



**GUIDE TO THE
CONSULTATION REGULATION IMPACT STATEMENT
FOR THE
AUSTRALIAN ANIMAL WELFARE STANDARDS AND GUIDELINES
SHEEP**

5 March 2013

The proposed national standards for sheep welfare are now open for public consultation for a period of 60 days until **6 May 2013**. They are a part of national efforts to deliver clear, consistent and contemporary animal welfare standards that will enhance animal welfare arrangements for livestock industries across Australia. The standards are intended to deliver assurance for Australian consumers that sheep are managed to achieve nationally agreed welfare outcomes.

The standards are seeking endorsement by all governments through the Standing Council on Primary Industries (SCoPI) in 2013. This Council is comprised of the Australian Government Minister for Agriculture, Fisheries and Forestry together with the Ministers in all states and territories responsible for primary industries.

The standards and guidelines document aims to:

- specify the legal *standards* of management and husbandry required to protect and maintain the welfare of sheep in Australia. The standards will be regulated in law by State and Territory governments.
- provide recommended *guidelines* for livestock producers, owners, managers, stockpersons, agents and contractors, to complement the standards and to assist them to minimise risks to the welfare of sheep in all types of sheep farming and related enterprises. Non-compliance with one or more guidelines will not in itself constitute an offence under law.

Animal Health Australia (AHA) is seeking views on how the draft welfare standards will help protect the welfare of sheep. Also open for comment is the associated Consultation Regulation Impact Statement (RIS), which aims to demonstrate the need for the standards, and identifies the key costs and benefits for cattle, sheep, producers, government and the wider community.

Interested persons are invited to complete an online survey available at

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

Written submissions may also be emailed to publicconssheep@animalwelfarestandards.net.au

To assist those completing the online survey or making written submissions, the following answers to commonly asked questions have been prepared. A list of public consultation questions from the RIS is also attached to this guide.

More information on the standards and the consultation process is available at the following website:

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

What is a Regulation Impact Statement?

A Regulation Impact Statement (RIS) is a document required by the Council of Australian Governments (COAG) to accompany regulatory proposals, including national standards such as the proposed *Australian Animal Welfare Standards and Guidelines for Sheep*.

The broad aim of the RIS process is to ensure that the costs of regulatory proposals are justified by their benefits. The purpose of issuing a draft RIS for public consultation is to canvass the regulatory options under consideration, and the relative costs and benefits of those options. It is also important to ensure that proposals will achieve their intended objective without unduly causing adverse effects.

A RIS is not required for the guidelines included in the sheep standards and guidelines document, because only the proposed standards will be regulated by law.

What do the national welfare standards for sheep cover?

The purpose of the proposed standards is to set standards for the welfare of all sheep, in all types of farming enterprises in Australia from extensive grazing to fully housed systems. They will apply to all those with responsibilities for the care and management of sheep, including those in both the wool and sheepmeat industries. It is intended that the proposed standards will replace the existing *Model Code of Practice for the Welfare of Animals – Sheep* ('the existing MCOP') once endorsed by Ministers through SCoPI, and implemented in legislation in all states and territories.

However, live export, saleyards, abattoirs and domestic transport are covered by separate arrangements."

How were the national standards developed?

A large number of stakeholders including; welfare organisations, livestock industry representatives and service providers were involved in shaping the standards. Animal Health Australia manages the process on behalf of all government and industry members. The standards were drafted by a small writing group comprising researchers, government and industry representatives, supported by a widely representative reference group.

Why do we need new national welfare standards for sheep?

The main problems underlying the development of the proposed national standards for sheep are those relating to:

- *Risks to the welfare of sheep* due to deficiencies in the existing MCOP for the welfare of sheep; and to a lesser extent
- *Uncertainty for industry* due to a lack of clear and verifiable standards; and

- *Excess regulatory burden* arising from a lack of national consistency and unnecessary standards.

What are the main areas of welfare concern for the RIS?

The RIS examines the incremental impacts of the proposed standards in relation to existing laws. Some proposed standards listed in Appendix 5 are assessed not to have an incremental cost and are therefore not subject to a cost benefit analysis.

The consultation seeks views on how well the proposed welfare standards will ensure the welfare of sheep and how well the RIS demonstrates the need for the standards and has identified the key costs and benefits for sheep producers, government and the wider community of all proposed standards.

The main areas of direct concern to incremental risks for sheep welfare are in relation to painful husbandry procedures. The mulesing procedure and associated welfare impacts are of the most concern in this RIS; however other painful husbandry procedures discussed include tail docking, castration and laparoscopic artificial insemination.

Other areas of welfare concern are: tethering, dog bites, inadequately cleaned sheds, excessive wool length, teeth grinding and trimming, inappropriate use of electric prodders and pizzle dropping. This RIS is seeking greater information on these issues from industry and other stakeholders in order to ascertain the magnitude of the problem.

What is the policy objective here?

The following overarching policy objective is identified in this RIS:

To minimise risks to sheep welfare and to reduce regulatory burden in a way that is practical for implementation and industry compliance.

What options are being considered in the RIS?

The options and variations evaluated in terms of costs and benefits considered 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:** variations of the proposed national standards as follows:
 - Variation C1: All mulesing with pain relief

- Variation C2: Restrict mulesing age to less than 6 months of age
- Variation C3: Single penning for wool production ban
- Variation C4: Tethering ban
- Variation C5: Mandate pain relief for laparoscopic artificial insemination and embryo transfer
- Variation C6: Require docked tails to have at least one free palpable joint.

What does the RIS cost/benefit analysis show so far?

- The incremental cost of the proposed standards (Option B) is estimated as \$0.68 million over 10 years.
- The likely animal welfare benefits of the proposed national standards (Option B and Variations C1 to C6), whilst unquantifiable, are all likely to produce minor to significant welfare improvements over the base case and Option A (voluntary guidelines in lieu of mandatory standards). Variation C6 would not provide any additional welfare benefit over Option B as there is no documented welfare difference in going from one to three palpable joints when tail docking.
- While Option B is estimated to result in quantifiable net benefit of less than \$1 million in present terms over 10 years, this figure does not take into account the potential unquantifiable welfare benefits that could be significant, especially in relation to tail docking and castration.
- Variation C1 would be likely to provide significant unquantifiable welfare benefits over and above Option B and other Variations C2 to C6 – as it would affect an estimated 4.86 million lambs each year and would provide pain relief for the very invasive mulesing procedure. On the other hand, Variation C1 would entail the highest quantifiable costs (\$32.28 million over 10 years) of all the alternatives.

What are the next steps in RIS process?

The basis of the selection of the preferred option is the one that generates the greatest net benefit for the community. This step is awaiting response from the public consultation on the options and variations considered in this RIS.

The public consultation now seeks the views and advice of interested parties in the further formulation of variations to the existing proposals. Selected additional variations may be investigated and reported in the Decision RIS (which is the finalised RIS following public consultation).

The public consultation also seeks the 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 each of the options/variations. A full list of the questions asked in the RIS is provided in the attachment to this guide.

After public consultation, there will then be a final cost/benefit comparison between Options A, B and C with a view to making a recommendation on a preferred option to SCoPI as part of the Decision RIS.

Attachment 1 – Complete list of public consultation questions

Public consultation question 1: In your experience, to what extent does the existing MCOP and related regulations create uncertainty for industry? Does such uncertainty vary between different states and territories?

Public consultation question 2: Do you know the number or percentage of farm hands needing training for mulesing under the proposed standard S7.1? Do you have any information to improve the estimation of costs in relation to mulesing?

Public consultation question 3: Do you know the number or percentage of lambs that are affected by adverse welfare outcomes due to unskilled/unsupervised farmhands undertaking tail-docking and castration procedures? Do you have any other information to improve the estimation of costs under the proposed standard S 6.1?

Public consultation question 4: Do you know of the number or percentage of sheep not receiving pain relief for castration? Do you have any other information to improve the estimation of costs under the proposed standard S6.4?

Public consultation question 5: Do you know the number or percentage of sheep that have a tail that is less than two palpable joints long? Do you have any other information to improve the estimation of costs under the proposed standard S6.3?

Public consultation question 6: Do you know the number or percentage of ewes that are affected by insufficient pain relief during artificial breeding procedures? Do you have any other information to improve the estimation of costs under the proposed standards S8.1 and S8.2?

Public consultation question 7: Do you know the number of sheep that are tethered and will be affected under the proposed standard S5.7? Do you have any other information to improve the estimation of costs?

Public consultation question 8: Do you know the number or percentage of sheep that are affected by adverse welfare outcomes due to dog bites? Do you have any other information to improve the estimation of costs under the proposed standard S5.2?

Public consultation question 9: Do you know the number or percentage of sheep that are affected by adverse welfare outcomes due to poor hygiene in sheds? Do you have any other information to improve the estimation of costs under the proposed standard S9.4?

Public consultation question 10: Do you know the number or percentage of sheep, on average, that carry wool length greater than 250mm outside shearing periods? Do you have any other information to improve the estimation of costs under the proposed standard S5.3?

Public consultation question 11: Do you know the number or percentage of sheep, on average, that undergo tooth trimming? Do you have any other information to improve the estimation of costs under the proposed standard S5.5?

Public consultation question 12: Do you know the number or percentage of sheep, on average, that are affected by the inappropriate use of electric prodders? Do you have any other information to improve the estimation of costs under the proposed standard S5.4?

Public consultation question 13: Do you know the number or percentage of sheep, on average, that are subjected to the pizzle dropping procedure? Do you have any other information to improve the estimation of costs under the proposed standard S5.6?

Public consultation question 14: Are there any poor risk management practices other than those already discussed in this Part of the RIS? Do you know the number or percentage of sheep that are subjected to adverse welfare outcomes from such other poor risk management practices?

Public consultation question 15: Do you know the number or percentage of sheep farming businesses that operate in more than one jurisdiction and how many sheep are likely to be affected? Please provide percentage estimates for various combinations of states and territories.

Public consultation question 16: Do you know of other differences in current state or territory welfare standards for sheep; and if so, what are these?

Public consultation question 17: Do you have information on how many times would a muzzle need to be replaced, on average, over the lifetime of a sheep dog under the proposed standard S5.2?

Public consultation question 18: Do you have any information on single penning sheep operations in Australia affected under the proposed standards in chapter 9?

Public consultation question 19: Do you believe that the net benefits achieved under Option A, including welfare benefits and reduction in excess regulatory burden, are justified?

Public consultation question 20: Do you believe that the net benefits achieved under Option B, including welfare benefits and reduction in excess regulatory burden, are justified?

Public consultation question 21: 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?

Public consultation question 22: 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?

Public consultation question 23: 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?

Public consultation question 24: 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?

Public consultation question 25: 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?

Public consultation question 26: 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?