

Australian Animal Welfare Standards and Guidelines for Horses - Update

Summary

In recent years there has been increased public and political focus on the welfare of animals in Australia, by means of animal welfare standards that are enforced in each state/territory. There has been particular pressure from individuals and welfare organisations on the livestock production industries and also the use of animals for sport and recreational purposes. To ensure a balanced discussion regarding the various husbandry practices and activities being targeted, and acceptable legislative outcomes, it is essential that the respective sectors are actively involved in the development of the relevant welfare standards and guidelines.

The draft Horse Welfare Standards and Guidelines (S&G) document was developed in 2008-09 as part of the Australian Animal Welfare Strategy (AAWS), managed by the Department of Agriculture, Fisheries and Forestry (DAFF). Discussions with the horse industry members of Animal Health Australia (AHA) have not yet resulted in agreement to provide adequate funding to progress the draft Horse Welfare S&G document through the phases of public consultation and revision prior to endorsement by governments. The Horse S&G project is not included in current AHA Annual Operating Plans; however the capacity exists to undertake this work at relatively short notice.

Background

Following the decision in 2005 to convert the Model Codes of Practice for the Welfare of Animals to national standards and guidelines, Animal Health Australia (AHA) was asked to manage the development of the *Australian Animal Welfare Standards and Guidelines - Land Transport of Livestock* (LTL). The LTL Standards were formally endorsed by the Primary Industries Ministerial Council in May 2009, and the states/territories agreed to implement the agreed standards in a consistent manner.

The Horses Welfare S&G document was revised by DAFF and handed over to AHA for the public consultation phase and finalisation in April 2009. In November 2009, the Australian Racing Board informed AHA that they were not prepared to contribute funds for this project. AHIC and RSPCA have expressed an ongoing interest in the project, but no further work has taken place because of a lack of a full funding commitment.

In Victoria, a *Code of Practice for the Welfare of Horses* has been developed under the auspices of the Department of Primary Industry; this document has been revised recently. In addition, there are various useful 'fact sheets' that have been published by state and territory agencies, for example:

Victoria

<http://new.dpi.vic.gov.au/agriculture/animals-and-livestock/horses/feed-requirements-of-horses/grazing-and-feeding/grazing-management-horses>

<http://new.dpi.vic.gov.au/agriculture/animals-and-livestock/horses>

Queensland

http://www.dpi.qld.gov.au/27_5857.htm

NSW

<http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/general/other/dogs-horses/horses/aw-fact20>

<http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/codes/aw-code-3>

<http://www.rspca.org.uk/ImageLocator/LocateAsset?asset=document&assetId=1232713012734&mode=prd>

Issues

The AHA S&G Business Plan sets out the process that will be used for the development of any Welfare Standards and Guidelines document. Key features include a two level committee approach – writing and reference groups with defined terms of reference and processes, chaired by an independent person. An essential, significant step in the development of S&Gs is the preparation of a Regulation Impact Statement (RIS), which is the basis of the public consultation process and is also a key reference for decision-making by governments.

The RIS includes a detailed economic analysis of the financial impacts of any changes to legislation and is an important ‘quality check’ in the development process. This work is usually done by specialised consultants, and can entail significant expense. Further information on the RIS can be found at: <http://www.finance.gov.au/obpr/about/index.html>

All S&G project documentation will be publically available after endorsement at the website www.animalwelfarestandards.net.au. The S&G Business Plan (Feb 2009) is available at this link.

As far as practicable, the Australian Welfare Standards will be based on science and be designed to achieve acceptable welfare outcomes. A lot of effort by AHA Members and others has gone into the current content, as incorporated in the draft 2010 cattle S&G document:

“Each numbered section of the document covers a particular topic (water and feed, etc) and contains the following information:

- *Animal welfare objective* — the intended outcome(s) for each section of the standards and guidelines.
- *Standards* — the 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. 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’.

- *Guidelines* — the recommended practices to achieve desirable animal welfare outcomes. Guidelines use the word ‘**should**’ and are to complement the standards. Non-compliance with one or more guidelines will not in itself constitute an offence under law.
- *Notes* — explanations of the context of the standards and guidelines.
- *References* — these are the main references from the scientific literature that support the standards and guidelines.

- *Definitions* – are described in the glossary.

Further detail on livestock management practices can be found in other industry and government publications.”

The 2009 draft Horses S&G document covers all aspects of horse welfare including specific chapters on breeding, housing and facilities, dental and foot care, veterinary procedures, rugging, tethering, hobbling and identification. It is approximately 10,000 words, 21 chapters and 60 welfare standards.

The current draft contains a high proportion of ‘general’ (non-prescriptive) standards that do not have measureable requirements and involve the difficulty of making assessments based on interpretations. From a legal viewpoint, such standards are far more difficult to enforce. AHA reckoning is that approximately half of the 60 draft standards are ‘non-prescriptive’. The current construction of the standards could be criticised by the legal draftsmen who will have to convert the standards into regulations or a form of words considered suitable for legal use. The document will have to be re-examined from this perspective.

The Department of Primary Industry, Victoria has developed a horse welfare code:

<http://saveequus.org/wp-content/uploads/2008/10/code-of-practice-for-the-welfare-of-horses.pdf>

There is a need to ensure alignment between the draft AAWS document and the Victorian code. A necessary first step would be to communicate with all potential writing and reference group members and convene a new writing group based on the AHA S&G Business Plan. The writing/reference group composition and terms of reference are attached. ‘Industry’ representation would be at the discretion of the four AHA horse industry members.

A significant first task would be to assess the state of the draft Horses S&G and determine the extent and process for further revision to develop a satisfactory draft document for use by the RIS for public consultation based on our experience with the LTS and the cattle and sheep draft S&Gs.

There are at least two contentious welfare policy issues in the 2009 draft document:

- “Castration. *Castration of horses over 12 months of age must be accompanied by effective analgesia.* [There will be parts of rural and remote Australia where this standard will increase costs for livestock owners as effective analgesia can only be delivered legally, directly by a registered veterinarian.]
- Motorised dentistry by lay persons. *A person using motorised tools on horses' teeth must be appropriately qualified, and must do so on sedated horses under veterinary supervision.*”

The dentistry issue is about preventing adverse welfare outcomes of inappropriate dental treatment and partly about a demarcation disagreement between veterinarians and dentists, including the use of scheduled drugs. This type of high-impact animal welfare issue has been dealt with in other S&Gs by making training and certification compulsory, as an additional safeguard.

Costs

At this stage AHA estimates that the total cost of finalising the horse S&Gs would be approximately \$170,000. This estimate includes the RIS which could be completed for approximately \$60,000 with support from AHA, but this figure is not based on any recent tenders or a detailed analysis of any particular issues that might need to be included in the RIS. The horse industry’s one-third share would be \$57,000, and this would be divided amongst the four AHA members. Therefore the AHIC portion for example, would be about \$14,000. These estimates assume that all governments are

prepared to contribute to the \$113,000 government component – not a foregone conclusion in the current economic climate.

AHA
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Extract from the AHA S&G Business Plan

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

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.