	% Agree	% Disagree	% Neutral
89	71	18	11

It was agreed that single penning for wool production is a minority practice that does warrant further regulatory action.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
Numerous	Various	<p>G9.6 - upgrade to a Standard (RSPCA, AA, ALQ, Saklani)</p> <p>G9.1-9.4, G9.7-9.8, G9.15-9.19, G9.23-9.27 – convert to Standards (RSPCA-SA, PAM, Evans, Sentient)</p> <p>G9.30 – convert to a Standard (Evans, RSPCA SA, all other AW/AR groups)</p> <p>G9.1, 9.7, 9.18, 9.21, 9.23, 9.27, 9.29 and 9.30 should be Standards (Vic DEPI)</p> <p>G9.1-G9.30 should all be mandatory (MacLaren)</p> <p>All Guidelines except G9.11, G9.12, 9.20-9.24, G9.28 should be Standards (WSPA)</p>	No further action was agreed
G9.14	SRG	G9.14 Sheep should not be housed in single pens for any longer than is necessary.	It is proposed that this guideline remains as amended. It is still relevant for sheep being treated and exhibition.

A single revision to the guidelines has been recommended in this chapter in response to a change in the standard.

Chapter 10 Humane killing

S10.1 A person in charge must ensure killing methods for sheep result in rapid loss of consciousness followed by death while unconscious.

S10.2 A person killing a sheep must have the relevant knowledge, experience and skills to kill the sheep humanely, or be under the *direct supervision* of a person who has the relevant knowledge, experience and skills, unless:

- 1) the sheep is suffering and needs to be killed to prevent undue suffering; and
- 2) there is an unreasonable delay until *direct supervision* by a person who has the relevant knowledge, experience and skills becomes is available.

S10.3 A person in charge of a sheep suffering from severe distress, disease or injury that cannot be reasonably treated must ensure the sheep is killed at the first reasonable opportunity.

S10.4 A person killing sheep must take reasonable action to confirm the sheep is dead.

S10.5 A person killing a lamb by a blow to the forehead must ensure that the lamb weighs less than 10 kilograms and only when no there is no firearm, captive bolt or lethal injection reasonably available. there humane killing methods are reasonably available.

S10.6 A person must only use *bleeding-out* by neck cut to kill a conscious sheep when there is no firearm, captive bolt or lethal injection reasonably available.

The following changes to standards were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
S10.2	WG	Replace "is" with "becomes" S10.2 A person killing a sheep must have the relevant knowledge, experience and skills to kill the sheep humanely, or be under the *direct supervision* of a person who has the relevant knowledge, experience and skills, unless: 1) the sheep is suffering and needs to be killed to prevent undue suffering; and	WG Agreed - better English. SRG supported.

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		2) there is an unreasonable delay until *direct supervision* by a person who has the relevant knowledge, experience and skills is <u>becomes</u> available.	
S10.3	LSSA	Concerns with “at the first reasonable opportunity ” – undefined and creates strong defence – as with S3.3	No further action was agreed
S10.5	Various	<p>Remove S10.5 – all sheep must be stunned with a firearm or captive bolt irrespective of age (RSPCA, AA, ALQ, PAM, Sentient, Saklani)</p> <p>Convert to a Guideline – “The stated welfare objective, ‘Where it is necessary to kill sheep, it is done promptly, safely and humanely’ – is achieved through S10.1 – S10.4 (WPA, WAFF). Stipulation of how the objective is to be achieved (such as in the proposed S10.5, and also 10.6 – see below) may unnecessarily limit the options of persons across a broad range of circumstances which are difficult to foresee” (WPA)</p> <p>Add “and must be done by a single, sharp blow delivered to the centre of the forehead” (Evans, Sutton) i.e. incorporate G10.3.</p> <p>Change to 5 Kg unless moribund or immobile – then require bleeding out >5 Kg following loss of consciousness.</p> <p>Do not limit to 10 Kg – stunning should be done on all sheep prior to bleeding and most farmers are strong enough to stun an adult sheep with a hammer (J Vaughan - vet)</p> <p>10 Kg limit is valid (Jubb)</p> <p>S10.5 A person killing a lamb by a blow to the forehead must ensure that the lamb weighs less than 10 kilograms <u>and only when no other humane killing methods are reasonably available.</u></p>	<p>SRG supported change but agreed to list the methods.</p> <p>S10.5 A person killing a lamb by a blow to the forehead must ensure that the lamb weighs less than 10 kilograms and only when there is no firearm, captive bolt or lethal injection reasonably available.</p>
S10.6	Various	Amend to apply only in circumstances where the sheep is suffering and needs to be killed to prevent further undue suffering (LSSA)	No further action was agreed

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<p>Amend to “unless in an emergency” (WSPA)</p> <p>Add “and the killing is in the welfare interests of the sheep” (Vic DEPI)</p> <p>Remove “reasonably” before “treated” – ambiguous, unnecessary (LSSA)</p> <p>Remove it altogether (RSPCA) ban all killing of conscious sheep by neck cut (Sutton)</p> <p>Convert to a Guideline (WPA, SCTRLHC, WAFF) – as for S10.5 above</p> <p>Stunning should be done on all sheep prior to bleeding and most farmers are strong enough to stun an adult sheep with a hammer (J Vaughan - vet)</p> <p>Exsanguination may often be preferable “due to ease of access to the carotids and absence of vertebral artery co-circulation to the brain meaning the animal loses consciousness almost instantly. A skilled operator that is aware of the importance of immediately cutting both carotid arteries and uses very sharp equipment and good technique, is likely to be able to induce a more efficient death for a sheep than the alternative methods listed” (Windsor).</p> <p>Serious unintended safety consequences are possible if this Standard is included. Shooting can be very dangerous, especially if performed in confined circumstances or where multiple animals have to be euthanased promptly (NSW Farmers, SCA).</p> <p>Convert to a Guideline (SCA) – “The stated welfare objective where humane killing is necessitated, that is ‘Where it is necessary to kill sheep, it is done promptly, safely and humanely’ – is achieved through S10.1 – S10.5.”</p>	<p>No further action was agreed</p>
New Standard	Jubb	<p>New Standards should clearly prescribe <i>approved</i> and <i>non-approved</i> (i.e. unlawful) killing methods.</p>	<p>No further action was agreed</p>

Two revisions to the standards have been recommended in this chapter by the writing group in response to the submissions. This is not believed to add any cost to current sheep enterprises.

S10.2 has been amended for clarity.

S10.5 has been revised to emphasize the need to use blunt force trauma as a last resort killing method when other more reliable methods may not be available.

The following changes to guidelines were suggested:

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
G10.1	WG	Add The brainstem should be targeted and it lies midway along an imaginary line drawn between the base of the ears. G10.1 The poll method is the preferred method for killing sheep (see Figure10.1). <u>The brainstem should be targeted and it lies midway along an imaginary line drawn between the base of the ears.</u>	WG Agreed. The dot point in the diagram indicates this. SRG supported.
G10.3	WG	Suggest delete sharp. G10.3 A single sharp -blow should be delivered to the centre of the forehead.	WG Agreed. 'Sharp' deleted as not required for clarity. SRG supported.
G10.4	Sentient	Upgrade to a Standard and add <i>"Exemptions must not be allowed on the grounds of religious slaughter"</i> . G10.4 Bleeding out of sheep without pre-stunning using the neck cut should only be done as a last resort using a suitable, sharp knife. The cut should transect both the carotid arteries and both the jugular veins.	No further action was agreed
General issues	Dr T Jubb	New Standards should clearly prescribe approved and non-approved (i.e. unlawful) killing methods Approved: <ul style="list-style-type: none"> gunshot, captive bolt, blunt trauma to the head or veterinary administered intravenous agents bleeding – but must only be used as a primary method if the aforementioned primary methods are unavailable Non-approved: Methods not approved include:	No further action was agreed. Previous discussions have covered this aspect.

I/d	Submitted by	Suggested Revision	Recommendation / Action Taken / Revised Content
		<ul style="list-style-type: none"> bleeding as a primary method if firearm, captive bolt or veterinary administered agents are available, blunt trauma to animals greater than 10 kg, drowning, asphyxiation, electrocution intravenous injection of caustic chemicals or any other method that does not result in rapid loss of consciousness followed by death while unconscious. 	
G10.1 and Figure 10.1	Dr T Jubb	<p>Suggest the recently developed MLA diagrams be used – they are anatomically correct. The existing side view diagrams in the draft standards and guidelines are anatomically incorrect with respect to positioning of the ears relative to the brainstem.</p> <p>The brainstem, which should be targeted, lies between the ear attachments.</p> <p>For poll shots a simpler and more easily remembered recommendation, and one with consistently better outcome, is to aim between the base of the ears. This covers both point of entry and direction of aim.</p> <p>Delete reference to the frontal shot for sheep.</p>	<p>Notes revised.</p> <p>SRG supported.</p> <p>SRG agreed to include the content of the MLA drawings/diagrams.</p> <p>Change the recommendations for the secondary shot to be crown – not frontal.</p> <p>Agreed emphasize the brain stem is the target.</p>
	Dr T Jubb	<p>Captive bolt devices</p> <p>To say the length of the bolt should be appropriate for the class of sheep is irrelevant. It is the diameter and velocity of the bolt which are the important determinants of killing power, not the length of the bolt.</p> <p>The important things with captive bolts and firearms is maintenance and calibre and to be prepared to immediately repeat the shot if necessary.</p>	<p>Revised note.</p> <p>SRG supported.</p>
G10.2	Dr T Jubb	<p>Confirming death</p> <p>No eye movement, 2. No blink reflex, 3. Fixed dilated pupils, and 4. No breathing for at least 5</p>	<p>Revised G10.2</p> <p>SRG supported</p>

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		<p>minutes (3 minutes is too short, some will recover their breathing after a long delay.</p> <p>Absence of heart beat and pulse are too difficult to see, hear or feel reliably in the field, even by veterinarians. Checking for presence of brain death by absence of brain reflexes is easier, simpler and more reliable.</p>	
	Dr T Jubb	<p>Blunt trauma to the head</p> <p>I don't think the centre of the forehead is a good target. The back of the head is likely to be a better target because that is where the brainstem lies.</p> <p>I suggest: <i>"a single sharp blow should be delivered to the back of the head, directed between the base of the ears and of sufficient force to fracture the skull"</i></p>	<p>Poll position preferred.</p> <p>Added to G10.1</p> <p>"The brainstem should be targeted and it lies midway along an imaginary line drawn between the base of the ears."</p> <p>SRG supported.</p>
	Dr T Jubb	<p>Bleeding out</p> <p>Amend the note to say: <i>"severing the spinal cord as part of the neck cut is unnecessary and painful and should not be performed"</i>.</p>	<p>No further action was agreed, adequately covered by existing note to G10.4.</p>

Three revisions to the guidelines and revisions to the notes have been recommended by the writing and reference group in this chapter in response to the submissions and subsequent discussions.

APPENDIX 1 - LIST OF NOTED SUBMISSIONS AND ACRONYMS

Reference Group Members	
AA	Animals Australia
AgForce	AgForce Queensland
ALPA	Australian Livestock & Property Agents Association
ALRTA	Australian Livestock & Rural Transporters Association
AMIC	Australian Meat Industry Council
AVA	Australian Veterinarians Association
AWI	Australian Wool Innovation
DEPI VIC	Department of Primary Industries Victoria
DPIPWE TAS	Department of Primary Industries & Water, Tasmania
LCA	Livestock Contractors Association
NSW DPI	Department of Primary Industries NSW
QLD DAFF	Department of Primary Industries Queensland
RSPCA	RSPCA Australia
SCA	Sheepmeat Council of Australia
WPA	Wool Producers Australia
Other organisations making submissions	
AACT	Against Animal Cruelty TAS
AASMB	Australian Association of Stud Merino Breeders
AE	Animals Ethics Pty Ltd
ALQLD	Animal Liberation QLD
ALSA	Animal Liberation SA
AWG	Australian Wool Growers Ltd

CAA	Cat Alliance of Australia Inc.
Edgar	Edgar's Mission
HIS	Humane Society International
LSAV	Livestock Saleyards Association of Victoria
LSSA	Law Society of South Australia
NRCLC	Northern Rivers Community Legal Centre
NSWFA	New South Wales Farmers' Association
NSWYL	NSW Young Lawyers Animal Law Committee
PAM	Port Adelaide Monitors
PETA	PETA Australia
PGA	Pastoralists and Graziers Association
PPC	Paraway Pastoral Company
RASWA	Royal Agricultural Society of WA
RSPCA SA	RSPCA South Australia
Sentient	Sentient – the Vet Institute for Animal Ethics
SMBAWA	Stud Merino Breeders Association of WA
STCRLHC	South Coast And Tablelands Regional Livestock Health Committee
TFGA	Tasmanian Farmers' & Graziers' Association
VA	Vegan Australia
VFF	Victorian Farmers Federation
WAFF MS	WA Farmers Federation Wool and meat Council
WSPA	World Society for the Protection of Animals
	Individual submissions
	Ruchi Saklani
	Alicia Sutton

	Carole de Fraga
	Chris Heislars
	Di Evans
	Jim Watts
	Peter Windsor
	Tristian Jubb

APPENDIX 2 - PICTORIAL REPRESENTATION OF STANDARDS AND GUIDELINES DEVELOPMENT PROCESS

