

RSPCA Australia submission on Exporter Supply Chain Assurance System (ESCAS) review

Stage 1: Current state challenge identification
21 February 2023

Introduction

The RSPCA opposes the export of live animals because of the inherent cruelty of the trade. As an evidence-based organisation, we advocate that no amount of regulation can completely remove the inherent risks to animals in live export supply chains. At best, regulation can mitigate risks, but not completely remove them.

The ESCAS has improved the accountability and transparency of the live export trade and in doing so is important to the trade's social licence to operate. Based on the four key principles of animal welfare, control, traceability, and independent audit, the ESCAS continues to be used to defend the trade's existence. However, the credibility and effectiveness of the ESCAS continues to be brought into question by the limitations and weaknesses identified in the discussion paper and detailed in this submission.

The RSPCA's concerns about the ESCAS include the lack of specificity of the Animal Welfare Standards under ESCAS (the Standards); the lack of animal welfare data throughout the live export supply chain; a lack of transparency and objectivity surrounding ESCAS processes; and the lack of timely data to enable adequate response times to noncompliance and proportional enforcement. We highlight that the Australian Government must maintain complete regulatory oversight of the ESCAS and not outsource regulatory functions to third parties. It is of vital importance that this review does not compromise the animal welfare services provided by the current form and operation of ESCAS, but rather strengthen these in alignment with contemporary animal welfare science and public expectation.

The RSPCA maintains significant concerns about the exclusion of breeding animals from the ESCAS. We believe a limited version of the ESCAS should apply to the export of breeding animals. We understand that breeding animals are out of scope of this review, though the rationale behind this is unclear.

We acknowledge the regulatory and administrative burden imposed by the ESCAS. However, we believe it is wholly commensurate with the high-risk nature of the trade, the intense public interest, and the past reluctance of the industry to proactively address animal welfare on its own accord. Any compromise to the structure and administration of the ESCAS that weakens the ability of the system to deliver on the four key principles of animal welfare, control, traceability and independent audit will result in further animal welfare incidents, deterioration of public confidence and risk Australia's international reputation.

The RSPCA appreciates the opportunity to provide feedback on the review of the ESCAS as conducted by the Department of Agriculture, Forestry and Fisheries (the Department). This submission responds directly to the issues identified in the Discussion Paper most relevant to animal welfare. We have also identified further issues that specifically impact animal welfare under ESCAS. In all cases, we recommend specific solutions to address issues and welcome the opportunity to provide further consultation.

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Background

Since its establishment in 2011, the ESCAS has become crucial to the live export industry's sustainability. Public response following the *Four Corners* program 'A Bloody Business' that same year was unprecedented. Thousands of people attended demonstrations in capital cities across the country and contacted their political representatives to convey their dismay. The Department of Agriculture alone reported receiving 284,415 items of ministerial correspondence during the 2011-2012 fiscal year, a 556% increase from the previous year. Over 97% of the correspondence related to the live export trade.¹ Public outrage of this magnitude cannot be ignored and can threaten the very existence of a trade or industry.

The RSPCA's independent polling and research over the past few decades continues to show that the majority of Australians want an end to all live animal exports. This holds regardless of whether people live in rural and remote communities or urban areas.²

Feedback

Monitoring and verification activities

The ESCAS' auditing function and processes underpin the rigor of Australia's live export regulatory framework and provide a vital mechanism for continuous improvement. The Inspector-General for Live Animal Exports review of ESCAS (2021)³ highlighted most of the issues that have been identified in the Discussion Paper.

Challenge	RSPCA comments	RSPCA's recommended solutions
Requirements for audit company accreditation and auditor rotation		
International standards	RSPCA agrees that ESCAS should prescribe the specific international standards that exporters should ensure audit companies are accredited against.	ESCAS should require exporters to ensure audit companies are accredited in ISO/IEC 17065.
Specific competencies in animal welfare	<p>In addition, while ISO equivalent accreditation can assure that auditors are competent in auditing, it does not require specific competencies in understanding animal husbandry, animal behaviour or animal welfare. Our experience through the RSPCA Approved Farming Scheme, which also relies heavily on an independent animal welfare audit process, is that these competencies are crucial in ensuring that auditors are capable of interpreting and applying the standards and performance indicators that they are required to audit against.</p> <p>If the auditor is not familiar with the normal behaviour of the species, or the appropriate animal handling and slaughter, it will be impossible for them to identify and assess whether these factors are being met.</p>	Auditor key competencies under ESCAS should include competency in animal welfare, agricultural science, or experience with the species that they will auditing.
Lack of verification and monitoring of accreditation and performance of auditors	RSPCA strongly agrees that the Department should have a process to regularly verify and monitor the accreditation and performance of audit companies and their auditors engaged by exporters to conduct ESCAS audits. This is imperative to the Department's regulatory role, its oversight of exporters and assurance of appropriately accredited audit companies under ESCAS. Greater accountability and transparency are required given the importance of	The Department must implement a process to ensure periodical verification and monitoring of the accreditation and performance of audit companies and their auditors engaged to conduct ESCAS audits.

	audits to monitor animal welfare and ensure the integrity of the system.	
Auditor rotation	RSPCA agrees that ESCAS should require exporters to rotate auditors to mitigate the risk of conflicts of interest, familiarity, lack of observance and unreported non-compliance. The issues of consecutive auditing should be addressed under ESCAS to mitigate the risks of non-compliance, conflicts of interest, weak audit quality, and exporters seeking alternative audit findings from competing audit companies.	ESCAS should require exporters to rotate audit companies and provide evidence of this.
Specific standard/s for auditor competency to conduct ESCAS audits		
Lack of defined standards for auditor competency	RSPCA agrees ESCAS should define an international standard for auditor competency and scope of audit. The lack of defined standards and scope could mean that auditors do not have the appropriate skills and experience required to effectively audit animal welfare.	RSPCA recommends that ESCAS should define the scope of audits and require auditors to have credentials and be competent in animal welfare.
Interpretation of requirements by auditors		
	<p>RSPCA agrees that ESCAS requirements should be clearly articulated to mitigate the risks of ambiguity, misinterpretation, variation in auditor approaches to the auditing process. Further, without clear requirements and guidance, auditors may take their direction from on-site personnel who may be equally unclear in relation to requirements.</p> <p>It is imperative that animal handlers and auditors have easy to understand, clearly defined guidelines that prescribe exactly what is acceptable. This will ideally provide visual diagrams, images or illustrations. The <i>North American Meat Institute's Recommended Animal Handling Guidelines & Audit Guide: A Systematic Approach to Animal Welfare</i> (2017) provides a good example of this being done well.⁴</p>	RSPCA recommends the Department model ESCAS' recommended animal handling guidelines and audit guide on the NAMI documentation.
Sample sizes for audits		
	RSPCA agrees this issue exists and should be rectified to ensure that audits adequately reflect a statistical relevant sample size of animals observed in feedlots and at other critical points of the supply chain where animal welfare issues are prevalent.	RSPCA recommends sample sizes for the number of animals to be observed is articulated under ESCAS to ensure statistical relevance.
Inter-audit gap		
	RSPCA strongly agrees that this is an issue. Moreover, this issue has significant ramifications for animal welfare demonstrated by the historical identification of ESCAS noncompliance in facilities that had recently been audited.	RSPCA recommends the requirement of Closed-Circuit Television (CCTV) to enable real-time surveillance where needed, and close the inter-audit gap.

Use of other surveillance methods		
	RSPCA agrees that the primary method of determining compliance with ESCAS is very limited, via an audit based on a frequency set by a risk rating.	Audit requirements should incorporate other surveillance methods, and various timeframes including desktop audits, random audits, unannounced audits, audits of varying scope and frequency and targeted audits.

Control and traceability

Quality over quantity

RSPCA is concerned that the continuous expansion and approval of different supply chains compounds the risk of leakage. Limiting the number of available supply chains will increase the capacity of exporters to improve control measures as well as animal welfare standards within the supply chains and subsequently reduce the risks of ESCAS breaches. It will also reduce the Department's administrative burden in assessing and auditing supply chains and investigating incidents of non-compliance. Therefore, the Department should focus on quality over quantity and compel exporters to limit the number of supply chains within any given market.

Challenge	RSPCA comments	RSPCA's recommended solutions
Overall standard or detailed requirements		
	RSPCA agrees that there is a lack of overall standard with detailed requirements for control and traceability under ESCAS which has created variability in interpretation, application and enforcement.	Establish an overall control and traceability standard as a requirement under ESCAS.
Expectation of 100% compliance		
Compliance rate	<p>RSPCA strongly disagrees that any rate of leakage of animals from the supply chain is acceptable for the individual animal's welfare. Animals are sentient and therefore, unlike other "commodities" where a level of leakage may be acceptable. Therefore, the expectation of no acceptable level is apt.</p> <p>It is incumbent on the scheme to address the practicality of tracing animals. Failures with technology and human error demonstrate the rationale for RSPCA's position on ending live animal export - because these issues are inherent to the trade.</p>	Maintain the expectation of 100% compliance to reflect animal welfare science and public expectations.
Use of indicator events		
Lack of monitoring and analysis	RSPCA agrees that ESCAS does not require monitoring and analysis of information that may indicate a possible leak or issue with traceability. This is a concern. A national electronic identification system for individual sheep and goats will be an important step towards full traceability.	Require monitoring via on-site technology to enable auditors and the Department to monitor possible leakage and traceability issues.
		The Department should implement a national electronic identification system for individual sheep and goats.

Critical control points for traceability		
Control point traceability	RSPCA agrees ESCAS does not clearly articulate requirements for critical control points where traceability issues may occur to be monitored.	Prescribe specific requirements for monitoring of each critical control point.
Timely provision of data		
Real-time data	<p>RSPCA agrees there is a problem with the intended control and traceability of the scheme, whereby, issues may not be immediately identified, nor able to be actioned due to the length of time taken to obtain and assess data.</p> <p>The RSPCA is concerned by the lack of timeliness on the provision of information regarding the regulation of live export. This spans the provision of industry data, Parliamentary reports, independent observer (IO) reports, voyage reports, and response times on complaints or reports of regulatory breaches.</p>	Require real-time supply chain monitoring under ESCAS to enable the timely provision and scrutiny of data.
Variability in approaches		
Varying systems	RSPCA agrees that there are variabilities across the systems, technology, human resources; oversight and verification; and data custodianship. Many of these issues could be addressed through the articulation of clear requirements under ESCAS. This would improve the efficiency and ease for exporters, third parties and better protect the integrity of the ESCAS.	Develop a standardised requirement to address variabilities in systems, oversight and data custodianship under ESCAS.
Varying oversight and verification		
Varying data custodianship		

Noncompliance management

Noncompliance management is the key issue threatening the legitimacy and credibility of the regulatory framework. We are aware of the Department's *Biosecurity Guideline for the Management of Non-compliance - ESCAS for feeder and slaughter livestock* but it is not being implemented in a manner sufficient to achieve general deterrence and to instil community confidence in the trade's regulation. Applying further conditions on the approval of further consignments is simply not sufficient. We urge the Department to review its approach to imposing sanctions for non-compliance with a view to strengthening enforcement responses.

Challenge	RSPCA comments	RSPCA's recommended solutions
Framework for noncompliance		
Noncompliance categorisation	RSPCA agrees that the noncompliance categorisation in the <i>Biosecurity guidelines for management of non-compliance</i> is limited and may be difficult to interpret and implement.	The noncompliance framework must be updated to be fit for purpose and consider the impact of noncompliance in combination with the prevalence of the noncompliance in any given categorisation.
	Monitoring and oversight of repeat noncompliance is vital to protect animal welfare and underpins the integrity of ESCAS.	A broader range of noncompliance sanctions should be adopted to genuinely deter noncompliance under ESCAS.
Escalation	RSPCA agrees the <i>Biosecurity guidelines for management of non-compliance</i> lack detail on how noncompliances may be escalated	The Biosecurity Guidelines should be updated to:

	through categories; relate to the application of compliance measures and regulatory action; are affected by mitigating and aggravating factors. The Guidelines do not reflect the full range of powers available under the <i>Export Control Act 2020</i> and the terminology is confused with terms used interchangeably.	<ul style="list-style-type: none"> - include detail on how noncompliances may be escalated - consider broader compliance measures that could be applied to better reflect the <i>Export Control Act 2020</i>.
Utilisation of auditors in noncompliance management		
	RSPCA agrees that the approach to noncompliance under ESCAS requires the department's involvement in all levels of noncompliance categorisation and management. Nevertheless, all non-compliances detected in audits should always be reported to the Department to ensure the noncompliance is recorded and a history is documented.	All noncompliances identified by auditors must continue to be reported to the Department to ensure an historical and accurate record of those noncompliances.
Effective framework for analysing noncompliances		
	RSPCA agrees that ESCAS lacks a robust, continuous reporting framework to enable the department to record and analyse noncompliance data and observations to identify compliance trends, accurately report compliance outcomes, moderate surveillance activities and analyse the performance of an exporter over time or of a market.	Develop and implement an effective and continuous reporting framework to enable the capture, monitoring and reporting of noncompliances by exporter or market.
Incentives for performing higher than a minimum standard		
	The RSPCA would like more information on this issue as we are concerned that such incentives may translate into lower levels of surveillance or traceability requirements. Animal welfare measures must be paramount and remain consistent.	Incentives should not take the form of less frequent audits or lower-level surveillance or traceability requirements.
Consideration of risk factors in risk rating		
	RSPCA agrees that the current method for determining a facility or supply chain's risk rating considers minimal criteria.	The Department's risk rating approach should be revised to include the full breadth of risks and control mechanisms that impact compliance.
Timeframe for compliance information exchange		
	RSPCA agrees that the current timeframe to submit audit reports one month after the audit presents a risk that noncompliance identified during an audit is not reported to the department for up to a month. Given the inherent risks of the trade to animal welfare, this timeframe is disproportionate to the risks and should be reduced.	The timeframe for compliance information exchange should be reduced to reflect the inherent risks to animal welfare and risk to the sustainability of the industry.

ESCAS Animal Welfare Standards

Australia's ESCAS and associated Animal Welfare Standards require significant improvements to genuinely protect the welfare of slaughter and feeder animals that are exported. Specifically, the standards should incorporate animal welfare science, require performance-based outcomes on key animal welfare indicators, and be set at a level that produces good animal welfare outcomes which may be at variance to current practices. Animal welfare science focusses on the individual animal with production improvements a secondary benefit of animal welfare improvements, and this is the basis upon which science-based animal welfare standards and their assessment protocols should be developed. The process of assessing animal welfare is moving away from the traditional 'inputs' based approach which focusses on certain resources like feed and amount of space for an animal towards more 'animal' based assessment, focussing on the behaviour or response that the animal has to the environment or situation that the animal has been placed in.

Animal welfare indicators and data collection

The RSPCA is concerned by the current lack of actual animal welfare data through the live export supply chain. There are numerous performance-based animal welfare indicators across the supply chain that should be required to be reported on, under ESCAS, to better measure the impact of animal welfare. This includes the rates of stunning and other important indicators that would evidence how the welfare of animals is being impacted throughout the live export trade. A list of potential indicators that could form the basis of such a reporting system is provided in Appendix A.

The live export industry frequently quotes decreased mortality rates as an indicator of improved animal welfare. However, as recognised by the McCarthy Review (2018) the mortality of animals is a blunt measure⁵ and there are many preceding animal welfare indicators that should be measured and reported on.

Performance-based outcomes

The requirement for a broader range of performance-based outcomes to measure animal welfare would be an improvement to ESCAS. We recognise that the AW Standards include methodology for the measurement of welfare during handling, restraint, stunning and slaughter, as well as numeric scoring criteria for slips, falls, baulking, vocalisation (for handling) and stunning effectiveness as developed by Temple Grandin. As a result of this review, RSPCA would like to see the inclusion of a broader set of animal welfare indicators.

An example of where a broader range of performance-based outcomes are successfully being used to measure animal welfare, is the United Kingdom's (UK) AssureWel.⁶ AssureWel has developed practical on-farm welfare indicators for sheep, cattle, dairy cows, poultry and pigs. AssureWel's assessment takes around 25 minutes and can be carried out by anyone with the relevant livestock experience. For example, the cattle module focusses on lameness; cleanliness; body condition score; hair loss, lesions and swelling; respiratory signs; response to stockperson and several other criteria than can be easily visually assessed. While some of these measures are considered in the ESCAS checklists, there is significant room for expansion and consideration of further measures at each stage of the supply chain including those currently covered by the ASEL.

Challenge	Comments - agree, disagree, additional comments	RSPCA's recommended solutions
Consistency of ESCAS AW Standards with WOA recommendations		
General	Australia has much work to do to improve the welfare of livestock animals. Claims that ESCAS highlights Australia's commitment to improve animal welfare globally would be better substantiated if the ESCAS AW Standards exceeded most of the WOA's Standards.	Australia should strive to exceed WOA Standards not simply match them.
Use of goads	RSPCA agrees that the ESCAS AW Standards do not specify the routine use of electric goads as	The AW Standards should prohibit any type of goad or prod. (If goads are continued to

	inappropriate use. We oppose the use of electric goads under any circumstance because scientific evidence shows such devices cause pain, suffering and significant stress, which result in unavoidable negative welfare outcomes.	be used, the standards should prohibit their direct application on animals.) This would improve animal welfare and dispel the use of such devices as common or acceptable. Instead, the standards should require the use of non-aversive handling aids where necessary.
Facility design	RSPCA agrees that the ESCAS AW Standards do not address design elements relating to passageways and races including stopping animals from turning around, waiting pens and adequate ventilation.	The ESCAS should include additional standards to ensure all aspects of abattoir lairage design and construction as set out in WOAHA Article 7.5.3 are covered. For example, 7.5.3 2(b) specifies: passageways and races should be arranged in such a way as to permit inspection of animals at any time, and to permit the removal of sick or injured animals when considered to be appropriate, for which separate appropriate accommodation should be provided.
		<p>RSPCA recommends that the standard be expanded to better reflect Article 7.2.3 of WOAHA. Specifically, the following details should be included for ramps:</p> <p>Design should aim to minimise the potential for distractions that may cause approaching animals to stop, baulk or turn back. Common distractions that increase animal welfare risks, and ways to mitigate these, include:</p> <ul style="list-style-type: none"> ▪ reflections on shiny metal or wet floors - such flooring should be covered with sawdust (or the like) to reduce the risk of animals slipping, move a lamp or change lighting if reflections or harsh lighting causes shadows that interrupt approaching animals ▪ dark entrances - illuminate with indirect lighting which does not shine directly into the eyes of approaching animals ▪ animals seeing moving people or equipment up ahead - use solid sides on chutes and races or install shields ▪ dead ends - avoid if possible by curving the passage, or make an illusory passage ▪ chains or other loose objects hanging in chutes or on fences - remove them ▪ uneven floors or a sudden drop in floor levels - avoid uneven floor surfaces or install a solid false floor to provide an illusion of a solid and continuous walking surface ▪ sounds of air hissing from pneumatic equipment - install silencers or use hydraulic equipment or vent high pressure

		<p>to the external environment using flexible hosing</p> <ul style="list-style-type: none"> ▪ clanging and banging of metal objects - install rubber stops on gates and other devices to reduce metal to metal contact ▪ air currents from fans or air curtains blowing into the face of animals - redirect or reposition equipment.
Tethering	<p>RSPCA agrees that the ESCAS AW Standards do not address tethering or tying of animals.</p> <p>Restraining animals is inherently stressful. The period of restraint must be kept to a minimum time and animals should be able to stand-up, sit-down and completely lie down while tethered.</p>	RSPCA recommends that the ESCAS should specify that animals who are tied/tethered should be able to stand up and lie down whilst restrained without causing injury or distress.
Protection	RSPCA agrees that the ESCAS AW Standards do not address the security and predator protection prescribed by WOA. H.	RSPCA recommends that the ESCAS should prescribe the required security and measures to protect animals from predators as per WOA. H. Article 7.5.4. That is, include specific requirements for animals to kept securely in the lairage and provided with care to prevent animals from escaping or from predators.
Foetus management	<p>RSPCA agrees that the ESCAS AW Standards do not permit foetus rescue, nor address the need for euthanasia where a foetus shows signs of consciousness. However, it is vital that this detail is prescribed in the standards.</p> <p>We recommend that a captive bolt is the surest way to ensure a humane death for a live foetus. Therefore, the standards should specify that live foetuses should be immediately euthanised using a captive bolt. The standards should also specify that a foetus should be left undisturbed in the uterus for 30 minutes after the death of the animal's mother to ensure death, as per EFSA and WOA. H. recommendations.</p> <p>Current evidence suggests it is unlikely that foetuses are capable of conscious perception while developing in the uterus. It is therefore important that foetuses do not breathe air and do not have the opportunity to oxygenate their brain to levels compatible with consciousness. Research suggests that if the foetus has not breathed air the foetus will not be conscious and therefore is not at risk of suffering. For this reason, it is imperative that a foetus should be left in the mother's uterus until she is confirmed dead.</p>	RSPCA recommends that the ESCAS AW Standards should specify the humane treatment of conscious foetuses.
		RSPCA recommends that the standards should specify that live foetuses should be immediately euthanised using a captive bolt to ensure a humane death.
		RSPCA recommends the standards should specify that a foetus should be left undisturbed in the uterus for 30 minutes after the death of the animal's mother to ensure death, as per EFSA and WOA. H. recommendations.
Stunning	ESCAS AW Standard 17 requires a back-up procedure but it does not clearly outline what	RSPCA recommends that the ESCAS AW Standard 17 should articulate the specific

	<p>this procedure should be. It is imperative that the standard prescribe the back-up procedure.</p>	<p>back-up procedures instead of leaving this open to interpretation.</p>
	<p>Any back-up method must be suitable for killing the animal and should be available so that it can be applied immediately in the event a stun/method is found ineffective. In most cases the most suitable back-up method for a variety of situations is a penetrating captive bolt.</p>	<p>RSPCA recommends that Standard 17 should specify that the back-up method must be specific to the animal species.</p>
	<p>RSPCA opposes slaughter without stunning. This is because it often requires additional handling and restraint which increase the risk of animals experiencing significant fear and stress prior to death. The throat cut when performed without stunning causes extreme pain and distress due to the extensive tissue damage and blood loss prior to the animal losing consciousness. It is inhumane and does not support acceptable animal welfare. ESCAS allows for the slaughter of all livestock animal species without any form of stunning, pre- or post-sticking.</p> <p>We believe ESCAS provides a mechanism by which this can be achieved. We understand stunning is a relevant consideration in determining audit frequency under the Department's risk-based policy for ESCAS auditing. This is a necessary approach given the significantly increased difficulty and risk to animal welfare associated with slaughtering conscious animals. While this may provide some incentive for exporters to promote the use of stunning in importing countries, we do not believe it goes far enough.</p>	<p>RSPCA recommends that the Department should consider other mechanisms by which ESCAS can be utilised to encourage exporters to only use facilities that employ stunning or to actively promote the use of stunning in facilities that do not. For example, by:</p> <ul style="list-style-type: none"> ▪ prioritising the approval process for supply chains with stunning ▪ setting targets for the proportion of exported livestock that are stunned, with this target increasing rapidly within a few years ▪ providing dedicated funding for training in stunning procedures to incentivise uptake. <p>If unstunned slaughter continues to be allowed (which we do not recommend) due to religious slaughter requirements the animal should be stunned immediately after their neck is cut to prevent any further pain and distress to that animal during bleeding.</p>
		<p>RSPCA recommends where it is known that a country does not have any significant religious or cultural impediments to pre-slaughter stunning then approval should only be given for supply chains which include stunning.</p>
	<p>RSPCA opposes inverted restraint for slaughter because it causes great distress for animals. It is inhumane, it generates poor welfare outcomes, and it conflicts with animal welfare science and Australian standards. The animal welfare issues include the unnatural posture, abdominal pressure on visceral tissues, stress from inversion, and the prolonged period of inversion.</p> <p>Restraint is particularly important in the case of unstunned slaughter so that an effective neck cut may be performed to ensure rapid bleeding out and loss of consciousness. Rotating restraint where animals are forced into lateral recumbency (90°) or dorsal inverted (180°) while conscious causes significantly more stress to</p>	<p>RSPCA recommends that the standards should be updated to prohibit the inverted restraint of any conscious animal for slaughter or otherwise.</p>

	<p>animals in comparison to upright restraint (Mirabito, 2015).⁷ The animal welfare concerns with rotating restraint are inherent and unavoidable when forcing animals into lateral recumbency or full inversion while conscious.</p> <p>Rotating restraint requires animals to be restrained on average for significantly longer time periods than when in upright restraint. Therefore, not only is rotating restraint more stressful for animals but it exposes animals to increased stress for longer periods than if they were restrained upright. There is also conflicting evidence as to whether rotating or upright restraint methods have any effect on neck cut and bleed out efficiency.</p>	
	<p>Video footage of the use of full inversion restraint boxes taken in overseas abattoirs approved for Australian cattle has graphically demonstrated the stress associated with the process of full inversion and the risk of adverse outcomes where such devices are poorly maintained and operated.</p> <p>Similar risks to the welfare of cattle during restraint were documented in the 2013 review by the Australian Chief Veterinary Officer of the use of modified and copy Mark IV restraint boxes.⁸ This report indicated that unless these devices are designed, maintained and operated exactly in accordance with the manufacturer's instructions, they do not provide a humane outcome. As a result, an additional audit checklist was developed for these boxes but this approach does not address the inherent problems associated with rotation and does not apply to full inversion or other restraint box designs.</p>	RSPCA recommends the Department update the advice under ESCAS relating to restraint boxes to make it clear that the use of full inversion restraint is unacceptable.
	<p>Evidence from the use of restraint boxes in overseas abattoirs has confirmed that good design, daily monitoring of equipment and a high level of operator training and skill are crucial to have any hope of a reasonable animal welfare outcome during restraint for unstunned slaughter. This is unachievable in a system that relies on single facility audits and in countries where regular maintenance, appropriate training and skill levels cannot be guaranteed.</p>	RSPCA recommends that all Mark IV boxes and copy boxes must be excluded from supply chains unless they have been converted for upright pre-slaughter stunning.
	<p>The design and operation of other types of restraint boxes approved under ESCAS should be reviewed in a systematic and independent manner to prevent the approval of devices that cause 'avoidable suffering' during restraint.</p>	RSPCA recommends that a review of restraint box design and operation should form part of any review of the ESCAS checklist and associated standards.

	<p>The number of animals stunned and number of abattoirs that are stunning animals prior to slaughter by country are useful measures to monitor animal welfare. Specifically, the number of animals that are exported and killed overseas needs to be documented, as well the proportion of these animals that are being stunned vs unstunned prior to being killed, and the estimate proportion of leakage from supply chains.</p> <p>Reporting on these statistics would be an easy way for the government and live export industry to show the Australian community change over time. Independently verified, published information about these numbers in the public domain is required.</p>	<p>RSPCA recommends that documentation of the number of animals that are exported and killed overseas, and the proportion of these animals that are being stunned vs unstunned prior to being killed, should be required under ESCAS.</p> <p>RSPCA recommends that as with on-board mortality rates, these statistics should be a matter that is reported to Parliament on a periodic basis for greater industry transparency.</p>
<p>Consolidation list of unacceptable practices</p>	<p>RSPCA agrees that ESCAS AW Standards should articulate the unacceptable practices that are prohibited to mitigate misinterpretation that some unacceptable practices are only situational. It is vital that the standards provide clear direction that any practice that causes animals pain and/or suffering is not allowed.</p>	<p>RSPCA recommends that the AW Standards should specify and prohibit all unacceptable practices including, but not limited to:</p> <ul style="list-style-type: none"> ▪ <u>Violent acts to move animals</u>, such as: crushing or breaking tails; grasping their eyes; pulling their ears; pulling their limbs; pulling their hair, wool or skin; applying injurious objects or irritant substances; hitting or kicking or stabbing an animal; cutting an animal's tendon; applying nose twitches; forcing an animals head back; forcing an animal to eat or drink. ▪ <u>Immobilising animals through injury</u>, such: as breaking legs; cutting tendons or severing the spinal cord (e.g. using a puntilla or dagger); blinding or gouging their eyes; applying injurious objects or irritant substances; causing animals to slip or fall. ▪ <u>Methods of restraint</u>, such as: suspending or hoisting animals by their feet or legs; indiscriminate and inappropriate use of stunning equipment; mechanical clamping of the legs or feet of animals as the sole method of restraint. ▪ <u>Using electro-immobilisation or stunning electrodes to immobilise or restrain the animal</u>. ▪ <u>Inappropriate handling</u>, such as: animals dragging; tripping; dropping; throwing animals or pulling animals by their hair, wool or limbs; or applying pressure on an animal (including use of high-pressure hoses during washing or moving animals) applied to eyes, ears or genitalia. ▪ <u>Use of implements that cause suffering</u>; includes but not limited to: electric goads; prods; large sticks; sticks with sharp ends;

		lengths of metal piping; fencing wire or heavy leather belts; and whips.
Specification of competencies	<p>RSPCA agrees that personnel competency in animal welfare is vital for the critical control points in the supply chain, including stunning and slaughter. However, we strongly contend that any personnel directly engaging with animals throughout the supply chain should be trained and competent for the specific tasks they perform that impact animals. This includes persons engaged in the unloading, moving, lairage, care, restrain, stunning, slaughter and bleeding of animals etc.</p> <p>Research shows that training and periodical competency assessment of people who work with animals has a significant impact on animal welfare outcomes, and that underestimating the role and impact of the stockperson, for example, will seriously risk the welfare and productivity of livestock.^{9,10}</p> <p>Therefore, the AW Standards should require that facilities provide annual competency-based training -in animal welfare and in relation to facility Standards Operating Procedures (SOP)- for all personnel that work directly with animals. This would ensure the standards clearly address the level of competency needed to work in accordance with the facility's own SOP, and increase knowledge and skills in animal behaviour and welfare.</p>	<p>RSPCA recommends that ESCAS should reflect WOAHA Article 7.5.1 2 and require both competence and credentials for all personnel that work directly with animals.</p>
		<p>RSPCA recommends that Standard 29 should include the requirements for facilities to:</p> <ul style="list-style-type: none">▪ provide annual competency-based training in the facility's SOP▪ provide annual competency-based animal welfare training for all personnel that work directly with animals▪ be audited for the provision of annual competency-base animal welfare training for relevant personnel.
Differentiating between signs of unconsciousness and signs of death		
Ambiguity	<p>RSPCA agrees there are ambiguities around signs of unconsciousness and signs of death in the ESCAS AW Standards as well as when each applies (for example stunned vs non-stunned slaughter). Furthermore, because signs of unconsciousness depend on the stunning method, these should be specified to mitigate ambiguity.</p> <p>We also agree that the Standards fail to clearly define checks for when animals may be transitioning back to consciousness during stunning and slaughter procedures, as well as appropriate courses of action that should be taken in these situations. Frequent training to ensure personnel are adequately skilled to differentiate between unconsciousness and death, as recommended above.</p>	<p>RSPCA recommends the AW Standards should require specific training on stunning to support personnel to differentiate whether an animal is unconscious or dead.</p>
		<p>RSPCA recommends that the signs of unconsciousness resulting from the various methods of stunning should be articulated in a checklist under ESCAS and related standards.</p>
		<p>RSPCA recommends that Standard 20 should require facilities to provide clear evidence of the signs that they use to confirm the unconsciousness of an animals after stunning.</p>
		<p>RSPCA recommends that Standard 20 should require facilities to provide clear evidence of the methods they are using to confirm death prior to further processing.</p>

		RSPCA recommends that evidence of the signs facilities use to confirm the unconsciousness of an animals after stunning, and the methods used to confirm death prior to further processing, should be audited under ESCAS.
Method of throat cut		
Ambiguity	RSPCA agrees there is ambiguity in interpreting ESCAS AW Standard 22 in relation to appropriate throat cutting technique. For example: <ul style="list-style-type: none">sawing motion vs single stroke of the knifeuse of a second cut in the event of pseudoaneurysms/false aneurysms	RSPCA recommends that the wording of Standard 22 be clarified to prescribe what is, and is not, an acceptable method of cutting an animal’s throat along with specific examples.
		RSPCA recommends that Standard 22 should state that the major blood vessels of the neck must be cut on both sides.
Requirements for landing sites or physical transportation		
Landing sites	RSPCA agrees that ESCAS is unclear about how landing sites that animals transit through, such as ports (air or sea) or physical transportation from the point of disembarkation to a facility and between facilities, are managed.	RSPCA recommends that the ESCAS AW Standards should verify the requirements for these situations.
	There is currently no mechanism referenced to verify the ongoing compliance or suitability in these situations. This should be clearly defined.	RSPCA recommends that the recording information regarding any landing site that an animal is received by, spends time, and the duration of time at those sties should be required to be recorded under ESCAS.
Specificity in the Standards		
WOAH references	RSPCA agrees that WOA recommendations are currently referenced rather than specified in the ESCAS AW Standards, which means that facilities and auditors must access different sources of information to understand the complete requirements. There are also inferences and historical norms that exist that are not well documented.	RSPCA recommends that any references to WOA should be fully expanded in the AW Standards to avoid any loss of detail.
	There are numerous additional animal welfare indicators that should be reported on throughout supply chains as outlined above. In terms of WOA references, the ESCAS AW Standards should include the ten ‘General Principles for the welfare of animals in livestock production systems’ (2012). ¹¹	RSPCA recommends the ESCAS Animal Welfare Standards reference WOA’s ten ‘General Principles for the welfare of animals in livestock production systems’: <ol style="list-style-type: none">Genetic selection should always consider the health and welfare of animals.The physical environment, including the substrate (walking surface, resting surface etc.), should be suited to the species and breed so as to minimise risk of injury and transmission of diseases or parasites to animals.

		<ol style="list-style-type: none"> 3. 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. 4. Social grouping of animals should be managed to allow positive social behaviour and minimise injury, distress and chronic fear. 5. Air quality, temperature and humidity in confined spaces should support good animal health and not be aversive to animals. Where extreme conditions occur, animals should not be prevented from using their natural methods of thermoregulation. 6. 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. 7. 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. 8. Where painful procedures cannot be avoided, the resulting pain should be managed to the extent that available methods allow. 9. The handling of animals should foster a positive relationship between humans and animals and should not cause injury, panic, lasting fear or avoidable stress. 10. Owners and handlers should have sufficient skill and knowledge to ensure that animals are treated in accordance with these principles.
Inferences and historical norms	RSPCA agrees that the Standards do not document inferences and historical norms. We believe the standards should be specific to provide facilities and auditors with clear direction and detail about what is, and is not, acceptable to avoid variability or individual interpretation.	RSPCA recommends that the standards should provide specific details on requirements, not assume knowledge about historical norms or other.

Interpretation of Standard 29		
Interpretation of Standard 29	RSPCA agrees that the reference to “appropriate procedures for each element of handling and slaughter of livestock” is too general. Standard 29 must specify the required procedures at critical control points to mitigate poor animal welfare.	RSPCA recommends that Standard 29 should specify the required procedures at critical control points.
	<p>In addition, SOP requirements should be equivalent to those required in Australian export abattoirs. SOPs should be required for any process controls relevant to animal welfare. For example - sourcing of livestock, unloading, handling, stunning/slaughter, general animal welfare, emergency killing etc.</p> <p>As per the Department’s recommendation for SOPs in the Approved Arrangements guidelines for red meat establishments states¹²:</p> <p><i>In a SOP the procedure describes what to do but should not explain how to do it: This is the purpose of Work Instructions. The SOP should identify (as appropriate):</i></p> <ul style="list-style-type: none"> a) What it is done (specify stages) b) Why it is done (basis for the procedure) c) Where it is done (location/area) d) When it is done and at what frequency e) Who is responsible f) Reporting criteria 	<p>RSPCA recommends that SOPs should be required for any process controls relevant to animal welfare. This should at very least, include:</p> <ul style="list-style-type: none"> - Receival and unloading of animals - Handling and lariatage keeping of animals - Antemortem inspection of animals - Stunning and slaughter (include confirmation of unconsciousness and death) - Emergency killing - General animal welfare - Feed and water provision
Requirement to keep records of outcomes of processes		
	RSPCA agrees that there is no encompassing requirement in ESCAS for facilities to maintain records of outcomes of processes. It is vital for facilities to record information daily on the numbers of animals, slips, falls, vocalisations and restraint-to-slaughter time intervals to ensure these details can be audited in accordance with the ESCAS AW Standards.	RSPCA recommends that the ESCAS AW Standards should require facilities to record and maintain statistics on the outcomes of critical processes and animal welfare.

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Appendix A

ANIMAL WELFARE INDICATORS

- LIVE EXPORT SUPPLY CHAIN ¹³

Land transport

- Injury (including lameness)
- Mortality
- Heat stress / panting
- Time off water
- Handling / competence
- Electric prod use
- Stocking density
- Truck/facility maintenance

Registered premises

- Injury
- Disease / coughing
- Mortality
- Pregnancy
- (Heat) stress/panting/teeth grinding
- Temperature/humidity/wet bulb temperature
- Time off water
- Handling / competence
- Body condition score
- Electric prod use
- Time spent standing, lying, defecating
- Time spent eating, drinking, ruminating
- Stocking density
- Facility maintenance

Slaughter

- Vocalisations
- Tripping/slipping
- Electric prod use
- Handling / competence
- Restraint
- Effectiveness of stun
- Effectiveness/timeliness of stick
- Facility maintenance
- Rate of stunned versus unstunned slaughter

Sea transport

- Injury
- Disease / Health issues / treatment history
- Mortality
- Pregnancy
- Pen condition / pad moisture / dag accumulation
- Heat stress / panting
- Temperature / humidity / wet bulb temperature
- Handling / competence
- Body condition score
- Stocking density
- Facility maintenance
- Rough seas

Feedlot

- Injury
- Disease / coughing
- Mortality
- (Heat) stress/panting/teeth grinding
- Temperature/humidity/wet bulb temperature
- Handling / competence
- Body condition score
- Electric prod use
- Time spent standing, lying, defecating
- Time spent eating, drinking, ruminating
- Stocking density
- Abortion
- Facility maintenance

Slaughter

- Vocalisations
- Tripping/slipping
- Electric prod use
- Handling / competence
- Restraint
- Effectiveness of stun
- Effectiveness/timeliness of stick
- Facility maintenance
- Rate of stunned versus unstunned slaughter