

TRANSCRIPT

LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into Pig Welfare in Victoria

Melbourne – Tuesday 26 March 2024

MEMBERS

Georgie Purcell – Chair

David Davis – Deputy Chair

John Berger

Katherine Copsy

Bev McArthur

Tom McIntosh

Evan Mulholland

Sonja Terpstra

PARTICIPATING MEMBERS

Gaelle Broad

Georgie Crozier

David Ettershank

Michael Galea

Renee Heath

Sarah Mansfield

Rachel Payne

WITNESSES

Dougal Purcell, Acting Chief Executive,

Katherine Clift, Executive Director, Biosecurity Victoria, and

Trevor Pisciotta, Executive Director, Animal Welfare Victoria and Agricultural Regulatory Policy, Agriculture Victoria; and

Michael Coffey, Chief Executive Officer, and

Alison Stone, Chair (*via videoconference*), PrimeSafe.

The CHAIR: I declare open the Legislative Council Economy and Infrastructure Committee's public hearing for the Inquiry into Pig Welfare in Victoria. Please ensure that mobile phones have been switched to silent and that background noise is minimised.

I would like to begin this hearing by respectfully acknowledging the Aboriginal peoples, the traditional custodians of the various lands we are gathered on today, and pay my respects to their ancestors, elders and families. I particularly welcome any elders or community members who are here today to impart their knowledge of this issue to the committee or who are watching the broadcast of these proceedings. I also welcome any members of the public who are watching via the live broadcast.

To kick off, we will get committee members to introduce themselves. I might go first because I am on the screen: Georgie Purcell, Northern Victoria. Then we will go to Mrs McArthur.

Bev McARTHUR: Bev McArthur, Western Victoria Region.

Gaëlle BROAD: Hi. I am Gaëlle Broad, Member for Northern Victoria.

Katherine COPSEY: Katherine Copsey, Member for Southern Metropolitan.

The CHAIR: Thank you very much for coming along and giving evidence today. All evidence taken is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to the provisions of the Legislative Council standing orders. Therefore the information you provide during this hearing is protected by law. You are protected against any action for what you say during this hearing, but if you go elsewhere and repeat the same things, those comments may not be protected by this privilege. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament.

All evidence is being recorded, and you will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

For the Hansard record, can you please state your full names and the organisations you are appearing on behalf of.

Dougal PURCELL: Dougal Purcell, Agriculture Victoria.

Trevor PISCIOTTA: Trevor Pisciotta, Agriculture Victoria.

Katherine CLIFT: Katherine Clift, Agriculture Victoria.

Michael COFFEY: Michael Coffey, PrimeSafe.

The CHAIR: Wonderful. Thank you. Do we have someone on the screen as well?

Alison STONE: Alison Stone, PrimeSafe.

The CHAIR: Wonderful. Thank you very much. We now welcome your opening comments but ask that they are kept to around a maximum of 10 to 15 minutes to ensure we have plenty of time for discussion and questions.

Dougal PURCELL: Thank you, Ms Purcell. My name is Dougal Purcell. I am currently the Acting Chief Executive for Agriculture Victoria, and I will open for Agriculture Victoria.

Can I start with an acknowledgement of country. We are meeting here today on the lands of the Wurundjeri people of the Kulin nation, and I would like to pay my respects to their elders past, present and emerging and acknowledge the elders of those lands who are online watching today.

With me here today from Agriculture Victoria are Katherine Clift, Executive Director of Biosecurity Victoria; and Trevor Pisciotta, Executive Director of our animal welfare regulatory team as well as Animal Welfare Victoria. Katherine oversees our services as a regulator within Agriculture Victoria, including our work on compliance and enforcement relevant to the *Livestock Management Act* and the prevention of cruelty of treatment to animals Act. Trevor leads our legislative reform work and policy work relevant to the POCTA Act, *Livestock Management Act* and *Meat Industry Act* as well as the development of relevant codes and standards for Victoria and in contribution to the Commonwealth.

I would also like to acknowledge Michael Coffey, CEO of PrimeSafe, and PrimeSafe are appearing alongside us today. PrimeSafe have a very important role as a regulator in Victoria as the statutory authority responsible for regulating meats, poultry, seafood and pet food across the state.

Now, I do have a presentation. Any luck with the presentation? We sent one through. I will continue to talk, but I am sorry, it just might not have the same look and feel.

I would like to talk about our role as Agriculture Victoria. My focus in the presentation, when it comes up, is to provide the committee with an overview of the roles and responsibilities of Agriculture Victoria and the regulatory framework that applies to pig welfare in Victoria. I will also provide a little insight into our compliance and enforcement activities as well as an overview of the reform of Victoria's animal welfare laws, the Animal Care and Protection Bill.

Agriculture Victoria sits within the Department of Energy, Environment and Climate Action. The work of Agriculture Victoria sits within the agriculture minister's portfolio of responsibilities. As a large portfolio we work in partnership with a diverse range of stakeholders on animal welfare and supporting growth of the agricultural sector. In relation to the pig industry and today's inquiry, our roles include veterinary expertise on agriculture, biosecurity and animal welfare issues. We also employ authorised officers who are responsible for compliance and enforcement activities in relation to complaints. We also have a role in policy, legislative and prosecution functions and support cross-jurisdictional codes, legislation and policy development. In relation to our animal welfare roles and responsibilities, we work in partnership with farmers, industry, advocacy organisations, scientists and other regulators.

Before I speak more about our regulatory role, I would like to talk about the importance of the pig industry to the state of Victoria. There are approximately 253 commercial pig businesses operating in Victoria. An estimated 3170 people are employed in pig farms and in the further processing of cured meats, smallgoods and manufacturing plants. The national representative body for Australian pig meat Australian Pork Limited, who has spoken to your inquiry, has estimated the pig industry contributed around \$6 billion to the Australian economy in 2022–23. Pig meat is the second-most consumed meat in Australia after chicken, with Australians consuming an average of 26.6 kilograms of fresh pork and processed products each year. Victoria is a key contributor to Australia's pig production and exports. In 2020–21 Victoria had the third-largest pig herd in Australia, with over 497,000 pigs, comprising around 19 per cent of the national herd.

The regulatory framework that underpins this sector is critical, and it is vital in ensuring that it operates in a way that is consistent with community needs, including the expectations for animal welfare. I will talk a little bit more about that now. It would be great to have the slide, but in the regulatory framework that covers Victoria's pig industry, a core Act is the *Prevention of Cruelty to Animals Act* and its supporting regulations. This code sets out the main laws for the protection of all animals from cruelty in Victoria. Importantly, for the sake of this inquiry, the Act applies to all stages of production up to the point of slaughter. The actual act of slaughter is exempt from the *Prevention of Cruelty to Animals Act* if the requirements of the *Meat Industry Act* or other relevant Commonwealth Acts in export facilities, such as the *Export Control Act*, are complied with. More detailed standards for the care and treatment of pigs are set out under the *Victorian Standards and Guidelines for the Welfare of Pigs*. These standards are mandatory and prescribed under Victoria's *Livestock Management*

Act. Mandatory requirements for transporting livestock, including pigs, are set out under the *Australian Animal Welfare Standards and Guidelines: Land Transport of Livestock*, which are also prescribed under the *Livestock Management Act*. Victoria's *Meat Industry Act* requires a licence to operate a meat-, poultry-, fish- or seafood-processing facility. PrimeSafe are the administrators of the *Meat Industry Act*. I am sorry, that would have been much easier to follow had there been a slide, but I hope you were able to follow most of it.

I would like to talk about the regulatory role of Agriculture Victoria. As I have mentioned, Agriculture Victoria is responsible for administering and enforcing the *Prevention of Cruelty to Animals Act* and its supporting regulations and codes, including the Victorian standards and guidelines for the welfare of pigs, which are prescribed under the *Livestock Management Act*. We are also responsible for enforcing compliance with the *Australian Animal Welfare Standards and Guidelines: Land Transport of Livestock*, which are also prescribed under the *Livestock Management Act*. I am sure Mr Coffey will shortly detail PrimeSafe as the statutory authority for licensing and will give an overview, including the licensing of abattoirs for domestic markets in Victoria. I highlight these various regulatory instruments to emphasise that Victoria's pig industry is not self-regulated; there are a number of mandatory regulations that this industry aligns with.

Agriculture Victoria has a key role in enforcement as a regulator. The slides that I would have shown show an overview of the complaints received by Agriculture Victoria since 2018, their sources and the nature of complaints. That slide would summarise that from 2018 to 2023, 179 animal welfare complaints relating to pigs were received by Agriculture Victoria. Of these 179 animal welfare complaints, 41, or 23 per cent, were substantiated, and by 'substantiated' I mean the potential for the breach of the law, the legislation, was identified and formally investigated, which may have seen a variety of regulatory responses taken. Agriculture Victoria takes a risk-based approach to compliance, which allows the allocation of available resources while balancing effectiveness in mitigating animal harms with the efficient use of public resources. Can I emphasise that all the complaints are taken seriously, and we do encourage anybody with a complaint about a possible breach of the laws to contact us as soon as possible to enable a timely investigation.

Within the legislative framework in which we operate, there are also national animal welfare standards and guidelines to be considered. The existing model codes of practice for the welfare of animals relating to livestock are progressively being reviewed at the national level and are being replaced with Australian animal welfare standards and guidelines. Developing standards and guidelines involves an extensive stakeholder and public consultation process as well as regulatory impact assessments. Once each standard and guideline is developed at the national level, it is then the role of each state and territory across the Commonwealth to adopt them into their legislation as appropriate.

We as Victoria, and Agriculture Victoria, are an active member in the national animal welfare task group, which oversees the development of these national standards and guidelines. The information on those standards and guidelines is available, and I think it has been provided to you. The animal welfare task group is currently developing Australian animal welfare standards and guidelines for livestock at processing establishments, and this does include consideration of permitted processes such as CCTV being utilised more broadly across Australia. The work of the national standards and guidelines will inform Victoria's approach to considering CCTV in Victorian abattoirs, and I note that that was a recommendation from the parliamentary Inquiry into the Impact of Animal Activism on Victorian Agriculture.

In relation to the new standards and guidelines for pig welfare that you may be aware of, work on these has been delayed. However, as they progress their development will include a review of the current model code of practice for the welfare of pigs, including permitted husbandry activities. Once those standards are developed through the standards and guidelines for pig welfare, they will also be adopted into Victorian legislation.

The final point that I would like to cover is I would like to refer to our legislative reform around animal welfare laws. I would like to briefly refer to our commitment – the Victorian government's commitment – to replace the *Prevention of Cruelty to Animals Act* with a new Animal Care and Protection Bill. Reforming the legislation of POCTA delivers on several recommendations made by the parliamentary Inquiry into the Impact of Animal Activism on Victorian Agriculture, which I have mentioned. The reform in the Animal Care and Protection Bill will protect animals in Victoria while supporting our animal-based sectors to function responsibly and productively. The reform has included extensive consultation and engagement with industry and animal welfare organisations, and we have recently – yesterday – just closed the consultation period for the legislation. There will be further consultation as the regulations are further developed in the approaching years.

The new Act will not come into force for two years while those regulations are being developed. The recent release of the draft Bill for comment also launched the first consultation on those regulations, and as I say, there will be further opportunities to consult on those.

I would now like to hand over to Michael Coffey as CEO of PrimeSafe.

Michael COFFEY: Chair, if we could go the Chair of PrimeSafe for the opening.

Dougal PURCELL: Oh, sorry – Alison.

Alison STONE: Thank you. Thank you, Chair. On behalf of PrimeSafe, I would also like to acknowledge the traditional owners of the lands on which we gather and pay my respects to elders past and present.

As stated previously, my name is Alison Stone. I am the Chair of PrimeSafe and have been since 2019, so this is my second term. The PrimeSafe board is appointed by the Minister for Agriculture under the *Meat Industry Act*, and the board consists of at least eight and up to 10 members with specific expertise, which is set out in the legislation. PrimeSafe is a cost-recovery authority, with all income derived from licence fees paid by the businesses that PrimeSafe regulates, along with some interest on cash reserves. From time to time PrimeSafe receives grant funding from the Victorian government for specific initiatives such as investing in technology and the trial of the RegTech food safety culture program.

Successive ministers also issue statements of expectations to PrimeSafe. The current one is on our website. This guides PrimeSafe's strategic and business planning and helps establish our priorities. The board's priorities are also influenced by maintaining a contemporary interest in and understanding of both consumer and societal expectations about food safety, how food is produced and how this has changed since the Act commenced in 1993. To ensure the board has the requisite expertise to manage some of the changes that we observe, the selection process for board directors in recent times has sought expertise in matters such as animal welfare and technology to complement the expertise that is required by the Act.

While PrimeSafe is not responsible for developing policy, legislation or standards that apply in Victoria, PrimeSafe does work cooperatively with all levels of government and regulators on specific issues and through established committees. PrimeSafe continues to mature our commitment to regular, genuine and open engagement with all stakeholders from industry, licensees, governments and beyond. The board regularly undertakes site visits and hosts wide-ranging forums to ensure that we hear firsthand about the trends, concerns and emerging issues from across the food safety and production spectrum. I will now hand over to our CEO Michael Coffey. Thank you.

Michael COFFEY: Thank you. My name is Michael Coffey. I have been Chief Executive Officer at PrimeSafe since April 2022. PrimeSafe is first and foremost a food safety regulator. PrimeSafe was established to regulate the safety of meat and seafood production and distribution in Victoria under the *Meat Industry Act 1993* and the *Seafood Safety Act 2003*. PrimeSafe uses a licensing and inspection system as a mechanism for food businesses to adopt and implement a quality assurance program so that food safety and consumer confidence are maintained.

In exercising its licensing function, PrimeSafe requires those who operate meat processing facilities to comply with conditions directed at ensuring food safety. These conditions include compliance with the relevant Australian standards. Abattoirs processing pigs are required to comply with the Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption, AS4696. Clause 7 of that standard requires that animals at meat premises are to be handled in such a manner as to minimise the risk of injury, pain and suffering and to cause the least practicable disturbance to the animals prior to slaughter.

Under 4696, businesses are required to have an approved arrangement approved by the relevant controlling authority, and in Victoria that is Prime Safe. The purpose of the approved arrangement or the quality assurance program is to clearly describe those processes and practices undertaken at a facility. PrimeSafe approves an approved arrangement by assessing if the approved arrangement complies with the relevant *Meat Industry Act*, associated regulations and the Australian standard – in this case, 4696. The position PrimeSafe has taken is that gas stunning is not necessarily or inherently inconsistent with Australian standard 4696. It would be inappropriate for PrimeSafe to comment further in detail on these matters as they are now before the court.

APL estimates 85 per cent of the pigs are processed at seven export-registered abattoirs. These seven abattoirs are licensed to process for domestic markets as well as export to international markets and use CO₂ stunning. PrimeSafe co-regulate export abattoirs with DAFF through a documented memorandum of understanding. PrimeSafe maintains a low appetite to risk when undertaking compliance action according to the legislation and the relevant Australian standards. This reflects the importance PrimeSafe places on food safety and animal welfare in the Victorian meat, poultry, seafood and pet meat food industries. That is PrimeSafe's opening address.

The CHAIR: Wonderful. Thank you very much. We will now open it up to questions. I think for the sake of ease we will go through the room and then the screen, so starting with you, Mrs McArthur.

Bev McARTHUR: Thank you, Chair. Thank you, everyone, for appearing before us today. Mr Purcell, perhaps I could start with you. We have had evidence from the animal activist industry who have confirmed that no amount of changes to regulations would satisfy them – only an end to the pig industry would suffice. Given that pig products rank as the second most consumed protein source in Victoria, what would be the impact for consumers if animal extremists got their way and the industry was shut down?

Dougal PURCELL: Mrs McArthur, thank you for your question. I think I would just comment that, aligned to your question, the pig industry provides an important protein source both within Victoria and nationally and globally. It is a reasonable employer across the state. However, aligned with the terms of the inquiry today, I will not go further than that other than to recognise that it is an important protein source and employer across the state.

Bev McARTHUR: So it would not be a good idea if we shut it down?

Dougal PURCELL: I believe that is beyond the terms of the inquiry for me to comment.

Bev McARTHUR: Okay. We have heard that there were – I think this might be Mr Coffey's department – 179 complaints; 41 were substantiated. I do not know who – anybody can answer the question. Is it an industry full of cowboys?

Michael COFFEY: The numbers there are for AgVic, I think.

Bev McARTHUR: It seems like a small amount of complaints to me given the number of pigs that are being slaughtered or raised or whatever.

Dougal PURCELL: Thank you, Mrs McArthur. Dr Clift will just consult her notes.

Bev McARTHUR: What were there, 497,000 across the country or something?

Katherine CLIFT: Thank you for that question. Since 2018 Agriculture Victoria has received nearly 8000 animal welfare complaints in total – across all of the complaints that we receive, not just for the pig sector. 179 of those involved pigs. Of those, we had 41 substantiated complaints, and the majority of those related to pigs on farms. We had six that involved pigs at abattoirs, so that would be about 0.1 per cent of the substantiated animal welfare complaints involved abattoirs.

Bev McARTHUR: So 0.1 per cent of the complaints involving abattoirs seems like a very small number given that we are led to believe this is a dreadfully cruel industry. Would you agree?

Katherine CLIFT: Certainly it is a very small proportion of the complaints we receive. The most common complaints that we receive relate to matters of available food and water and shelter.

Bev McARTHUR: And how have they been resolved, those complaints?

Katherine CLIFT: In terms of the substantiated complaints that we have received with respect to those abattoirs, we have a range of regulatory outcomes that we apply. That can include the provision of educational materials, advisory letters. In some cases we take further regulatory action as necessary.

Bev McARTHUR: So by and large they got resolved?

Katherine CLIFT: Yes.

Bev McARTHUR: That is very good. So how do the welfare practices within Victoria in the pig industry compare with other parts of the world? Anybody?

Trevor PISCIOTTA: Thanks, Mrs McArthur, for the question. There are a wide range of different animal husbandry practices that are practised across various jurisdictions, but I think suffice to say that what is permissible under the Victorian regulatory system is broadly consistent both with the other Australian jurisdictions and with other international jurisdictions.

Bev McARTHUR: Can you tell us what the biosecurity protocols would be of anybody entering a piggery?

Katherine CLIFT: I understand that you had representatives from the piggery industry talking earlier to the inquiry, and I think that is probably a question best answered by the industry. Certainly many pig properties have biosecurity plans in place, and they would have biosecurity requirements for people to enter their premises.

Bev McARTHUR: So biosecurity would be a very important aspect of this industry, wouldn't it, as of all agricultural industries?

Katherine CLIFT: Yes. That would be correct.

Bev McARTHUR: And you have an involvement in biosecurity – the department?

Katherine CLIFT: Yes. The department encourages all agricultural properties to undertake work around having a biosecurity plan in place.

Bev McARTHUR: So what would you say to the industry and to the public if people breach those protocols by illegally entering a premises? How could our biosecurity be impacted?

Katherine CLIFT: What I would say is that illegal activity such as trespassing on farms or processing facilities by anyone, for any purpose, is unacceptable.

Bev McARTHUR: That is good to hear. Do you follow any of these breaches up?

Katherine CLIFT: The *Livestock Management Act* amendments, which you may be aware of, were introduced in 2022, and they aim to deter people from trespassing on farms and processing facilities. Those penalties reflect the seriousness of the harm that may be caused by these illegal activities. For those offences to apply, a premises must have in place a prescribed biosecurity management plan and compliant signage. In 2024 the government further strengthened the deterrence by increasing those penalties. The commencement date of those changes is later this year, on 1 October. Those offences and penalties are designed to reflect the right of farmers to be able to feel safe from trespass and interference and to protect our agriculture sector from biosecurity risks. Anyone with a concern regarding animal welfare is encouraged to report this to Agriculture Victoria so that we can assess the matter. The types of footage that activists are illegally obtaining are generally not admissible in court, and we have the best opportunity of upholding Victoria's animal welfare laws when potential offences are reported promptly to us.

Bev McARTHUR: That is very good to hear.

The CHAIR: Mrs McArthur, one more question.

Bev McARTHUR: Okay. Thank you. Is CO₂ for stunning considered the most humane option?

Michael COFFEY: I think I will just refer back to my opening statement: we think it is consistent with the Australian standard 4696.

Bev McARTHUR: Okay. Thank you. Thank you, Chair.

The CHAIR: Thanks, Mrs McArthur. Ms Broad.

Gaelle BROAD: Thank you very much for appearing today and for making a submission. We really appreciate your contribution. How does the department monitor and enforce compliance with these welfare standards across pig farming operations in the state?

Katherine CLIFT: Thank you for your question. The welfare of animals in Victoria is protected by the *Prevention of Cruelty to Animals Act*, as our Acting Chief Executive explained, and that Act applies to all stages of pig production. Underneath that we have the Victorian standards and guidelines for the welfare of pigs. All complaints that are received by the department are taken seriously and investigated in accordance with our departmental procedures. Each investigation will be assessed to determine the most appropriate regulatory outcome, and as I mentioned before, that could include education; warning letters; infringements, where that is provided for; and in some cases, a prosecution – or the animals may be seized. Our role is to use the suite of regulatory tools that we have to promote compliance and achieve enforcement, to educate the industry and community on their responsibilities and obligations and also to work closely with our co-regulators, such as the RSPCA and PrimeSafe. We strongly encourage anyone who has concerns to report those to Agriculture Victoria. We do also have a livestock welfare compliance program, which involves auditing three abattoirs per year.

Michael COFFEY: If I could just add, from PrimeSafe's perspective, abattoirs are subject to two third-party audits – independent audits. They are subject to two unannounced audits by PrimeSafe inspectors, and that goes to assessing their compliance with 4696, including the animal welfare clause, clause 7 of 4696.

Gaelle BROAD: Yes. I did see that in your submission. Can you just expand on that, because others have inferred that they have had to take it upon themselves to do investigations or visit. But can you talk about that?

Michael COFFEY: It is in the context of their approved arrangements, which I addressed in the opening statement. Third-party auditors' first and primary focus is food safety, but they will assess the abattoir's compliance with 4696. They are scheduled audits. Our inspectors also conduct unannounced audits, and they focus on just the animal welfare components of that. So they will look at training, they will look at the equipment that is being used and they will look at supervision at the site. They are unannounced. They are unannounced to the point where our inspectors will turn up – they have obviously got to go through security et cetera, but they are unannounced – and the abattoir will not know about those audits.

Gaelle BROAD: Is that extensive across the industry? So effectively the unannounced is not just auditing exactly the same people all the time.

Michael COFFEY: That is for domestic abattoirs, poultry abattoirs and knackereries.

Gaelle BROAD: Okay. Thank you. Can you just expand on initiatives that have been undertaken to promote humane treatment and ethical practices for the processing of pigs in line with industry standards?

Trevor PISCIOTTA: Yes. Thank you. Katherine already touched on the suite of regulatory activities that are undertaken, including education around compliance and enforcement, and in addition to that, Agriculture Victoria provides extensive information on our website around the requirements for animal welfare for various sectors. We use various social media and other communication channels, such as newsletters, to push out those messages to relevant sectors as well as attending field days and similar events so that the industry sectors have as much awareness of the regulatory requirements as possible.

Gaelle BROAD: Thank you. Sow stalls have been talked about in part of the terms of reference. Can you just perhaps explain to the committee the reasons why they were once widely used and if there any circumstances where they are still required.

Trevor PISCIOTTA: Thank you. The Victorian standards and guidelines for pig welfare set out minimum space requirements for pigs, including those housed in stalls as well as in other accommodation used for different purposes. Specifically, sow stalls can be used in the early stages of pregnancy to reduce risk of miscarriage in the industry from fighting between pregnant sows, and there has progressively been advancement in industry around different methods for managing those risks and therefore reducing the periods of confinement in sow stalls. The Victorian standards and guidelines for pig welfare set out the maximum amount of time that sows can be kept in sow stalls, but my understanding is that common industry practice, as I said, is moving to keep sows in stalls for much shorter periods of time.

Gaelle BROAD: I am just interested in CO₂. Is it that stunning is considered the most humane option?

Michael COFFEY: Well, we say it is consistent with the Australian standard. As I referred to, currently that matter is before the courts, so I am limited in what I can say, but we will say it is consistent with standard 4696.

Gaelle BROAD: Okay. What is the science and research underlying common husbandry practices?

Trevor PISCIOTTA: Thank you. Permitted animal husbandry practices are governed by the *Prevention of Cruelty to Animals Act*, the standards and guidelines under that Act as well as relevant national standards and guidelines, or in this case the model code of practice for pig welfare. All of those instruments are based on rigorous processes that look at the relevant and up-to-date science at the time of development and go through rigorous processes. For example, national standards and guidelines generally go through an independent scientific review process where an independent panel provides advice to the officials that are developing the standards and guidelines. Similarly in Victoria, when we are developing, for example, regulations, we seek expert advice and also consult publicly with experts, with the community and with impacted sectors to ensure that whatever standards are put in place reflect contemporary understandings of animal science as well as industry and community expectations.

The CHAIR: Ms Broad, last question.

Gaelle BROAD: Yes, sure. I am just interested – you mentioned before the changes that impacted on trespassing and that you need a plan in place and you need signage. Did the government give any assistance to producers to get those plans and the signage in place – like financial support?

Katherine CLIFT: Yes. Agriculture Victoria has provided a range of assistance to support producers to do that. That has included, for example, workshops to help producers develop their plans and the provision of signage, for example, that is compliant with the requirements. Those workshops have been held across Victoria. We are also aware that other industry organisations have provided similar supports to the industry to help them fulfil those requirements.

Dougal PURCELL: Ms Broad, that includes the provision of a number of signs.

The CHAIR: Thanks, Ms Broad. Ms Copsey.

Katherine COPSEY: Thank you, Chair. Thank you very much for attending today and for your presentation and submissions, and I am sure that the committee will also get the chance to view your presentation at a later date, so apologies for that.

I want to speak about sow stalls and confinement to begin with. It has taken some time but, as you have observed, the use of sow stalls has declined through the industry's voluntary phase-out. I want to understand, and perhaps you can compare and contrast with mandatory requirements around animal welfare: what are the remaining steps or any barriers that you see for a process to now make the sow stalls prohibited in the industry?

Trevor PISCIOTTA: Thanks, Dougal. And thank you, Ms Copsey, for the question. As you know, there has been an industry phase-out of sow stalls, and I understand that now 88 per cent of pig farms are certified by Australian Pork Limited as sow stall free. So the process from here in terms of any regulatory steps around the further regulation of sow stalls involves the work of the national animal welfare task group, who have committed to developing animal welfare standards and guidelines for pigs, and sow stalls would be considered as part of that process. There has been to date no commencement of that work and there is no date set for the commencement of that work. That is kind of the national process, and I think in general Victoria's preference has been to engage in national processes, because we appreciate that many of our livestock industries operate across jurisdictional borders and there is a lot of benefit to having nationally consistent regulations in relation to the treatment of animals. So that is always the first port of call.

Katherine COPSEY: Yes. So there is not a barrier to Victoria having its own regulatory approach; it is a matter of assessing the practicalities and that sort of thing?

Trevor PISCIOTTA: That is right. As Dougal explained in his opening remarks, the adoption of a national standard and guideline only comes to have legal effect in Victoria by us adopting it in our regulatory system, so

subject to the Animal Care and Protection Bill being passed by Parliament, that would be through adoption and regulations under that legislation. It is open to Victoria to take steps beyond the national process, but as I said, the preference is often for national consistency, and in part that is about thinking about what impact any changes Victoria makes might have on industry decisions, where they locate and so on and so forth.

Katherine COPSEY: Thank you. Turning to farrowing crates now, I note that one of the welfare standards aims is to allow freedom of necessary movement. Are you aware of industry progress on reducing confinement in farrowing crates, and can you give the committee an update on any work you are aware of?

Trevor PISCIOTTA: I am not directly aware of specific industry work around that. I think probably industry is best placed to speak to industry-led work that they may have underway. Sorry.

Katherine COPSEY: Do you know if there has been any discussion of farrowing crates raised ahead of the development of the national guidelines?

Trevor PISCIOTTA: I certainly think any forms of housing and confinement will be considered in the development of those guidelines, including farrowing crates; yes.

Katherine COPSEY: And that is also a matter that Victoria can turn its mind to as part of the regulation development.

Trevor PISCIOTTA: Yes, there are no barriers to that.

Katherine COPSEY: Thank you. My questions are in a similar vein. Some practices that we have heard about throughout this inquiry are the routine clipping of teeth, notching of ears and chopping off of tails without anaesthetic. Do you have an awareness around whether those practices are as widespread as they have been in the past or if industry is moving away from them? Has that been a focus of any departmental activity?

Trevor PISCIOTTA: I might say a few things in response to that. The first thing to note is that the practices that you describe are generally permitted under the existing regulatory framework. There are non-mandatory guidelines in relation to teeth clipping and tail docking that encourage that they only be used in circumstances where there is a kind of demonstrated need for their use – you know, in relation to tail docking to avoid tail biting, and on teeth clipping to avoid piglet-on-piglet injury as well as injury to nursing mothers. I am aware that there has been some work done by industry; particularly I am aware of some work around looking at other animal management practices that would remove the need for tail docking routinely. I could not speculate on the relative use now of those procedures versus in the past.

Katherine COPSEY: Anyone else got any insight into that? I heard from our inquiry presenters from the industry – I will just phrase it – different approaches to that. It appeared that some operators were able to successfully operate without the use of those techniques, whereas others were not. Perhaps that goes to questions around standards for housing and density of animals?

Trevor PISCIOTTA: Look, I think I can see kind of where the question is going in terms of the relationship. Certainly there is a relationship between animal management and the ability to phase out some of those practices. But I do not directly have awareness of the extent of diversity of industry practice in relation to that, and that is because our primary role as Agriculture Victoria is around the enforcement of existing regulatory standards, and these practices are permitted under the regulatory standards. We do not necessarily note where they are or are not being followed, because they are permitted, if that makes sense.

Katherine COPSEY: Yes. I just wanted to check in around the development of the national standards. It sounds to me like there is not a firm end date for that that you are aware of.

Trevor PISCIOTTA: There are two national standards that are relevant here. There are the national standards and guidelines for livestock processing facilities, which particularly relate to methods of slaughter and similar matters. That work is well advanced, though I do not have a firm end date. Separately there is the proposed development of national animal welfare standards and guidelines for pigs, which would relate more to handling, husbandry practices, confinement and so on, and that is work that is yet to commence.

Dougal PURCELL: If I could just add, Ms Copsey, I think it is important to recognise that the working group has been active. This is the same working group that looks at horse traceability, poultry and caged eggs

and standards and guidelines for processing, as Trevor mentioned. I just wanted to put on the table that there is active work by the group, just to be clear.

Katherine COPSEY: Are those matters that sort of need to –

The CHAIR: Sorry, Ms Copsey, last question.

Katherine COPSEY: Yes, thank you. Are those matters that need to conclude before the working group can –

Dougal PURCELL: I am not saying –

Katherine COPSEY: No? It can happen concurrently?

Dougal PURCELL: I am not aware of the exact details, but just to emphasise there is work going on from that working group.

Katherine COPSEY: Yes. Great. Thank you. That is my questions.

The CHAIR: Wonderful. Thanks, Ms Copsey. I will go next. I do not think anyone who has appeared at this inquiry on either side has thought that the pig industry is perfect in terms of welfare. What in your opinion can be improved?

Dougal PURCELL: I might start and then hand over to Trevor. Thanks, Ms Purcell, for the question. I think that the ongoing legislative reform in Victoria associated with the Animal Care and Protection Bill is an important step, and just the regulations developed under that, which are science-based, evidence-based and developed in consultation with industry and the broader community, are very important. I think progressing the work on national standards and guidelines is important and that gives consideration to the legislative reform in Victoria. I think it also retains a level of consistency across jurisdictions. Katherine has spoken about the importance of strong biosecurity management plans, and I echo those comments.

The CHAIR: Yes. Sorry, just in terms of welfare, if that is okay. We have heard a lot about biosecurity, but particularly welfare.

Dougal PURCELL: Yes. I would come back to the importance of standards and guidelines and the BLAIR Bill, and the importance of any breaches of legislation or potential breaches being reported early and promptly for investigation. Katherine, would you like to add anything, or Trevor?

The CHAIR: If you could give any sorts of specific examples of things we could improve, that would be useful. Obviously, we need to make specific recommendations.

Trevor PISCIOTTA: I think, Ms Purcell, it is probably quite challenging. I think what we can speak to is the existing regulatory framework and the anticipated regulatory framework under animal care and protection and the improvements that that is proposed to deliver. Given that any future, whether national standards and guidelines or Victorian regulations, will be a matter for government, I think it is hard for us to provide any specific recommendations in that space.

The CHAIR: Yes. I guess going back to the comments that cruelty needs to be reported, how do you propose people report cruelty when there are no transparency measures in the industry for them to know that cruelty is occurring?

Katherine CLIFT: We receive cruelty reports from a whole range of different groups and organisations. We receive them from people working within the industry, we receive them from members of the public and we receive them from other regulatory agencies that we work with, and all of those complaints that we receive are assessed and followed up. So I certainly would encourage anyone – members of the public, those working within industry – that if they have any concerns around animal welfare, to report those to the department.

The CHAIR: Do you think that CCTV would be a measure that would increase transparency and potentially give another avenue for people to report cruelty?

Trevor PISCIOTTA: I would just note that obviously there have been recommendations made by previous parliamentary inquiries, and there is national work around those national standards and guidelines for livestock processing, which is considering CCTV and the role of CCTV in abattoirs. Because that will be a matter for government, I think I am limited in how much more I can comment.

The CHAIR: There have been a lot of comments about the new Animal Care and Protection Bill. Will this apply to pigs in all settings and in all stages of their life?

Trevor PISCIOTTA: The short answer to that is yes, the Animal Care and Protection Bill will apply to all pigs in all circumstances.

The CHAIR: Will it have the exemptions that our current legislation has?

Trevor PISCIOTTA: The Animal Care and Protection Bill does not propose to have a specific exemption for the *Meat Industry Act*, which is currently provided for under POCTA. That is because it is anticipated that the regulations under the Animal Care and Protection Act and future PrimeSafe licences will both reference that national standard for livestock processing. So essentially the two schemes, the food safety scheme administered by PrimeSafe under the *Meat Industry Act* and the animal care and protection legislative scheme administered by Agriculture Victoria in respect to livestock, will be applying the same national standard.

The CHAIR: Just finally, we have heard a little bit about antimicrobial resistance and the risk this is for creating human health, with antibiotics being used so heavily in farms on animals that are then consumed. Does Victoria report on antibiotic use in pigs at farms?

Dougal PURCELL: I think Ms Purcell that is probably beyond our expertise. We might take that question on notice if that is okay.

The CHAIR: Okay, that would be great. Thank you. I will hand to Mr Berger now.

John BERGER: Thank you, Chair. Thank you, everybody, for your attendance this morning. My apologies for coming in later; I had a technical issue. But I think I heard correctly – it might have been from you, Mr Purcell – you were talking about the consultation process in reference to the regulations. I am just wondering how extensive that consultation process was and what some of the inputs were that you received in terms of that process?

Dougal PURCELL: Thank you. I will let Trevor speak to this, other than to say, if I am right, Trevor, consultation for the Animal Care and Protection Bill, which closed yesterday, went for three months and three weeks, I think.

Trevor PISCIOTTA: That is right.

Dougal PURCELL: We extended for a further three weeks in acknowledgement of the bushfires and storms occurring across the state and in recognition of the importance of really undertaking very genuine and adequate consultation. It was extensively across a range of organisations: animal welfare considerations, industry considerations, production considerations and farmer advocacy groups. Trevor, I might let you build on that.

Trevor PISCIOTTA: Thanks, Dougal, and thanks for the question. In developing the new animal care and protection legislation, we have undertaken extensive public consultation over a number of years. That has included three significant specific public consultation periods: one in 2020 with the release of a discussion paper, one in 2022 with the release of the plan for Victoria's new animal care and protection laws and then finally the one that concluded yesterday with the release of an exposure draft, the full draft of the Bill, which, as members of this committee will be aware, is not kind of a common step in the development of legislation.

As part of that final step in releasing the exposure draft we have also commenced a regulations survey, because we know that a lot of the detail that matters most to people with interest in this legislation and these issues will be in the regulations. We have specifically gone out and sought views early on people's views on the existing regulations and what they want to see as areas of focus and discussion for the new regulations. What that does is (a) help us to prioritise our effort but also (b) get a sense of the stakeholders that we want to proactively engage with in developing those regulations. As part of that regulatory development process, all regulations

will be released as draft, together with a regulatory impact statement, and anyone in the community or industry will have an opportunity to put in a submission and make their views known. That will be on top of engagement with interested parties in the lead-up to the drafting of those regulations.

John BERGER: Would you say that there has been satisfactory buy-in with this for people to participate in the process?

Trevor PISCIOTTA: I think the level of buy-in is probably a matter for others to judge. What I will just again reiterate is that we have undertaken extensive public consultation. We have also undertaken extensive targeted consultation with over 50 organisations involved in either animal industries or animal welfare throughout the development of this legislation. I would say we have engaged extensively.

John BERGER: Okay, thank you. My second question relates to the auditing process. I am just curious to know: did anybody fall short in the auditing process? And if they did, what were the specific issues that drew your attention to it?

Michael COFFEY: As in abattoirs? We have third-party audits, as I said, that do abattoirs twice a year, and we also do unannounced audits. The unannounced audit noncompliance rate was around 3 per cent. They will go through varied mechanisms of corrective action depending on the outcome. In the more serious matters that come to us as complaints, we have conducted investigations. We have just recently completed a prosecution under the *Meat Industry Act* of an abattoir that breached Australian standard 4696. We have a myriad of actions that we will take depending on the level of finding from an audit or a complaint.

John BERGER: And some of the breaches that have occurred, were they things that were quite serious or were they things that were on a scale that was somewhat acceptable?

Michael COFFEY: With the investigation that we conducted at AFG, which is on the public record, we took evidence and collected evidence of the facility's own CCTV, and we engaged a subject matter expert that judged that the level of noncompliance warranted us pressing charges under the *Meat Industry Act*.

John BERGER: I think I am okay, thanks, Chair.

The CHAIR: Wonderful. Thank you. That brings us to time then. Thank you very much for appearing and giving evidence to us today. We really appreciate the time. That concludes the public hearing.

Witnesses withdrew.