

REPORT ON PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 4 - INDUSTRY

**PREVENTION OF CRUELTY TO ANIMALS AMENDMENT
(RESTRICTIONS ON STOCK ANIMAL PROCEDURES) BILL 2019**

CORRECTED

At Macquarie Room, Parliament House, Sydney, on Tuesday 11 August 2020

The Committee met at 09:30.

PRESENT

The Hon. Mark Banasiak (Chair)

The Hon. Catherine Cusack
The Hon. Sam Farrow
The Hon. Mark Pearson
The Hon. Peter Primrose
The Hon. Mick Veitch (Deputy Chair)

PRESENT VIA TELECONFERENCE

The Hon. Lou Amato

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The CHAIR: Welcome to this hearing of the Portfolio Committee No. 4 inquiry into the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019. Before I commence, I would like to acknowledge the Gadigal people, who are the traditional custodians of this land. I would also like to pay respect to the Elders past and present of the Eora nation, and extend that respect to other Aboriginals present. Today we will hear from government witnesses from the Department of Primary Industries, followed by a number of peak bodies within the wool, farming and sheep industries. We will then hear from animal welfare experts and veterinarians before concluding the day with evidence from the Australian Workers' Union.

Before we commence I will make some brief comments about the procedures for today's hearing. While Parliament House is closed to the public at this stage, today's hearing is a public hearing and is being broadcast live via the Parliament's website. A transcript of today's evidence will be placed on the Committee's website when it becomes available. In accordance with broadcasting guidelines, I would like to remind media representatives that you must take responsibility for what you publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside of their evidence at this hearing. I urge witnesses to be careful about any comments you may make to the media or to others after you complete your evidence, as such comments would not be protected by parliamentary privilege if another person decided to take an action for defamation.

The guidelines for the broadcast of proceedings are available from the secretariat. All witnesses have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could only answer if they had more time or had certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. Witnesses appearing in person are advised that any message should be delivered to the Committee members through the Committee staff. For those witnesses appearing via teleconference, any documents to be tendered to the Committee should be emailed to the secretariat. To aid the audibility of this hearing, I remind both Committee members and witnesses to speak into the microphones. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing.

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SUZANNE ROBINSON, Director Animal Welfare, NSW Department of Primary Industries, before the Committee via teleconference, affirmed and examined

SCOTT HANSEN, Director General, NSW Department of Primary Industries, sworn and examined

The CHAIR: I welcome our first witnesses. Would either of you like to make a short opening statement?

Mr HANSEN: No doubt over the course of today this Committee is going to hear from a wide range of stakeholders and participants. The one thing they all have in common is that they care about the welfare of the animals within the State of New South Wales. They care about the livestock that are at the centre of the discussion here. What they will vary on is their views about how best to deliver the care and the welfare for those animals. We believe that the Prevention of Cruelty to Animals Act, its supporting regulation, its codes, its standards and guidelines set out the required animal welfare outcomes for the provision of care for livestock within the State. We think that there is a risk that in mandating—with some of the proposed amendments in this proposed bill, there are actually the risks of adverse animal welfare outcomes that might well arise.

For example—and no doubt you will hear more on this throughout the course of today's proceedings—the progress that has been made by the sheep industry in this State and indeed across the country in being able to move away from the necessity for mulesing through genetic breeding and selection has moved the flock forward considerably. There was no way it moves from where it is today to being in a position in 2022 of not requiring mulesing—or for mulesing to be prohibited—without running the risk of substantive animal welfare concerns with flystrike across sheep in the State. I think the underlying piece here is that everyone is deeply concerned about how we protect the animal welfare of livestock animals. The question is, how do we best achieve that? What combination of Government intervention versus industry drive and customer preference gets us to that end point?

The CHAIR: Ms Robinson, do you want to add anything before we go to questions?

Mr HANSEN: I think that would be a no.

The CHAIR: That would be a no. We will just have a free flow of questions, Mr Hansen and Ms Robinson.

The Hon. MICK VEITCH: At the start of this, a bit of a heads up: I actually have participated in the process of mulesing and tail docking and castration of animals when I grew up on a farm. As a shearer I have shorn many a fly-struck sheep in my time. I have a bit of experience in this area. Can I just say, Mr Hansen, thanks for your attendance and thanks for the submission. I have got a few questions here that were arranged for a few things. As has been evidenced by the media around this bill, there is a huge focus on mulesing, but this bill is broader than mulesing.

Mr HANSEN: It is.

The Hon. MICK VEITCH: Your submission talks about some of the other things. Could you work through what the impacts of this bill would be on some of the other husbandry and stock care processes and practices?

Mr HANSEN: Thanks for the question. If I group the remainder of the components of the proposed amendments into mandating the use of anaesthetics or analgesics in some invasive stock husbandry practices, I hope that is a fair summation of the second part. Again the general theme in our response, and I dare say a general theme you could draw across a lot of the submissions, is the fact that industry and producers are strongly encouraged to minimise pain wherever possible. In fact it is a legal obligation of theirs to ensure that there is no unnecessary pain caused in the course of these procedures. The difference between providing an outcome statement such as that versus the mandating of the use of anaesthetics and analgesics for certain practices can at times lead to perverse outcomes. This is largely due to the fact that at the moment we are still using a range of chemicals with regard to pain relief that either, A, are only available by prescription from a licensed veterinarian in terms of being able to obtain them or, B, have withholding periods to ensure that there are no residues from the chemicals used present in the meat or the milk products from those animals.

You will hear firsthand accounts from farmers or their representatives who come later in the day. But there is a risk where we prescribe the mandating of their use where you could end up in a perverse situation. Say a farmer needs to move stock off their property quickly because of either a rapid deterioration in the seasonal conditions on that property or because of fire damage that has come through. For them to be able to move those stock for slaughter, or to move them on, by law they need to be able to ear tag them if they are cattle or sheep. In doing so, if they are mandated to use anaesthetics or analgesics, the most common and readily available of those I believe has a 90-day withholding period.

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That three-month period can, in certain circumstances—and this is the thing, each individual circumstance would need to be looked at—lead to a poorer animal welfare outcome than not requiring anaesthetic to be used during a process of ear tagging or ear piercing in some of those circumstances. The industry itself will continue to say that they strongly encourage, in fact the codes and the standards and guidelines encourage the use of anaesthetics or pain relief wherever possible. Each individual circumstance will dictate as to whether that is possible and how that is done. We think there is a risk in mandating that, rather than continuing with the mandating of the outcome that we are looking for, which is no unnecessary pain being caused, could actually lead to perverse outcomes in some situations.

The Hon. MICK VEITCH: The use of anaesthesia, as I understand it there are obligations on meat producers, in particular, to record what they use and they make a declaration at point of sale. Is that correct?

Mr HANSEN: Yes.

The Hon. MICK VEITCH: What is the nature of that reporting mechanism and the disclosure?

Mr HANSEN: Every livestock producer selling livestock needs to make a vendor declaration that declares the chemicals that have been used, the date on which those chemicals have been used and whether the animals are being sold within that window of the withholding period, or for some chemicals the withholding period is the domestic set around the safety of the product in terms of chemical residue in the product. There is also an export slaughter interval. That will vary at times where you have export markets that have a different, either threshold level or have no threshold level at all for particular chemicals that are in use. There are the two measures that producers need to take into account every time they do use a chemical.

Again, you will see and hear evidence that anaesthetics are being widely used by our industry, so being able to use them and meet their obligations to make sure that we continue to have the safest, the cleanest and greenest products on the planet, continues to be done on a regular basis. I think the evidence is well over 85 per cent of New South Wales wool producers using anaesthetics around mulesing, for example¹. Our producers are very good at meeting their obligations in terms of that recording of the use. It is just those circumstances which will arise through a combination of factors in which the mandating of the use may actually trigger a set of circumstances which leads to a perverse outcome in terms of the animal welfare outcome.

The Hon. MICK VEITCH: You talk about the clean, green premium for our product in New South Wales and Australia. What is the premium around non-mulesed or the use of anaesthesia in the mulesing practice by our international trade partners? How does the market react to that?

Mr HANSEN: I think the last data we have got would show—and this is for 2018-19, and I know you have got the Australian Wool Exchange coming later in the day, they have the up to date pieces—that in that 2018-19 period premiums ranged from 53c per kilogram clean for 17 micron, to 20c per kilogram clean for 20 micron for non-mulesed merino wool, down to 12c per kilogram clean for non-mulesed, non-merino wool. There is definitely a premium in the marketplace, there is definitely customer preference that is at play and those premiums will always be an imbalance between supply and demand in terms of—but there is obviously a significant premium that does exist there and does exist in that marketplace.

The Hon. MICK VEITCH: The premium there is probably about international trade. I think it is probably more important for the lower micron, the finer wool. Those of us who wear our fine wool suits, the buyers, some of the Italians in particular, now are moving away from purchasing wool from mulesed sheep to purchasing their fine wool from non-mulesed sheep. Would that be correct?

Mr HANSEN: Yes. The 17 micron category has the largest of the premiums. It is about 53c per kilogram in the 2018-19 period. As opposed to the broader, the 20 micron, which was at 20c per kilogram.

The Hon. MICK VEITCH: I have two last questions. You may not have this information, is the department aware of anyone who has been penalised under the Prevention of Cruelty to Animals [POCTA] Act for not treating their fly-struck sheep?

Mr HANSEN: I would have to take that on notice. I do not have that in front of me. I will come back to the Committee. All of the compliance agencies will be in here later today.

¹ In [correspondence](#) to the committee (dated 31 August 2020) Mr Hansen clarified his answer to "based on a survey of woolgrowers across six states, about 85 per cent of wool producers were using anaesthetics around mulesing".

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The Hon. MICK VEITCH: I will ask them as well. In your submission you talk about the generational project of moving away from mulesing. Does the department have any research that would indicate what is the optimal time for breeding the wrinkle out of sheep that would then no longer require mulesing?

Mr HANSEN: We are aware of work that the sheep Cooperative Research Centre [CRC] did a number of years ago that indicated 10 years of focus, selection and breeding would reduce the population of a flock at risk from flystrike down to around 30 per cent of the flock. There is a 10-year period to get from where we are today down to 30 per cent of flock. However, each year new and improved breeding techniques, tools become available for the industry. You go through a period of significant drought, you get a faster culling of flock within a State that changes those numbers by changing the dynamics of what the current population in New South Wales, for example, are at the moment. But that was the last piece of work that gave a quantifiable number to that.

We are a participant at the moment with the Lifetime Ewe research project that is spread across a number of research sites across the country looking at the performance of standard flocks with the types of genetics readily available to the industry on a year-in year-out basis to measure the performance of those. Part of that research project will be collecting data on behalf of the national industry, who are funding and delivering the project, or funding and overseeing the project, to give them the best information about that genetic progress towards breeding out the wrinkling and hence the increased risk of flystrike in the current flock.

The Hon. MICK VEITCH: My last question following on from that is, the bill proposes a two-year deadline and then it would be phased out. What is the risk of having a two-year cut off as opposed to even a 10-year cut off?

Mr HANSEN: Quite honestly, it is two generations. Two generations is going to be very little time to shift the dial too much in your genetic breeding programs. It does not matter what you are breeding for. Two years is a very short time frame for any livestock producer to significantly change the direction of their flock in that period of time. So the repercussion would be you would end up with a significant portion of the flock that is still susceptible to flystrike, would not have available the key method currently in play for protection against flystrike, and hence why we say the potential for an adverse animal welfare outcome.

The Hon. MARK PEARSON: How long ago do you think the wool industry was put on notice, in one way or another, that mulesing is a highly controversial procedure and it might be wise to start to breed out the wrinkles? How long ago do you think the wool industry was aware that this is on the horizon?

Mr HANSEN: That is probably a good question for the wool industry, who will be appearing later this morning. But certainly we are all aware of the intense media interest on this issue since 2009-10.

The Hon. MARK PEARSON: Earlier. When you say that the use of analgesia could cause an adverse animal welfare impact, is it an adverse animal welfare impact or a potentially adverse economic impact?

Mr HANSEN: That would depend on the circumstance. If the animals are being moved because of the lack of availability of feed and they are suddenly unable to be moved because of withholding periods then it does provide the potential for an adverse animal outcome as well as an adverse economic impact.

The Hon. MARK PEARSON: Just for clarification, why would it be adverse to animal welfare if they have to be moved to an area where there is feed?

Mr HANSEN: We are getting down to the specifics of a situation, but in some circumstances moving from a property on which there is no feed left, for whatever reason, it is not unusual to also then say that all surrounding areas might be suffering from the same lack of available feed and therefore the only path for the livestock, before deterioration starts to set in of their body condition, would be direct to a meat processing works for them to be humanely slaughtered.

The Hon. MARK PEARSON: Tri-Solfen, the topical analgesia, how long is the residue in the body of a sheep or a lamb as opposed to intramuscular or subcutaneous injection analgesia? What is the residue time of a topical analgesia such as Tri-Solfen?

Mr HANSEN: Great question.

The Hon. MARK PEARSON: Because it does not actually enter the bloodstream. Is that correct?

Mr HANSEN: Tri-Solfen is an S5 chemical that has a withholding period and an export slaughter interval of 90 days.

The Hon. MARK PEARSON: In the government's submission it says in 2018-19, 73 per cent of bales were accompanied by the national wool declaration and of these 14 per cent were declared non-mulesed, 4 per cent were declared ceased mulesing on the property and 38 per cent recorded provision of pain relief at mulesing.

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I am trying to crunch these percentages. If the industry is saying that about 80 per cent of woolgrowers are using topical pain relief, at least it seems to me from those figures, that 82 per cent of woolgrowers are still mulesing and only 38 per cent are providing analgesia, which is only really 54 per cent of the animals that are mulesed that are not receiving analgesia. I am trying to stitch those percentages together. Those figures say that 54 per cent of mulesed lambs receive analgesia, yet the industry is putting out press releases with Bayer saying 81 or 82 per cent are. Has that come across your table?

Mr HANSEN: Yes, and again a good question, especially for the Australian Wool Exchange when they appear this afternoon. The declarations that you are talking about are voluntary declarations. I think just over 70 per cent of wool is actually sold with national wool decorations accompanying them. There is already 25 per cent of the State's bales that go through without a declaration of any form attached to them. That might be because there are already supply chain arrangements in place in terms the operations of those properties through a dedicated supply chain to a further processor. The way in which those numbers come through are best answered by the industry and they will exchange.

The Hon. MARK PEARSON: The government report is relying on them, these figures.

Mr HANSEN: That is right. Again, we are relying on the data that is provided to us with regards to a voluntary wool declaration that is made. Once it is made it needs to be an honest declaration. In 2019, 73 per cent of wool was sold with one of those declarations and of those 73 per cent of declarations that were made, the numbers you have given, are the numbers that we are relying on, which is, 14 per cent were declared non-mulesed, 4 per cent were declared ceased mulesing on the property in the year 2018-19 and 38 per cent recorded provision of pain relief at mulesing.

The Hon. MARK PEARSON: Have you seen mulesing?

Mr HANSEN: Yes.

The Hon. MARK PEARSON: Have you done it?

Mr HANSEN: No.

The Hon. MARK PEARSON: What is your view of the practice?

Mr HANSEN: That it is quite an invasive procedure that can only be justified on the basis of also having seen the implications of flystrike and the damage that flystrike does. That benefit justifies any invasive procedure to ensure a lifetime of protection against that risk. But the sooner alternative options are provided to the industry the better. The industry itself has identified that. Our standards and guidelines state that mulesing should only be used when other options are not available to the producer. But I can understand both those who see that process and their reaction to that, and I can understand those who see the impact on sheep from flystrike when they then see the justification for the invasive surgical procedure of mulesing.

The Hon. SAM FARRAWAY: Good to see you again. Just a couple of questions. I think it is highlighted in your submission that if flystrike is untreated it is definitely fatal. That is a broad view in the industry as to why mulesing is in practice and why it is needed. You have to agree from the DPI's point of view flystrike can be fatal and the welfare of the animal would be in a worse condition if it did not undergo mulesing?

Mr HANSEN: It certainly has significant animal welfare issues for sheep that become fly-struck. Farmers will do everything in their power to stop that becoming fatal and do everything they can to try to remedy it. It then comes down to how significant is the season in terms of flystrike and how significant is the risk to that flock.

The Hon. SAM FARRAWAY: In your position with the DPI, if mulesing is banned what are some of the consequences for the broader industry in the short, medium and long-term?

Mr HANSEN: I guess that comes down to the question of in what time frame are you talking about?

The Hon. SAM FARRAWAY: Let us say two years, as proposed.

Mr HANSEN: In 2022, the challenge there is can the industry actually be in a position where they have a realistic alternative tool available to it to move us from where we are at the moment to being in a position where there is no flystrike risk for sheep in New South Wales at that point in time. Using current genetic tools available to the industry a two-year period is just too short a time frame to be able to get there. You would increase your risk of flystrike, increase the risk of poor animal welfare outcomes because of flystrike and hence why no other jurisdiction has moved to the point of banning mulesing. Sorry, no other jurisdiction in Australia.

The Hon. SAM FARRAWAY: I have some direct correspondence, some through the Committee and some not. There is definitely a fair bit of uncertainty within the wool industry in the Central West. After 70 years

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of being on the land without any mortalities and many saying that this should be industry led. From what I can see, and from the DPI's point of view, there is no effective alternative in the market to mulesing right now, is there?

Mr HANSEN: There is, it is just not available in the time frame of two years. There is the capacity for genetic selection and selective culling to help us move to an outcome like that. I know what the industry is trying to move towards. They do that wearing the interruptions to breeding programs from droughts, floods, fire and market crashes all thrown together. What starts out as a dedicated campaign for an individual breeder to move from here to here over a period then shuffles about from any of the impacts on their business and their ability to stick to that plan over that period of time. There is certainly the market premium and the market segmentation, and the ability for producers to differentiate product that allows them to achieve a market premium, for those who do move to not requiring mulesing. But, at the end of the day, it continues to be the tool that for most producers is the once-in-a-lifetime treatment option for prevention of flystrike.

The Hon. SAM FARRAWAY: With the Australian wool industry, and Australia being at least one of the largest wool producers in the world, especially compared to North American and European markets, what happens from DPI's point of view if you were to breed it out, to the actual market itself, to the wool industry? What are the unintended consequences of doing this, or what are the consequences for the broader industry moving forward, if you were to adopt something like the bill that has been proposed? Do you think the industry becomes unsustainable? Do you think there is an exit from the industry from producers?

Mr HANSEN: I think if mulesing was prohibited from 2022, I could only second-guess at what industry participants' responses would be. Given the fact you have got them sitting here later in the day, it is probably best to ask them. But given the fact that we know that livestock producers are livestock producers because they love dealing and working with animals, I think those that would be facing no alternative option other than to watch flystrike occur, with no real tools available for them to deal with it—you would probably see a transition, where those could, out of wool production into alternative farming enterprises. That would lead to then a significant disruption and potentially a critical collapse in numbers across the State. But that is all my supposition. When you have got the industry here, you are probably best to ask them.

The Hon. SAM FARRAWAY: Certainly. I just think it is important from DPI, because you would have a lot of engagement with the industry and with producers. A lot of people look to DPI too for some of that leadership, other than industry.

Mr HANSEN: Yes. We want to make sure that the outcome is a good animal welfare outcome. The farmers across this State look to work to provide and ensure good animal welfare outcomes. It is just making sure that the tools we have got are the best available to us to be able to achieve that outcome.

The Hon. CATHERINE CUSACK: Thanks very much for coming in. You are familiar with the sheep being part of the State's coat of arms. It is a very important industry for New South Wales.

Mr HANSEN: It is. I think we still have some of the original genetic flock from the Macarthurs out at our Elizabeth Macarthur Agricultural Institute—some of the original sheep that were brought in by the Macarthurs that sort of set up the Australian wool industry and for a long time supported the economy of the country.

The Hon. CATHERINE CUSACK: How would you rate the New South Wales sheep industry in terms of innovation and quality on a global scale?

Mr HANSEN: They are one of the most innovative industries that we have. They have had significant turbulence in their marketing over the last couple of decades as there have been shifts away from traditional markets, the emergence of new markets and the significant emergence of luxury blends in garments and fabrics. They have had to endure drought. They have been a very innovative industry that has really been at the cutting edge of continuing to adapt and adopt and respond to market preference, customer and community preference. At the same time, they have almost built and worked with the prime lamb industry to build a completely separate, standalone industry. If you think about the progress of the prime lamb industry over the last 20 or 30 years, it has come from being a secondary thought to a wool-producing enterprise, to being a viable and internationally recognised significant business in its own right, alongside its wool production.

The Hon. CATHERINE CUSACK: Just globally, is it fair to say that concern for animal welfare is becoming an increasing factor in the global market? A desire for product to be accredited in various ways, for example, whether it be free-range eggs or—

Mr HANSEN: I would say it has always been a critical component. There is probably just more and more transparency and accountability along supply chains that allows people to actually choose products that they know have differentiation in terms of the production systems. There have always been producers who have bred

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out the risk of flystrike. But, until you get a quantum of those producers, you cannot actually put together a commercial scale of product to allow a manufacturer to be able to produce a whole line of garments or ensure that their whole brand can carry that certification through it. It has always been a critical component of the marketplace. Now there is more and more differentiation possible because of the scale of the different production systems that allows you to have those choices.

The Hon. CATHERINE CUSACK: The issue of selective breeding—I assume that is the method by which you would breed out the need for mulesing. Sheep farmers are producing mutton for food and you are also producing wool for fabrics and garments. Is there a complexity in trying to selectively breed animals when your core business objective is to produce food and to produce garments? I am not saying it becomes competing, but does it add to the complexity of trying to change the biology of the sheep, if you like, but not risk your superfine merino wool in the process?

Mr HANSEN: Every time you add a selection trait that you are trying to breed for into the mix, it adds a complexity. It is far simpler to breed for one single genetic trait or selection trait than it is to breed for multi, because sometimes these will have trade-offs in terms of genetic capacity. Having said that, the industries have become very good at being able to collect the data they require to allow them to make those assessments and to be able to breed for multiple traits simultaneously without having to do it in a linear fashion. The Australian livestock industry has some of the best genetic selection tools available to it that any country has.

That has been built off decades' worth of data collection and now is emboldened by the computing power that can bring together the ability to look through masses of genetic data and align that with masses of phenotypic outcomes—so actual measurements off animals and their performance—to look for correlations and then work out what it is that is driving each of those and look for markers or patterns or genes to be able to select for. There is no doubt that they will have—each year those tools get better and better as our computing power and as the size of the measurements that are collected out there just keeps building. So they are very proficient at breeding for multiple traits and for being able to achieve against those multiple traits.

The Hon. CATHERINE CUSACK: Is that research funded by industry?

Mr HANSEN: Most of that research is co-funded through industry, State governments and universities, in most cases.

The Hon. CATHERINE CUSACK: Is it national research?

Mr HANSEN: It is national research, delivered by different State partners or different State groups or universities. But all of this needs to be done nationally. One of the risks is always our farming communities have multiple farming operations up and down the east coast which means that they are across State borders. We have sheep being traded all over the country and, in fact, internationally, so there is no point in this being done purely at a State level.

The Hon. CATHERINE CUSACK: The national flock basically is progressing particularly in that area of genetics. What is the effect of one State just breaking out, going alone and making a whole different set of regulations in relation to this?

Mr HANSEN: It is never a good thing to have an un-uniform approach to regulations across the States. It would not also be the first time that has ever happened across regulations across the States. Obviously, industry has been a participant with State governments and the Federal Government in the creation of national standards and guidelines. The conversion of previous codes of practice to those national standards and guidelines, specifically because they wanted to move away from a State-by-State approach led to complexity. It led to problems with regards to compliance activities to the kind of declarations that need to be made for international consumers at times. They wanted a national approach. They wanted a standardised approach. That is why there has been agreed national standards and guidelines that have been agreed to by all State and Territory governments. The more nationally we can approach these issues, it reflects the way in which the world views our products and our production systems and it better reflects the way our farmers and our production systems actually operate.

The Hon. CATHERINE CUSACK: In relation to prescription drugs or drugs for animals just as a general issue, is there an anxiety that those drugs could be abused by humans and, therefore, that is why drugs for animals need to be regulated? Secondly, for food production what is the attitude towards drugs and chemical use on animals?

Mr HANSEN: With regard to the human misuse component, I really have not heard or seen anything on that so I am not in a position to be able to answer it. With regard to the second component around food, it has probably been the longer of the community trends around food production which is minimisation of chemical interventions in food which has seen a lot of changes in both standard production operations but it has also seen

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the rise of organic market segments that now in some markets occupy 15 per cent to 25 per cent of the market segment paying a premium for organic primary products because of that consumer preference and that consumer drive. Trying to reduce or minimise the use of chemical interventions continues to be the goal of anyone in the production system. As I said, it has probably been one of the longest and most established of the consumer and community trends because it has been quite a while in the making.

The Hon. CATHERINE CUSACK: Are animal genetics regulated in Australia?

Mr HANSEN: Yes, they are but only at that extreme end of the genetic editing components, not at what we would typically see as the selection and focus-breeding activities.

The Hon. CATHERINE CUSACK: Is there any possibility that the generational change of selecting for a trait could or should be done by genetic manipulation or is it just being done by selective breeding basically, if I can put it that way?

Mr HANSEN: At the moment it is selective breeding. However, there are always opportunities as new technologies, as more is known about this—I mean there is still active research in this space to try to fully understand the triggers and the vulnerability pieces, other than wrinkle, which is the sort of well-established one. As more is known in this space, and fast-tracking becomes more and more likely in terms of being able to achieve outcomes—but we are not at that point yet in terms of discovery. The industry when it comes before you later today can talk more about their research and development programs and their R and D pieces. I should just add though, in terms of the alternatives, we have been talking a lot about the breeding and the breeding out of the risk factors here. The industry I am sure will talk to this in more detail, but there is also research underway to look at how do you simultaneously work on the actual cause of flystrike with regards to blowfly. Research around how you reduce populations of blowfly also reduces that risk component.

One of the challenges, and one of the research projects I know that we are looking at at the moment, is around the fact that as you get seasons that have—and it is difficult to say this, given the fact I have just come from a place where it has been snowing over the past couple of days—smaller periods of cold temperature, which would normally give you a break in the population build up of blowfly, do we actually face an increasing risk in these populations which actually will change the trajectory of the risk profile by meaning we might have a year-round problem with blowflies or at least a blowfly problem that does not get a reset every cold winter in some parts of the State. There is work going on at the pest level. There is also work going on around breech modification procedures, so are there other ways in which we can protect the breech region that does not involve mulesing? The industry has got a pretty full R and D portfolio trying to address the question can we reduce the risks to the animal through the animal's genetic make-up? Can we reduce the risks to the animal through the genetic make-up of the blowfly? Can we reduce the risk of pain by modifying the procedures that might need to be undertaken?

The Hon. CATHERINE CUSACK: Have you ever met a farmer that actually enjoys mulesing? I come from Yass and everybody hates it, to my knowledge.

Mr HANSEN: No.

The Hon. CATHERINE CUSACK: Nobody is doing this because they want to. It is because they need to.

Mr HANSEN: Yes, and I am sure that will be something that you can ask those farmers who are here today.

The CHAIR: One of our roles as legislators, particularly when bills are brought before a Committee to look at, is we need to weigh up what might be considered well-meaning legislation with the ability of that legislation to be regulated, enforced and adhered to. Just to play devil's advocate, if this bill was passed and we have mandated pain relief for all these different procedures, how do you see that being enforced, regulated or impacting the work that the Department of Primary Industries does in terms of ensuring that this legislation is being adhered to?

Mr HANSEN: That is a really good question. We need to work with the compliances agencies, who again will be here later today, about what then would you use as triggers or investigative procedures should you have complaints raised or should you have reason to expect that someone has carried out a practice without the mandated pain relief. It is never an easy one because many of these practices are carried out on farms in areas in which it is not readily visible to a passer-by.

However, there are not many producers out there—in fact, you are not able to sell livestock without having tagged them off that property. Therefore, everyone would need to be utilising an anaesthetic or analgesic to be able to do that. So there would be, I am sure, much smarter compliance brains that would come up with ways

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in which you might be able to come up with systems to be able to investigate and to be able to bring successful prosecutions should someone not comply. It is not something that we have turned our heads to yet with the compliance agencies as to what that would look like.

The Hon. PETER PRIMROSE: Is Ms Robinson on the line?

Ms ROBINSON: I am sorry, I could not hear that. I am trying to run the webcast but it is a little bit delayed. Will you repeat the question, please?

The Hon. CATHERINE CUSACK: There is a refresh button to bring you up to speed.

The Hon. PETER PRIMROSE: Under the circumstances, I might direct my question to Mr Hansen. I think that might be best. What is crueller in terms of animal welfare, using mulesing or not using it?

Mr HANSEN: I think that is a really great question for Ms Robinson, actually.

The Hon. PETER PRIMROSE: That is why I tried to ask her, as the director of animal welfare.

Mr HANSEN: Sorry.

The Hon. MARK PEARSON: I think she can hear it, can't she?

The CHAIR: She can but I think there is a bit of a delay.

Mr HANSEN: Yes. Mulesing is only done to remove the worse of the evil in terms of flystrike. But if you do not think that you have a flystrike problem because of either your type of sheep, your geographical location, the season that you have had, then obviously you would not continue to mules just for the sake of mulesing. There has to be a threshold point for a farmer to go, "I know my risk of flystrike. I know the pain that that would cause these animals. Therefore I am going to undertake preventative actions to alleviate that or to reduce that risk of it occurring."

The Hon. PETER PRIMROSE: I am trying to get a handle on the basis of the bill and your argument. In fact it gets down to weighing up, I think, levels of what is a crueller practice. Can I ask you the same question in relation to the use of anaesthetics or other types of pain mitigation in relation to other procedures? What is crueller, using them or not using them?

Mr HANSEN: I think in the vast majority of cases the use of anaesthetics and analgesics provides a much better animal welfare outcome.

The Hon. MARK PEARSON: Just two questions from me—

Mr HANSEN: Sorry, just further to that, Mr Primrose, there will be instances where they can lead to perverse outcomes but they would be the minority of times. I guess that is somewhat reflected in the numbers you see about the use of anaesthetics and analgesics in husbandry practices—the voluntary uptake and use by the farming community at the moment.

The Hon. MARK PEARSON: Correct me if I have not recalled this correctly. Did you say that if a woolgrower was to proactively and assertively—they are not your words—breed out the wrinkles to render the lamb or sheep resistant to flystrike as if they had been mulesed, is that figure 10 years approximately?

Mr HANSEN: My understanding is that was the work that was done by the Cooperative Research Centre for Sheep Industry Innovation that looked at if using the genetic tools available to it then—and I do not know what year in which that was done; this work would have been within the last 10 years—that it would be 10 years to reduce the risk in the flock down to 30 per cent. So that is not complete removal but reducing it down to a level of 30 per cent risk.

The Hon. MARK PEARSON: Are you aware of any woolgrowers, coming back to the Hon. Peter Primrose's question, where they have made a decision not to mules but they still could possibly face flystrike issues during a fly season, yet they decided to employ more staff to check the sheep for flystrike and treat them? I am aware of woolgrowers that have done that. Though obviously that would increase the premium of the cost of the wool, in the balance that the Hon. Peter Primrose explained of what would be more cruel or less cruel to employ 10 per cent more staff during a fly season or perform mulesing, which would be more cruel?

Mr HANSEN: That is one that you would need to have a look at the individual circumstances. If you had unlimited resources to be able to look, treat and care for every sheep on that basis then providing a reduced risk of flystrike is definitely possible. We were having the conversation before the hearing started about availability of labour in agricultural and primary industry enterprises across the country. But that is feasible or technically feasible.

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The Hon. MARK PEARSON: Particularly if over 10 years they are able to get down to only a 30 per cent risk area then that certainly would be feasible, wouldn't you think?

Mr HANSEN: That would be. Whether that kind of workforce would be available to wool producers across the State of New South Wales by 2022 would be a question probably best addressed to the wool producers who come later today.

The Hon. MARK PEARSON: Coming to the question the Hon. Catherine Cusack mentioned about wanting consistency across the nation as opposed to States taking particular stands on an issue, I think as you referred to probably States and Territories do take a particular stand when the rest of the country is dragging its feet. So Victoria has mandated pain relief. Surely the Parliament grappled with this question of the residue of the drug in the body and then in that balance made the decision it is far less cruel to mandate pain relief as opposed to not. Has your department looked at how the Department of Primary Industries or Agriculture Victoria grappled with this issue before legislation was passed?

Mr HANSEN: Yes. I have two comments on that. With the national standards and guidelines for sheep it is interesting to note that New South Wales is one of the two jurisdictions that has actually referenced those standards and guidelines in our prevention of cruelty to animals legislation. Victoria is not one. They intend to do it at some stage in the future but they have not actually referenced the national standards and guidelines yet. They have moved to mandating mulesing with pain relief as of, I think it was this year.

The Hon. MARK PEARSON: Correct.

Mr HANSEN: On 1 July this year. The industry is very good at dealing with how it adjusts to the issue of the chemical residues and the use of anaesthetics and analgesics around mulesing. Hence why—

The Hon. MARK PEARSON: Sorry, can you just repeat that?

Mr HANSEN: The industry has become very good at managing the anaesthetics and analgesics around mulesing. Mulesing is typically done at an age and in a period in which the sheep are not likely to be transferred off the property very soon afterwards. So the question in the proposed bill in front of us here is not the proposed mandating of anaesthetic and analgesics for mulesing. It is actually about the prohibition of mulesing and then the mandating of anaesthetics and analgesics for other animal husbandry practices such as ear tagging et cetera.

The Hon. MARK PEARSON: But including mulesing up until the proposed ban.

Mr HANSEN: Until 2022, yes.

The Hon. MICK VEITCH: Mr Hansen, listening to the conversation, reading the bill and looking at the media commentary you would think that every sheep in Australia is mulesed. It would be fair to say that that would be incorrect.

Mr HANSEN: That is correct.

The Hon. MICK VEITCH: For instance, there is no reason to mules dorpers, Border Leicesters or Dorset Horn—would that be correct?

Mr HANSEN: That is correct.

The Hon. MICK VEITCH: The mulesing operation is only conducted on mainly merinos, possibly Corriedales.

Mr HANSEN: Yes—those wool breeds that have a higher susceptibility to flystrike.

The Hon. MICK VEITCH: Also it took generations to breed the wrinkles into the sheep as part of a husbandry practice so therefore you would assume it is going to take a while for it to breed out.

Mr HANSEN: It will. However, we do have the benefit of improved data genetic tools so we should expect a quicker ability to breed out. But again it is not the kind of thing that happens with two lambs.

The Hon. MICK VEITCH: We are talking about a particular type of fly that will strike sheep. That is not a native fly, is it? It is an introduced fly.

Mr HANSEN: That is my understanding.

The Hon. MICK VEITCH: This is my last question. Sheep are not just susceptible to flystrike around the breach area. That is the main area of flystrike but there is potential for body flystrike as well.

Mr HANSEN: There is.

The Hon. MICK VEITCH: Has any research been done on that?

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Mr HANSEN: Not that I am aware of but the industry would be in a better position to update you. I am aware of the breech flystrike research that has been done. I am not aware of body strike.

The Hon. MICK VEITCH: But it is fair to say that sheep will be struck in other parts of the body other than the breech.

Mr HANSEN: That is right. Wherever there are protected areas in which moisture and dags can collect.

The CHAIR: There are no further questions. Thank you for your time, Mr Hansen and Ms Robinson.

(The witnesses withdrew.)

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PETER MORGAN, Executive Director, Australian Council of Wool Exporters and Processors and Private Treaty Wool Merchants of Australia, before the Committee via teleconference, affirmed and examined

PETER WINDSOR, Professor Emeritus, Sydney School of Veterinary Science, University of Sydney, before the Committee via teleconference, affirmed and examined

SAM STEPHENS, Chief Executive Officer, Australian Wool Growers Association, before the Committee via teleconference, affirmed and examined

The CHAIR: I welcome our new witnesses. You will be given the opportunity to make a short opening statement. Following that, Committee members will ask you questions. The Committee member will identify themselves when they ask you a question. If you do not hear the question clearly, simply let us know because we are grappling with teleconference technology. I can then repeat the question for you. Would either of you like to make a short opening statement?

Mr STEPHENS: I am happy to. Animal welfare is a key priority for our organisation and it is for this reason that Australian Wool Growers Association [AWGA] strongly opposes the current wording of the bill. We feel that the bill itself is contradictory. On the one hand, it is calling for the banning of the mulesing practice, which would jeopardise the welfare and wellbeing of millions of sheep, and, on the other hand, it is calling for all animal husbandry practices to use pain relief. The Australian Wool Growers Association will not support any move to ban mulesing until a viable alternative is found, nor will we support the setting of any deadline to phase out the practice. Surgeries are an important procedure for the survival of both humans and animals and no-one can argue it is a pain-free surgery, hence AWGA's position is to support the continuation of once-in-a-lifetime surgery against breech flystrike and support the use of pain relief during this procedure to ensure the best outcome for the welfare and the wellbeing of the sheep.

The CHAIR: Thank you. Professor Windsor, do you have an opening statement?

Professor WINDSOR: Yes, I will just read out the summary statement from a paper that I wrote a few years ago essentially to try to advocate for a best-welfare outcome in relation to mulesing. The statement is:

To address international animal welfare concerns [regarding] mulesing, we proposed that, in the period until sheep with the genetics to significantly decrease susceptibility to [flystrike] have been more widely dispersed, provision of pain relief during mulesing should enable breech modification to continue on properties where the sheep genotype requires it and the [flystrike] incidence warrants it.

The CHAIR: Dr Morgan, do you have an opening statement?

Dr MORGAN: The members of the Australian Council of Wool Exporters and Processors and the Private Treaty Wool Merchants of Australia are very conscious of the issues that are involved in this. Many of them have a farming background or investments in wool-growing properties themselves. Apart from their commercial interests from the wool-buying point of view, many of them have a background that is associated with our farming and wool-growing. They are very conscious of the impact that flystrike has on sheep and, like others, they are opposed to any banning of mulesing in [inaudible] because of the consequences that it would lead to by creating an enormous risk of flystrike amongst many animals. Anyone who has seen an animal that has been struck by blowflies knows exactly how debilitating that issue is, so they are opposed to the banning of mulesing. They are very supportive of the use of pain relief in mulesing and in other farming techniques and that issue has great support.

The Hon. MICK VEITCH: My question relates to, it might have been, Dr Morgan's statement just then. Essentially there is no support for the banning of mulesing at the moment. Is that because there is no suitable alternative to the mulesing operation available?

Dr MORGAN: Yes, that is because of no suitable alternative at the moment, but we are very conscious of the progress that is being made towards what we would call a mules-free environment and the impact of the bleeding of sheep for resistance to flystrike, and we have made reference to body shape there. If you look at the submission from the NSW Stud Merino Breeders you will see they have got a shot of three photos of sheep over the years and the change in body shape is really very apparent. There are other aspects associated with this: the development of scorecards to assist people in selecting for animals that have less wool in the breech, less dag cover; and the work that is being done to determine the heritability of these characteristics and the work that is being done to look at techniques. People have used management techniques to minimise the risk of flystrike for several years and these have been more fine-tuned over the recent years. Also very important, of course, has been the development of pain relief products since about 2005, and they are being increasingly used.

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The Hon. MICK VEITCH: Thank you for that. My second question is to Mr Stephens. If the bill in its current form was to be passed by the Houses of the New South Wales Parliament, so therefore mulesing operation would be banned by 2022, what would be the industry adjustment required to accommodate that and do you have an idea about what that would look like?

Mr STEPHENS: Sorry, I just missed the last little bit. You are very difficult to hear, I am sorry. You are talking about the consequences of the bill?

The Hon. MICK VEITCH: Yes.

The CHAIR: And Mr Veitch is asking what would be the industry adjustments that would have to occur if the bill was passed in its entirety with that phasing out of mulesing by 1 January 2022?

Mr STEPHENS: I could take a while to answer this question but I will try and be brief. There is great destruction in the merino breeding industry and merino wool-growing industries. They may need to make greater changes in management, which are perhaps not as convenient or as commercially satisfactory as possible. Breeding, there is a limit to the rate at which you can introduce breeding changes; genetics is one of those things that does not happen in 30 seconds with the wool industry or other livestock industries either—cattle or goats. They might have to increase the amount of labour they have because of more regular checking of sheep or they might start to move away from wool-growing sheep to meat-producing sheep also. But there are a variety of things that a woolgrower would be required to do and one of the consequences with this wool production is it puts pressure on people who process wool. If you manufacture wool the only type that you can really use is the equipment you have got.

The Hon. MICK VEITCH: Any other individuals want to comment?

Dr MORGAN: I just confirm that. There would be a major exodus out of the merino industry; that is because through the reliance of chemicals in terms of if we get a wet season and away from these drought years, a lot of people will be in that horror position of chasing fly and certainly if the bill went through as is you would see a lot of producers move out of the merino industry because they just would not be able to survive.

Professor WINDSOR: I would like to add to that too. The main issue would be a much worse welfare outcome for the merino sheep in Australia. I can speak from our experience with the University of Sydney flock of 7,000 merino breeding ewes based at Marulan near Crookwell where we ceased mulesing towards the end of the previous drought in 2009. We only had one season of unmulesed sheep before we had to bring them in as hoggets and mules them because we went from basically having zero flystrike to a massive outbreak that was basically uncontrollable because of the wet summer that we had that year. That results in sheep ill and dying in large numbers on a property that normally had none.

The other issue in relation to this is the necessity for increased crutching. One of the big problems with unmulesed sheep is the accumulation of dag around the tail. When you try and remove that, that causes injury to the sheep and it is stressful and painful. It is estimated that if you had to stop mulesing that you would probably do at least two or three crutchings a year rather than normally one, and there is more resistance by shearers to crutching and shearing with daggy sheep. There would be a greater requirement to supervise because it is a very painful experience to have dag removed by shears, which can often actually remove the skin itself. So in a worse-case scenario, basically mulesing the sheep at crutching. So there are a lot of difficult issues to do with just a ban of mulesing currently with the type of sheep that still exist in many merino flocks in the flystrike areas.

The Hon. MICK VEITCH: I have got one last question. This bill relates to mulesing, so flystrike around the breech. I am a former shearer so I have a bit of an idea about this, but could you say for the record—flystrike occurs in other parts of the sheep's body as well. Would that be correct? What are your views, just focusing on fly strike around the breech as opposed to other areas? We will start with Mr Stephens.

Mr STEPHENS: Yes, as you alluded to, an animal can be struck anywhere on the body. The bulk of the flystrike is around the breech area. If it is throughout the body, in most situations that is a breeding decision or a poor breeding decision or result, whether it is devil's grip, which is the gap behind the shoulder, a bit behind the shoulder, you can get increased chances of flystrike through poor confirmation or poor genetics.

The Hon. SAM FARRAWAY: A question to Mr Stephens. Just touching on your submission, you have highlighted that without surgical mulesing it has been estimated that a ban on mulesing could lead to the increased annual burden of seven million sheep with flystrike and the death of up to a million Australian sheep from one large fly wave season. I just wanted you to touch on those figures and also the CSIRO study that I think is also mentioned in your submission that merino sheep have a sixfold increase risk of breech strike compared to mulesed sheep under the same conditions. They are pretty big numbers.

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Mr STEPHENS: The figures that are stated have been recorded elsewhere through various results and surveys. In regards to the sixfold, again, that is a CSIRO comment to it, and Professor Windsor would probably be able to back this up in a scientific manner. The merino carries wrinkles or excess wrinkles, versus a lot of your other breeds of sheep are very plain bodied and do not have wrinkles, like the Border Leicester or Corriedale, or whatever it may be. They certainly do not have that wrinkle, they are not wool producing animals in comparison to the merino, but they do not have the wrinkle around that breech area.

The Hon. SAM FARRAWAY: Did anyone else want to make a comment?

Professor WINDSOR: Yes. The estimate of one million sheep dying and seven million afflicted by flystrike comes from the Mackinnon Project estimates that reflect a large amount of on-farm studies going on—that is from the University of Melbourne. That was just prior to the 2010 proposed banning by AWI—which was argued against, as being impractical at that time. The CSIRO study is very interesting because they did work in Western Australia and in Armidale and found almost identical data showing a 6% increase in flystrike in unmulesed sheep. You could attribute 2.2% of that to the wrinkles, 2% to dag, and 2% to breech cover, about 1.7%, but there was also a 3.2-fold increased risk that was independent of those three conformational issues. Possibly some of that is to do with the tail, and as I alluded to earlier. In the mulesing operation, there is stripping of the skin on the edge of the tail that helps with the cleaning of the breech as that is one of the areas that accumulates a lot of the dag just around the tail. At the time when we stopped mulesing there was flystrike in very young sheep, which we were very surprised to find, and that was all attributed to the accumulation of dags around the tail.

One of the problems that we have had is that we have had almost a decade and a half now of using plain-bodied rams in our flock at the University of Sydney farm and despite that there is still some wrinkle and dag. But the main accumulation of dag is when you have wet years like we have had with increasing pasture improvement to try and finish lambs or fatten sheep for market, you increase the risk of scouring. Especially if you are finishing them on oats or other crops such as canola etcetera, increasing the dag risk, so increasing the issue of flystrike risk. It is a very complex interaction of many variables and the CSIRO paper does a good job in trying to put some figures around that increased risk. But a sixfold increase risk is quite an astonishing outcome really and shows me how effective breech modification is. It is simply a very effective method of flystrike prevention.

The Hon. SAM FARRAWAY: Another question, this time for Mr Stephens. Obviously you are a CEO representing the Australian Woolgrowers Association. I wanted to touch on an answer you gave to my colleague the Hon. Mick Veitch around the industry itself. You touched on this earlier and I wonder if you would expand on it, what are the consequences for your industry, in particular the merino industry, if this proposed bill were to pass through parliament? I have heard from a lot of people involved in the merino industry, definitely the stud merino industry, especially around the Central West where I live, who have been on the land there for 70 years, and the welfare of their animals is their utmost priority, they know what they are doing. Reading some of the figures in your submission, you said up to 80 per cent of mulesed lambs receive pain relief when undergoing the procedure. Clearly, this has to be industry led. Back to the original question, which was around the wool industry itself, in particular the merino industry, what would some of the consequences be, and perhaps some of the unintended consequences, for the industry?

Mr STEPHENS: Due to the changing of animals, various people have changed their genetics to head down a plainer line that has been mentioned before. Some have stopped mulesing because of that, but as Professor Windsor highlighted there, you still have an issue even there with the fact that you have got wool-bearing on the tail, then you have got the increased chance of dags and/or flystrike. The industry would change. There are a lot of people, a lot of growers in the western country, we are talking not the inside country, that back country. We have got hundreds of thousands of acres and if there was a fly wave come through there, basically you are jeopardising that entire flock. If they had to stop the mulesing and their genetics is not in that position, they are not ready for it.

The industry has an issue in relying on chemicals. There is chemical resistance as we stand and this industry has not got a lot of viable alternatives as far as chemicals and that reliance on chemicals. There is that issue there of resistance in chemicals and that would impact heavily on the industry as a whole as that over-reliance on chemicals to push through a fly wave, and simply not practical in a lot of country to get over that country. I know personally, middle of New South Wales when we used to mules as hoggets rather than lambs, an autumn fly wave, even though we are only running 6,000 lambs in a close environment, it was very, very difficult to manage that throughout that period, especially in the autumn.

The Hon. SAM FARRAWAY: As a follow up around more western New South Wales country and farming operations in the industry, it was suggested earlier when we were talking with DPI with Mr Scott Hansen,

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one of my colleagues on the Committee posed the suggestion that perhaps the industry could absorb additional cost in monitoring the sheep throughout the season for flystrike, rather than a mulesing practice. Do you think that is a viable option?

Mr STEPHENS: Not at all. If you go back to—as Mr Veitch mentioned, he was in the Central West—30 years ago we had station hands, we had three houses full of station hands and workers and there were 13 kids getting on a bus, just on our station alone. You look at the school runs now and the buses are all but empty. We do not have the workforce, and that is in the inside country. You get out in the back country, it is just impractical to be observing for a fly wave. And when it comes through there is no warning, apart from a bit of rain there is no warning. The chances of managing that and affording labour for just that situation is just not practical.

The Hon. LOU AMATO: My question is to Mr Stephens. In your submission you mention that:

Some animal rights groups are driven by radical ideals to end all types of animal farming. They know that without mulesing, the Australian merino industry would not be able to survive.

Could you tell the Committee more about that? You have touched a little on this before but could you tell me a bit more about the animal rights groups? The other thing I would like to know is if the Animal Justice Party's proposed bill came into effect in 2022 what percentage of sheep farmers would cease to operate and what would be the cost to the New South Wales economy?

Mr STEPHENS: In regards to the animal rights, the comment there is plenty of animal rights groups have expressed openly their strong desire to see the cease of all animal production. On a financial impact dollar-wise, I am sorry I cannot quote that or do not have that number at hand.

The Hon. LOU AMATO: Do you have an idea of what the percentage might be of farmers who would cease to operate?

Mr STEPHENS: No, I do not have a number to quote. All I know is that when you talk to constituents, and all our growers, et cetera, that have their particular genetics, et cetera, they have voiced that, financially, they would struggle to maintain and stay in the merino industry.

The Hon. LOU AMATO: It would have a massive impact?

Mr STEPHENS: Massive, yes.

The Hon. LOU AMATO: Also in your submission you say that 80 per cent of mulesed lambs received pain relief when undergoing the procedure. Already 80 per cent are doing it?

Mr STEPHENS: Correct. I do not have an issue to see where pain relief is compulsory to use during this procedure. We have got 80 per cent of producers using Tri-Solfen. I have personally been involved around the use of pain relief since 2005. It is an excellent product with excellent outcomes. The 80 per cent is through data from the AWEX.

The Hon. LOU AMATO: That is pretty good. I wonder why we are having an inquiry when 80 per cent already use pain relief?

Dr MORGAN: I absolutely concur. Because if I could just add a little. We have been talking about the consequences in a lot of questioning. I referred to those also. I think it is very important to remember the investment that the industry is making in moving to what I call a mules-free environment or a low dependence on that. We have highlighted breeding. We have highlighted management. We have highlighted the use of pain relief products. This is an ongoing thing. It is recognised in our customer countries, or their concerns were raised in the very early days, and rightly or wrongly there is a commercial incentive for growers to go down this path also, apart from the animal welfare and the animal management issues. There are premiums that are now starting to become available in the market for wool that comes from sheep if they have a got a better animal welfare status.

The Hon. LOU AMATO: You know that farmers always use best practice. They always know what is best for their animals and they certainly do take care of their animals.

Dr MORGAN: Why wouldn't they do anything else?

The Hon. LOU AMATO: That is right. You are absolutely correct, Dr Morgan.

Mr STEPHENS: It is their livelihoods. The welfare of the animal is critical and paramount to their livelihood and also basically they live and breathe working on the land and working with animals so the welfare and wellbeing of the animal is paramount.

The CHAIR: There has been a lot of conjecture in submissions about a time period in terms of when you can breed out, I guess, the wrinkly skin and move towards, as you say, a mulesing-free environment. What

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do you see as a reasonable time frame in terms of when a farmer starts the breeding out process to when he can comfortably say that, I guess, his farm is not requiring that mulesing? The RSPCA has said five years. The Humane Society quoted a study when one person said two years will do, and it is relying on that. Other people have said 10 years, 20 years. What do you think is a realistic time frame for a farmer to transition?

Dr MORGAN: I am happy to make a comment. We in the Central West headed down that line and we actually stopped the practice in the 2006. So genetically it is possible through a lot of changes and changing of your breeding types and everything else. Is it the best outcome? Possibly not because of that mention of the tailstrip but for us at the time we changed our whole practice, our whole everything, and we were in a position to do it. Genetically we have been breeding down that plainer type animal. If you go on the big picture, as far as many studs, stud breeders et cetera they have got a lot of time invested, dollars invested into the breeding of their type of sheep. For a lot it certainly is not achievable with their present genetics in one or two generations, it is probably more like four or five and it is a complete change of breeding structure and strategy. For others it would be 20 years. Certainly the only possible change if you had superior genetics that have gone down that breeding program and through in a lot of situations not commercially viable or practical in AI programs or whatever with superior genetics—I think two generations would be very difficult to achieve for the majority of the wool industry.

The CHAIR: If this bill was passed and we had a two-year grace period when mulesing is banned, you will effectively still see large proportions of farmers left vulnerable because they would not be able to effectively breed to a non-mulesing environment within that time frame.

Mr STEPHENS: Certainly. We are only talking basically one mating season between now and that particular date. It is one mating season. For example, those lambs are not then able to conceive and have lambs for another two years. So it is five or six generation age groups that you are still mating and running a business to. To have one mating and think you are going to be shutting down the mulesing operation, with just one year ahead of us, is just unfeasible.

Dr MORGAN: I think it is important to remember that while breeding is so important it is not the only tool in the kitbag. I think, for example, the development of Tri-Solfen back in the mid-2000s was just fantastic because it enabled growers to continue mulesing but in a much more animal welfare friendly situation than had been in the past. In our submission we talk about it and I have mentioned it a couple of times. It is a combination of things. It is breeding. It is management and it is the use of pain relief products and maybe there is something else. You will hear later on today from John Steinfort, who has done the work on developing liquid nitrogen to tighten up the skin in the breech area. We are still waiting on science assessments of it. These are the sorts of things that are happening in the industry. I think it would be very dangerous to try to set a time limit. The industry in good faith said that they would cease mulesing in 2010 and for all sorts of reasons, particularly the ones that we mentioned—if flystrike was still a risk and you did not have mulesing to ameliorate the situation it would be an enormous problem. We have just got to be careful about trying to set time scales when it is more important to be setting management or "things that we are doing" schedules.

The Hon. MARK PEARSON: I forget which gentleman said that you were managing to pretty much genetically breed out the wrinkles for your sheep, where it has not been necessary to mules since early 2000. If the industry is so committed to animal welfare and they have been on notice that mulesing has to go, why is it 18 years later, after the industry has been on notice and probably before—and Ian McLachlan's announcement in 2010 that mulesing should be banned. Why are we still grappling with the mulesing of lambs on such a large scale if the absolute commitment to animal welfare is there?

Mr STEPHENS: The commitment to animal welfare—I mean, the producers are committed. The commitment to welfare is not just—you are focusing just on an operation to say that they are not committed to welfare, whereas the producer, as has been said, looks at the wellbeing and welfare of the animal for its lifetime. A once in a lifetime procedure in mulesing is for the best outcome of the animal. So, they are committed to welfare there alone.

The Hon. MARK PEARSON: Professor Windsor, I understand you are a veterinarian.

Professor WINDSOR: Yes.

The Hon. MARK PEARSON: You would probably be aware under section 20 of the Prevention of Cruelty to Animals Act it would be an offence to mules—or any other mutilation of a lamb—if the lamb was six months and one day old, as opposed to six months or younger. Why is that the case?

Professor WINDSOR: It is an interesting question. I think that was applied and there is not a lot of scientific evidence behind it. It is to do with the management of animal restraint. It is probably easier to manage the operation in lambs than in older animals. The age argument has been challenged. I have challenged it myself, in relation to age of mulesing as it may be better in some situations actually to mules hoggets because then you

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can have a better understanding of whether the actual animal needs the mulesing, or how much flesh needs to be removed to make it effective. The variation in the phenotype of animals is a little bit easier to determine as they get a bit older. So age is just one of the hangovers probably from days when there was no such thing as pain relief. The revision of pain relief gives us an opportunity to revisit a lot of that because there is probably a better welfare outcome to—for many of us as veterinarians currently working with the sheep industry, it is a better welfare outcome for the sheep to mules—

The Hon. MARK PEARSON: Sorry for interrupting. Would you say it was once the view that young animals do not feel as much pain as older animals?

Professor WINDSOR: No, no. It is nothing to do with the feeling of pain. It is to do with restraint. It is a lot easier to restrain a small animal. There is no real evidence that young animals feel less pain. This is borrowed from—we have two types of animals. We have precocial and we have altricial. Precocial animals are those that are—their nervous system is very well-developed at birth. Really, within a day or two—they are able to ambulate at birth, so they have high levels of sensory development. Sheep are in that category as opposed to humans, cats and dogs, which are in the altricial animals where the nervous system is not well-developed. Unless it is within 24 hours, where there is a hangover of endorphins and things like that from the birth process, there is no real, solid, scientific argument that you should do it in very young animals.

The Hon. MARK PEARSON: We are running out of time so just one more question, Professor Windsor. The director general has put into the legislation after every procedure under section 24 that these procedures can be done—such as mulesing, et cetera—but in a manner which causes no unnecessary pain. If mulesing or other mutilation of an animal was to occur without pain relief, would the person in charge of the animal's welfare be at risk of facing a legal consequence? Could it be argued that the procedure was done, which caused pain which was not necessary? Would you like me to repeat that again?

Professor WINDSOR: Who are you directing this question to?

The Hon. MARK PEARSON: To Professor Windsor, the veterinarian. Under section 24 it says you can do these things to animals in a manner which causes no unnecessary pain. The question is, if it was done to an animal when there is pain relief available, would it be causing pain which was not necessary?

Professor WINDSOR: I would agree with that statement. You cannot deliver an intervention in a normal husbandry environment without some pain, but certainly you can diminish the pain significantly with the available pain relief mechanisms. So, myself and nearly all my colleagues support that pain relief should be mandatory for interventions such as mulesing.

The CHAIR: Thank you, gentlemen. That concludes our time with you today. Thank you for coming to us via teleconference and sharing your wealth of industry knowledge and experience.

(The witnesses withdrew.)

(Short adjournment)

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JAMES JACKSON, President, NSW Farmers Association, before the Committee via teleconference, affirmed and examined

STEPHEN CRISP, Chief Executive Officer, Sheep Producers Australia, before the Committee via teleconference, sworn and examined

JO HALL, Chief Executive Officer, WoolProducers Australia, before the Committee via teleconference, affirmed and examined

The CHAIR: We now welcome our next witnesses. The Committee will allow any or each of you to make a short statement and that will be followed by questions. Mr Jackson, do you wish to make an opening statement at all?

Mr JACKSON: NSW Farmers welcomes the opportunity to provide the farmer perspective to this inquiry into the stock animal procedures and thanks the Committee for a chance to appear before you. Today I represent 23,000 farmers across New South Wales, especially the many sheep, wool, cattle, pork, goat and dairy producers that would be negatively impacted by this bill. I would argue I also represent the animals under their care. Animal welfare is at the core of livestock production. Good animal welfare underpins all the decisions a producer makes. Our farmer members understand the inherent link between animal welfare and productivity. Therefore they provide the utmost level of care for their animals.

This bill is dangerous for agriculture and our animal production industry as its application is far reaching and broad. First, mulesing must not be banned. Doing so would expose millions of sheep to the risk of flystrike. Wool is produced across a range of regions and climates in New South Wales which require different production systems. These variations mean that no one uniform management tool suits all woolgrowers, especially in relation to flystrike mitigation. Mulesing provides lifetime protection for livestock and must be retained as a tool available to the farmers. While producers support alternatives to mulesing currently there are no viable alternatives despite a lot of money being spent on this. Further, the time frame proposed to phase out we mulesing is totally unfeasible and implausible. Quite simply, genetic changes cannot be achieved in 18 months.

This bill also seeks to regulate pain relief for common animal husbandry procedures. While NSW Farmers is committed to ensuring high-quality welfare outcomes we do not support regulating pain relief uniformly. Livestock industries have demonstrated high voluntary adoption of pain relief: Close to 85 per cent of all growers now use pain relief during mulesing and the use for other practices is increasing rapidly. This is proof that the Government intervention is not required. NSW Farmers support mandating pain relief for mulesing. However, this must happen by an industry-led initiative. Our approach ensures the industry has a scheme to address market demands and it ensures buy-in from the participants along the whole of the supply chain.

There is also an issue of accessibility and food safety to consider. Access to these pain relief products is only relatively recent and there is not uniform access across the products and industries. There are also food safety risks posed due to the safely prescribed withholding periods on these products to prevent residues within our domestic and export meat supply chains. In closing, NSW Farmers support high levels of animal welfare. However, mulesing is an essential tool for wool producers. Simply, a ban would lead to poorer animal welfare outcomes. Thank you.

Mr CRISP: Obviously, thank you very much for the opportunity to present to the inquiry. Sheep Producers Australia [SPA] is the peak industry body for sheep and lamb producers and has evolved from the Sheepmeat Council of Australia. SPA is the prescribed body to represent producers' interests regarding levies, their collection, and what is spent on their behalf. SPA is one of the major contributors to the sheep standards and guidelines and in relation to animal welfare. This is why our producer committees are a member of the sheep health project, which is administered by Animal Health Australia.

As to standards and guidelines in our State, until mulesing is phased out it remains an important animal husbandry practice. SPA policy is to advocate for the phasing out of mulesing when viable alternatives become available. There has been plenty of producer time and money spent via the research and development corporations and other research bodies but as yet the alternatives are not as effective as mulesing as a long-term solution to the flystrike issue. SPA does not call for the banning of mulesing due to the adverse outcomes in animal welfare that would result. The sheepmeat industry relies on many producers that have a dual wool and meat enterprise. Genetics is playing a major role in industry moving away from mulesing. However, variations in climate and the effectiveness of proposed options have really meant that the alternatives are not ready to assist all producers at all times when controlling fly waves when they occur.

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SPA agrees that providing pain relief is best practice and should always be used when performing the mulesing procedure. This should be done through industry initiatives that have shown a swift update of pain relief products. With regard to other invasive procedures, the standards and guidelines outline the age limits for the animals and those who should perform the procedures, along with the pain relief availability and requirements for its use. Sheep producers put the welfare of their animals at the forefront of their operations. They know this from an ethical standpoint but also appreciate that any setback to the animals' welfare or unnecessary stress is poor practice and detrimental to their operations from any viewpoint. The regulation of other procedures would both complicate and unnecessarily move away from adherence to the standards and guidelines. Any changes should be completed through the review of those standards and guidelines. Any changes would be effective in getting industry practice changed and well referenced by all parties that work within the industry in upholding animal welfare standards. Thank you very much.

The Hon. CATHERINE CUSACK: I have a question directed to Mr Crisp. Thank you very much for your submission. What engagement is there with animal welfare organisations in the development of those policies?

Mr CRISP: You mean the standards and guidelines?

The Hon. CATHERINE CUSACK: Correct.

Mr CRISP: It is a process that is run through Animal Health Australia. They take submissions from any and all organisations who are interested in contributing to the standards and guidelines—organisations such as the RSPCA obviously, Animals Australia, ourselves: Usually everyone contributes as well as any individual. Obviously there are campaigns that are run at the time that the standards and guidelines are put up for review and this can result in inundation of materials going in there, that there is a very substantial engagement.

The Hon. CATHERINE CUSACK: So there is an existing process that is basically open to all to contribute to that is evolving the guidelines of best practice.

Mr CRISP: Yes.

The Hon. SAM FARRAWAY: I have a few questions. I will first direct them to Mr Jackson. Obviously, we have heard a lot about mulesing but this proposed bill covers a fair bit more than just mulesing. In your submission you raise a fair bit of opposition for ear tagging, castration, dehorning, tailing and disbudding. Could you expand on that because that is obviously an important part of this bill? It is not just mulesing?

Mr JACKSON: Thank you for the question. It is critical because the mechanics or the operation of this bill are essentially impractical. If you mandate or regulate pain relief for ear tagging, for instance, ear tagging in New South Wales is compulsory. You actually have to tag sheep before they are taken to the saleyards or transacted. The tags actually fall out or get ripped out. If you have to put a product on the animal or in the animal that has that withholding period of 90 days you would be putting some of the export markets at risk. Australian producers are very good at complying with these withholding periods. Essentially, it would mean that those animals that are re-tagged at the point of sale or at the point of transport would have to be separated and sent 90 days later. That is quite impractical.

You look at it for tail docking and you come across the same problem: lambs are marketed as early as 12 to 16 weeks—those suckers are turned off quite quickly. The idea that the 90-day withholding period on an analgesic is a practical intervention for tail docking, with our other obligations so far as complying with withholding periods, is completely impractical. It demonstrates a lack of understanding of the importance of traceability and the nexus between biosecurity and animal welfare because that traceability equation is quite intimately related to animal welfare outcomes—because, of course, the inescapable nexus between by security and animal welfare. It might be well meaning but it is not looking at animal welfare in a holistic sense. It is very important to look at these procedures and the application of these laws in the context of the animal's life and the production system that it finds itself in.

The Hon. SAM FARRAWAY: Just one other question—and I think it is covered in the NSW Farmer's submission, but I am happy to hear from any three of those on the panel. If you were to regulate pain relief, are there enough products on the market to have that enforced throughout the industry?

Mr JACKSON: The answer is no. Essentially, there would be some products that you would be using off label recommendations, because there is nothing that the Australian Pesticides and Veterinary Medicines Authority [APVMA] now has approved for use in goats, for instance. Some of these industries would be between a rock and a hard place with respect to this. So, no, there is not the access to the molecules or the strategies that the bill assumes are present at the moment. So, yes, there is an inherent problem with it. Best practice is certainly

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using pain relief for some of these operations, but the practicalities of it are fairly impactful for the industry and not in the interest of the animal, ultimately.

The Hon. SAM FARRAWAY: With regard to some of the chemical options that are out there or have been suggested in some of the conversations I have had and reading up on this—and excuse my ignorance because I am only a pretend hobby farmer—how viable are they? Because do they not increase the resistance to worms and parasites in general? That is what I have read about some of the chemical options out there and available in the market.

Mr JACKSON: That is correct. A molecule like ivermectin is actually a very powerful and useful molecule but the problem is, if you use chemical intervention to mitigate flystrike or you rely too heavily on chemical intervention, you will potentially torch some of these chemicals. You will create resistance or you will expedite and make resistance to these chemicals more accelerated because exposure to them will change—it just increases the rate of the flies becoming resistant to these chemicals. There is a long list of chemicals that have become redundant essentially because the flies have developed a genetic resistance to them. It is important to retain the chemical interventions—and there is some very good chemistry available for flystrike.

It is important to retain that chemistry for strategic treatment for other types of strike, for example poll strike, body strike—the other unavoidable strikes that you get with sheep. So, yes, you are dead right, there is the potential to compromise some of these tools that are presently available. The other problem is, some of these chemicals have quite high withholding periods and a lot of our export markets now are very sensitive to extraneous molecules in their food. So their tolerance to finding extraneous molecules is quite low. Australian producers are very good at ensuring that they adhere to withholding periods on the chemistry, but this will certainly put more strain on that system, if you like.

The Hon. SAM FARRAWAY: Just to follow on and for the record, clearly, beyond mulesing, NSW Farmers is opposed to the extension of what is included in the bill—whether it be earmarking, ear tagging, castration, dehorning, debudding. That is obviously from the 20,000-odd farmers you represent and that is clearly the industry view, as well.

Mr JACKSON: It certainly is. There was a motion passed to essentially drive mandating of it through this industry-led mechanism. It is a mechanism—there is a document called a wool declaration that is audited independently that we can use to drive adoption of pain relief and mulesing. The adoption rate at the moment is very high and it is increasing. I think people are very well aware that it is best practice to use pain relief and there is, in fact, a legal obligation to use it older than six months. Under six months it is best practice to use it, in conjunction with other methods to minimise the impact of the operation.

The Hon. SAM FARRAWAY: My final question I will direct to Mr Jackson, but I am also interested in the view of Mr Crisp and Ms Hall, as representing different industry bodies. I have been reading up that flystrike can cost the industry \$280 million per annum and mulesing prevents over three million sheep from becoming fly-struck each year. In the submissions that I have read, the two-year time frame is not only unachievable but also even less than that—it is really about 18 months. So, the question I have, which I am sure others on the Committee were probably going to ask as well and touch on, is: In 18 months, what is the consequence for the industry? When 1 January 2022 hits, what happens to the industry, in terms of people exiting the industry? What happens to those who are not going to continue under that sort of framework, or legislation or the provisions of the bill if it was passed by the Parliament?

On behalf of the 20,000 farmers you represent, Mr Jackson—and obviously Mr Crisp and Ms Hall from your respective organisations—what are the unintended consequences of the bill for the industry? I think it is worth noting that I read that not only is Australia the largest wool producer—and I think it is covered in someone's submission I read—if New South Wales was a country, we would be the fourth largest wool producer in the world, just as a State. So, yes, the welfare of the animal is important but there are also huge economic considerations to make here and, from what I have heard, seen and read, there would have to be some unintended consequences for not only the welfare of the animals but also the economic consequences for the industry. If the bill was to come in, where do you see the industry? When 1 January 2022 hits, in your best guess, what happens?

Mr JACKSON: I think the CSIRO paper gives you some direction there. I think that paper suggests, Australia wide, it would be in the order of seven million sheep would get fly-struck and a million of those would die. We do all understand that welfare is not just about mortality rates, but it certainly is something about mortality rates, so there would be a significant welfare impact of phasing this out in 2022. The other problem or the issue that has been put around the traps that somehow you can breed bare breeched animals in 18 months is very problematic, in my view, and potentially quite dangerous, because industry uses selection indexes. They are selecting at the same time for a number of different traits. Some of these traits are production traits and some of them are essentially welfare traits.

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I would loathe—I use the MP+ index, which is the merino plus index, which includes a number of metrics about easy-care animals, including wrinkle score. I have used it ever since it has come in, but I also want animals that actually have resistance to barber's pole worm, or worms, because that is another big welfare review and productivity issue. I use a selection index that covers a number of different production traits; thus you are not putting all your eggs in one basket. You are actually looking at a selection index across a range of traits. This is best practice, and if you do this the selection pressure for any one trait is reduced. The idea that you regulate or you push people to use one trait alone, or concentrate on one trait—you may well have perverse outcomes for other traits.

It would be very unfortunate if we were forced to select exclusively for wrinkle score and that had a negative correlation with other production traits or other welfare traits that would have welfare impacts on the animal. Be careful about regulating any one part of it, because you can perversely increase the risks in other parts of that selection process. It is unfeasible to move in 18 months. The reality is mulesing is a very good tool to use with genetic selection. There are these pain relief products available. The uptake of them is increasing. This is a good news story about animal welfare.

The Hon. SAM FARRAWAY: Did Mr Crisp or Ms Hall have any comments as industry groups regarding the essentially 18 months and what it means for the industry, and what would be the consequence of the decision they make for producers in this industry come 1 January 2022, and what would be some of the market consequences of this bill?

Mr CRISP: Ms Hall, I will let you go first. You have not had a say yet.

Ms HALL: Thanks. Could I have the opportunity to provide my opening address at some stage too, please?

The CHAIR: Would you like to give it now and then proceed to the answer of the question?

Ms HALL: Sure. I will start with my opening address then. WoolProducers Australia welcomes the opportunity to present to this inquiry. As the peak industry body representing Australia's woolgrowers, our address is focused on ensuring the needs of the national wool industry are represented in this important forum. The key objective of WoolProducers is to promote those activities necessary for the benefit and advancement of Australian woolgrowers' social and economic wellbeing. Animal welfare is a key priority for our organisation and our constituents, and it is for this reason that WoolProducers strongly opposes the current wording of the bill. While WoolProducers rejects all provisions of this bill, my opening address will only focus on the unrealistic aspect of banning mulesing. WoolProducers will not support any move to ban mulesing until a viable alternative is found, nor will we support the setting of any deadline to phase this practice out. To do so would jeopardise the welfare of millions of sheep in New South Wales alone.

Unfortunately, the debate regarding mulesing has become a binary one, where those who think they are acting in the best interests of sheep believe that mulesing equals bad animal welfare, while not mulesing equates to good animal welfare outcomes. It is simply not that black and white. Mulesing is an effective once-for-life procedure that offers lifetime protection against breech flystrike and, when done with pain relief, is one of the most effective animal husbandry procedures for delivering the highest standard of animal welfare that can be provided for the duration of the sheep's life. A CSIRO publication from this year found unmulesed merino sheep have a sixfold increased risk of breech strike compared with mulesed sheep under the same conditions. Flystrike can lead to an agonising death for infected animals whereby maggots bury themselves under the sheep's skin and feed off their flesh. It is flystrike that delivers bad animal welfare outcomes; therefore, any procedure done to prevent this, using appropriate pain relief, must be considered as being in the best interests of susceptible, high-risk animals.

WoolProducers encourages all woolgrowers to take the time to update themselves on what tools are available to help them determine what delivers the best animal welfare outcomes. While there are growers that have successfully bred sheep that do not require mulesing—and these growers should be congratulated on their initiative—there must also be acknowledgement that merino sheep are grown across a range of geographic and climatic regions. Further, there are different kinds of merino sheep, some that genetically do not require mulesing, particularly those considered dual-purpose animals. However, there are also large numbers of lower micron sheep that would require more fly chemicals, crutching and longer acting internal parasite control chemicals if mulesing was not an option. This is particularly concerning given the increase in chemical resistance. It is therefore completely unfeasible to impose a ban on mulesing or suggest a deadline to phase out. To do so would lead to perverse animal welfare outcomes, the very opposite of what the Prevention of Cruelty to Animals Act aims to achieve.

The CHAIR: Did you want to address that question from Mr Farraway?

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Ms HALL: Yes, sorry. In terms of answering the unintended consequences, my opening statement—and Mr Jackson and other witnesses have touched on this earlier. Anecdotally, we have heard that people will leave the industry. We will see an increase in chemical usage, which as mentioned is a concern given the increase in resistance that is being found around the country and also in New South Wales. I think previous witnesses also spoke about crutching and shearing, and the implications around some animals that haven't been mulesed, and the implications of sort of essentially taking skin off while performing crutching. There is a vast range of issues and unintended consequences that would occur if mulesing was to be banned.

Mr CRISP: Just as a quick, unemotional, economic, pragmatic view of the world, we are at our lowest sheep flock numbers in a very long time. Australia's numbers have gone down to around 60 million, from a peak of well over probably 150 million back in the nineties. My organisation does focus mostly on the meat sector, and nearly all the lambs that go through the abattoirs aren't mulesed. Some go in there, but their mothers are usually mulesed. We still rely on the merino flock for the basis of our flock. We are having trouble in the processing sector already, just with supply of product. We have had great export markets, and you have probably noticed the very high price of sheep meat over the last couple of years, notwithstanding the issues we are facing with coronavirus now. But the viability of our processing sector, which affects the viability in regional areas mostly, is becoming a very large issue. We are only just starting to now see a rebound in numbers and some assurance that we are going to have the same number of processors and competition in our markets.

If there isn't mulesing, yes, there is an increase in chemical usage. That causes a lot of issues in our Asian markets on the meat side. It does make those management issues—especially on the larger properties, where flyblown sheep naturally go away on their own—much larger. And it will, no doubt, when people are talking about restocking, making a choice between cattle and sheep and their other options for cropping. It just makes sheep that much less attractive. And it is a labour issue. The average age of Australian sheep farmers is very old. If they cannot mules they are going to start to get to the point of making it an impossible prospect. So, yes, economically, 18 months; absolutely not possible from a breeding standpoint; and definite economic consequences in regional areas.

The Hon. MARK PEARSON: I have a question in relation to the woolgrowers who have made a decision not to use pain relief out of concern that there might be an issue of residue if there is some major event where the sheep have to be put aside for slaughter. Would it not be the same issue that the woolgrowers who do use pain relief have to face, the question being would it not be that all woolgrowers have to grapple with the same issue as to what is going to happen to their livestock if the residue matter becomes an issue? Why would it be that some choose the pain relief and others not?

Mr JACKSON: Would you like me to have a crack at that?

The Hon. MARK PEARSON: Yes—whoever would like to have a crack at it, I am happy.

Mr JACKSON: I think the principal problem that you have got with the pain relief piece of the equation is the issue of the timing of some of these husbandry interventions like ear tagging. Ear tagging happens usually—well, on my place it happens when I mark them, okay? That is at about four to six weeks. But they lose the tags. You actually have to put tags in at various times during their life because they lose them—tear them off on various bits and pieces. One of the problems that you have got is if you are sending a lot of lambs in to market and you are obliged to put ear tags in them, if you are then obliged to give pain relief before you insert the ear tag, that animal has to be withheld for 90 days. It is just impractical to do that. It is just not sensible to do it.

The Hon. MARK PEARSON: Excuse me, I just have to intervene there because you are not answering the question. Why would it be the case that 81 per cent or 85 per cent of woolgrowers choose to take that risk and the others not?

Mr JACKSON: This bill is capturing a lot of husbandry procedures. With the 85 per cent uptake on mulesing, very rarely animals that are mulesed are marketed within 90 days. It would be very exceptional that you would be considering that. So I think the extension of this bill to other husbandry procedures and the proposition to increase or to include other husbandry procedures such as docking and ear tagging highlight the essence of the problem that you have got, the practicality of doing this operation and maintaining your integrity of your product.

The Hon. MARK PEARSON: Okay. I understand that answer. Just coming back to the answer to the question of the Hon. Catherine Cusack in relation to what body advises the industry and takes submissions et cetera, I think it is called Animal Health Australia—is that correct?

Mr CRISP: Yes, that is correct.

The Hon. MARK PEARSON: Is there an animal welfare representative on the board or whatever makes up Animal Health Australia that is not representing any industry body?

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Mr JACKSON: I will have a crack at this. I was on the original writing committee for the standards and guidelines. As I said in my introduction, I am an animal welfare advocate. The idea that somebody who has a commercial interest in the animal is somehow conflicted when it comes to animal welfare outcomes is not correct. It is not supported by any of the evidence. I have spent a lifetime engaged on animal welfare issues and NSW Farmers has been right behind it—and sheep producers, the Sheepmeat Council of Australia. I was on that and I was on the writing group. These groups that you are talking to now are animal welfare advocacy groups. We are animal welfare advocacy groups. We are not animal liberation groups; we are animal welfare advocacy groups. It is important to make the distinction and it is important to understand that because you have a commercial interest in the animal you are not fatally conflicted when it comes to the welfare of the animal.

The Hon. MARK PEARSON: I see where you are coming from but I do not think we are talking about being fatally conflicted when we have ethics committees where it is absolutely mandatory that there are one or two representatives on animal ethics committees that have no interest in research or no investment in it. But I will come to another question. In the best case scenario, how long do you think it would take a woolgrower to proactively breed the wrinkles out of the sheep, out of the flock, to render the sheep as resistant to flystrike as if they had been mulesed?

Mr JACKSON: The evidence suggests that even animals that have been bred for bare breech benefit by a mulesing operation as well. As a strategy breeding plain-wool sheep or plain-skinned sheep is actually a very good strategy. It helps with other forms of flystrike as well as breech strike. And including other things such as the pole gene, for instance, in our breeding objectives, the incidence of the pole gene has been going up in the merino industry and indeed the meat industries for some time. There are still some horned animals. That is a precondition to some forms of strike—the pole strike. So there have been breeding initiatives for some time. The idea that there is—

The Hon. MARK PEARSON: Yes. I am sorry, that is the answer I want.

Mr JACKSON: The question intimates or insinuates that there is an end point where there is no further benefit of mulesing. The evidence that is available in the literature is that that is not there. I have beat Saxony sheep, which are very small sheep—

The Hon. MARK PEARSON: Excuse me, do you think we should be mulesing for the next 100 years?

Mr JACKSON: I think I agree with you that unless there is a viable alternative then we should not put a date on it—unless there is a viable alternative. At the moment there is clear evidence that there is not a viable alternative to this with some classes of sheep. There is not.

The Hon. MARK PEARSON: We have heard evidence of five years, 10 years or 20 years. Would you say the wool industry has been on notice for 20 years or more that mulesing is a highly controversial and potentially dangerous issue for the future of the wool industry?

Mr JACKSON: Yes, and there has been a huge amount of work done to breed, essentially developing the genomic project that we have developed in the sheep industry, the information nucleus to underpin those breeding decisions, those estimated breeding values. The whole idea that we have not been investing in this issue for the last 20 years is not correct—we have been. The development of the merino select process is essentially a very important piece of work that has been done on that. The verification of those phenotypic characteristics, cross-matching them with those single nucleotide polymorphism [SNP] chips, those 15,000 points on the sheep genome, we developed that program 20-odd years ago. So the inference in the question that there has been nothing done is incorrect. It is not correct. We have been working on this issue for a long time—a long time.

The Hon. CATHERINE CUSACK: How long would it take to breed out a physical characteristic?

Mr JACKSON: I am not one to put a date on it—

The Hon. CATHERINE CUSACK: More than 18 months, I am betting.

Mr JACKSON: Well, certainly more than 18 months. I think putting a date on it is potentially dangerous because it is a combination of the animal and the environment that it finds itself in. You might be able to breed out or create an animal that is a very low-risk animal in some environments quite quickly. However, other environments would require a more disciplined and an even barer animal around that breech area. The question presupposes that there is one date that is suitable for all geographic areas and all strains of sheep. There is not. That is one of the principal things that I think all our opening statements and our submissions have identified—that you cannot look at sheep as a single entity. They are very diverse genetically and their predisposition to breech strike, especially, is very different. Different groups of them are very different.

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The ones that I have got are called Saxony merinos. They are quite susceptible to flystrike and we do run them because they have other attributes that work really well in this New England area, and we run them in areas that have quite high rainfall and very humid and the challenge by *Lucilia* and *Calliphora*, or essentially the strike fly and the secondary strike fly, is quite great. The breeding imperative and the timelines—you cannot give a date. It is just impractical and it belies the variation that you get in these animals. I think putting a date on it is not understanding the science that is underpinning the problem of flystrike.

The Hon. MICK VEITCH: My question is to Ms Hall to start with. It flows on from the conversation about whether 18 months or two years is an adequate time. Ms Hall, in your response to a question that I think Mr Faraway asked, you said that people will leave the industry. I think it is important that we put a bit of colour to that statement. When you say people will leave the industry, what does that look like? How do they leave the industry?

Ms HALL: Thank you for the question. By leaving the industry, as I mentioned, that was based on anecdotal discussions that I have had with both mulesing contractors and growers themselves. I think Mr Crisp touched on the fact that there is an ageing workforce plus just a general lack of labour availability in the sheep industry. So, people are not going to stay in an industry if their management is much harder and they do not have an alternative pool of labour to source. In terms of leaving the industry, they would probably be looking at alternative commodities to run, such as sheep meat, being the obvious one, but possibly crops and cattle as well. Going back to the low production that we are currently experiencing due to drought and other factors, to see [inaudible] significantly, loss of wool enterprises at this particular time would be a pretty bad outcome for our industry.

The Hon. MICK VEITCH: Ms Hall, does that mean they would then offload—that is, sell—their wool-producing sheep?

Ms HALL: Depending on which enterprise they were looking to pursue after that, they could retain a base of merino ewes for a sheep-meat breeding enterprise but, obviously if they were getting out of sheep altogether, yes, they would have to disperse those sheep.

The Hon. MICK VEITCH: For those who weren't listening to the debate on this bill in the House, I said that by setting a 2022 deadline there is a real risk of a perverse outcome for the sheep that currently exist in Australia, the wool-producing sheep—that is, they would have a horrific death from being eaten alive by maggot. Is that a fair statement?

Ms HALL: Very much so. My opening statement addressed that fact—that flystrike here is the real animal welfare issue and this is what we should be looking to prevent and that is what responsible sheep managers would be doing.

The Hon. MICK VEITCH: Mr Jackson or Mr Crisp, do you have a view about that statement?

Mr CRISP: Yes, if you do not have mulesing and you have got a merino-based flock, it does not matter what measures you put in place, you will have a higher incidence of flystrike deaths. Producers feel it personally. I feel it personally on our place when we lose a sheep to flystrike because you know it is a horrible death and it does not matter—we do not mulese our merino lambs because when we are going to sell them, so we go around a lot more. We do use chemical treatments and we still lose them, whereas with their sisters, who we have mulesed, we do not seem to have any issues. There is no doubt there is going to be a greater incidence of sheep dying from flystrike and it is a horrible death, which is why you feel it a bit personally when you do lose sheep to flystrike.

The Hon. MICK VEITCH: Mr Jackson, as an example—I know you are an existing wool producer and a fellow Q fever sufferer—how often do you attend to your flock during the flystrike season? Is it once a week, is it once a day? How often are you required to go around and check the flock?

Mr JACKSON: That is a very good question. What I have been doing recently, I have been using a cell grazing type system where we do change the paddocks in the summertime quite regularly. I think this is quite revealing because I do not put chemical on them unless I have to. But with the fly waves that you can get in New England—there are some humid easterly winds—the flies can hit them in a microsecond. And it is interesting; 2one day you can put them in a paddock and the next day, out of two or three thousand lambs, you might have two or three hundred of them struck. It is that quick. It is absolutely in a microsecond that they get flyblown. This is the brilliant thing about this mulesing operation—that it essentially gives you time. Even in mulesed animals in those extreme challenge periods you will get some but you will not get that sort of catastrophic falling over of a heap of animals. Just for the record, SNP means "single nucleotide polymorphism". It is an instrument that we use for assessing the genotype of a sheep; 50,000 points on the genome we check when we are assessing the genetic make-up of a sheep.

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The Hon. MICK VEITCH: It was put to me a week ago, after an interview I conducted with Michael Condon on *NSW Country Hour*, someone rang me and said that if this bill was to go through there would be an argument for an industry adjustment package for the woolgrowers in New South Wales. Mr Jackson, Mr Crisp and Ms Hall, do you think that would be something, if the bill was to go through, that you would be seeking?

Mr JACKSON: That is a good question. We have not contemplated that eventuality, but certainly I would suggest that there would be serious adjustment in a lot of producers' operations and there would be some structural adjustment that would be necessary to go with this bill. So your regulatory impact statement, if this bill gets up, certainly will have significant input by us into it, I would suggest, because it will cause economic grief, you are dead right.

Mr CRISP: The cost implications are definitely significant. It is hard to know the effect on how quickly people react and whether the economic consequences of offloading a large number of merino ewes—I think the major increase in cost structure would be the increase in chemical use and then the increase in the different type of rams and the demand for those type of rams and whether they are trying to shift into a meat enterprise, which would still take you five or six years or even longer to get, because you have still got to go through the ages of your flock and breed out; the cost would be significant. If you add in the extra labour required, could there be a package there? There is definitely an argument for one. I would have to go through it with the NSW Farmers Federation who have probably more experience in putting these things together than we have.

Ms HALL: It is certainly something that WoolProducers have not considered. We would hope that common sense prevails and we are not in this position. But further to the economic argument, of course there would have to be assistance measures in place for the growers, but you would also have to look at the impacts on rural and regional economies. Merino sheep are quite labour intensive, so you know you would be looking at less shearers. The impact of less money going into regional towns and businesses would also need to be part of that consideration.

The Hon. CATHERINE CUSACK: I am sure you are familiar with the expression Australia rode on a sheep's back, meaning for a century the wool industry in particular was a key to national prosperity and high standards of living. Could you just list for us some of the constraints the industry has experienced in the last two decades and, secondly, do you feel that the industry has been respected and supported during these difficult times?

Mr JACKSON: That is a big question. Have we been receptive in response to changing market conditions? I would say we have been.

The Hon. CATHERINE CUSACK: No, sorry. Just to clarify, can you hear me?

Mr JACKSON: Yes.

The Hon. CATHERINE CUSACK: Have you been respected and supported by government and the community during these difficult times?

Mr JACKSON: I do not think there is anything other than sort of economic arguments. A lot of the sheep areas are now cropping; there is more return on cropping. They are very much commercial decisions. Has government thrown enough into research and extension? You could argue that there is probably a little bit of a hole there, but I would say that most of the decline in the numbers of sheep have been based on the economics of the sheep industry—although do not tell anybody, you can actually make quite a lot of money out of sheep. It is not as unprofitable as you would think; you use best practice, and I would include mulesing in that, as a woolgrower.

Mr CRISP: Being given respect and attention from government, there are a few elements to that. There has been a massive reduction in sheep numbers, but if you look at the kilos of sheep meat produced we actually have not declined that much because we have adapted and changed in that respect and we are given some support from government in a few areas. I think one of the qualities of our industry is that we do not ask for subsidies and we do compete in heavily subsidised markets for the meat product, which is obviously a major section of what we deal with. I suppose the support levels is really the lack of respect in supporting those regional communities and getting people to stay in those communities and work in the ag. sector. I think that has been a drain from the rural community for decades and that is probably an overall ag. sector issue rather the sheep industry being given a lack of respect. I think the quality of the sheep industry is we stand on our own two feet and we fight in the markets no matter what people throw at us. I am not saying we are particularly altruistic or anything but I do not think we would blame government overall. Ms Hall may have a different opinion from the wool perspective.

Ms HALL: In terms of our very low flock numbers, one of the biggest issues contributing to that obviously was the drought that was experienced in large parts of New South Wales. There are arguments there—I think very strong arguments there that government were supportive in terms of assistance measures put in place.

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I guess in terms of how effective they were you would have to talk to growers more, probably more around the application process. But, as Mr Crisp said, I do not think that it is a case of being disrespected by government.

The Hon. LOU AMATO: My questions are to Mr Jackson. In your submission, and you did touch on this a little bit earlier on, you talk about mandatory pain relief particularly for ear tagging and that this can have an adverse impact on producers being able to sell stock quickly and when needed and you say that if you want an example, during the drought and recent bushfires. Can you expand a bit more on that for us please?

Mr JACKSON: Yes, I can. The timeliness of marketing is a welfare issue in itself. If you have got to retain the animals on the farm to comply with the withholding period because you are compelled to use analgesic for ear tagging, holding them on the farm could, indeed, have a welfare impact in itself. Obviously, with the bushfires, a number of animals had to be slaughtered relatively quickly because sometimes about 20 days after they have burnt, they have mild burns on their feet, they actually shed their fleece. you do a triage exercise and some of those animals are put to slaughter before those welfare impacts come to bear on them.

You are dead right, the problem with having to use or being compelled to use chemicals that have long withholding periods for some of these salvage operations and, indeed, the timeliness of marketing essentially in response to drought events—a number of us do not intend to have to sell animals but the season falls over and the markets are such you market the animals into a market to obviate any welfare issues with nutrition especially. So yes, I would agree that there is potential for this to create perverse welfare.

The Hon. LOU AMATO: One last question, with the ear tagging—pardon my ignorance, and this is a hypothetical question—would it be any different to when a person gets their ear pierced?

Mr JACKSON: This is an interesting question because anthropomorphising the experience of animals to human experience is actually quite dangerous. Different animals do perceive and respond to pain differently, that is correct, so I would not like to compare the pain response of a sheep to the pain response of a human, or indeed any other animal. Each animal has its own unique signature, if you like, with respect to how they feel and respond to pain. Having said that, obviously ear tagging is not as heroic an intervention as say, mulesing or docking.

The Hon. LOU AMATO: The reason I said that, I have seen it being done before and from what I saw as a layman, I did not see any adverse pain when they had their ear tagged, versus when I have seen a person getting their ear pierced.

Mr JACKSON: I am not aware of any peer-reviewed paper on the pain response to ear tagging but my experience would be the same as yours, that it is a lower order husbandry intervention than some others.

The CHAIR: That concludes our questioning of the last three witnesses. Thank you all for your time. I do not believe there were any questions on notice.

The Hon. SAM FARRAWAY: Mr Chair, we can pose questions on notice later.

The CHAIR: We can. Some questions may be put to you on notice later, I believe there were some queuing up. Thank you for your time.

(The witnesses withdrew.)

(Luncheon adjournment)

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ELIZABETH ARNOTT, Chief Veterinarian, RSPCA NSW, affirmed and examined

The CHAIR: Would you like to start by making a short opening statement?

Dr ARNOTT: Thank you for the opportunity to attend these hearings and provide feedback on behalf of the RSPCA. This inquiry has brought forth substantial debate, yet at the core of discussions there seems to be reasonable consensus on several aspects. Of little controversy is the evidence that procedures that cause tissue damage, particularly those involving the surgical removal of body parts, cause pain and distress to livestock. Secondly, there is little support for the notion of harming animals if it is reasonably avoidable. In fact our State animal protection laws for the last 30 years have reflected this social consensus ethic requiring that where pain is being inflicted upon an animal, that such reasonable steps are taken as are necessary to alleviate the pain.

The divisiveness of this bill appears to be, firstly, in the interpretation of whether the provision of analgesia is a reasonable step in the context of these livestock procedures. What makes it reasonable is that there are now affordable, accessible drugs with demonstrable efficacy available; therefore, the issues related to logistical and financial impacts are much more tenuous arguments. Opposition to the use of pain relief in stock procedures has also been on the grounds that the risks of toxicity to animals, contamination of supply chains and residues are risks that are too difficult to manage and outweigh the benefits. Yet, the evidence is that we should have much more trust in our producers who manage these risks very successfully with a myriad of chemicals and medications that are used en masse in the livestock industries.

Despite the use of in-feed, intramammary antibiotics, medications to modify rumens in grain-fed animals, animals still being processed for food have low antibiotic residues, and this is extensively monitored. Producers are well versed in the ideas of withholding periods and export slaughter intervals and on this basis I think that the use of these pain relieving medications—which will often be used on a single basis or very rarely or intermittently—is well within their capability to manage. Even where acknowledgment of the benefits and importance of analgesics is given, the appropriateness of making it a legislated requirement has been challenged. The importance of taking this step has never been more apparent in the failure of these livestock industries to voluntarily achieve full compliance with their animal welfare commitments. Of course, I reference the one in five sows that are currently still in sow stalls, despite a deadline to phase the practice out two years ago; the Australian beef industry's 100 per cent pain relief goal that has already been shifted from 2025 to 2030; and the 70 per cent of merino lambs still being mulesed 10 years after the wool industry commitment to cease.

Further, providing evidence of high rates of industry's voluntary willingness to comply supports the idea of legislating these provisions because to change it suggests that the regulatory impact on industry will be low and will only serve to motivate those not willing to adopt contemporary good practice without the force of the law. Legislation becomes an important way of ensuring that improved welfare becomes, and stays, the norm that is universally expected. Providing analgesia is justified, reasonable and of limited risk yet the benefits are compelling. Approximately 20 per cent sheep and 79 per cent cattle are not currently afforded regular pain relief for husbandry procedures, so in terms of calculating the scale of positive impact, mandating this would benefit millions of animals every year. The benefits would of course be the reduction of pain and distress but beyond the animal welfare imperatives several authors comment on a great deal of production benefits, including reduction of mismothering and rapid return to feeding and increased daily average gains. Furthermore, Australia's reputation will be protected by taking a definitive formal stance on treating the pain of livestock.

Third and finally, the consensus area that most stakeholders would come to is that they would concur that it is wrong to cause pain to an animal for trivial reasons. To that issue, there is virtually no contention that the motivation for undertaking mulesing is legitimate to prevent flystrike. The discussions on mulesing would best be served by accepting that there is agreement that flystrike is more than undesirable in terms of animal welfare and that mulesing significantly reduces flystrike and is, therefore, a procedure undertaken with legitimate motivation. On the basis of this, mulesing may only be justified if there is no viable alternative that causes less harm and is similarly effective. And this, of course, is where the debate is raging. The viable alternative is breeding flystrike resistant sheep and embedding good management practices to augment this. There is a lot of disbelief that breeding can be successful but it is supported as a viable long-term alternative by the Australian Wool Innovation, by several researchers involved in the related work and individual producers who have successfully transitioned away from mulesing in this way. Yet I understand that it strongly challenges the traditions and practices which have been effective for generations, which is no doubt confronting to many.

Reports that non-mulesed sheep have six times the flystrike risk of mulesed sheep fail to contemplate that nobody is reasonably asserting that the solution lies in simply ceasing mulesing on the current national flock. There is an immense body of work demonstrating that breeding strategies can reduce the flystrike risk to that of mulesed sheep, so comparable to mulesed sheep, by reducing breech cover, breech wrinkle and dag scores and

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that this can be done without impacting wool quality and yields and has no adverse correlations with important traits such as worm egg counts. The wealth of research, all the supporting resources and genetic technologies available now make the breeding of flystrike resistant sheep an absolute reality and the reasonable alternative to mulesing. We just need a way to motivate the adoption of these strategies. I think the industry's failed attempt to voluntarily generate this momentum requires no alternative but to legislate an end to mulesing within a time frame that allows for the required genetics to be achieved.

The Hon. MICK VEITCH: Have you read the bill that this Committee is looking at?

Dr ARNOTT: I have read the bill.

The Hon. MICK VEITCH: Are you aware that the date of 2022 has been proposed to cease the mulesing process?

Dr ARNOTT: I have seen that.

The Hon. MICK VEITCH: Do you think that is a viable date to commence such a change in process?

Dr ARNOTT: The RSPCA would obviously like to see this occur as quickly as possible but I am very cognisant of the animal welfare risks of not allowing the time to produce flystrike resistant sheep. I think the reason we are all struggling with pinning a particular time is there are two major variables to achieving this. One is the wrinkle score that you are starting with. If we need to get to a wrinkle score of two or one, and we are starting at five, that is going to be longer than three. I guess there may be a reasonable belief that the industry is already a fair way down that track when we consider previous commitments many years ago, but I think there is also a risk that certain producers are not. I guess also the breeding management strategy that they are going to embrace in trying to achieve that will also impact the time frame.

I guess in terms of what is possible there has been a recent study published this year by a group called BG Economics that interviewed 97 producers who have successfully ceased mulesing based on breeding plain-bodied sheep—fly resistant sheep. Seventy-seven per cent of those did it within five years, over half of those did it within two years, roughly another 20 per cent took about six to 10 years and then there were a few outliers, about 3 per cent, who took longer. I know it has been quoted earlier in terms of the work by the sheep CRC when they discussed, I guess, a higher genetic pressure as a way to do it, they talked about buying in or changing a ram source and buying in plain-bodied rams, and they described that as very achievable using that method and then selecting ewes for the same traits to achieve that within five years. There was some modelling, however, on a more conservative approach where you are starting with a wrinkle score of about three, with about 70 per cent at risk in the flock and then not changing a ram source and just selecting within the herd, and certainly it did take longer to achieve fly resistance in that way. I think at five years there were about half of the flock that were at low risk or resistant and then after 10 years the majority of the flock was certainly low risk or resistant.

The Hon. MICK VEITCH: The issue is if a bill comes into effect on the date that is nominated in the bill that does not provide any leeway for any of the five- or 10-year scenarios you are talking about.

Dr ARNOTT: No, I would agree.

The Hon. MICK VEITCH: Do you agree that the date nominated in the bill is not workable for the industry as a whole?

Dr ARNOTT: The only thing I cannot comment definitively on is I do not know how far along the track producers are. Not to labour on the point, but there was a commitment to it 15 or 16 years ago and I think they allowed themselves six years in that period if I am correct—2004 to 2016, something like that. It is possible, is it not, and I do not know how much commitment has been put into this along the way. I know there is an enormous wealth of resources—the sheep industry and these cooperative research councils have an immense body of work to do this. I also know from a study published this year that about just under half of the producers who achieved this plain bodied sheep or flystrike resistant sheep did this with support, so mentorship and information was required. So I think we have to understand that although it is very possible, it might be a significant shift and require educative support even though all that research and information is there. In whatever date is determined I think that has to be taken into consideration.

The Hon. MICK VEITCH: The date nominated in the bill is 2022. Is that a practical date for the Parliament to legislate?

Dr ARNOTT: If you have any information on the current wrinkle scores of flocks I guess we could get more information. But, based on that study, the majority did not do it within two years.

The Hon. MICK VEITCH: You might have to take some of these questions on notice. How many instances or times has the RSPCA lodged a breach or infringement against POCTA for untreated flystrike in a

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flock? How many times have there been infringements around animal welfare breaches arising from the mulesing procedure?

Dr ARNOTT: In that second part of the question, complaints of breaking the law, in what capacity around mulesing?

The Hon. MICK VEITCH: Matters arising from the mulesing procedure itself.

Dr ARNOTT: I can take that on notice. I am aware of one matter currently before the courts that is relevant to that issue of flystrike. I do not know the details but we can certainly provide on that broader question some further information.

The Hon. MICK VEITCH: That would be good. The bill is broader than just mulesing and talks about a range of other procedures. You did touch on that in your opening statement around the withholding period and some of the issues that may have been raised by growers, particularly around record keeping and things like that. Do you not concur with the views that have been presented—and the Committee heard some evidence today—around issues arising from withholding periods and for things like the ear tag procedure?

Dr ARNOTT: I guess in supporting the intention of this bill, I would clarify that in RSPCA's public position papers we have made the statement that ear tagging is acceptable if done with good procedures. That is not to say that it does not cause pain, but I think in terms of prioritising the intensity of welfare impacts that is not something that is an RSPCA priority. In terms of the broader discussion of withholding periods, as mentioned I think it is more than manageable. I think we have some of Australia's largest cattle herds and producers that have within their standard operating procedures the use of pain relief and they seem to be managing it without incident. We have routine use of all sorts of medications. We do not see high residues although it is really particularly examined.

I also think there is enough flexibility in the medications provided to allow for consideration of suiting it to your circumstances. I think there was some concern mentioned about tail docking and the 90-day withhold period for one of the products. There are other products coming onto the market that have a zero-day withhold in terms of lignocaine and placement of rings around tails. So, there is flexibility. Farmers or producers are used to managing this risk. I think if we legislate for those major procedures that are of greatest concern, we are actually going to—if any other procedures such as ear tagging are done at the same time, then they are going to benefit from the use of those medications.

The Hon. MARK PEARSON: Thanks very much for coming. Considering what you said and the evidence you gave about the fact that really the industry has been on notice for quite some time—maybe from 2002 there have been select committees advising the industry that this is a highly controversial issue. You need to address it in whatever way. We are going back to the 1980s there. Would you say the industry has been on notice that mulesing is a controversial issue which must be addressed for at least 25 years?

Dr ARNOTT: Yes. I think that has been evident. I do not think they have been on notice as well as they could have if it had been legislated with a date. That is the certainty that provides the incentive, I think. But, without a doubt, it has been clearly a controversial issue that internationally has even had attention.

The Hon. MARK PEARSON: When it became clear that probably the most effective way of rendering a lamb or a sheep resistant to flystrike without mulesing would be to breed out the wrinkles—I mean, there are other processes that are used. But, at the end of the day, to address this issue of residue, et cetera, to breed out those wrinkles would be the wisest thing to do. Why do you think we still have producers with sheep of a wrinkle score of four and five?

Dr ARNOTT: There was one study I read—and I cannot quote the author but it might have been through the CRC—that said that producers did not necessarily believe that these were effective methods, or that they could not be as effective. I am not an expert in human behaviour and potentially it is to do with an information transfer. I can only speak from personal experience that evidence-based evolution is hard to accept, even in the veterinary profession. When we have been doing something we are comfortable with and seems to work and then we are presented with evidence that there is a better medication or a better procedure, certainly some people lag behind in adopting that. So, I think it is a matter of human behaviour and I cannot speak for why people have made those decisions.

The Hon. MARK PEARSON: Even if we might consider that one-and-a-half years is too short, are you aware of where a deadline has been an important factor in moving an industry or moving the care of animals along, which has brought the change that is required when everybody has been dragging their feet, or parts of the industry or elements of an industry has been lagging?

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Dr ARNOTT: I do not know the detail of it, but obviously we are all aware that New Zealand did go down this path where they announced an intention and legislated. I think they allowed 10 years, from recollection. I do not have detail on their experience, but that is two years ago and it seems like the world has not caved in—acknowledging that they have a smaller wool industry. I assume that has been important in achieving the change there. Similarly with the Victorian legislation for the use of pain relief, now they are in a position where hopefully we will see change from, whether it is 80 per cent or 60 per cent use—to closer to 100 per cent compliance with that.

The Hon. MARK PEARSON: You might not have the qualifications to assess this. But do you think it is likely to be the case that if retailers are forming the view because of their consumer demand to source wool from animals that have definitely been provided with pain relief during those mutilations, would not that give an economic advantage to wool growers who do—or, in Victoria, who have to if they do not already want to—provide pain relief?

Dr ARNOTT: As you say, I am not the expert, but the economics of public opinion are real. I think we see that across all industries and that sense of social licence is important. I imagine it would be good for Australia's reputation. I am aware that there are free trade agreement negotiations going on with the EU and the UK and I imagine we would be expected to meet some of their expectations around animal welfare.

The Hon. MARK PEARSON: In relation to social licence, do you think an industry which does continue to mutilate an animal with mulesing and other practices—there is not mandatory pain relief for these mutilations when they occur. The generations in the farming communities and the families are now leaving the land and they cannot rely on as many people for labour. Is it possible that this industry is heading to a state or to a situation where it does not have social licence?

Dr ARNOTT: I do not know the widespread community view on the wool industry. I do know that in that 2018 Futureye report 88 per cent of people expressed concern about painful stock procedures. I know that about 91 per cent wanted regulatory change to support that, so that does suggest that there is this shift. I do not think it is specific to the wool industry. I think that we have seen with the industrialisation of farming, along with people's greater socio-ethical concerns more broadly—there is an ethicist, Bernard Rollin, who writes about this a lot. I think we are seeing a shift away from what was individual husbandry between a producer and the animal to, more broadly, large-scale farming with less people-to-animal ratios. This is not something that livestock industries have to grapple with. But I would agree that, unless they do, they are really risking their reputation and their long-term sustainability and viability.

The Hon. MARK PEARSON: Just one more question. Do you think there is a reasonable chance of a prospect of success of a prosecution of a person in charge, where the person who has sheep under their care, control and supervision who conducted mulesing and other operations without pain relief under the age of six months or 12 months—considering that in the legislation it says that you cannot cause any pain which is unnecessary, being a veterinarian from the RSPCA, do you think that wool grower is at risk of potential prosecution?

Dr ARNOTT: I agree with your assessment that in today's circumstances with accessibility and ease it is a reasonable interpretation that it is unnecessary and unjustifiable. I do not have a regulatory background and I am not part of the enforcement aspect, but I would say that the legislative intention of the section is not clear. I think for industry and enforcement agencies that ambiguity requires removal if there is a hope of prosecuting and if that is what the intention is.

The Hon. SAM FARRAWAY: We have heard in evidence today—and I suppose it is good to know what the RSPCA's view is on this—that mulesing prevents over three million sheep from becoming fly-struck each year. Do you accept that?

Dr ARNOTT: I cannot speak to the numbers. I guess the reason—

The Hon. SAM FARRAWAY: On principle, though?

Dr ARNOTT: Yes. As I said in my opening statement, I understand the purpose of mulesing and I understand that it is effective. I do not think that is up for a great deal of debate.

The Hon. SAM FARRAWAY: To the point that my colleague Mr Veitch was making earlier around the time line that is proposed in this bill—it is 1 January 2022. It is literally 18 months. We have heard in evidence in particular from the industry that two years is not achievable, let alone 18 months. From the RSPCA's point of view—and we were sort of fleshing this out earlier. Come 1 January 2022 in this industry, if we are primarily looking at your role as the welfare for the animal, there could be some disastrous consequences or even unintended consequences of having a bill like this that brings on the banning of mulesing that quickly within an industry that

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is—Australia is the largest producer of wool in the world. We saw in an earlier submission that if New South Wales was deemed proportionate as a country in terms of its production it would be the fifth-largest producer in the world. My question is this: In 1 January 2022 what happens to the excess supply within the industry? It has to be a devastating outcome for the animal, does it not?

Dr ARNOTT: If these sheep were highly susceptible to flystrike and mulesing was ceased, there would be a risk of them getting flystrike and it would be a matter of whether they could treat the flystrike sufficiently, depending on the flock size and depending on whatnot. So, yes, I do not think that I am suggesting that I would anticipate that the current entire New South Wales sheep-producing population would have their sheep in a position necessarily now to breed flystrike resistant sheep in 18 months time.

The Hon. SAM FARRAWAY: What would be the RSPCA's view that come 1 January 2022—and we heard evidence today of some numbers—possibly a million sheep may have to go for slaughter?

Dr ARNOTT: I am sorry, what is my opinion of that?

The Hon. SAM FARRAWAY: What is the RSPCA's opinion? I ask because by bringing on the banning, as this bill proposes, it will put what is quite a large history compared to other parts of the world into compliance pretty quickly and there will be some that wish to possibly exit the industry. It would bring on the decision that needs to be made and there is the possibility that you could have up to a million head of sheep that perhaps have to go to slaughter much quicker than proposed in order for them to comply with what this bill is proposing. What is RSPCA's view there? That is probably not a great outcome, is it, for the industry more broadly?

Dr ARNOTT: No. I am not sure about all the premises that you provide but I understand what you are saying. I suppose if you accept livestock industries, you accept that these animals are not living out their full lifespan. I appreciate that but I am not saying that it would be a good outcome, no, for the animals or for the industry if there was, you know, a need to destroy these animals and not to have a productive capacity. But I guess it is animal welfare and in enforcing the legislation our primary concern is that no animal suffers during any process.

The Hon. SAM FARRAWAY: Earlier we heard evidence from some peak bodies that pain relief should not be regulated as they have a fear that there is not enough pain relief product in the marketplace. I think you may have touched on more around the food safety and toxicity risks. What is the RSPCA's view on and around what pain relief is there? If you were to have it regulated, is there enough supply and availability in the marketplace for that now?

Dr ARNOTT: Yes, my understanding is that there is. Is there a particular concern you have? I suppose, coming from veterinary perspective, veterinarians have to provide pain relief to a whole species of animals for a whole range of reasons and it is a requirement of the legislation to treat animals that are in pain. I guess, yes, it is something that has been managed. Certainly the sheep and cattle industries are well covered in terms of pain relief. Goats have two registered products which have some limitations about application and pigs also have products that are registered. I suppose the other thing to contend is that in the wording of the Victorian legislation I think they use a phrase something like where there is an APVMA approved product. Where pharmaceutical companies have not seen fit to spend the money to register products because they believe there is not a market, then that is covered in the legislation but also might provide an incentive for that registration work to be done if there is some sort of assurance that they actually have a market captured. I do not think it is prohibitive moving forward with legislating this, in my view.

The Hon. SAM FARRAWAY: The Hon. Mark Pearson asked a question about the industry being on notice for 20 years. What dialogue has the RSPCA had the industry more broadly over those 20 years, especially with some of the investment that the Australian Wool Innovation [AWI] has made over that time as well around mulesing and trying to develop an industry-led position and investment to deal with the problem at hand? What is the RSPCA's involvement, if any, in our process over the last 20 years?

Dr ARNOTT: To give a more fulsome response I can take that on notice as to the last 20 years. I guess the RSPCA is part of the stakeholder reference groups when certain standards and guidelines are being developed and certainly sometimes consulted by industry for various aspects. But if you would like further detail I can take that on notice.

The Hon. CATHERINE CUSACK: Just in relation to your submission, it is from RSPCA Australia as well as from New South Wales. Is this the actual policy? Does the RSPCA have policy documents around this? Who has approved this policy, that process?

Dr ARNOTT: The RSPCA is obviously a federation of which the States are a member of RSPCA Australia. The RSPCA Australia website hosts policies and positions papers related to the organisation and they

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are endorsed by each State before they are ratified. There is a position paper on painful husbandry procedures and there are also livestock policies that have a higher level intention as to how animals are treated in livestock production.

The Hon. CATHERINE CUSACK: Would it be possible to get a copy of that position paper?

Dr ARNOTT: Yes, certainly.

The Hon. CATHERINE CUSACK: Thank you very much. The submission says "We support in principle the phasing-out of mulesing within the shortest possible time frame and support the requirement to administer analgesics for painful procedures". It does not necessarily say whether it supports the bill before the House at the moment. Can you walk us through where you do support the bill and do not support the bill?

Dr ARNOTT: Sure. I guess I appreciate the value of this process in gathering evidence to refine the wording on the drafting of the bill.

The Hon. CATHERINE CUSACK: I am sorry, just to interrupt: The inquiry is actually into the bill, which is why I am homing in on that.

Dr ARNOTT: Understood. I think the evidence that we have referenced in our submission and in the supporting literature reviews suggests that we have some concern about the two-year time frame on that bill.

The Hon. CATHERINE CUSACK: Yes.

Dr ARNOTT: That would need to be informed by the research and an understanding of where the industries are at already in selecting for this. Although I am not prepared to explain how I would redraft the bill I would, yes, concur that our submission has concerns around a 2022 commencement date. I guess also I think our submission says that we support the use of pain relief, particularly for certain procedures and we list those related to the removal or larger tissue trauma procedures related to the removal of body parts—castration, disbudding, de-horning, tail-docking and mulesing. They provide some guidance on what we would consider important for inclusion in that bill.

The Hon. CATHERINE CUSACK: I understand you have had some experience in rural practice.

Dr ARNOTT: I have lived for the last 15 years in Quirindi, if you know where that is.

The Hon. CATHERINE CUSACK: Cattle country.

Dr ARNOTT: Yes. But I would say that my particular practice has been in the majority of small animal medicine rather than livestock.

The Hon. CATHERINE CUSACK: I guess what I am wanting to lead up to is engagement with farmers. You would have dealt with many different farmers, I guess, and their goals being to breed for good meat or for good attributes to make their stock more valuable. The submission refers to horns and cattle. I am sorry. I should have marked it.

Dr ARNOTT: That is okay. Is it the third paragraph from the bottom of the third page—"it is unacceptable...?"

The Hon. CATHERINE CUSACK: Correct. "Breeding for polled"—I presume that is cattle—"to eliminate the need for disbudding or de-horning", or I presume other animals. I am more familiar with cattle. We are getting evidence that just going for one attribute like that in breeds that have many attributes—particularly in merinos they are going for superfine wool and obviously many breeds, Santa Gertrudis and other breeds—that is just not going to be something that can be achieved because horns are almost endemic in those breeds. I am trying to understand how you would go about resolving what an impost that is on farmers. It would almost involve abandoning whole breeds of animals, would it not? When, as you have indicated, there is pain relief available to continue on some of these procedures.

Dr ARNOTT: You are absolutely correct that in genetic selection for a trait there are correlations with other traits, so it is important to do that research to find out that you are not inadvertently breeding for something that is undesirable. So, that is 100 per cent correct. In terms of the polled cattle, about 70 per cent of beef breeds are now polled, so there is potential there. I think that the common dairy breeds are not, but the scientists are pretty astute at getting the things done. I do not think it means that is impossible.

The Hon. CATHERINE CUSACK: Did you just say 70 per cent of beef animals are polled?

Dr ARNOTT: Yes, according to the literature. I think that was in the industry's report on sustainability.

The Hon. CATHERINE CUSACK: Would that be British breeds?

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Dr ARNOTT: Yes. I understand that with Bos Indicus it is harder to achieve but I think that was a report on the whole population. I can have a look for you.

The Hon. CATHERINE CUSACK: Yes, because American breeds are very horny.

Dr ARNOTT: Yes, so to speak. In terms of genetic selection for plain bodied sheep, that research was done by the University of Adelaide and I think it was funded by the Australian Wool Innovation. They have looked at this very issue. That, I guess, is my reference to that they have found it actually has a favourable correlation with traits such as worm resistance—so, worm egg counts. So, in selecting for a plain body you are not adversely affecting that. They have looked through a series of traits such as that, including the traits of the wool itself. An example of that is that the ability to breed for these really fine wool sheep has not affected the yield. There are ways of selecting for a trait and not having a negative outcomes in other areas. The evidence, from what I can see from this University of Adelaide study and also the discussions of those 100 producers who were interviewed across Australia, is that they are saying that their lambing percentages had increased and their growth rates and the wool colour, the fleece rot had reduced, the crimp and staple structure had all improved. I am not saying that it is not important to consider, but the evidence in this scenario is that there is not a lot to be concerned about that you will end up with undesirable traits as a result.

The Hon. CATHERINE CUSACK: In terms of the farmer who has a cattle farm and every season there will be one or two births that he gets really excited about and maybe every five years it will be a very exciting animal that gets born and has all the attributes. How would you say to him, "We are going to make your animal worthless—your \$50,000 bull—because it has horns"? In other words, if we were to say, "Get rid of that trait", the impact that would have on breeds around the State, obviously, but I presume that would then impact—nobody in New South Wales would be buying an animal with horns from anywhere else in Australia, or the world, for that matter, or from the United States.

The Hon. MARK PEARSON: Is that a question?

The Hon. CATHERINE CUSACK: I mean, how does that work?

Dr ARNOTT: I am not across the genetics of poll breeding but I guess if we are also using it analogous to the situation where I have suggested that you can buy in rams of good breeding value, I think it is the same scenario that you are suggesting—that would be confronting to someone who has developed their own genetic lines.

The Hon. CATHERINE CUSACK: Well, no, someone who has a ram that is worth a fortune but it has horns.

Dr ARNOTT: All I can suggest is that, as a vet, whether it is companion animals, equine industry or livestock, I would find it difficult to ever recommend that someone breed an animal that was not fit for purpose or breed an animal that, as a result, would need some sort of surgical intervention if there was an alternative. I understand it might be confronting, I understand that there are lines of genetics and I understand that there can be a gradual process to improve it, but I also understand that there is an imperative around—I mean, there are also safety aspects for the producer and costs for them involved in dehorning or whatever the process is. I understand there is some individual resistance but I am not sure that that is a reason to not consider all these other benefits, including the welfare implications.

The Hon. CATHERINE CUSACK: I guess this brings me back to my colleague's question, which was about the RSPCA's engagement with industry. Just to make sure that your policy work that you are doing is, first of all, being heard by industry and, secondly, so industry can explain to you the economics of the situation and calibrate the policies so that it is not a dialogue of the death but there is some working together to ensure that policy positions are informed.

Dr ARNOTT: Of course and I think that the RSPCA has a history of evidence-based policy. I know that we collaborate with industry. I am certain this year there has been a meeting between RSPCA Australia and NSW Farmers. I could not agree more that being well informed, having an evidence base and understanding both sides of the discussion is crucial. Often these ethical debates end in some degree of compromise, where we would hope that we would see some serious improvement for animal welfare and find means to implement those in a feasible way.

The Hon. CATHERINE CUSACK: With this submission did you collaborate with industry at all?

Dr ARNOTT: In this particular submission?

The Hon. CATHERINE CUSACK: Yes, or on this issue?

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Dr ARNOTT: This issue, I guess, is informed by reviewing the literature published by industry and we have also provided, as part of the submission, a literature review that was undertaken by scientists who work for industry. So, did we ask them specifically about the content of this submission? No, we did not.

The Hon. CATHERINE CUSACK: You referred to some pain medication being as little as \$1 per sheep. Can you explain what that example relates to?

Dr ARNOTT: Yes, sure. Obviously the cost will depend on the medication used, the size of the animal and how many sites it is having to be applied to. Tri-Solfen for a lamb of up to 10 kilograms is around \$1 to apply.

The Hon. CATHERINE CUSACK: How is that applied?

Dr ARNOTT: That is applied to the wounded area after mulesing.

The Hon. CATHERINE CUSACK: So it is like a cream, is it?

Dr ARNOTT: Yes, it is a gel formulation—so, topically.

The Hon. CATHERINE CUSACK: Are most of the pain relief products gels?

Dr ARNOTT: No. The main purpose of that is as a local anaesthetic, so it has lignocaine, which is faster acting but shorter duration; it has bupivacaine, where there is a bit of a delay but lasts a bit longer; adrenaline, to stop bleeding; and an antibacterial product. If you are hoping to provide anti-inflammatory effects and usually for a longer period than the other products that are registered for use in several of these procedures are an oral medication—meloxicam—and the same drug is available in an injectable. So, there are a few options.

The Hon. CATHERINE CUSACK: Are they easily obtainable and able to be administered by workers on the farm?

Dr ARNOTT: The product that we referred to that is applied to a wound—the topical one—is now a schedule five medication, so it does not require prescription so it is quite attainable. The other two are schedule four drugs, so they require the veterinarian that the producer is involved with to prescribe them that medication. One is an injectable, like a vaccine, and one is an oral medication, like a drench.

The Hon. MICK VEITCH: I have a quick question on notice because we have run out of time. Has the RSPCA been involved with, witnessed or observed the freezing technique—the new procedure for removing wrinkle around the sheath area? If so, what are the RSPCA's views and opinions around that procedure?

Dr ARNOTT: I will take it on notice.

The CHAIR: That takes us to the end of questions. Thank you for appearing today.

(The witness withdrew.)

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GLENYS OOGJES, Chief Executive Officer, Animals Australia, before the Committee via teleconference, affirmed and examined

TARA WARD, Volunteer Executive Director and Managing Solicitor, Animal Defenders Office, affirmed and examined

MARK SLATER, Chief Executive Officer, Animal Welfare League, affirmed and examined

JENNIFER HOOD, Veterinary Director, Animals Australia, before the Committee via teleconference, affirmed and examined

The CHAIR: Welcome to our next session of the inquiry. Would any of you like to start with an opening statement?

Ms OOGJES: We appreciate this opportunity to address the Committee. I wish to start by taking a step back. In the 1980s we were thrilled that the Australian Senate set up a select committee of inquiry to look at animal welfare issues. The committee produced 11 detailed reports and I gave evidence at that committee. The report of the committee in 1989 on sheep husbandry noted that we had stated clearly that the practice of mulesing was cruel and barbaric. The committee agreed in its report that mulesing caused pain and suffering, but failed to recommend that it be banned at that time as it said there were no alternatives. The first of those statements were clearly true: it is cruel and it causes great suffering. But it is not true to say there are no alternatives to reduce flystrike. It was not true in the eighties and it is certainly not true now. Many progressive farmers even in the 1980s were breeding for plainer breech, ensuring they deal with worms and dags. They were crutching when needed and reducing flies through insecticides and trapping.

In the submission we provided to you, we outlined the alternative methods being used in New Zealand, where mulesing was banned in 2018. Most importantly, we know from research and practice that breeding for plainer, less wrinkly breech on lambs can be done to achieve the same or better results than mulesing in just two to five years. A good number of farmers have done it and, as such, to continue mulesing now is unreasonable and unacceptable. Indeed, in our view, if the purpose of the current Prevention of Cruelty to Animals Act to prevent unnecessary suffering was properly applied, it would already be banned. I welcome the fact that the New South Wales Parliament has this opportunity to lead where the industry leaders have, frankly, failed. I ask that you do not take the halfway measures of merely thinking pain relief will suffice for such drastic mutilation of an animal in our care. Even the current gold standard of pain relief will only cover an animal for the first day or two. For weeks after that the huge wound will be painful. I implore you to accept the key purpose of this bill and to support the commencement of a phase-out and then a ban of mulesing on lambs.

Ms WARD: Thank you for the opportunity to appear before the Committee today as part of its inquiry into this important bill. I would like to start by acknowledging the sentience of farmed animals and that it is now law in an Australian jurisdiction that:

- (a) animals are sentient beings ... and
- (b) animals have intrinsic value and deserve to be treated with compassion and have a quality of life that reflects their intrinsic value.

The bill would make mulesing of sheep a criminal offence, which would effectively ban the procedure in New South Wales. The New South Wales Parliament's Legislation Review Committee referred to Parliament:

... the question of whether the new offence is reasonable in the circumstances.

The Animal Defenders Office [ADO] submits it is reasonable to create an offence of performing the mules operation on a sheep because, in summary: many wool producers have already chosen not to use it, which shows that it is not an essential procedure and could be phased out; and the industry has shown that it will not of its own accord phase out the practice, or adopt measures that may cost more in time or labour, having failed to meet its own deadline a decade ago to which it had publicly committed. According to a 2018 study commissioned by the Commonwealth Department of Agriculture, Australians think that:

... animal welfare isn't being sufficiently delivered by the agricultural sector for today's values.

The ADO submits that an unsophisticated technique devised in the early 1900s but still used today is an example of this. There are legislative precedents for banning and restricting the practice. Finally, while the National Standards and Guidelines on sheep permit mulesing, it must be noted that it is an industry document and is not reflective of community opinion. Despite being finalised in 2016, the Standards and Guidelines are incorporated into domestic legislation and given legal effect in only one jurisdiction, being South Australia.

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In our view, the proposed commencement date of 1 January 2020 for the ban is sufficient as producers have been on notice for well over a decade that the general community finds mulesing unacceptable from a welfare point of view.

The second part of the bill proposes to limit defences that are currently available for breaches of the Prevention of Cruelty to Animals Act by requiring that pain relief be used when carrying out certain procedures on farmed animals.

Again, New South Wales Parliament's Legislation Review Committee referred "the matter to Parliament to consider whether the limitation on the defences is reasonable in the circumstances". Very briefly, the ADO considers the proposed limitation on the defences to be reasonable because the procedures inflict pain on the animals which could be minimised by using readily available and affordable pain relief, thereby making the pain unnecessary. The defences are not absolute. There are already limitations on them reducing the circumstances in which they can be used, such as the age and species of the animal and whether the procedure causes "unnecessary" pain. Finally, because the limitation would provide clarity for enforcement agencies and courts on what constitutes "unnecessary pain", we would recommend that the bill be passed.

The Hon. MICK VEITCH: First of all, I think it was Ms Oogjes in her opening statement who said that—and I didn't quite hear because of the teleconference, so I just want to make sure that I have got this correct. I think you said that Animals Australia would support the phase-out and then the ban of the mulesing procedure. Was that correct?

Ms OOGJES: Yes, we certainly wish the mulesing procedure to be banned. We understand that this bill indicates a phase-out until 2022, and so we understand that and support that.

The Hon. MICK VEITCH: That leads me to my question. You are saying you support the phase-out until 2022, and then you support the bill's proposed date of banning the procedure, which is 1 January 2022.

Ms OOGJES: Yes, we do. I am calling that the phase-out, if you like, because it is not immediate.

The Hon. MICK VEITCH: If I could go to Ms Ward. What do you propose would happen to the sheep not mulesed after 2022? There will be a large number. We have heard today that upwards of a million may well finish up being slaughtered to accommodate the date, which I think is an unintended consequence of the bill but a perverse outcome for animal welfare. We are trying to fix an animal welfare issue.

Ms WARD: That's right. That would be—

The Hon. MICK VEITCH: What do you propose we do with all of these sheep after 1 January 2022?

Ms WARD: I would suggest with any development of law reform or amendments to legislation that it be done in rigorous consultation with the affected stakeholders. If it turns out that that date is going to have such a perverse outcome, then I am sure everyone would be in furious agreement that perhaps the date should be revisited and a later date devised, as long as there is an endpoint. The other thing that could be pointed out is that the industry should have known that this endpoint was coming, so it is a little bit disingenuous to turn around and say, "Oh, but there would be all these consequences", because it would be known that there would be these consequences.

I think, when advocating for law reform for the improvement in animal welfare, nobody wants an outcome like that. Even your most strident animal rights advocate would not want an outcome like that, and if it means having a longer phase-in period, then I think that would be the preferred approach. I do not think anyone is advocating that mulesing be stopped and nothing be done in place of it. What happens to the sheep is not my area of expertise, but there would have to be alternative procedures that would take care of those animals, other than ending in their immediate slaughter. Of course they are going to be slaughtered anyway, but it is just a question of when and how much profit can be made from them.

The Hon. MICK VEITCH: Just to be clear, though, we are talking about wool sheep here. They tend not to go to slaughter, as opposed to meat production sheep.

Ms WARD: Dorpers, yep.

The Hon. MICK VEITCH: So the mulesing procedure is not conducted on all sheep. It is conducted on predominantly merinos, and possibly Corriedales, which are wool production sheep. They tend to not go to slaughter. They are used for production of wool. They grow them out.

Ms WARD: That's right, but at the end of their productive life is what I was referring to.

The Hon. MICK VEITCH: I accept your comments around "disingenuous", but it is actually fact, it is reality, that there are a number of producers that have not—I know producers. I am an old shearer. I know

CORRECTED

producers that have gone through the process over about 15 to 18 years of breeding out the wrinkle and going through a range of—

Ms WARD: Excellent.

The Hon. MICK VEITCH: They have gone down the track. But it is fact. There are some that have not, so it is not disingenuous. If this bill goes through with that date, there will be an unintended perverse outcome for millions of sheep. I accept the animal welfare argument around the mulesing, but there is going to be animal welfare issues as well post this date. For the sake of the Parliament, I actually need to know what your views are about that.

Ms WARD: Yes, so if I could clarify, what I meant by "disingenuous" is to claim that that would be an unintended or an unforeseen consequence. It must have been known that if an endpoint were to be introduced legislatively, then obviously some kind of transition to the new way of operating would need to be undertaken. That is what I meant by—any implication that it is an unforeseen consequence is.

The Hon. MICK VEITCH: Thanks for clarifying. Mr Slater, has the Animal Welfare League prosecuted anyone for flystrike?

Mr SLATER: Not in the last 10 years.

The Hon. MICK VEITCH: Have you prosecuted anyone for infringements of POCTA as a part of or arising from the mulesing process?

Mr SLATER: No. If I could put that into context though, please, the majority of stock drought welfare panels are handled by the RSPCA in New South Wales.

The Hon. MICK VEITCH: That was where I was going with this. So then what is your involvement essentially in this area?

Mr SLATER: We are growing into a space where we are going to support the RSPCA further. We have obviously had the smaller inspectorate for a long period of time, awaiting the Government's response to the POCTA enforcement inquiry as well. As I mentioned at the last inquiry, our intent is to grow substantially our inspectorate, to move into that space, to further support both NSW Farmers and RSPCA.

The CHAIR: Mr Slater, in your submission, you point to the use of insecticides and topical ointments to prevent the flystrike. Do you know of any research that has been done that compares the effectiveness of that to mulesing in terms of cost effectiveness and labour?

Mr SLATER: Can I take that on notice?

The CHAIR: Given Ms Ward's comments that it is not about just stopping mulesing and not doing anything to prevent flystrike, we need credible alternatives. Do you know of any research that has been done in terms of the effectiveness of those?

Mr SLATER: I do, but can I take that on notice and come back to the Committee, please?

The CHAIR: Yes. Ms Ward, you mentioned that rigorous consultation would need to happen with the industry. Wouldn't you agree that rigorous consultation should have already happened with the industry by the proponent or the party that is putting this bill forward?

Ms WARD: Absolutely.

The CHAIR: Would you not expect that that party would have already had that rigorous consultation with the industry?

Ms WARD: Yes, but I would also consider that the whole history to this issue is part of that bigger picture of consultation. The industry has known since the early 2000s that this is a practice that the community finds unacceptable, and they have had that time to—and there was the PETA case in the 2000s and the industry committing to phase it out by 2010. So I would incorporate that into the bigger consultation picture. This is not a surprise. They have known that the community wants to see the end of this procedure. To turn around now and say these are unforeseen consequences, again, I would find a little bit difficult to accept.

The CHAIR: But more to the date, which seems to be a bit of a sticking point—and you would agree that it possibly would need to be extended—would you not expect that the person putting this bill forward actually had that consultation about that specific element?

Ms WARD: That is right.

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The CHAIR: Not the overall picture of mulesing but the actual specific element of that date, which seems to be a sticking point.

Ms WARD: But we do need to acknowledge that this is standard in drafting legislation. Things happen. We have of course had COVID. We have had a lot of things. And we are now very much further down the track in terms of dealing with this draft bill. So inevitably the initial proposed implementation date is now looking sooner than it was back then. So it would just be a standard part of drafting legislation that you would keep consulting with your stakeholders and that that would simply be revised. That is fairly standard.

The CHAIR: Not a question but more of a comment, given that the bill has already been before the House last year I do not think we can blame COVID for a lack of consultation here, because it was well before the House and well before being drafted.

Ms WARD: That was just a comment on the passing of time.

The CHAIR: Yes. No problems at all.

The Hon. MARK PEARSON: Thank you very much, everybody, for attending. Welcome, Ms Oogjes and Dr Hood. Ms Oogjes, did you serve on the animal welfare advisory committee to AWI for several years? Can you hear me, Ms Oogjes?

Dr HOOD: The line is not good. I can only barely hear you. I am not sure if Ms Oogjes can hear you.

The CHAIR: Do you want me to repeat the question?

The Hon. MARK PEARSON: Yes, that would be good.

The Hon. MARK PEARSON: The question is to Ms Oogjes. Did you serve on the animal advisory committee to Australian Wool Innovation for a period of time?

Ms OOGJES: Yes, I have served on that committee. More recently and continuing I attend information sessions particularly on livestock preventions with Australian Wool Innovation and their research workshops that they hold annually at least so that we are very well aware of the attempts and the various research projects that are underway.

The Hon. MARK PEARSON: Did the member who has carriage of this bill serve on the same committee for the same period of time?

Ms OOGJES: Yes, that person did, thank you, Mr Pearson.

The Hon. MARK PEARSON: I would like to bring you, Ms Ward and Mr Slater, to the report from the Humane Society International looking at various woolgrowers who have achieved a situation where they no longer have to mules. Did all of those woolgrowers cover the various circumstances which woolgrowers have to face in the wool industry—for example, the number of wrinkles in the breed, the climate, worms et cetera? Have all of the examples of the circumstances which woolgrowers have to face in phasing out mulesing been covered by that report?

Ms OOGJES: Is this a question too?

The Hon. MARK PEARSON: To you, yes.

Ms OOGJES: I was not directly involved with the report but that is my understanding of it that it looked at a wide range of different wool production systems in order to come up with those figures, yes.

The Hon. MARK PEARSON: When Victoria's Parliament was grappling with the issue of mandatory analgesia the questions that have been before us are about the fact that there is a residue issue in case the animals have to be slaughtered soon because of a predicament with disease or something else and therefore there would be a problem in having to withhold animals before slaughter for up to 90 days. How did the Victorian Parliament and the Department of Primary Industries or Agriculture Victoria grapple with that question?

Ms OOGJES: My understanding is that it was not seen as a concern in the broader sense because these are lambs that are going to be held for wool production, not going off to slaughter any time soon. They are young lambs. Indeed the reason put forward for mulesing is in order for it to be a once-in-a-lifetime approach. So they are not going to slaughter. It would be a very unusual circumstance for that to happen. So it is really a moot point.

The Hon. MARK PEARSON: One other question, to Dr Hood: Have you seen sheep that have been fly-struck?

Dr HOOD: Yes, I have.

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The Hon. MARK PEARSON: When they are initially struck, how long does it take for the maggots to start to cause adverse animal welfare and harm?

Dr HOOD: I could not comment directly. There are many variables that impact that—the severity of the first strike, the condition of the sheep that is struck. But it certainly can progress quickly. That is certainly true. If farmers know they are in areas where flystrike is a problem it is behoven on them to check the sheep regularly to ensure that they are not struck.

Ms OOGJES: Mr Pearson, can I add to that answer?

The Hon. MARK PEARSON: Sure.

Ms OOGJES: The mulesing operation of course only assists—and it does assist. There is no doubt that it can assist. Our argument is, of course, that alternatives should be used. But it only assists the breech area—the backside area.

Dr HOOD: Of course.

Ms OOGJES: And so the body strike and head strike occur in any event so surveillance as Dr Hood has just indicated is really important in areas where there are problems.

The Hon. MARK PEARSON: With your experience, Dr Hood, if there was a fly season and there was serious concern about possible flystrike and the sheep have not been mulesed, how often should they be observed and checked for flystrike and then treated if they are struck?

Dr HOOD: Okay. I would like to take that on notice and also to explain partly my background and my involvement with sheep that have been fly-struck. That has not been as an adviser in the field; it has been as a government regulator going out and finding fly-struck sheep in Western Australia that have then been subject to investigations or other such matters under the Animal Welfare Act in Western Australia. So I am not specifically a sheep vet and I think a sheep vet would be able to answer more specifically. However, I can say quite unequivocally that the degree to which you have to check your sheep is very much dependant on your sheep, the type of sheep, where you are situated. It is on an as needs basis.

So if you are farming high-risk sheep in a high-risk fly area then you might need to be checking your sheep daily. As Ms Oogjes has pointed out that would also be a risk in flystrike in those sorts of areas in heavily woolled sheep—any wound to the face, head or body can also be just as much a problem as breech strike. There are very many different types of sheep operations. Some are running more hardy sheep in more extensive situations and others are running sheep that are more high maintenance in high maintenance situations. Mulesing should not be used as the easy answer to solve that problem.

The Hon. SAM FARRAWAY: Just quickly to Ms Ward: With respect to a previous question from Mr Pearson there was talk about the industry being on notice and not having done enough, do you agree, though, that, especially in the past 10 years, the industry has made a significant investment to find alternatives to mulesing?

Ms WARD: If I were to focus on the outcome, I would say no because the outcome is to phase out that practice and they have known that the community wants that outcome since at least the early 2000s, if not before. So, I mean, it is commendable but we need results.

The Hon. SAM FARRAWAY: True, but we have heard from the industry groups as well that in the past 10 years I think something like \$35 million has been invested by AWI into looking at alternatives. They have not been able to come up with a feasible alternative to mulesing and that is certainly well and truly on the record. I think, putting it in context, we have certainly heard from the peak bodies and I am sure everyone agrees that farming operators, and mum-and-dad farmers in particular, or anyone in the industry, has the welfare of the animal at heart. But it is quite a big issue in the sense that we have the largest wool industry in the world. New South Wales is a significant player in that market and when we hear statistics like mulesing does prevent three million sheep from becoming fly-struck each year, when we correlate that to the bill that is before the House now—1 January 2022, and as Mr Veitch highlighted—there could be some significant unintended consequences of this. So, the first question is: You acknowledge that there has been a significant investment over the past 10 years from the industry? And with the industry, do you not believe that this should continue to be supported and industry-led, rather than by government intervention?

Ms WARD: No, because the industry has had a very generous period of time and opportunity in which it could show that it was genuinely committed to reaching that point of phasing out this practice but it has shown that it will not get to that point on its own. I think the evidence is incontrovertible and, therefore, I think that, with this practice, there needs to be intervention, and we have got decades to show that there needs to be intervention from some external party because the industry will not get there on its own.

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The Hon. SAM FARRAWAY: If 1 January 2022—and from the evidence we have heard—is clearly not feasible or practical in any sense, when do you think the deadline should be?

Ms WARD: I would not want to foreshadow that just because it should be the subject of detailed consultation with the stakeholders and all these issues should be taken on board to determine a feasible and realistic phase-out point as long as there is one. In a former life I did work in legislation areas in the Commonwealth Government and this would be—that is what I say, it is a standard process. As you would all know, as lawmakers, that is how it should be done. So, I would not want to—as not a stakeholder in that sense—foreshadow or hazard a guess as to when that should be, other than the overriding principle of "sooner rather than later", as it has been decades.

The Hon. CATHERINE CUSACK: Are you aware of the stakeholders' claims that they are making progress?

Ms WARD: Yes.

The Hon. CATHERINE CUSACK: Working with the CSIRO. The CSIRO produces figures that show changes are occurring.

The Hon. SAM FARRAWAY: From this year.

The Hon. CATHERINE CUSACK: Would you agree that there has been change?

Ms WARD: Once again, coming from the perspective that I am coming from, I am interested in seeing genuine change. Now, if these changes are going to lead to that, then that is excellent and that is what the community wants, but if it is just more, just putting off the inevitable, then I think the community is—to use the vernacular—over that. So, as long as they are realistic and meaningful changes, then that is excellent—that is where we all want to get.

The Hon. CATHERINE CUSACK: I do respect your role as a protagonist for the cause, to make the cause move forward. I do understand that that is where you are coming from and I respect that. It is just that the stakeholders have given us really good evidence that shows that changes are occurring, that there is good economics for them in not having to perform these procedures—that they are not things that people enjoy doing or that they do just because they have been part of animal husbandry for a long time, but that a lot of changes have actually been occurring. I would accept that from your perspective it is not fast enough.

Ms WARD: It has been almost a century.

The Hon. CATHERINE CUSACK: But you cannot deny that changes have occurred.

Ms WARD: Absolutely, that is right, yes. And if the industry were to get to that point without the legislation, then great, but it just would seem that the evidence suggests that they are not going to get there without that added impetus of legislation being introduced. So that is why we would support the legislation—to ensure that that end point is reached, and sooner rather than later. Otherwise, as a lay member of the community, you just fear that it will just be this ongoing cycle of, "Oh, yes, we are doing research", but it is not enough and we just do not get to where we want to get to.

The Hon. CATHERINE CUSACK: I was a member of the committee that inquired into the so-called "right to farm bill". In the course of that inquiry Animal Justice advocates gave evidence that, essentially, they did not really believe that animals should be a property right, that we should not be eating animals, that we should be looking more at plant-based diets and the same for our clothing—that it should be plant-based, not animal-based. So, I suppose it creates the sense that this is actually about getting rid of the whole industry; not just addressing a specific issue.

Ms WARD: That is certainly one perspective. The other perspective, of course, is that there is a growing demand for plant-based fibres even—not just food—and it would be in the interests of the industry, one would think, that they would take on board that sort of growing area, growing markets, and be moving in that direction as well. So, if there is money to be made from that, then they should be moving in that direction as well because that is a growing market.

The Hon. CATHERINE CUSACK: I guess the suspicion was that the agenda behind—there was a stated agenda but then the real agenda appeared to be a much bigger one, which was actually to eradicate animal-based farming altogether. And there is no question—

Ms WARD: Yes, of course.

The Hon. CATHERINE CUSACK: —that is what they saw the ultimate goal of this mission as being.

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Ms WARD: Yes, that is right, and that is an ongoing ethical tension. Whether you are an abolitionist, a new welfarist or an old welfarist, it is a question of how do you deal with this idea of incremental change? Abolitionists would advocate that you cannot have incremental change—that the bigger cages are no substitute for empty cages—but others in the movement can see the value in adopting incremental changes, and who knows where the end point will be? But it can be turned on its head and those in the movement could say that, really, the farmers' agenda is making money. So, while soever it is cheaper to mules, mulesing will remain. So that is where the despair comes from—that we will not actually get to the point where change is implemented because of that alternative agenda.

The Hon. CATHERINE CUSACK: I guess, as a Parliament, we do not really have a problem with a farmer wanting to make money from his business.

Ms WARD: Absolutely. I do not think anyone would.

The Hon. CATHERINE CUSACK: But activists wanting to shut down an entire industry—

The Hon. MARK PEARSON: Point of order: This inquiry is about a bill relating to analgesia for procedures on animals and a phase-out of mulesing. It is not in inquiry into animal rights or animal welfare—old, new or otherwise. So I think the Hon. Catherine Cusack's questions are out of order.

The CHAIR: Ms Cusack, do you want to respond to the point of order?

The Hon. CATHERINE CUSACK: I think probably I have lingered on that point long enough. I would agree with that. I simply feel there is the potential for a more radical agenda underpinning this legislation and this approach to industry. But I do thank you for your answers and I certainly respect that you are advocating, championing your cause.

The CHAIR: One final question from me. We are going to hear from a doctor who is proposing an alternative procedure. I just want to gauge your group's opinions on that procedure and, I guess, assess where that opinion comes from. The procedure is from Dr John Steinfort. You might be familiar with this, he proposes a cryogenic freezing of the area as an alternative to, I guess, an incision. I was wanting to hear your thoughts on that proposal as an alternative and if you have seen it in practice, and if you do oppose it what is that opposition based on if you have not seen it?

Ms WARD: I can say up-front that I do not have any views on that, so I defer to my colleagues.

Mr SLATER: I have heard about it; I have not seen it. The questions we have are the economics of it and the access of it, especially for regional producers. We would want to have a much closer look at it. I am happy to do so and take that on notice and come back to you.

The CHAIR: Ms Ward, you said you do not have—

Ms WARD: Sorry, I am not familiar with that process, so I cannot comment.

The Hon. MICK VEITCH: Do you want to take the question on notice and come back to us?

The CHAIR: If you have it you might want to look it up. Ms Oogjes or Dr Hood, have you heard of this process?

Dr HOOD: Yes.

The CHAIR: Have you seen it and what is your position on it?

Dr HOOD: Ms Oogjes, would you like to answer or would you like me to answer that one?

Ms OOGJES: You go first, Dr Hood. I would like to make some comments as well.

Dr HOOD: As a vet and a scientist I would like to say that I think we need to base our assessments on evidence-based science, that science that is published in peer reviewed journals. That was part of the statement for how the Standards and Guidelines should be developed. In my view and experience, that fell short, but we should be aiming for objective science, not how individuals feel. As far as I can tell, I have been unable to find any peer-reviewed evidence on the cryosurgery technique, the Steining technique. For that reason alone, although I have watched a video on it et cetera, et cetera, and I think its inception came from a good place, surgical mulesing is completely barbaric, but I remain unconvinced as a scientist at this point that we could rely on that.

To further elaborate on grasping at simple and single solutions is that a lot of the work that has been done that has been published on pain relief that is used in mulesing is, in fact, very mixed. Some of it is good and we do need a lot more research, but you cannot perform such a surgical mutilation on an animal—it is an extensive wound—and hope for a magic answer in the field that will fix it. The real issue is that we need to be breeding

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animals that do not require these invasive surgical procedures as part of normal husbandry. My concern with Steining is that it is just another form of tissue destruction, albeit by liquid nitrogen, but that in itself we do know to be painful—perhaps not as painful as surgical mulesing, but we do not really know.

I think it would be better to go forward with known principles, and the known principles are that we do know that we can breed animals that are far less susceptible to flystrike. We do know scientifically that you can control flies using not just one measure but a whole range of measures. We can phase out mulesing quite quickly and achieve much better results in the long term without searching for these Holy Grail answers that will simply take away the pain from something that really if we had done to us we would be in hospital for three weeks having skin grafts.

Ms OOGJES: Dr Hood was saying much of what I would have said. I have observed though the work that the industry has done in regard to research. My concern is that, as Dr Hood said, some of it is searching for that Holy Grail of just a short and quick approach to things when, indeed, the real answer is genetics, it is the breeding of cleaner breeched animals. Many of the farmers have already done that. AWI has done considerable research in that area to assist that to happen, and that is the answer, not, again, replacing mulesing with something that may well be cruel in any event, which is modifying an animal in a way that could be really detrimental. I understand, as Dr Hood said, that the development of this and previous things such as clips and others have come from a good place, but we really do need to look at what already many, many farmers over many years know, that is, that breeding out these elements—in this case, wrinkly breech—is the way to go.

The CHAIR: As there are no further questions, that will take us to the end of the session. Thank you.

(The witnesses withdrew.)

(Short adjournment)

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ROSEMARY ELLIOTT, President, Sentient, The Veterinary Institute for Animal Ethics, sworn and examined
JOHN STEINFORT, Director, AgVet Innovations, before the Committee via teleconference, affirmed and examined

The CHAIR: Would either of you like to give an opening statement? I will start with Dr Elliott.

Dr ELLIOTT: A review by no less than Meat & Livestock Australia on *Strategic and novel approaches to reducing flystrike in sheep*, published in March 2020, offered this caution:

The belief that mulesing is a defensible practice that will remain as a viable fly control measure has seriously limited the potential to develop genotypes and management systems that are in line with current and future consumer needs and is extremely misguided. There seems to be a belief that there can be no compromises to current production and breeding methods to reduce and/or remove the risk of flystrike. The future is going to prove this assumption wrong.

By "genotypes" is meant breeding for plain-bodied sheep who have low susceptibility to flystrike. This is the future. Plain-bodied sheep can be introduced in as short a time frame as two years, according to one study. Such breeding has been open to the producer for decades. The CSIRO reports that the amount of wool sold from un-mulesed sheep is 17 per cent and steadily increasing.

Analgesia is not the answer. Why? Firstly, because it does not prevent the immediate impact of the procedure. That is barbaric. Secondly, because pain relief sometimes takes up to two hours to have any observable effect. Thirdly, once it takes effect, the duration of analgesia is shorter than the duration of pain associated with mulesing. This means it fails to reduce any enduring pain in the ensuing days. The cruelty of mulesing is not rescued by analgesia. As a solution to flystrike mulesing poses yet another welfare problem for sheep due to pain and suffering that last well beyond the brief time it takes to be mutilated. Until mulesing is prohibited, appropriate pain relief must be mandated to reduce suffering to the extent that it can. Current best practice suggests a combination of topical anaesthetic and non-steroidal, anti-inflammatory drugs. This should only be an interim measure, however, as bandaid solutions are not enough. Mulesing will remain unacceptable to the public, with or without pain relief.

For the same reasons, mandatory pain relief is required for other invasive procedures performed on stock animals, such as castration, branding, dehorning, teeth-clipping and tail-docking. As with mulesing, many of these should also be phased out and replaced with improved genetics and management. The only sustainable and ethical alternative to mulesing is a shift towards the selection and breeding of flocks with low susceptibility to flystrike, combined with good husbandry to achieve an integrated approach. Breeding for performance alone is unacceptable. This shift is increasingly what the community expects. In the meantime, producers who cease mulesing can rely on a range of enhanced on-farm sheep management practices to prevent flystrike.

This is not wishful thinking. Many woolgrowers have achieved very low levels of flystrike through a combination of genetics and management. They have done this without the need for mulesing or excessive use of chemicals. These woolgrowers have reported positive results for animal welfare and production indices. They should be heralded as industry champions due to their vision for more humane wool growing and their ability to read the signs that times have changed. Instead, they are silenced by the majority voice from industry associations who predict that a prohibition on mulesing will bring about an annual burden of seven million fly-struck sheep and an end to the Australian merino industry.

This rhetoric spreads misinformation and ignorance. It highlights the ongoing conflict between the overwhelming public interest for high standards of animal welfare and industry self-interest, resistance to change, and sense of entitlement to be free from external regulation. Due to market forces there will be an end date to surgical mulesing and alternative forms of breech modification. Furthermore, reliance on chemicals will have less impact due to the problems of blowfly resistance and community concerns about chemical residues in wool and natural ecosystems. The world is watching us as, yet again, Australia debates mulesing 10 years after the wool industry reneged on its commitment to phase out the practice.

The questions we should be asking ourselves are these: Is it fair to continue to perform a brutal procedure we would never impose on domestic animals without general anaesthesia and that, in domestic animals, would be regarded as an act of cruelty? Is it fair to deliberately breed sheep with conformations that expose them to the risk of flystrike, which we then manage by mutilating their bodily parts? Is it fair to do all this when humane alternatives are available? Mulesing is an act of animal cruelty and cannot be rationalised as a decision by woolgrowers about how they choose to run their businesses. Sheep are sentient beings and must be protected by the law accordingly. As an independent veterinary association dedicated to promoting animal welfare and ethics, and with no financial or other conflict of interest with any industry, Sentient supports the Prevention of Cruelty to Animals Amendment (Restrictions on Stock Animal Procedures) Bill 2019. Thank you.

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The CHAIR: Dr Steinfort, if you indicate during your opening statement when you would like us to hit play on your video, we will do so.

Dr STEINFORT: I was not aware I had to give an opening statement, but I can give one and then we can press play on the video if that is okay. As a veterinarian who moved out of private practice 20 years ago with the intention to improve how we work with livestock, the mulesing debate came up in 2008 where a solution was being called for, or more a cessation of mulesing had been initiated. With that I certainly feel that mulesing is really outdated and inappropriate but, unfortunately, in human nature it has become a part of the mainstay of some practices in the sheep and meat livestock industry. That is not to say that it is right and correct for the animal because I believe it is not. If they open a wound, as far as a veterinary surgeon is concerned, I would stitch it closed. In doing what we have done as a company is we have looked at providing producers an alternative to mulesing that has to be humane, that has to have minimal impact on the animal and we believe that this sheep freeze branding process provides those two parameters.

We know that not every producer can breed up plain animal sheep without production losses in wool. We know that the breeding and genetics of plain bred sheep will need to be further developed and more focused on that development. In the meantime where we see the sheep freeze branding is where it is now. It is providing an alternative in that transitional pathway. Some of our producers have already used that. We do not provide a result that is like a mules but what we say is that we produce a plain manageable breech so that then people can use those animals and get less flystrike to get less injury around crutching and shearing, which is really important, and they are less reliant on chemicals. So it keeps the wool industry alive, which is really most important. By keeping the wool industry alive we are keeping all the labour inputs—the shearers, the roustabouts and the contractors that feed into that industry. We are keeping small towns alive in the country. You can drive up north in Victoria and see what is happening there. There is decimation of the livestock industry. I would like to end my opening statement there and play the video.

Video played.

The Hon. MICK VEITCH: Dr Steinfort, I saw the video of the procedure. I want to ascertain the pain level for sheep. Is there some way to provide the Committee with an indication of it? Is it like us going to a doctor when sunspots are frozen off on our face or hands or is it like frostbite when you lose a digit? Where does your procedure fit on that scale?

Dr STEINFORT: I have not experienced frostbite so I cannot comment on that. The analogy is it is like having a skin tumour or a wart taken off your skin. What we see in the livestock is a variation. We see some animals react to the nitrogen coming on and that depends on is the animal reacting to that stimuli or is the animal just moving through other reactivity. If we do weaners their reaction is significantly reduced and they will squirm. On both the analogies it is like freeze branding cattle and freeze branding horses. Those animals need some restraint for the nitrogen to be applied to their skin. So that is the analogy that I would place it in. Also the analogy is it is like taking a child who has not experienced a lot of pain for a vaccination. Sometimes they cry, sometimes they squawk because they are reacting to a stimuli they have not experienced before.

The Hon. MICK VEITCH: How readily available is the technology?

Dr STEINFORT: The technology is emerging. It has reasonable infrastructure behind it and also we have had reasonable hurdles to get through within the industry as far as placing it within the industry, and that is the journey with AWEX and its classification. We are also conducting trials with Melbourne university—institutional trials where the results will be published worldwide. Once we get the validation of that [inaudible] and what we are wanting to do—and I have spoken to lots of vets about it—is we want the science and what we see in the field to stand up in a scientific report. That is where we are wanting to be and that is the consistent results that we see. We hear farmers saying that they have never seen anything like this before. No doubt the animal's role [inaudible] and no setback. That is what we are consistently seeing.

As far as the availability, we can ramp up investment and we have a lot of contractors who are currently mulesing. We want contractors who want to stop mulesing and switch to sheep freeze branding if that becomes available to them. To do that we need so-called ducks lined up. We need AWEX to maintain a classification in the non-mulesing category, because it is not mulesing by definition, and the way we can do that is by getting these university papers and results done and published and being accepted within the industry.

The Hon. MICK VEITCH: Dr Steinfort, you may not be able to answer this, but has there been any work done on what cost per sheep this would be?

Dr STEINFORT: We are in a commercialisation phase at the moment. We have done about 120,000 lambs [inaudible]. The cost per sheep for the sheep freeze branding process is \$5 plus GST. As well as that we have also [inaudible] to use systemic pain relief in the form meloxicam. We prefer meloxicam injection

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and that cost per animal is around the \$1 or \$1.10 mark. That is a veterinarian-prescribed prescription drug. Some contractors are saying basically that the extra cost of doing sheep freeze branding is about \$3 or \$3.50 more than current mulesing practice with the application of Tri-Solfen.

The Hon. MICK VEITCH: Dr Elliott, thank you for your submission and your time here. Emanating from your opening statement, you would accept there are growers in the wool industry that have moved away from mulesing—that they have, as you say, used genetic and animal husbandry techniques to go to a more plain-bodied sheep. You accept that?

Dr ELLIOTT: Yes. I would like to hear more from them, actually.

The Hon. MICK VEITCH: Yes. We have had some testimony today that I would like to test with you around—there is some geography as well as genetics. Do you accept that? Do you concur with that view?

Dr ELLIOTT: I guess what you are referring to is if you are in a high rainfall area or where you are more prone to flystrike. I heard some presentations this morning—producers giving evidence about sudden fly waves that you have no warning of. Yes, I accept it. Australia is a huge country, isn't it? We have got enormous variation geographically and these are things that producers need to be prepared for.

The Hon. MICK VEITCH: Do you think, Dr Elliott, that maybe we should do more work in actually removing the blowfly as well as—

Dr ELLIOTT: Yes.

The Hon. MICK VEITCH: So, there should be more money invested in the research in managing the blowfly?

Dr ELLIOTT: I definitely agree with that. Just in my preparation I was reading this Meat and Livestock Australia report that I quoted earlier. They talked about not just monitoring blowfly activity but reducing blowfly populations, and the use of fly traps and having them near where the stock congregate, such as around water, and making sure that neighbouring farms do the same thing. I have not seen a lot of studies on this but I think it is definitely an angle that we need to target.

The Hon. MICK VEITCH: Yes. I would be keen to eradicate the blowfly, so I concur.

The CHAIR: Dr Steinfort, you have already spoken a bit about the ability to scale up your technology there. I just wanted to press a bit further and ask—this bill has a 1 January 2022 date in terms of when mulesing is proposed to be officially phased out and banned. Is your company in a position to be able to have all those ducks in a row and scaled up in time, by 1 January 2022, to service the demand that would come if mulesing was banned?

Dr STEINFORT: I believe that we would not be able to ramp up sufficiently to do that. I believe capital-wise we probably could, but this is a monitoring and a skill and a licensing process where we need to train contractors and make sure they are skilled in that area. I believe that we could not do that in that time frame, no.

The CHAIR: What would be your best estimate on a time frame for you to be able to do that?

Dr STEINFORT: At the moment I believe there is about 110 agricultural and mulesing contractors registered in Australia. If 75 per cent of them wanted to go forward and do this practice instead of mulesing I would say that time frame would probably take at least five years, if not seven years, to do that. We do not want to rush that because we want this to be rolled out correctly.

The CHAIR: Yes, I understand. I just wanted to see whether your time line married up with the time line in the bill, which it does not. Dr Elliott, in your opening statement you referenced that there was one study that said that the breeding could be done successfully within two years. Do you know what the specifics were of that study? Can you reference that?

Dr ELLIOTT: I have brought it to table, actually. Humane Society International Australia and FOUR PAWS commissioned a report on this issue. To be honest, there has not been a lot of industry research into the viability of a genetic solution—as in, who is doing it and how well they are doing it. I spoke in my opening statement about the need for industry champions because they are there. I am disappointed not to have heard from any of them today. They commissioned this report through BG Economics. It is an independent report called *Towards a Non-Mulesed Future: Selective Breeding to Counteract Flystrike in Australian Merino Sheep*. What they did was an independent survey of 97 wool growers and case studies of those wool growers—they are from all geographical regions in Australia—who have already transitioned to plain-bodied merinos, who do not require mulesing.

The results of this were very—what they do is they challenge the resistance in Australia that we seem to have to make this transition. I think there is a view that it is just costly and all too difficult. When they looked at

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what the producers who stopped mulesing and switched to using fly resistant sheep responded in the survey, 84 per cent of them experienced an increased return on investment since ending mulesing; 84 per cent said it is not costly to transition to plain-bodied merinos; 88 per cent received a price premium for their un-mulesed wool; and 82 per cent experienced increased lamb growth rates. These are production variables, not just welfare variables. So 78 per cent completed this transition within five years and 43 per cent within two years; 87 per cent would recommend this to other wool growers; and 98 per cent said that mulesing is important for their farm's future profitability.

If I could have found more published studies on success rates in this transition I certainly would be here talking about them. What I am concerned about is the lack of industry leadership in this issue. We have been talking about it for a long time. There was a proposed commitment to phase out mulesing 10 years ago. Since Dr Jim Watts started breeding non-wrinkled sheep 40 years ago, we have known about this. We now have a lot of support for producers through FlyBoss and different technologies that they can use to make the transition. This report is important because it is independent. The other thing I would say about this report is that they have actually had quite low rates of flystrike without mulesing. So, what they reported here was 72 per cent had 0.5 per cent or less breech strike in their flock. That compared favourably to the Kynetec 2017 national survey results—which is really all sheep in Australia—which found 51 per cent with 0.5 per cent or less.

Then when you go into the higher categories of, say, 2 per cent or more of breech strike, the national survey results find 10 per cent of Australian flocks are struck. The study found that only one woolgrower had over 2 per cent flystrike. This is important and I think this is where we need to be going with peer reviewed research funded by industry looking at what I am calling the industry champions. They are out there and I think they should be given credit for what they are doing because they are improving animal welfare but they are also retaining good production. I believe that will keep the wool industry sustainable.

The CHAIR: Who reviewed this research? Who peer reviewed this research?

Dr ELLIOTT: I might take that one on notice but it is an independent body of research. I am unable to find anything comparable.

The CHAIR: You said it was 96 wool producers?

Dr ELLIOTT: Yes—97 woolgrowers.

The CHAIR: Sorry, 97. And that was across New South Wales or Australia?

Dr ELLIOTT: Australia—from different areas of Australia.

The CHAIR: Okay. For me the research is interesting but when it is such a low number, I guess being interviewed and researched, 97 out of 26,000 woolgrowers across Australia becomes a little bit statistically irrelevant. The concern for me is that I want to be seeing a larger sample size to provide a bit more validity around those figures you are quoting, around 42 per cent, so they could do it in two years because there is a lot of contention around the time frame it would take to breed out the wrinkly skin. It is not necessarily a question but more of a comment: While it is interesting, I think more work probably needs to be done in that space in terms of increasing the sample size.

Dr ELLIOTT: I agree. I mean, I would say the same with the report that was tabled this morning by the Australian Wool Innovation, which I think had a hundred sample size.

The Hon. MARK PEARSON: I have a few questions. I suppose in part you just answered the question. Are you aware of any research that has been done by Australian Wool Innovation or the Wool Council, et cetera, that has researched woolgrowers that have chosen to go in the path of phasing out mulesing through reducing the wrinkles, et cetera? Has there been any research like this commissioned Humane Society International report by the industry?

Dr ELLIOTT: I have not found anything, actually. No. I mean, that report I mentioned looked at other things. I have not seen anything where they took woolgrowers who had actually succeeded and looked at what—

The Hon. MARK PEARSON: So what does that say to you about the wool industry?

Dr ELLIOTT: It says to me that there is no industry leadership. I think what we are looking at—I mean, I have listened as much as I could to the evidence given today. I heard from Professor Peter Windsor about a trial that he did for a year at Camden or just outside Camden in New South Wales—perhaps it was Marulan—and his results were negative after a year and he returned to mulesing. Again, this is a sample size issue, is it not? What concerns me about this issue is that you have got people who try it. How well they try it, we do not know, and we are getting reports about it: It worked or it did not work. I think what we need is for the industry to actually make a commitment to trialling this and supporting it and then ensuring that people all get the same information and the same support about how to do it.

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I do feel there is a lack of commitment by industry to change on the whole; otherwise, it would have changed. I mean, we are now trialling new—we heard Dr Steinfors's evidence. I commend any veterinarian who tries an alternative technique to improve welfare. Having said that I think the future is going to lie in genetics and good management, not in further forms of breech modification, which are still painful albeit they may be less painful than mulesing. I think that there is a lack of commitment to change. We could have done this by now. We are here so many years later. We could have actually got there. Obviously it needs to be tailored for the geography of where people are farming.

The Hon. MARK PEARSON: Do you think this report, even though the concern is it has not canvassed enough woolgrowers, covers variables in environment, climate, worms—the factors that are of concern in the industry where they have to grapple with flystrike for various reasons? Does that get addressed across these woolgrowers, or would you like to take it on notice?

Dr ELLIOTT: It does in the sense that they have got people from all different parts of Australia. It does not in the sense that you would not have the numbers. Say they were all from New England or whatever and you had a hundred of them, you would be happier with that data than if you have 100 of them or 97 of them and they are from all around Australia. It makes those comparisons between regions—you would not get to statistical significance out of that. But this is a very good start and I think we can learn from this report. I think it is reassuring that it is possible, without having crappy wool—excuse the pun—and without having to rely on excess chemicals. So think it is a very good start and I think that this is the sort of thing that really should have been done by industry—well funded, with much larger sample sizes.

The Hon. MARK PEARSON: You are concerned that not one of these woolgrowers has actually come to give evidence.

Dr ELLIOTT: Yes.

The Hon. MARK PEARSON: Why do you think that would be the case?

Dr ELLIOTT: They have nothing to lose.

The Hon. MARK PEARSON: Thank you very much.

The Hon. CATHERINE CUSACK: I am actually still looking at the study, if that is okay. Do you mind if I spend another couple of minutes on it?

Dr ELLIOTT: Okay.

The Hon. CATHERINE CUSACK: Sorry. What I am trying to find in the study is the idea that this could be accomplished by January 2022. I just cannot see that. I can see that these breeders have stopped, like, some of the more than 15 years ago.

Dr ELLIOTT: Yes. So 43 per cent of them accomplished the transition within two years. Forty-three per cent is not the majority. I am just saying that for some it is possible within two years because they have done it.

The Hon. CATHERINE CUSACK: But the legislation will apply to everybody.

Dr ELLIOTT: Yes.

The Hon. CATHERINE CUSACK: Do you think it is feasible for everybody in New South Wales to do that in the next 14 months?

Dr ELLIOTT: Not fully. It depends on where they are, what their flocks are like.

The Hon. CATHERINE CUSACK: Should we just fine them, do you think, or just close their farms if they cannot do that?

Dr ELLIOTT: Fine them? Mulesing is not the only way of managing flystrike and that is what has come through to me today—the reliance on mulesing and the belief that it is the only way to manage. I mean, what I like about the genetic solution and working with plain-bodied sheep is that it is not that you have got plain-bodied sheep and you forget about them. There is a strong emphasis on integrated farm management. I worry that sometimes when there is a surgical procedural solution that then things like twice-yearly crutching or really good worm management or, as a gentleman over here mentioned about reducing the fly population, that other things may sort of go astray.

I also think that it is really on industry to have not taken note because, if you commit to phasing something out and then you do not 10 years later and there is a bill—I mean, this bill was initially read out in 2019 around November, was it, so that is over two years—I feel the industry has been on notice that mulesing is really on the

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nose. I guess my concern for them is also that internationally they are going to lose out to competitors who do not mules. If we do not have a deadline, you know, if this bill had said 2025, I would have been happy because I think that gives more time and perhaps there can be some compromise; I do not know, but I feel like if we do not have a deadline now people will not work towards it. This is what has happened.

The Hon. CATHERINE CUSACK: I am just glancing at the report. It refers to the SRS Group. I wondered what that is.

Dr ELLIOTT: The SRS Group is—I mentioned earlier Dr Jim Watts, who is now RIP. I met a colleague of his last year at the RSPCA animal welfare annual seminar. I had a really good conversation with him. I guess he was quite innovative because he recognised early on. We bred the wrinkly-bodied merinos to be wrinkly bodied because if you have more skin surface area you have more wool. The problem is, the wrinkles and the tendency to trap moisture makes it very attractive for flies to lay their eggs and the maggots to do what they do, which, as everybody here knows, is absolutely repulsive. Seeing a sheep lying in the final stages of flystrike is a very hard thing to watch and I am the first to admit that. I have seen it. Dr Watts recognised that if you improved the wool fibre and made it denser, you get more wool per area of skin. But it is a supple skin that does not hold moisture and so they are easier to shear and not as prone to flystrike.

These are merinos that have been bred back away from having that excessive wrinkle. Therefore, you get lower wrinkle on the breech of the body. They are also easier to shear and better able to withstand some of the conditions that we expose them to in Australia—hot and very rough conditions for sheep in the heat. They have just as good wool quality and fleece weights but they are not prone to—you cannot say sheep are resistant to flystrike, but you can say they have low susceptibility to flystrike. I do not want to use the term "resistance", which I have heard used a fair bit, because it means that you have acquired resistance through being struck, and we do not want that to happen. The answer is to breed them. Breech cover, breech wrinkle and dag score are highly heritable traits and they can be selected. I even found a study, which escapes me at the moment but it was produced by the CSIRO—let me find it. I meant to table it but I ran out of time to photocopy it. This was a study that—

The Hon. CATHERINE CUSACK: I am sorry, but before you go onto that I am just wondering what the SRS group is?

Dr ELLIOTT: It just stands for "soft rolling skin". They are plain bodied and they are called SRS because their skin is soft and rolling.

The Hon. CATHERINE CUSACK: The professor started a group, did he?

Dr ELLIOTT: He did research through the CSIRO. So, rather than relying on wrinkle—which is large skin service area—to obtain high fleece weights, the SRS has a very soft, loose, supple skin and this is closely associated with high fibre density and length. You get more wool per area of skin but it is wool of high quality. Some of these sheep even have naturally short tails, so you could select for that rather than tail docking.

The Hon. CATHERINE CUSACK: I understand that, it is just that the report refers specifically to an SRS group—it sounded like something that farmers were signing on to.

Dr ELLIOTT: I was not aware of that and I will take that on notice. My understanding of the report was that they were using SRS merinos, which have been around for about 40 years.

The Hon. CATHERINE CUSACK: I do understand, yes. It does mention that the disproportionate number of New South Wales farmers may be attributed to the gentleman you just referred to—

Dr ELLIOTT: Dr Jim Watts.

The Hon. CATHERINE CUSACK: —his SRS group. That is why I was curious about that.

Dr ELLIOTT: I will look into it.

The Hon. CATHERINE CUSACK: Thank you for taking it on notice.

The Hon. MARK PEARSON: Can I just ask, for clarification, when the merino sheep was brought to Australia from Spain, did it have as many wrinkles as it has now?

Dr ELLIOTT: No, my understanding is that it was crossbred. They did some of that partly to help them cope with the Australian environment but also, as I mentioned earlier, the belief that if you get a higher surface area of skin you get more wool—well, you do, but then you get the disadvantage of what the wrinkles cause.

The Hon. MARK PEARSON: The disadvantage was never predictable, was it? Was it a surprise?

Dr ELLIOTT: I would not think so, no. No-one would deliberately bring on this problem.

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The Hon. MARK PEARSON: Would you say that these sheep really cannot adapt to the Australian environment, unless they have major intervention from our species?

Dr ELLIOTT: I agree with that, yes. Some environments are far worse than others. Anywhere where you have high rainfall or where you get rainfall followed by heat or heat proceeding rainfall—those are very high risk for flystrike.

The Hon. MICK VEITCH: Just to be clear, the fly is also an introduced species.

The Hon. MARK PEARSON: Yes, that is right.

The Hon. MICK VEITCH: It came in about 1900, or 1905 or thereabouts.

The Hon. MARK PEARSON: It was a combination.

The Hon. MICK VEITCH: Just to be clear, they came here after the sheep came here.

The Hon. CATHERINE CUSACK: But you would agree that there are certain climates that certain animals do not do well in.

The Hon. MICK VEITCH: Yes.

The Hon. CATHERINE CUSACK: I certainly support that observation.

The CHAIR: Just one clarifying question, Dr Elliott. In your submission you state that you support mandatory pain relief extending to other invasive procedures and you list them, but you leave ear tagging off. Was that just an oversight or are you separating that off in terms of your support for pain relief?

Dr ELLIOTT: Look, I left it off because it is a quick procedure that is not as invasive. I would love to see analgesia used for that but, my fear is that if you include that—and I have heard all the discussions this morning about some of the difficulties that could cause with natural disaster and having to suddenly move sheep, et cetera. I guess my concern is that the whole thing will be thrown out if that is included. It was really more of a strategic omission than anything.

The CHAIR: Okay.

The Hon. MARK PEARSON: Would you sit more comfortably if ear tagging was removed and there was a five-year phase in of the ban of mulesing, in terms of supporting the bill?

Dr ELLIOTT: To be honest, it might be my computer skills, but the bill I have does not have a lot of detail in it.

The Hon. MARK PEARSON: No, it is a bill.

The CHAIR: No, it is not your computer.

The Hon. SAM FARRAWAY: Is that on the record?

The Hon. CATHERINE CUSACK: I do not think your skills are the issue.

Dr ELLIOTT: I never read anywhere whether you were or were not including ear tags—and that is not a criticism; I like the bill.

The Hon. MARK PEARSON: Yes, I mean I think the ear tag, it will be questionable as to whether they will see that as a surgical procedure. I think that would be in question.

Dr ELLIOTT: To answer your question, I would not want to see the deadline on mulesing extended to get ear tagging included in analgesia. That does not mean I do not think it should be used—I would like to see it used. But there was not that sort of level of detail in the bill about which species and which procedures, and so I put in the ones that caused the greatest tissue damage.

The CHAIR: Thank you both for your time this afternoon, it was much appreciated. Some of you may have taken questions on notice and the Committee secretariat will be in touch. You generally have 10 days to get those answers back to us.

(The witnesses withdrew.)

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RON COWDREY, New South Wales Vice-President and Organiser, Australian Workers' Union, before the Committee via teleconference, sworn and examined

NICHOLAS KAMPER, National Economist, Australian Workers' Union, before the Committee via teleconference, affirmed and examined

The CHAIR: Welcome to the last session for today's hearing. Would either of you like to make an opening statement before we proceed to questions?

Mr KAMPER: I will make some introductory remarks and then I will hand it over to Mr Cowdrey. I am the national economist at the Australian Workers' Union [AWU]. I oversee policy development and advocacy at both the State and Federal level. Obviously alongside me virtually is Ron Cowdrey, the vice-president of the New South Wales branch. Mr Cowdrey is also the regional organiser overseeing shearing members in New South Wales. I will start with a brief history of the AWU. The AWU was actually formed in pursuit of organising shearing members. We [inaudible] in 1886 from the Australasian Shearers Union in Ballarat, Victoria. By the beginning of the twentieth century—obviously the 1900s—we had about 20,000 shearing members. Today that sits in the hundreds, as the industry has contracted quite considerably. Throughout that period the AWU has represented shearers both in the boom years and the drought years.

I am not an expert on shearing. Occasionally when I venture away from my expert [inaudible] I speak with members and organisers to get a sense of the policy changes facing the industry, but that is the capacity in which I appear before you today. Mr Cowdrey has a greater understanding of the lived experience of shearing members. For the purposes of this inquiry, the AWU conducted a survey across all of its shearing members. We provided the [inaudible] in our submission because there was a limit, a cap, imposed on the [inaudible] of the submission. But if the Committee wishes, we would be happy to circulate the summary of those results after. In short, the AWU members are unequivocally supportive of mulesing. They see firsthand the sheep that suffer from flystrike, which is obviously a disease that is all too common across Australian sheep that do not receive treatment. I will leave it to Mr Cowdrey to make some introductory remarks before we take questions.

The CHAIR: Before that, I indicate for the Committee that we would welcome those detailed survey results. If you could get them to us like a question on notice, within 10 days, that would be fantastic.

Mr KAMPER: Absolutely. No problem.

Mr COWDREY: Thanks, Chair and members. As I said before, I am the vice-president and organiser in the south-west of New South Wales. I look after everywhere from Tibooburra across to Wagga and in between. Among the many industries I look after, I have members through the shearing industry as shearers, shedhands and rouseabouts, as well as farmhands directly employed by landholders. I have spoken with a few shearers and a couple of large landholders around the town I come from in Hay. The overwhelming, unanimous opinion is that if mulesing is banned it will largely be the animal that suffers immensely. If anyone has ever seen a sheep that is stricken by flystrike, you will understand what I mean. From our members' perspective, handling sheep full of flies and maggots creates an extremely hazardous work environment. It makes shearing unsafe. If a sheep is not mulesed, there is potential for shearers to inadvertently mules the sheep itself, because the wool is hanging off the skin at the breech, so it will create more stress for the animal.

Speaking with all parties that I did have a yarn to, it was widely agreed that pain relief should be used, preferably before, but most definitely after. It needs to be mandated to the farmers that this has to happen for the sake of the animal. Again, I am going to say it, if you ban mulesing you are going to have more problems with the animal than with the procedure itself. It has to be remembered that this happens once in their early life form and it protects them for the rest of their life. If you are going to ban it, what are you going to put in [inaudible]? That is the question I get from the guys I have spoken to. If these people want to ban this procedure, what is the alternative? Again, you want to save an animal? You are not going to ban mulesing. If you ban mulesing, you are going to have an animal that is going to die a slow, painful death. I will leave it at that.

The Hon. MICK VEITCH: I might know a bit about this caper so I am happy to fill in the blanks where you have missed out, being a former shearer. I have a couple of questions that lead into where I will go with this, so just a bit of patience. It is to do with the workforce. Do we currently have enough Australian shearers in Australia to shear the national flock?

Mr COWDREY: We do. The problem is the young blokes coming through. There is not enough funding going to training. The problems we have in relation to the workforce stem from the lack of funding from the Government in relation to training. It is all fixed in that hit.

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The Hon. MICK VEITCH: The reason I ask that is one of the alternatives being proposed—and I know some people do this—is that some landholders have moved to eight-month period shearing as opposed to annual shearing. But of course that puts more pressure on the number of shearers—would that be correct?

Mr COWDREY: Yes, that is correct.

The Hon. MICK VEITCH: The other option that is being floated today in some of the submissions is that we would maybe need to crutch more often as well, so maybe two or three crutchings a year. But again that puts more pressure on the available workforce as well.

Mr COWDREY: It does and it also puts pressure on the animal. As you know, handling the sheep is a stressful time for them. So the more time you are handling that beast, especially in the crutching, if you are going to crutch three or four times a year it is not logical and to get the workforce is near impossible.

The Hon. MICK VEITCH: Just to be clear, too, flyblown sheep are not just struck around the breech area, they are also struck—

Mr COWDREY: No, they can be struck all over the body. I do not know if anyone besides yourself there has seen a flyblown sheep. It would change your mind.

The Hon. MICK VEITCH: Yes. The workplace health and safety issues for the shed workforce—the roustabouts, the shearers—shearing a flock of sheep that have been fly-struck, particularly heavily fly-struck, can you walk us through what some of those WHS issues are?

Mr COWDREY: Yes. Okay. So straightaway it is the handling of the animal itself and the potential for the maggots to be all over the shearer, the shedhand, the wool. It is just all the way through. Again, if you are in the middle of summer and you are on your handpiece, inadvertently, if they are not mulesed, as I said before, you could potentially create your own problems with that extra skin being there. You know what I mean—a handpiece could fly out. There is a whole range of WHS issues that come along with this.

The Hon. MICK VEITCH: Yes. They call it locking up, don't they? The handpiece locks up.

Mr COWDREY: Yes, mate.

The Hon. MICK VEITCH: The union's submission states that you do not support banning mulesing but you do support using analgesia or anaesthetic for the mulesing operation and preferably before the procedure—is that correct?

Mr COWDREY: Yes. I spoke to one major farmer from Hay who looks after a lot of land. He is using pain relief. My question to him was, "Would you be opposed to it being mandated?" And he said, "Of course not." They are not barbaric people. One thing he said to me that really resonated was that the good farmers, the good managers out there, this is going to help them. The people who are going to suffer are the farms that are not managed correctly or managed well. If you ban mulesing it is going to create very big problems for their flock.

The Hon. MICK VEITCH: The bill proposes that mulesing cease from 1 January 2022, so about 18 months' time. In your own words, what do you think would be the impact of that on the sheep flock in New South Wales?

Mr COWDREY: It will decimate it. You have got to understand that the sheep are not just in a paddock west of Sydney. They are out in the middle of nowhere in a lot of cases. In the heat, you do not have to be Einstein to work out what is going to happen. It could be catastrophic for the flock.

The Hon. MICK VEITCH: I will leave it there. I did do my time on the run that was commonly referred to as "Hay and Hell and Booligal".

The CHAIR: Touching on the WHS issue, because that is something we have not heard from anyone else today, can you talk us through the process, the extra steps and extra mechanisms and practices you would need to put into place when you come across shearing those heavily flyblown sheep? What does a shearer need to put in place to protect himself and ensure that he is safe when he is doing that?

Mr COWDREY: Okay, yes, so what can they put in place? Well, I suppose it is about getting rid of the fly and the maggot before it actually gets to them on the board, you know what I mean. So it is extra time to try to get rid of it. To be honest, I would say that they would be reluctant to shear them at all.

The CHAIR: Yes. No worries.

Mr COWDREY: I expand on that by saying the farmer probably would not want them shorn anyway because the wool would be damaged, you know what I mean. It would be stained. It would be full of—I keep saying maggots and all that sort of stuff but that is how it is. In the real world, that is how it is.

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The CHAIR: Yes, and that is what we want. We want to hear what the real world is like. The other part of the bill talks about mandatory pain relief not just for mulesing but for other procedures. I want to hear what the Australian Workers' Union's view is on those other procedures.

Mr COWDREY: What are the other procedures, Chair?

The CHAIR: Castration, tail docking, ear tagging, disbudding, dehorning.

Mr COWDREY: I would have to take that on notice.

Mr KAMPER: We went out to the workforce on account of the mulesing proposition. We have not surveyed them or gotten in touch with them on some of the other procedures. That is why we are happy to take that on notice and catch in with them and get back to you.

The CHAIR: That would be great. It is a bit of a misnomer—everyone thinks it is just about mulesing but there is another element to it. Thank you.

The Hon. SAM FARRAWAY: Following on from where the Hon. Mick Veitch left off, in your view with consultation with the industry and your membership you would not have come across any alternatives to mulesing in your travels that you think are feasible by any means.

Mr COWDREY: Feasible, no. Sorry, I know there has been talk about breeding the wrinkles out, so to speak, but I think that would take a long, long time to achieve it and you are not guaranteed that achievement. To be honest, out there at the moment, no, there is not. Again I go back to the welfare of the animal. This procedure happens once, it is done and they get to lead a fairly well cruisy lifestyle after that.

The Hon. SAM FARRAWAY: Thanks. Just to confirm, and the Hon. Mick Veitch touched on this earlier, the AWU's position is that if there was an effective and feasible alternative the AWU with its membership would support phasing out mulesing, but until there is a feasible and effective solution or alternative you believe that there should be no time line on phasing out mulesing.

Mr COWDREY: Correct.

The Hon. SAM FARRAWAY: That is, that there should not be government intervention in defining a time period in which to phase it out until we have an alternative.

Mr COWDREY: Yes, a feasible alternative and one that is going to provide for the health and safety of the animal as well as the health and safety of the workforce that works with the animal.

The Hon. SAM FARRAWAY: I will leave it there. Thank you for your answers. It was very interesting to hear about the WHS because, to be honest, that is the first time today that we have heard how the workforce is implicated or dragged into it as well.

The Hon. MARK PEARSON: Thank you for your attendance today. You just stated that the most important thing is the impact on the sheep and the impact on the shearer when a sheep is fly-struck. Does it matter to you at all as to whether mulesing or another method—whether breeding out wrinkles or whatever—achieves the same result of the sheep arriving not-struck to be shorn? As long as maggots are not crawling all over the sheep—that is the main issue, is it not?

Mr COWDREY: No. The main issue is the welfare of the animal—number one, right? And if you have ever seen a fly-struck animal, you will understand what I am saying.

The Hon. MARK PEARSON: Sorry, I have to bring you back to the question: If the sheep were to arrive at the shearing shed not fly-struck, that is the most important issue that you are concerned about, is it not?

Mr COWDREY: No, it is not the major issue, sorry. The major issue is making sure that the animal arrives at a shearing shed or lives its life not being fly-struck, and the only way, at this point in time and leading into the future, that an animal's welfare is going to be looked after, as well as the worker that works with that animal, is to ensure that they are mulesed.

The Hon. MARK PEARSON: Have you ever shorn a fly-struck sheep that has been mulesed?

Mr COWDREY: No, I have not because I have never shorn.

The Hon. MARK PEARSON: I thought we had shearers here.

The Hon. MICK VEITCH: No, this is the union.

Mr COWDREY: I represent shearers, mate.

The Hon. MARK PEARSON: Okay, so, representing shearers—

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Mr COWDREY: Mr Veitch is a shearer.

The Hon. MARK PEARSON: —has it come to your attention that any shearers have said that they have shorn sheep that are fly-struck but had been mulesed?

Mr COWDREY: I would have to take that on notice.

The Hon. MICK VEITCH: I can answer, Mr Cowdrey. I have.

Mr COWDREY: That is a question for Mr Veitch.

The Hon. MICK VEITCH: Yes, I have, because they were fly-struck on the shoulder—so, mulesed but fly- struck on a different part of the body.

The Hon. MARK PEARSON: They used to mules the shoulder and the poll.

The Hon. LOU AMATO: I have a quick question. Mr Cowdrey, in your submission you mentioned that 83 per cent of sheep received analgesics or anaesthesia—from a 2017 survey of 1,200 merino breeders. That is pretty good. We heard earlier from another witness who said 80 per cent. This is 83 per cent. That is a very good result.

Mr COWDREY: Look, I think what gets missed in all these types of arguments is that a lot of people think farmers do not look after their animals, right? Well, they do.

The Hon. LOU AMATO: They do.

Mr COWDREY: That is right. The two farmers I spoke to, as soon as I mentioned the pain relief, they were all for it, you know what I mean. The guys who are not for it, I would suggest—and this is just my opinion—that maybe they do not really manage their farm too well. They are looking to cut costs, right? So, I think it is an outstanding result—83 per cent using pain relief.

The Hon. LOU AMATO: I was very impressed when I read that. Thank you. I just thought that 83 per cent was a remarkable achievement. I think it is good.

Mr COWDREY: Good for the animal and good for the worker.

The Hon. LOU AMATO: Yes, that is right. In time they will improve it. Thank you very much, Mr Cowdrey.

Mr KAMPER: If I could just ask: When we asked the workforce if they supported or opposed mulesing of sheep, 92 per cent said they supported it. There was 8 per cent who said they did not, and when we followed that up it was found that those 8 per cent who said they did not support mulesing, it was because they mulesed in an environment where they did not administer anaesthetic or anaesthesia. So, that was unequivocal to us to show where the workforce was in terms of support for mulesing, compared to other methods or alternatives, which we also asked questions on, by the way. Their mindsets changed in the instances where they did not administer anaesthetic.

The Hon. LOU AMATO: What surprised me earlier on, too, is the health and safety of the workers. It had never occurred to me because—think about it—if a sheep was infected that badly, it would be slippery, it would be slimy, it would be very uncomfortable. A worker could seriously injure themselves.

Mr COWDREY: Definitely. I will just expand on it. I probably said it before—I do not know—but if they are not mulesed and that extra skin is on the breech and there is wool on it, inadvertently they are going to get mulesed anyway if the handpiece goes through the skin.

The Hon. LOU AMATO: That is right. That makes sense.

Mr COWDREY: Yes. I will leave the comments there.

The Hon. LOU AMATO: I appreciate it.

The CHAIR: One final question that you can take on notice or ignore: Is Mick Veitch a better politician than he was a shearer?

Mr COWDREY: I will have to take that on notice.

Mr KAMPER: We will put a survey out to the workforce on that and provide a response in the next fortnight.

The CHAIR: The Committee looks forward to those results. Thank you for your time this afternoon. The Committee appreciates hearing your insights.

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Mr KAMPER: Thank you.

Mr COWDREY: Thank you very much. Stay safe up there.

(The witnesses withdrew.)

The Committee adjourned at 16:42.