Live export report

COMPLIANCE - TRANSPORTATION

Port of Fremantle Western Australia

Update

October 2010-February 2011

March 2011
Introduction

It has been over 4 years since we delivered our previous comprehensive findings in a report on live export. Our last report was our Observation – timelines, comparisons and snapshots August 2006 which clearly detailed potential breaches of animal welfare legislation, routine violations of the Australian Standards for the Export of Livestock (ASEL) and habitual non-compliance to Codes of Practice.

What has changed since 2006?

Although some effort has been made to progress both the transport and handling of animals toward full compliance with the state animal welfare statutes, ASEL and Codes of Practice, there are many issues which remain unchanged. (As yet, Standards and Guidelines have not been adopted into WA legislation),

Factors contributing to potential breaches of the Animal Welfare Act and varying degrees of non compliance that Animals’ Angels have reported include:

A The degree of responsibility farmers are prepared to take to ensure that all the animals they provide comply with the export criteria.- for example: Not selling animals suffering at any stage of the painful condition keratoconjunctivitis (pink eye) or eye inflammation.

B The level to which exporters go in order to minimize their areas of non compliance, which are to;
   1. Establish policy and procedures to underpin routine and proactive oversight
   2. Appoint an expressly designated AW person who is present throughout the loading period to ensure full compliance to the animal welfare requirements.
   3. Develop a process to ensure humane and respectful treatment of animals who do not meet the export criteria-i.e. reject animals- especially significant given the current and extensive investigation into a pet food slaughterhouse which was the recipient of reject sheep.

C Inspection and removal of all animals that meet the rejection criteria.
ASEL S2.11 states that animals must be inspected prior to loading and those animals with conditions consistent with the reject criteria be removed from the live export chain before transport to the port. This is not the responsibility of transporters.

D The level of responsibility to which truck drivers are prepared to commit to improve their work practices, which are;
   1. Ensuring the animals they permit to be on their truck are fit to load.
   2. Ensuring the density complies with the loading criteria: wool length, temperature, size of the animal, journey length. Density is observed so that the animals have room to move and have room to rise unassisted.
   3. Ensuring that the animals are distributed evenly within the truck,
   4. Checking on all animals they have on board their trucks once they have parked at the port.
   5. Treating the animals humanely and with respect.

E Exporters use truck drivers with differing levels of experience and expertise. They must;
   1. Ensure that all drivers, including part time or casual drivers who are contracted to load and transport animals within the live export chain, are trained and understand their responsibilities in order to meet the AW Act 2002, ASEL and relevant Codes.
   2. Ensure that drivers have completed a low stress handling course.
   3. Use drivers that are TruckCare accredited
F Complete and total lack of regulatory oversight: State Animal Welfare Inspectors should attend all loadings to ensure compliance to legislation and to prevent cruelty. This has not happened for nearly two years due essentially to the one remaining General field Inspector being removed from active duty in the field and being relegated to an administrative desk officer position. Legislation and good animal welfare outcomes are being ignored because there are no official proactive, ongoing routine inspections or monitoring in any capacity.

G Australian Quarantine Inspection Service (AQIS) officers are not present throughout all of the transport and loading phase of the chain. AQIS focus on overseas health requirements and because they have no jurisdictional powers to enforce state legislation and, are reluctant/unwilling to be present throughout the full loading, there is no one to ensure compliance to welfare and prevent cruelty.

Until there is the obvious willingness and demonstrated commitment to change the current culture to one of compliance all of the time in the farm to ship chain, Animals’ Angels maintain that there must be official, visible and consistent monitoring and oversight in order to improve current practices and the enforcement of export standards, statutory requirements and the Codes of Practice.

Irrespective of how many animals are transported to the port, it must be remembered that both the Animal Welfare Act 2002 and the Australian Export Standards for Livestock Version 2.2 February 2009 recognise each individual animal. Simply put; the law is supposed to protect each and every animal.


We provide a series of photos which illustrate what we believe are possible breaches of the Act, violations of ASEL regulations and or non compliance with the Code.
Untipped horns: Relevant ASEL standards: S1.16, S1.7, S2.10e, S2.11
Eye infections: Relevant ASEL standards: S1.7, S2.11
During the period of observation, the eye remained closed even when the sheep moved.
Nasal discharge: Relevant ASEL standards: S1.7, S2.11

Panting sheep—possible dehydration: Relevant ASEL standards: S1.7, S2.11.
Temperature on 21.2.2011: app 36°C

Insufficient space between decks for the livestock to stand in a natural position without having contact with overhead structures:

Relevant standards: S2.1, Appendix 2.3 Vehicle requirements (c)

Code of practice for the transportation of sheep in Western Australia: Space between decks- 7.1.7
Possible downers
Animal Welfare Act 2002, (2) (b) (c) Part 3 s 19. (a) (h) (j)
Relevant standards: S1.7: Systemic conditions; collapsed, weak, unwell, lethargic, dehydrated, Ill-thrift
S2.13 Livestock must be loaded in a manner that prevents injury and minimises stress.
S2.16 Livestock must be checked to ensure that they are evenly distributed and remain fit to travel.

Code of practice for the transportation of sheep in Western Australia: 8.2 The density of loading should
be determined by the need to minimise injury but allow fallen animals to rise without assistance.

9.3 In-transit inspections 9.3.1 All consignments should be inspected within 30-60 minutes of
commencing a journey. Road consignments should be checked at least every three hours, or whenever
the driver has a rest stop.

From an animal welfare perspective, most drivers do not check all animals on each of the decks of their trucks
on arrival at the port to ensure the wellbeing of the animals for which they are responsible. During any given
loading, there may be a few drivers who check animals on the lower levels of their trucks but rarely do any
check on animals on the decks above.

If there are injured or downer animals, there is no routine inspection undertaken to identify them for attention so
they are left on a stationary truck often for many hours until
the sheep are unloaded. During May 2009 we wrote to
both Federal and State Government, Industry and various other stakeholders detailing amongst other issues our observations concerning the failure to check the welfare of animals on all levels after parking at the port. Only 2 drivers have been observed checking the upper levels of their trucks but they do not do this on a regular basis.
A scientific study undertaken by Department of Zoology, University of Oxford, South Parks Road, Oxford UK concluded that “Sheep lose balance, slip and fall less when loosely packed in transit where they stand close but not touching their neighbours”. Tracey A. Jones, Corri Waitt, Marian S. Dawkins

Uneven distribution:
S2.16 Livestock must be checked to ensure that they are evenly distributed and remain fit to travel. S2.14 – Appendix 2.2: Loading densities are determined according to the average liveweight, condition, size, shape and horn status of the livestock, as well as the prevailing conditions and the distance animals are to be transported.

Code of practice for the transportation of sheep in Western Australia: 8. Loading Density during Transport 8.1, 8.3, 9.3 In-transit inspections 9.3.1
Governments and regulatory Government departments rely heavily on the “chain of responsibility” to deliver good animal welfare. Conversely industry relies on regulatory bodies to ensure compliance.

It is expected that each segment of the live export chain will educate and train those involved, to comply with the Animal Welfare Legislation, the ASEL and Codes of Practice applicable to that segment. However, as we demonstrate from our photos, this presumption is fundamentally flawed and is failing the animals. It is clear that each segment is not willing to self regulate to ensure consistent compliance.

A prime example of system failure is the lack of oversight and management in instances of animals requiring attention. Given that AQIS isn’t always at the port and the state government inspectorate no longer exists, there is no one to call when an animal needs assistance, euthanizing or veterinary help.

**State Level:**

The solution is as simple as the government **reinstating and funding an active, effective, enforcement inspectorate.** In the last 12 months the functions of the Animal Welfare Unit have been reduced to administrative only. The last General field Inspector is therefore an ‘Inspector’ in title only. The Administrative Unit comprises two senior DLG staff who are responsible for the oversight of animal welfare; promoting responsible welfare and the investigation of cruelty complaints for the whole of the state. The AWU Inspectorate no longer exists and the AWU no longer actively enforces legislation.

Contrary to the claims of the current government, there are **no other Government Inspectors** proactively monitoring and enforcing the Animal Welfare legislation. The livestock industry is left to its own devices in the name of self regulation.

Western Australia is the largest live exporter in Australia and boasts of “best practice” in animal welfare. This is a hollow claim considering that there is **no** effective enforcement of its own legislation; there is no effective audit to substantiate this claim and there is no official audit of the self-regulated livestock and live export industry.

It is essential that the government reviews its priorities in order to demonstrate that it is “committed to promoting and protecting the welfare of animals in Western Australia, including livestock”. Ref: correspondence from the Western Australian Premier’s office 2.3.2011

**Federal Government level:**

AQIS inspectors should be in attendance at the port for the duration that a ship is being loaded. At present the level of non compliance is such that AQIS officers attend the port when and if there are officers available and when time is available during their other work commitments.

We understand that the AQIS officers attending for perhaps some of the time of the unloading/loading are not able or willing to routinely inspect transports or handling of the animals for **welfare compliance** to ASEL – for that, they are reliant on state regulators. **The problem is that the State’s proactive monitoring and enforcement section no longer exists.**
Where is Western Australia in terms of prevention/minimisation of animal suffering?

Animal welfare in live export at the Port of Fremantle has not been checked by the AWU for since July 2009 - 21 months. There are no routine and consistent inspections for compliance to animal welfare by the AWU or other agency at any of the other WA ports which facilitate live export.

WA does not have any inspections in any way shape or form by the State Animal Welfare Unit and Inspectorate, which were specifically created as the lead agency for the role of inspection portside for animal welfare standards.

WA does not have The AQIS officers being proactive in an animal welfare role.

Essentially, the limited effort we mentioned in the introduction to progress both the transport and handling of animals toward full compliance of the state animal welfare statutes, Australian Standards for the Export of Livestock and Codes of Practice has been driven by Animals’ Angels.

Essentially, Animals’ Angels are performing the work the State should be performing.

The State AW Unit should be at these facilities inspecting/preventing/training/educating and collecting data.

Although we are pleased that some change has been made, we are under no illusion that if we do not have a team of proactive inspectors stationed at the port for the duration of loading, there is every risk that animals will continue to suffer unnecessarily and unnoticed.

Animals’ Angels

March 2011