

AUSTRALIAN ANIMAL WELFARE STRATEGY

Development of Australian Standards and Guidelines for the Welfare of Livestock

Business Plan

[Revised February 2009]

Introduction

For the past 20 years, the welfare of livestock in Australia has been supported by a series of Model Codes of Practice for the Welfare of Animals. As community values and expectations have changed, and our international trading partners have placed greater emphasis on livestock welfare, the usefulness and relevance of these Codes has been called into question, as has the process by which these Codes have been revised and developed. To address these issues, Primary Industries Standing Committee (PISC) asked the Australian Government Department of Agriculture, Fisheries and Forestry (DAFF) to consider arrangements for reviewing and developing the Codes as a basis for Australia's future livestock welfare regulation.

There is general agreement about the desirability of having national standards of livestock welfare that are consistently mandated and enforced in all states and territories. The need for improved processes, broader consultation and linkages to industry quality assurance programs also is generally acknowledged. There is broad consensus amongst all governments and peak industry bodies regarding a preferred process for revising and developing new welfare standards and guidelines.

Under the Australian Animal Welfare Strategy (AAWS) and Animal Health Australia (AHA) management, the existing Model Codes of Practice (MCOP) will be re-written in a new format, to incorporate both the national welfare standards and industry guidelines for each species or enterprise (e.g. saleyards, abattoirs). The task is to re-format each of the 22 existing MCOP into a document that combines Australian Welfare Standards and Guidelines for that species or enterprise.

It should be noted that several livestock industries have made significant progress in developing quality assurance programs that incorporate livestock welfare requirements. The new standards and guidelines will be very relevant to the industry quality assurance programs and it is expected that there will be close alignment between these.

It is noted that AHA does not have coverage of species such as buffalo, emus, ostriches, deer and feral animals, and would have limited ability to broker any funding arrangements for the re-formatting tasks. In the absence of an agreed cost-sharing formula for these species, it will be necessary to establish alternative funding arrangements. The actual review process could be contracted out to AHA or another organisation, to follow the agreed development procedures.

This plan has been revised following the completion of the development of the Land Transport Standards and Guidelines in September 2008 and incorporates recommendations made by the widely-representative Reference Group for that project.

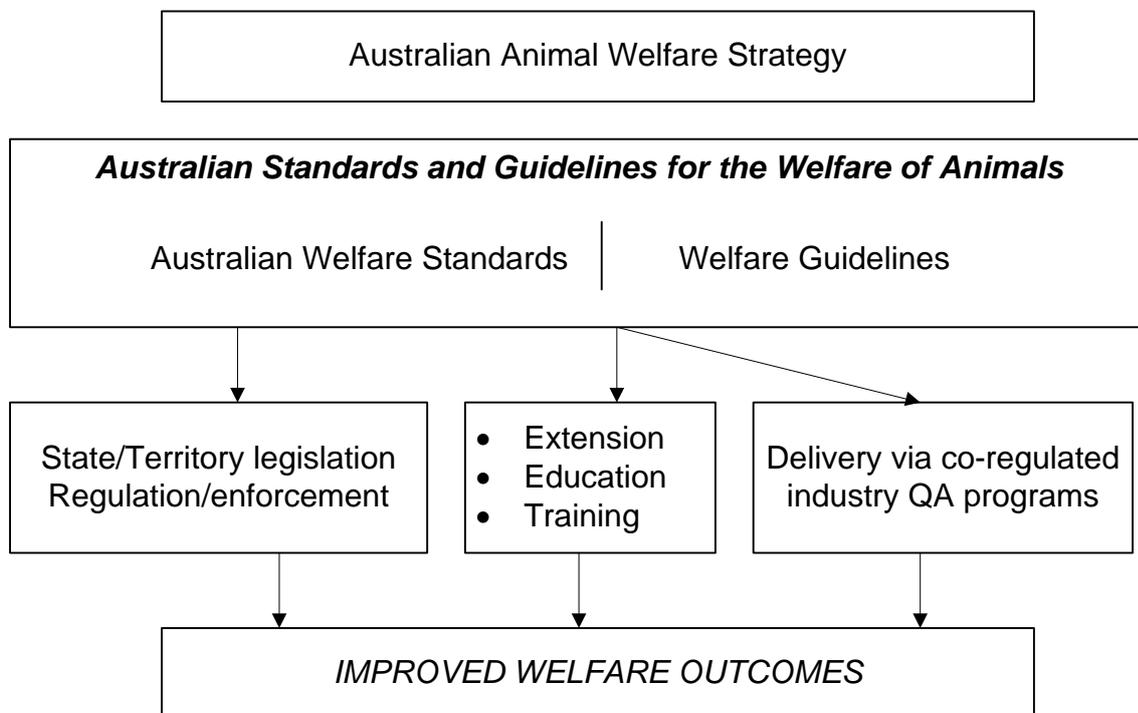
Vision

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

Objective

As a cornerstone of the Australian Animal Welfare Strategy, the national livestock welfare standards, with complementary guidelines, provide welfare outcomes that meet community and international expectations and reflect Australia's position as a leader in modern, sustainable and scientifically-based welfare practice.

Strategic context



Existing Welfare Codes

The 22 existing Model Codes of Practice for the Welfare of Animals are:

- *Animals at Saleyards* (1991)
- *Farmed Buffalo* (1995)
- *The Camel* (2005)
- *Cattle* (2004)
- *Land Transport of Cattle* (1999)
- *Farming of Deer* (1991)
- *Husbandry of Captive-Bred Emus* (2006)
- *Killing or Capture, Handling and Marketing of Feral Animals* (1992)
- *The Goat* (1991)
- *Land Transport of Horses* (1997)
- *Air Transport of Livestock* (1986)
- *Rail Transport of Livestock* (1983)
- *Road Transport of Livestock* (1983)
- *Sea Transport of Livestock* (1987)
- *Livestock at Slaughtering Establishments* (2001)
- *Farming of Ostrich* (2003)
- *Pigs (2nd Edition)* (2008)
- *Land Transport of Pigs* (1998)
- *Domestic Poultry (4th Edition)* (2002)
- *Land Transport of Poultry* (2006)
- *Intensive Husbandry of Rabbits* (1991)
- *Sheep (2nd edition)* (2006)

It is anticipated that six of these codes and one draft code will be made redundant by the Primary Industries Ministerial Council after endorsement of the standards and guidelines for the Land Transport of Livestock during 2009:

- *Land Transport of Poultry* (2006)
- *Land Transport of Cattle* (1999)
- *Land Transport of Horses* (1997)
- *Rail Transport of Livestock* (1983)
- *Road Transport of Livestock* (1983)
- *Land Transport of Pigs* (1998)
- *Land Transport of Sheep* (draft)

Two codes are under development, and could be issued as standards and guidelines. These are:

- Horses
- Dogs (relevant for working dogs)

Development process

It is proposed that the existing Model Codes be prioritised and re-formatted as *Australian Standards and Guidelines for the Welfare of Livestock*. The three phases to development prior to endorsement are: development, public consultation and revision. Concurrent development of the Regulation Impact Statement (RIS) is an important part of the decision-making process.

Prioritisation

1. Animal Health Australia (AHA) will work in consultation with the Animal Welfare Committee (AWC) and industry, to establish a flexible priority order for the re-formatting/review of the existing welfare Model Codes of Practice.

Development

2. AHA will:
 - confirm the budget and source(s) of funding with relevant parties
 - establish a Writing Group (approximately 4-8 members), including appropriate industry representation, and convene the group.
3. In liaison with the AWC and relevant industry stakeholders, AHA in conjunction with a Writing Group, will for each project, arrange for:
 - co-ordination of the Writing Group;
 - preparation of a project plan – terms of reference, deliverables, timelines, and preliminary budget;
 - a preliminary outline of the proposed standards – first draft;
 - preparation of a technical issues paper as the basis for further decisions;
 - selection of suitable candidates for the provision of research and consultation services, if necessary;
 - preparation of an outline of appropriate communications strategy;
 - invitations for a Standards Reference Group (SRG) with appropriate representation from key stakeholders, including all members of the AWC, RSPCA Australia, Animals Australia and other relevant organisations. Refer to Attachment A.
4. The Reference Group will be convened to address the issues presented and endorse the current plans as revised (**SRG1**).
5. AHA will then:
 - manage any issues in the project plan and communications strategy for the project;
 - appoint project consultants, who must have a detailed knowledge of the outcomes required and relevant experience in project management, and broad knowledge of the particular industry and the relevant issues;
 - appoint a consultant to manage the public consultation process;
 - appoint a consultant to manage the Regulation Impact Statement (RIS);
 - consult the Office of Best Practice Review (OBPR) about the project as early as possible and seek guidance on the approach for the RIS.

6. The necessity for a scientific literature review will be carefully considered by the Writing Group. If considered necessary by the AWC and industry, AHA will work with the relevant R&D agency to commission a literature review. A potential side benefit of the review could be the identification of gaps/deficiencies and recommendations for further R&D. Any such investigations should not delay the standards development process.
7. Under the guidance of the Writing Group, an initial draft standards and guidelines document will be written, incorporating guidance from SRG1. Each standards and guidelines document will comprise two main parts:
 - *Standards* — The acceptable animal welfare requirements designated in the document. 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. Standards use the word ‘must’.
 - *Guidelines* — The recommended practices to achieve desirable animal welfare outcomes. The guidelines complement the standards. They should be used for guidance. Guidelines use the word ‘should’. Non-compliance with one or more guidelines will not in itself constitute an offence under law.
Refer to Attachment C.
8. The Writing Group will use flexible, small group processes to seek solutions to issues by collaboration and consensus as far as possible. The Writing Group and AHA will consider Reference Group comments, and prepare a second draft of the standards document for consideration by the SRG after an appropriate number of iterations. The SRG will be convened as necessary to discuss issues of wider relevance to the standard or the process. This will happen at a time when as much progress as possible has been made within the smaller groups and there are critical decisions to be made (**SRG2**). This meeting will also consider and endorse the public consultation strategy and materials. Documents will be provided to the SRG at least four weeks prior to meetings.
9. AHA (in conjunction with the Writing Group) will arrange for the preparation of a ‘**consultation RIS**’, based on the second draft developed at SRG2 (refer Attachment E). The draft standards and consultation RIS will be circulated to the Reference Group for comment. As far as possible, feedback from stakeholders will be followed up by individual response or contact, supplemented where necessary by in-person workshops to resolve particular issues and/or to hold over to a SRG meeting. The SRG (**SRG3**) will consider the draft RIS and any further changes to the standards prior to public consultation. Significant issues will be identified for public consultation.

Public Consultation

10. AHA will seek formal approval of the (consultation) draft RIS by the OBPR. This RIS, together with the draft standards, will then be made available for 90 days on a public website, for public consultation and comment.

Revision

11. The consultant for the public consultation process will prepare a summary of submissions. AHA will lead a small working group to coordinate the detailed issues summation and response to public consultation submissions (**Public Consultation Response Action Plan**), decision-making and the revision of the proposed standards and the RIS. A draft report will be provided to SRG that will incorporate the proposed final draft, and recommendations as to how unresolved issues will be progressed by **SRG4**.
12. It is proposed that issues assessed as requiring further attention will be subjected to a collaborative process to seek resolution. If an impasse is reached at the writing group level, SRG will be the penultimate arbiter. If SRG (SRG5) is not able to reach consensus, the issue will be referred to AWC/AWPIT/PISC for resolution and decision. It may not be necessary to have the fifth SRG meeting, and this meeting is not shown in the flow chart at Attachment B.
13. The **final draft standards and RIS** will be recommended by the SRG to government. The proposed standards and RIS will be submitted through AWC/AWPIT/ PISC to PIMC for **endorsement**. If any issues arise during this endorsement process, the Reference Group will be provided with appropriate feedback.

Publication

14. After government endorsement of the standards and guidelines and approval of the RIS, the standards and guidelines will be published and promoted on the internet. The Australian Welfare Standards will be the basis for the state/territory jurisdictions' relevant legislation under the agreed implementation process, to be managed by DAFF. They will also be communicated to national industry bodies for incorporation into industry quality assurance programs, as appropriate. A flow-chart of the review process is shown at Attachment B.
15. The implementation and harmonisation process will be the responsibility of jurisdictions with overall coordination by DAFF. Liaison with industry will occur when drafting instructions have been developed and during the drafting process. Further details are provided at Attachment C.

Roles and responsibilities

Terms of reference for the writing and reference groups and other parties are listed at Attachment A.

Australian Government - Implementation of the Australian Animal Welfare Strategy (AAWS). Provides representation on committees and working groups established under the AWC/AWPIT/PISC/PIMC framework. Manages the overall implementation and harmonisation process.

State and territory governments - Provide representation on committees and working groups established under the AWC/AWPIT/PISC/PIMC framework. Enact relevant regulations to implement the livestock welfare standards, to achieve consistent outcomes and enforcement, and maximise the level of compliance.

Industry organisations – Consult with their industry constituency and contribute to writing groups and reference groups as appropriate. Manage and encourage industry implementation of the livestock welfare standards through appropriate quality assurance programs that are subject to audit.

Animal Health Australia - Manage the development of each Standard according to an agreed priority order. For each Standard, negotiate appropriate cost-sharing arrangements and a development plan with governments and relevant industry organisations. In close liaison with the AWC and industry through the Writing Group and Reference Group, manage the development of each Standard according to the agreed business plan.

Industry research and development organisations – Initiate and support research and development into relevant aspects of livestock welfare. Provide relevant, concise research literature reviews where possible, and participate in writing and reference groups.

Animal welfare organisations – As members of the Reference Group, provide comment on the drafts of the revised *Australian Standards and Guidelines for the Welfare of Livestock*.

Office of Best Practice Regulation – Provides advice on and approves the Regulation Impact Statement.

Budget and activity plans

Final costs will depend on the degree of revision necessary and the number of issues that are subject to comprehensive discussions and further consideration in the RIS. It is difficult to estimate total costs prior to detailed consideration of a particular standards and guidelines project.

Indicative minimum costs for re-formatting each Code for a single year of activity are:

| | |
|-----------------------------|------------------------------------|
| AHA management costs | \$76,000 |
| Writing Group* | \$20,000 |
| Reference Group* | \$10,000 |
| Research and coordination | \$10,000 |
| Regulation Impact Statement | \$50,000 |
| Public consultation | \$40,000 |
| Editing | \$20,000 |
| Estimated cost | \$226,000 per code (2008 estimate) |

* Members participate at their own cost; ‘in-kind’ contributions are not included.

Source of funds

AHA seeks funding commitment through the normal AHA business planning cycle concluding at a Special General Meeting (SGM) in late May, with additional negotiation efforts directed towards special funded projects. This will occur on an annual basis, recognising that it is likely that development activities will take longer than 12 months. Indicative budgets will be prepared on a year-to-year basis. AHA will maintain expenditure control through its budget and tendering processes.

The cost of re-formatting/reviewing the existing Codes will be shared between the Australian Government, state/territory jurisdictions and relevant industry sectors in a 1/3:1/3:1/3 split, similar to the present funding of core programs in AHA. AHA will be responsible for brokering the industry share, which will be apportioned appropriately, depending on the particular code to be reviewed, e.g. sheep or cattle codes – full 33.3% share to be paid by the relevant industry. For the saleyards code, the apportionment of the 33.3% industry share would be more complex, with the saleyards, cattle and sheep industries making the major contributions and perhaps pigs and goats contributing minor proportions. Alternative funding arrangements will be sought when this model is not viable.

Non-members (of AHA) could fund projects, with AHA Board approval. For species not covered by AHA, it will be necessary to devise alternative funding arrangements. AHA could then be contracted to manage the development process, following the same process as for other species and enterprises.

Funding members will function as a project expenditure advisory committee.

Target dates

It was initially proposed that the re-formatting and review of all existing welfare codes be completed by 31 December 2010, however due to the complexity and size of the task, this target deadline will have to be adjusted. Each review will require approximately two years, and the number of concurrent reviews that can be conducted will be dependent on resources.

Target completion dates for the individual codes will be set according to a reasonable timeline. It is expected that there will be some variation in the complexity and duration of the various projects.

Performance evaluation

The performance of this process and the respective contribution of key stakeholders, notably jurisdictions and industry organisations, will be assessed under the framework of the National Animal Health Performance Standards.

Attachment A: Australian Animal Welfare Standards and Guidelines Terms of Reference and Membership

Attachment B: Process Flowchart

Attachment C: Standards and Guidelines – Principles and Process

Attachment D: Communications and Consultation Strategy

Attachment E: Regulation Impact Statement

Australian Animal Welfare Standards and Guidelines

Terms of Reference and Membership

Writing Group

The members are as follows:

- Independent Chair
- AHA Livestock Welfare Manager and Project Officer
- Australian Government representative
- Animal Welfare Committee representative
- Industry members as relevant by sector
- Relevant independent science representation
- Invited consultants

Terms of reference:

1. Draft the standards and guidelines in accordance with the views of the relevant Reference Group and the principles set out in the AHA Standards and Guidelines Development Plan.
2. Keep relevant records of comments received and amendments made.
3. Consult as necessary to ensure that appropriate solutions are developed.

Reference Group

The members* are as follows:

- Independent Chair (same Chair as Writing Group if possible)
- Australian Government representative
- Animal Welfare Committee or delegates
- Whole-of-chain, livestock industry members
- Industry R&D corporations as relevant
- RSPCA Australia
- Animals Australia
- Australian Veterinary Association
- Relevant independent science representation
- Invited consultants

* New organisations and multiple representatives may attend, with the approval of the Chair.

Terms of reference:

1. Endorse project plan.
2. Provide expert advice and review drafts.
3. Communicate and consult with membership.
4. Support final documentation prior to government endorsement.

Animal Welfare Committee

The relevant members are the jurisdictional animal welfare representatives responsible for livestock welfare under the current Animal Welfare Committee arrangements.

The role of the Animal Welfare Committee is to:

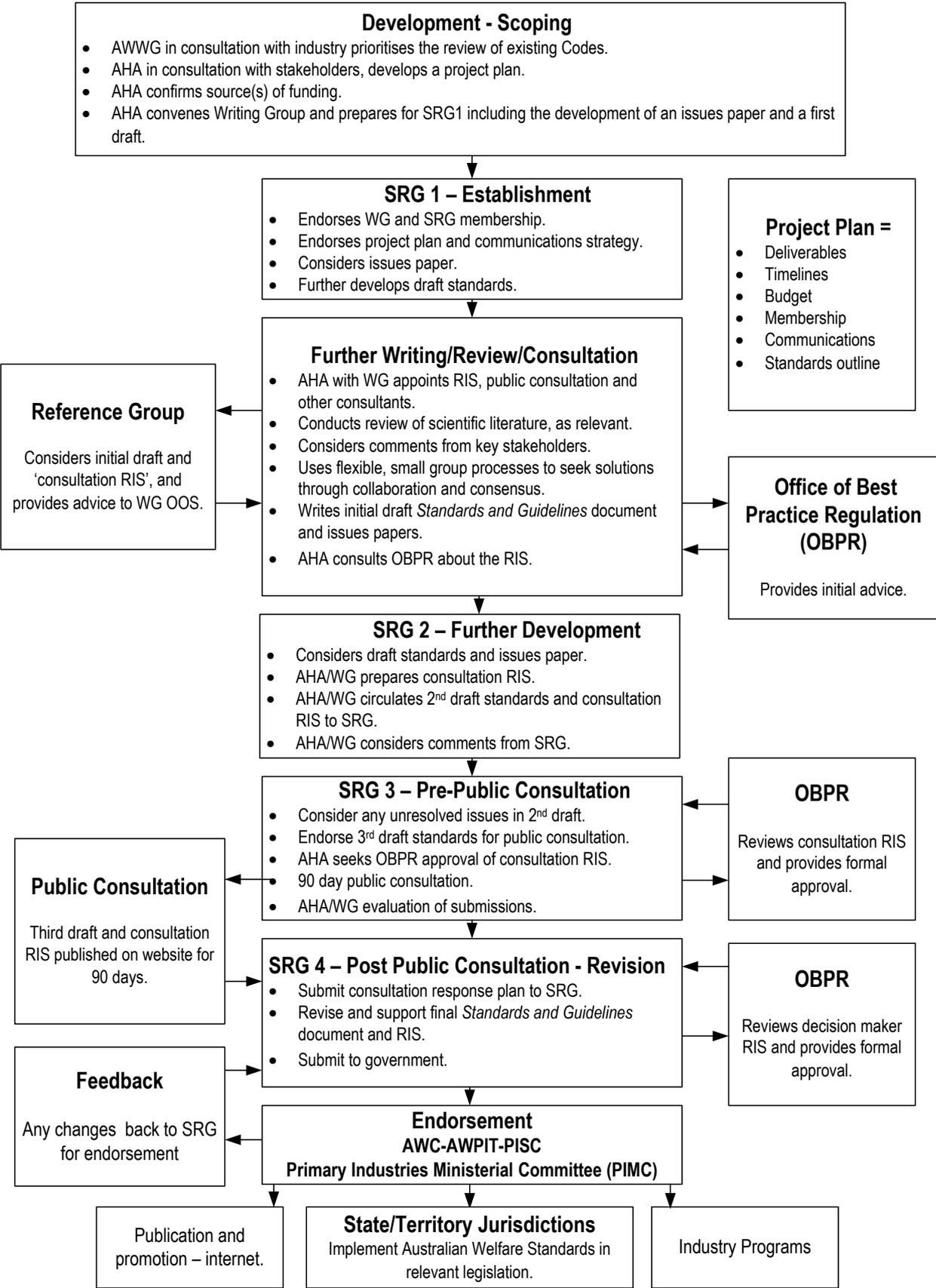
1. Contribute as part of the Standards Reference Group. Provide expert advice including knowledge of animal welfare issues, current industry practice, and legislative requirements relevant to the jurisdiction. Review drafts.
2. Provide leadership in the making of key decisions to achieve agreed recommendations.
3. Provide support for the draft standards and Regulation Impact Statement and facilitate the process leading to Primary Industries Ministerial Council endorsement.
4. Communicate within each jurisdiction's government and industry groups and other non-government networks within a jurisdiction.
5. Facilitate linkages with policy and legal personnel to expedite consistent and timely implementation within a jurisdiction.

Animal Health Australia

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, regulation impact statement, public consultation and editing.
4. Provide project support.
5. Ensure that final reports satisfy stakeholder requirements.

*AHA will primarily consult funding members as necessary.



Standards and Guidelines – Principles and Process

Each document will have chapters set out and content developed on the following basis, following a ‘plain English’ approach.

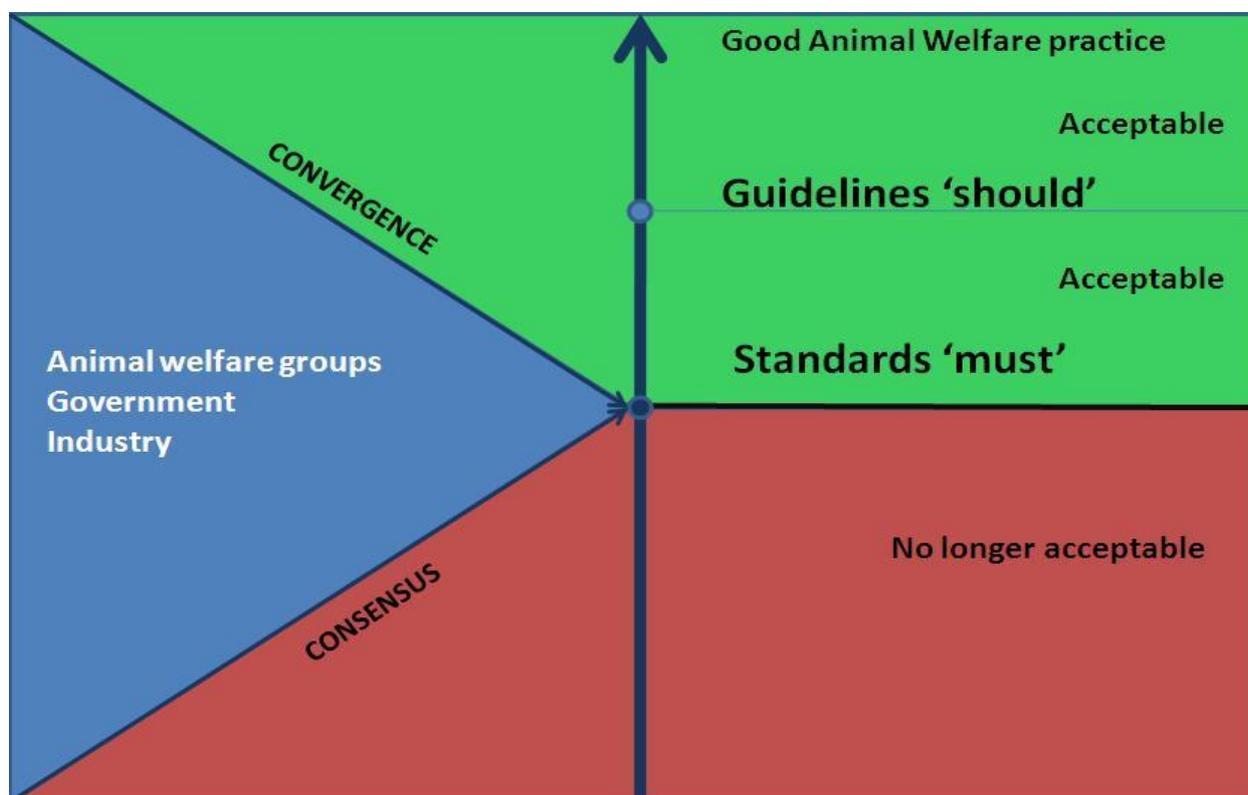
- *Objective* — the intended outcome(s) for each section of the standards and guidelines.
- *Standards* — the acceptable animal welfare requirements designated in this document. The requirements that must be met under law for livestock welfare purposes.

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. Standards use the word ‘must’.

- *Guidelines* — the recommended practices to achieve desirable animal welfare outcomes. The guidelines complement the standards. They should be used as guidance. Guidelines use the word ‘should’. Noncompliance with one or more guidelines will not in itself constitute an offence under law.
- *Notes* — Explanations of the context of the standards and guidelines (the notes are advisory statements for selected background information).

Refer to Figure 1 below.

Figure 1 – Diagrammatic representation of the Standards and Guidelines development process



Implementation

Post development and full government endorsement, the process of implementation will be undertaken by the jurisdictions on the basis of the following principles:

1. Jurisdictions will audit the standards and develop action plans for legal drafting with agreed timelines to enactment. Consultation will occur with relevant industry stakeholders as necessary to keep industry informed on progress and issues. Overall coordination will be the responsibility of DAFF.
2. Where a change is made to a standard, including non-implementation, there will be agreement on the necessary actions to support that decision. Non-mandated standards will not be rewritten as guidelines. It is anticipated that adjustments to the standards will have to be made, but that the outcome or the impact of the standard will remain as close as possible to that intended by the Reference Group. Issues may be identified for a future review of the standards and guidelines.
3. The whole standards and guidelines document may be recognised under a jurisdiction's law.
4. Compliance with the guidelines may be used as a legal defence, but does not feature in this process of implementation. Guidelines will not be considered for implementation.
5. Further public consultation and RIS will not be undertaken unless there is major change with substantial impact to the standards. Funding and process to be negotiated as necessary.
6. Communication and training materials and activities to be developed during the implementation process.

Future review process

The ongoing value of the standards and guidelines requires that they be updated to reflect new research, industry practice or accepted community values. The following process has been established:

1. Any party may reasonably request a review at a relevant livestock welfare forum or to AHA on the basis of the identified drivers and a well-argued, logical case.
 - AHA will take the necessary steps with members to confirm the need for a review.
 - AHA adopts the principle of 'consensus' in decision making, but this does not mean full consensus will be reached at all times.
 - Where significant agreement cannot be reached that a review is justified, the matter will not proceed.
2. The standards and guidelines have significant joint ownership; the ultimate body responsible for the quality of the standards is the Australian Government (DAFF).
 - AHA is responsible for the process and will be the nominal custodian on the basis of shared ownership.
 - Where there is agreement from government and relevant industry members to fund a review, AHA will establish the necessary two levels of Writing (activity) and Reference Groups (over-sight) on the basis of the original development process and principles.
3. If only changes to guidelines are proposed, a lesser process relying on in-kind contributions could be established.

- It is expected that industry will maintain a separate focus on the development and documentation of best practice and quality assurance programs, that satisfy the standards and demonstrate a firm commitment to livestock welfare.
4. AHA will generally seek expressions of interest to review standards and guidelines every five years from the agreed implementation date of the previous review, as a core funded activity, unless members agree that recent review activity makes this periodic review no longer relevant.
 - If prospective changes to standards are identified, the issues will be further scoped and a project proposal with budget developed for members to consider and approve.
 - The time from calling expressions of interest to commencement of a review should be less than 12 months.
 5. If only changes to guidelines are proposed, public consultation and the RIS will not be conducted.
 - Full PIMC endorsement will not be sought.
 - AHA will establish a writing group on the basis of the original development process and correspond with potential reference group members.
 - Activities will be supported by participants on an 'in-kind' basis.
 - The revised document will be made available through the normal communication channels.
 6. Public consultation will be conducted if changes to standards are proposed.
 7. A RIS will be prepared if changes to standards are proposed.

Communications and Consultation Strategy

Communication is the key element of the standards and guidelines development process. Resources are limited, and the communications and consultation effort relies upon the concerted efforts of Reference Group members. The guiding principles for the development process are:

- A broad spectrum of Reference Group members will be engaged up to the collaboration level of the IAP2 spectrum (refer page 17).
- All views will be heard and respected.
- Where possible, decisions will be reached by consensus.
- Decision making will be transparent and accountable.
- Decision making will be tested through public consultation and the RIS processes.

The following strategies are recommended:

1. Reference Groups utilise a consultation communications plan to formally engage with stakeholders.
 - Allowing a four week period prior to Reference Group meetings for consideration of drafts will assist involvement and feedback.
2. Members consider more formal engagement strategies within their membership.
 - More active definition of issues early in the process, including the development of issues papers, may assist this process.
3. Key aspects of the communication plan in future will include:
 - Provision of written material for electronic distribution by Reference Group members;
 - Pre-formatting of material for newsletters of members and non-members;
 - Linkage of member websites to the consultation website;
 - Increasing the profile in the free press with media releases and interviews;
 - Advertising in regional rural newspapers;
 - Advertisement in one major national weekend newspaper;
 - Targeting of relevant conferences and meetings.
4. A consultant be contracted to design consultation materials, conduct the consultation process and evaluate responses.
5. AHA maintains animalwelfarestandards.net.au as the website for the conduct of future consultations and the storage of archival material in relation to public consultation and the post-consultation process.
 - During initial development, draft material will be available only to Reference Group members as determined by the Writing Group. The overall aim will be to achieve simplification and ready access with an appropriate level of detailed material.
6. The best practice recommendation of 90 days for public consultation be utilised.
7. A questionnaire should be 'issues based' in future public consultations, to maximise value to the process.
8. The process of identifying controversial issues early in discussion papers for meeting agendas and the consultation RIS be continued.

- This is an important part of managing expectations, so that issues can be more readily resolved. Consultation will not be restricted to any subset of possible topics.
9. AHA develops a Public Consultation Response Action Plan with input from members to facilitate the handling a large amount of material and the recording of decisions.
 10. Evaluation and feedback be built into consultation to improve understanding and support of the process.
 11. Core principles for effective engagement are listed in Table 1.

Table 1 – Criteria for participation, applied to stakeholder and public consultation

| Participation should be: | Description |
|--|---|
| <i>Clearly scoped</i> | Participation is planned and specifies: <ul style="list-style-type: none"> • what project processes are included and what are not; • how the involvement of participants will inform decision making; • how information will be gathered and analysed; and • how it will be used to inform decision making. |
| <i>Transparent & accountable</i> | People know what is happening and how their input is being used; processes and results are documented, audited, and readily accessible. |
| <i>Linked to decision making</i> | Input sought is gathered, analysed effectively, and used to inform decision making on processes and issues. Participants feel the process is worthwhile, because there is evidence that the process influences the outcomes. |
| <i>Representative/inclusive</i> | Diverse views from those who have an interest or are affected have a genuine opportunity to participate. |
| <i>Informative</i> | People have ready access to multiple sources of information that they need to participate meaningfully. Expert and representative advice is available. |
| <i>Timely</i> | Opportunities provided early in the process for people to generate ideas and express their interests, not simply invite feedback on solutions/approaches already decided upon. |
| <i>Deliberative</i> | Conditions are established to enable sufficient time & appropriate environment for participants to share diverse views, respectfully question each other, explore complex and challenging issues and differences of opinion, weigh up alternatives, identify solutions – in atmosphere of sensitivity and humour. |
| <i>Conducive to building relationships</i> | Opportunities provided to enable people to know each other, remain curious, and provide opportunities for participants to appreciate each other's perspectives; and through their interactions, participants gain confidence in how decisions and rules are made and implemented. |
| <i>Provide feedback</i> | People are notified about how their contribution has made a difference. |
| <i>Accessible</i> | People are able to participate in the process as the methods being used are appropriate and available. |
| <i>Well lead & facilitated</i> | Skilled, neutral parties available to provide guidance on and/or to lead deliberative processes for effective outcomes. Good governance. |

(Source: adapted from IAP2, OBPR 2006, Neumann 2005; COAG 2004, Mazur and Hardy 2008)

IAP2 Spectrum of participation

| Inform | Consult | Involve | Collaborate | Empower |
|--|---|--|--|--|
| Objectives | | | | |
| To provide participants with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions. | To obtain feedback on analysis, alternatives and/or decisions. | To work directly with participants throughout the process to ensure that their issues and concerns are consistently understood and considered. | To partner with participants in each aspect of the decision including the development of alternatives and the identification of preferred solutions. | To place final decision-making in the hands of participants. |
| <i>Promise to participants (stakeholders, communities, 'the' public)</i> | | | | |
| We will keep you informed. | We will keep you informed, listen to and acknowledge concerns and provide feedback on how your input influenced the decision. | We will work with you to ensure that your concerns and issues are directly reflected in the alternatives developed and provide feedback on how your input influenced the decision. | We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible. | We will implement what you decide. |
| Example tools | | | | |
| Fact sheets, web sites, displays. | Public comment, focus groups, surveys, public meetings, open houses. | Workshops, deliberative polling. | Citizen advisory committees, consensus building. | Citizen juries, ballots, delegated decisions. |

Source: International Association for Public Participation 2000

Regulation Impact Analysis (RIA)

The RIA is a significant part of the checks and balances for government and industry associated with the standards setting process. The final Regulation Impact Statement (RIS) can be a complex document, requiring significant expenditure of resources. The following are key principles for the conduct of the RIA:

1. The current national approach for the RIS for standards and guidelines projects will continue. A RIS is required by the COAG¹ during the development of new regulation, including national standards. There are well established COAG guidelines for content and process which must meet the requirements of the Office of Best Practice Regulation (OBPR). The results of the public consultation and the preferred option are to be reported in the final RIS. A final RIS independently assessed as satisfactory by the OBPR is regarded by COAG as suitable for use by all jurisdictions.
2. The MCOP are the relevant reference materials for the base case and they will be used where possible for future projects. RIS seeks to inform decision makers on the estimated costs associated with alternative options to address market failure in livestock welfare policy. The base case for transport has adopted the position that the MCOP are available for adoption and are the reference point for the consideration of any further changes in standards. This aspect will be examined on a case by case basis in future and is more appropriately the decision of individual standards and guidelines project Reference Groups.
3. AHA intends to continue with the approach demonstrated recognising that the timing of commencement during development is a matter of judgement – this will be after SRG2 in the revised Development Plan. The RIS plays an important role during standards development to inform and guide the Reference Group on the impact of proposals. The RIS is required to be initiated prior to public consultation and to be included as a draft instrument in the public consultation process. After public consultation it is required to be revised and then to accompany the supported standards to final endorsement by government Ministers. Future RIS will be simpler to conduct due to the framework established in the land transport project.
4. The quality of national data can be a difficult issue to address. The best available data will be sought, with a preference for validated and verifiable data. In many cases expert opinion has to be used to formulate assumptions and likely costings in lieu of accessible industry data. Overall it is believed that the RIS will be broadly accurate and at least bears out the magnitude of likely cost and the correct relativity between options.
5. The relevant Reference Group will continue to be closely involved in the choice of options to be examined. Options include; the minimum intervention option to encourage the development of voluntary industry codes, the proposed standards, less expensive options and higher standard / more expensive options than the proposed standards. It is possible that only three or four options in total may need to be considered, depending upon the topic, and this will reduce the cost of the RIS. The overall weighted criteria matrix then applied to the cost benefit assessment to facilitate the selection of the preferred option will be 40% animal welfare benefits, 40% compliance costs, 20% attainment of national consistency.

¹ Council Of Australian Governments (October 2007) *Best Practice Regulation - A Guide for Ministerial Councils and National Standard Setting Bodies*