

28 July 2020

The Director  
Portfolio Committee No. 4  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

By email: [PortfolioCommittee4@parliament.nsw.gov.au](mailto:PortfolioCommittee4@parliament.nsw.gov.au)

Dear Sir, Madam

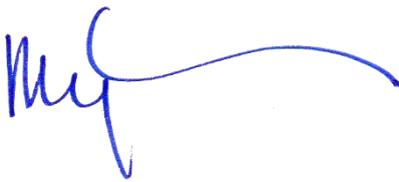
**Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures)  
Bill 2019**

Thank you for the opportunity to make a submission to the above inquiry. This submission is presented on behalf of RSPCA Australia and RSPCA New South Wales.

RSPCA Australia and RSPCA New South Wales support the requirement to administer analgesics for painful procedures carried out on farm animals. We also support the principle of phasing out mulesing within the shortest possible timeframe.

Thank you for considering attached comments.

Kind regards



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Encl: - RSPCA Australia Research Report 'Prevention and control of blowfly strike in sheep'

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## Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019

### RSPCA Australia & RSPCA New South Wales joint submission

RSPCA Australia and RSPCA New South Wales support the requirement to administer analgesics for painful procedures carried out on farm animals. We also support the principle of phasing out mulesing within the shortest possible timeframe.

**Proposed Schedule 1[1]: prohibits the Mules operation being performed on sheep. However, a person does not commit an offence under the proposed section until on or after 1 January 2022.**

The RSPCA promotes an integrated approach to the prevention and control of blowfly strike in sheep. Breeding sheep who are resistant to flystrike combined with enhanced on-farm sheep management practices is the alternative to mulesing.

The RSPCA considers that it is unacceptable for producers to continue to breed sheep who are susceptible to flystrike and therefore require on-going need for mulesing (or other breech modification procedure) to manage flystrike risk.

Breeding for flystrike resistance is the permanent solution to mulesing and many wool growers are already well on this track. The sooner wool growers introduce a breeding program, the sooner improvements will be seen and the sooner the costs and animal welfare impacts of managing and treating flystrike will be reduced. The wool industry's dedicated decision support tool - [FlyBoss](#) - suggests four key steps to get the processing going:

1. Use Australian Sheep Breeding Values to select rams with low wrinkle, low dag and low breech cover
2. Assess ewes for fleece rot, wrinkle, dag and breech cover
3. Develop a joining strategy that reduces the proportion of at-risk ewes who are susceptible to fleece rot and have high wrinkle, dag and breech cover
4. Assess lambs based on their flystrike risk and aim to reduce the proportion of lambs needing to be mulesed, e.g. by removing them from the flock

By increasing the selection pressure - i.e. selecting for flystrike resistance traits in both ram and ewe - results can be achieved in five years. Similarly, introducing plain-bodied sires (e.g. SRS Merino) into a wrinkly flock that requires mulesing can dramatically change the requirement for mulesing within 5 years. Providing the industry with a defined phase-out period will provide certainty to wool growers and a strong incentive to move away from mulesing and other breech modification procedures.

**Proposed Schedule 1[5] provides that, in the course of undertaking certain procedures involving stock animals, a person must administer an analgesic or other appropriate form of pain relief to the animal in order to have the benefit of a defence to certain animal cruelty offences.**

It is widely acknowledged and scientifically demonstrated that farm animals undergoing common husbandry procedures such as castration, disbudding, dehorning, tail docking and/or mulesing suffer significant pain and distress. We support industry efforts to increase the use of pain relief when performing such procedures however, the reality is that each year millions of farm animals in Australia continue to be subjected to these

painful procedures without pain relief. In 2018, a Futureye<sup>1</sup> study found that 88% of the public are concerned about performing painful procedures on farm animals without pain relief. In the same year, an RSPCA study<sup>2</sup> found that 76% of people are concerned about castration of cattle and sheep without pain relief. Australian livestock industries therefore remain susceptible to significant risk if and when such practices are exposed and face widespread public outcry including consumer boycotts and demands for immediate regulatory and legislative intervention.

Considerable research effort has been focussed on strategies to minimise pain or do away with painful husbandry procedures altogether. While the key focus of this research has been directed at mulesing, there are now practical, affordable pain relief options available for other procedures across other species. At present, these include Ilium Buccalgesic® OTM, Numnuts®, Metacam® 20, and Tri-Solfen®. Whether used individually or, preferably, in combination, all provide some relief from the acute pain of the procedure. Pain relief can be administered in certain circumstances for as little \$1 per sheep ([Flyboss](#)).

Where it is considered necessary to carry out painful husbandry procedures, this must at the very least be accompanied by appropriate analgesia. The use of local anaesthetic and sedation in addition to providing pain relief (e.g. as administered for disbudding of dairy calves) must be considered where the production system allows.

Section 24(1)(a)(v) of the *Prevention of Cruelty to Animals Act 1979* (POCTAA) provides a defence to an offence under Part 2 of the Act where the conduct is performed in a sheep less than 12 months of age and for the purpose of mulesing where the act was undertaken in a manner that inflicted no unnecessary pain upon the animal. In the last thirty years, since the commencement of POCTAA, the development of inexpensive, easily administered pain relief medications registered for use in livestock has changed the threshold for what can be considered unnecessary pain. Performing painful husbandry procedures without the use of these pain relief products is now entirely unnecessary and cannot be justified using historical arguments related to accessibility and economics. These advancements must be reflected in the regulatory environment if the NSW government is to maintain its commitment to introducing modern, evidence-based animal welfare laws.

It is unacceptable to continue to perform painful husbandry procedures on farm animals where appropriate breeding strategies would eliminate the need for the procedure over the longer term, e.g. breeding for polled to eliminate the need for disbudding or dehorning, and breeding flystrike-resistant sheep to eliminate the need for mulesing.

As of 1 July 2020, Victoria requires the provision of pain relief for mulesing. We commend the Victorian Government for implementing this regulation and urge New South Wales to follow suit. Beyond the animal welfare imperatives, a failure of NSW to commit to a more contemporary and strengthened animal welfare regulatory position risks Australia's international reputation. Australia is currently seeking a comprehensive Free Trade Agreement with the United Kingdom (UK) and the European Union (EU) to drive Australian exports which may require Australia to meet any expectations the UK and the EU may have for animal welfare in food production systems.

As the scientific knowledge of pain perception in animals has evolved, it is clear that acceptable standards of animal welfare must entail providing animals with pain relief. It is also clear that alleviating pain is an expectation of the general public, and consequently, must be considered a key component of livestock industry sustainability and reflected in our animal welfare laws.

## **SUBMISSION ENDS**

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<sup>1</sup> Futureye (2018) Australia's shifting mindset on farm animal welfare

<sup>2</sup> McCrindle (2018) RSPCA public perception report