

Parliamentary Inquiry into the Welfare of Pigs in Victoria

Victorian Government Response

December 2024



Acknowledgements

The Department of Energy, Environment and Climate Action acknowledges and respects Victorian Traditional Owners as the original custodians of Victoria's land and waters, their unique ability to care for Country and deep spiritual connection to it. We honour Elders past and present whose knowledge and wisdom has ensured the continuation of culture and traditional practices.

DEECA is committed to genuinely partner, and meaningfully engage, with Victoria's Traditional Owners and Aboriginal communities to support the protection of Country, the maintenance of spiritual and cultural practices and their broader aspirations in the 21st century and beyond.

Introduction

The Victorian Government welcomes the findings and recommendations from the final report of the Parliament of Victoria Inquiry into Pig Welfare in Victoria.

On 25 May 2023, the Legislative Council Economy and Infrastructure Committee (the Committee) initiated an inquiry to investigate the welfare of farmed pigs in Victoria, including:

- Existing regulatory frameworks and their promotion of pig welfare outcomes
- Methods used to stun pigs before slaughter
- Outcomes of the 2017 industry-led phase out of sow stalls
- Current pig breeding and housing practices
- International industry best practice standards.

The Committee's report was released on 20 June 2024 and included 14 findings and 18 recommendations for the Victorian Government's consideration.

Victorians care about animals and how they are treated. While people rely on animals for food, fibre, companionship, assistance and other reasons, animals also rely on humans to treat them well and provide for their needs appropriately. The way animals are treated reflects on Victoria's national and international reputation, including market access, consumer confidence and the ability to create and sustain jobs.

The Victorian Government is committed to the continuous improvement in the welfare of all animals in Victoria, including farmed pigs. This commitment was demonstrated with the establishment of Animal Welfare Victoria in 2017, and Victoria's participation in developing national standards and guidelines for livestock species. The Government is also developing the Animal Care and Protection Bill (**ACP Bill**), with the intention to replace the current *Prevention of Cruelty to Animals Act 1986 (POCTA Act)*. The ACP Bill aims to provide a more flexible legislative framework that can be efficiently adapted in response to changing industry practices, new technologies and scientific understanding as well as community expectations. The new laws would introduce a requirement to meet the care requirements for animals, being the care that is reasonably necessary to maintain the health and wellbeing of an animal, for the first time in Victorian law. The draft ACP Bill reforms described in this response refer to those included in an Exposure Draft Bill released for public consultation in late 2023.

Victoria is also committed to ensuring Victorian agriculture is strong, innovative and sustainable. Good animal welfare underpins productivity. Many of the world's food production and retail companies are setting animal welfare standards for their suppliers. Many industry quality assurance programs include animal welfare requirements to provide confidence to consumers and markets about Victoria's standard of care for production animals. It is important to maintain and expand Victoria's domestic and global market access as demand increases for animal products produced in animal welfare credentialed systems. Free trade agreements now routinely include animal welfare requirements.

The Victorian Government recognises the significant work the Victorian pork industry has undertaken to improve the welfare of farmed pigs but acknowledges that a review of current arrangements is timely. The Victorian Government looks forward to continuing to work with industry and animal advocacy groups to improve the welfare of pigs in Victoria.

The Victorian Government's response:

The Government has considered the 18 recommendations of the Committee and:

- Supports 6 recommendations
- Supports 10 recommendations in principle
- Does not support 2 recommendations.

The recommendations and the Government's response are detailed below.

Recommendation 1

That the Victorian Government recognise the development of the lab grown meat industry in Victoria as having the potential to significantly contribute to the Victorian economy.

Support

The Victorian Government supports this recommendation in full. The Government recognises the development of the lab grown (cultivated) meat industry in Victoria as having the potential to contribute to the Victorian economy and to extend the state's existing agrifood sector.

The Victorian Government actively supports traditional farming industries as well as emerging industries that offer economic growth and job creation potential. Traditional farming in Victoria is supported by the Government through various initiatives aimed at improving sustainability, productivity and resilience against climate change impacts, droughts and floods. The Victorian Government also fosters innovation in emerging sectors like cultivated meats by providing funding, research opportunities and policy support.

The Victorian Government views alternative proteins, including cultivated meat, as an opportunity to enhance the state's leading food manufacturing sector, as outlined in the *Made in Victoria 2030: Manufacturing Statement*.

The cultivated meat industry is developing in Australia and Victoria. As the Committee's report notes, a key player in the Victorian cultivated meat sector is Magic Valley. This company is developing cultivated meat products, including beef, lamb, pork and kangaroo products using stem cell technology.

Another notable entity is Cellular Agriculture Australia, a non-profit organisation headquartered in Melbourne which promotes and supports research and development in the field of cellular agriculture, including cultivated meat. It seeks to foster innovation and collaboration within the industry, helping to position Australia, and specifically Victoria, as a hub for cultivated meat research.

While no projections are available for the cultivated meat market in Australia and Victoria, the Victorian Government expects the potential for economic growth and job creation in Victoria to be substantial over the longer term. Studies are examining whether cultivated meat has the same molecular composition and taste as traditional pork, and early research suggests that cultivated meat production may also potentially offer environmental benefits. International studies indicate that cultivated meat produced using renewable energy has about half the cumulative environmental impacts of producing conventional pork, noting this may not be replicated in the Victorian environment given the different intensity of farming systems.

By attracting investments, creating jobs and aligning with the state's sustainability goals, Victoria can harness the potential of the cultivated meat industry to drive economic growth alongside traditional agriculture sectors, and establish itself as a leader in food technology and sustainability. It also provides Victorians with more choices for their protein purchases and consumption.

Recommendation 2

That the Victorian Government grant welfare inspectors the power to instigate unannounced and *ad hoc* inspections of facilities.

Support in principle

While the Victorian Government supports this recommendation in principle, powers to instigate unannounced or *ad hoc* inspections of private facilities need careful consideration. In considering any entry powers it is important to balance the need to protect animals with the need to protect human rights and privacy, and to minimise impacts on business operations.

Powers to enter and inspect under the proposed ACP Bill

The Victorian Government is delivering on its commitment to reform Victoria's animal welfare laws. Following extensive engagement with stakeholders and the Victorian community, including three rounds of public consultation, the Government is working towards introducing the ACP Bill to the Victorian Parliament.

If the ACP Bill is passed by the Victorian Parliament to become an Act, the new Animal Care and Protection Act would replace the current POCTA Act.

General powers to enter and inspect in the draft ACP Bill

The draft ACP Bill sets out the powers for Authorised Officers to intervene when there is concern for an animal, or to respond to suspected non-compliance.

The draft ACP Bill introduces a requirement to meet the care requirements for animals, being the care that is reasonably necessary to maintain the health and wellbeing of an animal, for the first time in Victorian law. This enables an Authorised Officer to intervene earlier to investigate if they have a reasonable belief that a person isn't meeting those minimum care requirements. This would help to prevent harm before it occurred.

An Authorised Officer would be able to enter a premises (that is not a dwelling where someone lives) without a warrant with a reasonable suspicion that an animal is experiencing harm, pain or distress or a 'reasonable belief' that someone has committed an offence.

Powers to enter to monitor compliance

Monitoring compliance with licences

'*Ad hoc*' inspections without a specific basis may be permitted where a licence applies. The draft ACP Bill provides a power to enter and inspect a premises or vehicle (not a dwelling where someone lives) where they reasonably believe a licensed activity that is subject to monitoring is being carried out.

Compliance Inspection Program

The proposed draft ACP Bill also provides an avenue for Authorised Officers to conduct inspections to monitor the compliance of a specific animal industry or activity under a Compliance Inspection Program. Because of the seriousness of the power to inspect a premises without a specific basis, this needs to be authorised by the Minister and is time limited.

The draft ACP Bill provides for the Minister to establish a Compliance Inspection Program if they have a reasonable belief of repeated or widespread non-compliance with the laws across an animal-related industry or relating to a particular animal activity. This would allow the Minister to monitor a particular industry or activity for compliance with the laws for up to 12 months.

The Minister would need to seek advice from an Expert Advisory Committee, or a Special Expert Advisory Committee provided for under the draft ACP Bill. Consultations would occur with those affected to discuss

how the Compliance Inspection Program could operate and the powers that Authorised Officers could exercise.

Recommendation 3

That the Victorian Government impose mandatory closed-circuit television (CCTV) in all processing and farming facilities to be made available to regulatory bodies for independent audit(s).

Support in principle

The Victorian Government agrees the introduction of mandatory CCTV in abattoirs should be considered and notes the link between this recommendation and Recommendation 14 of the *Parliamentary Inquiry into the Impacts of Animal Activism on Victorian Agriculture*.

As noted in the Government's response to that Inquiry, consideration of mandating CCTV cameras for monitoring abattoirs requires detailed engagement with industry, and an assessment of current legislative and regulatory (including licencing) requirements. This includes examination of privacy impacts to operators, footage security (recording, access, use and storage), costs and transitional arrangements.

New Australian Animal Welfare Standards and Guidelines for Livestock at Processing Establishments are currently being developed by the national Animal Welfare Task Group (AWTG). The use of CCTV in abattoirs, including mandating use, is being considered as part of this project. The Victorian Government is actively contributing to this project, which is being led by the Queensland Government via the AWTG.

National agreement is important for consistent standards and implementation across Australian jurisdictions. The consistency provides clarity and facilitates the understanding of animal welfare requirements across industry, the community and trading partners.

Once the Australian Animal Welfare Standards and Guidelines for Livestock at Processing Establishments are developed, it is up to each state and territory government to implement the standards as appropriate for their jurisdiction. Victoria will adopt agreed standards into regulations once endorsed. It is intended that all endorsed Australian Animal Welfare Standards and Guidelines will be adopted into regulations under the proposed new Animal Care and Protection Act.

Any consideration of CCTV at farming facilities would also require close engagement with industry and close consideration of privacy issues – particularly as farming facilities are often on private residential properties. The Government would support consideration of these issues during the review of the national 2008 Model Code of Practice for the Welfare of Animals – Pigs (refer to Recommendations 4 and 14 below).

Recommendation 4

That the Victorian Government participate and contribute to updating and replacing the 2008 Model Code of Practice for the Welfare of Animals—Pigs through the Australian Animal Welfare Standards and Guidelines process.

and

Recommendation 14

That the Victorian Government support a national standards framework including enforceable welfare guidelines.

Support

The Victorian Government supports Recommendations 4 and 14 in full and has combined responses for these two recommendations as follows.

It is appropriate that animal welfare standards and guidelines are developed at a national level, through the collaboration of all Australian jurisdictions and the Commonwealth Government. This process is currently achieved through the Animal Welfare Task Group (AWTG), who oversees that development of national animal welfare standards and guidelines, which are then implemented into jurisdictional regulatory frameworks.

The national process to develop standards and guidelines involves extensive consultation with state and territory governments, livestock industry organisations, animal welfare groups, and the public. To support an evidence-based approach, consideration is given to the latest animal welfare science, industry costs, practicalities, Australian community standards as well as international expectations.

Establishing national standards is important for the continual improvement of welfare outcomes for animals in a way that promotes consistency across jurisdictions and is sustainable for industry and producers. The development of Animal Welfare Standards and Guidelines for Pigs (Pig S&G) is on the national Animal Welfare Task Group (AWTG) workplan.

In supporting these recommendations, the Victorian Government looks forward to working with the Commonwealth Government, other jurisdictions and stakeholders to develop Pig S&G.

Recommendation 5

That the Victorian Government include decision-making principles in the ACP Bill in relation to the development and adoption of animal welfare standards and guidelines in Victoria.

Support in principle

The draft ACP Bill addresses this recommendation by establishing a clear foundation for decision-making in relation to animal welfare standards and guidelines. This foundation is established through Part 1 of the ACP Bill, which sets out the purposes and object of the legislation, and the principle of sentience (see Appendix 1 for more information).

In the administration of the draft Bill or any regulations made under the draft ACP Bill, decision makers should ensure that decisions are in line with the purposes and objects of the draft ACP Bill and should have regard to the principle of sentience.

In the making of regulations and in the development and adoption of standards and guidelines, the purposes and objects of the ACP Bill as well as the principle of sentience should be considered.

This means that no decision, including the development and adoption of animal welfare standards and guidelines or the making of regulations can be made without considering these provisions, or be in conflict with these provisions.

Decisions by other public authorities

Following consultation with legislation experts, the draft ACP Bill provides for the issuing of Ministerial Guidelines. These would set out how animal care and protection should be considered by other public authorities in different circumstances.

Ministerial Guidelines provide greater flexibility than a fixed set of decision-making principles.

The intent of the proposed obligation on public authorities is that the care and protection of animals is specifically considered in relevant decisions by public authorities.

Recommendation 6

That the Victorian Government consider the establishment of an Independent Office of Animal Protection to ensure compliance with animal protection laws, streamline complaints, provide expert, evidence-based reform, and monitor animal welfare conditions within Victoria.

Not supported

Victoria's current animal welfare system involves multiple regulatory entities including Animal Welfare Victoria, Agriculture Victoria and the Conservation Regulator (all sitting within DEECA) and the Royal Society for the Prevention of Cruelty to Animals (RSPCA) Victoria. Additional regulators, including PrimeSafe, the Victorian Fisheries Authority, the Game Management Authority, Victoria Police and local governments also have a role in regulating the treatment of animals in some circumstances.

This provides broad state-wide coverage to monitor and enforce compliance with animal protection laws. It also ensures sufficient capacity and capability is in place, across a range of regulators, to manage the complex tasks associated with animal welfare management.

Animal Welfare Victoria, within DEECA, was established in 2017 to bring together all aspects of domestic animal and animal welfare-related policy and education. Other aspects of animal welfare management, including research, monitoring and compliance, enforcement and prosecution are managed by separate areas of DEECA, including Regulatory Policy and Programs, and Biosecurity Victoria.

Relevant staff within DEECA are highly qualified, and include veterinarians, scientists, inspectors, lawyers, education and communications officers and policy experts. Additionally Authorised Officers are often cross-authorised across biosecurity and animal welfare legislation to ensure a broader geographical distribution and number of staff that can be engaged in responding to critical issues across Victoria.

DEECA is committed to the Victorian Public Service values of impartiality and integrity. This includes making evidence-based decisions without bias or favouritism, and acting objectively, based on relevant facts and fair criteria. Measures are in place to separate policy work, industry-support, and compliance and enforcement functions. These areas have separate staff, resourcing and reporting lines.

Animal Welfare Victoria is guided by DEECA compliance policy and enforcement guidelines which ensures a systematic, consistent, and impartial approach to managing and investigating animal welfare complaints. Additionally, any criminal proceedings are guided by DEECA's Prosecution Policy, which reflects and aligns with the Policy of the Director of Public Prosecutions for Victoria.

Recommendation 7

The use of side-loader (single file) carbon dioxide stunning systems must be phased out to minimise pre-slaughter stress in pigs.

Support in principle

The Victorian Government will continue to work with all processing facilities to improve infrastructure and upgrade equipment to ensure acceptable animal welfare outcomes are achieved. This includes through ensuring that licensees handle live animals in accordance with relevant legislation and standards.

New Australian Animal Welfare Standards and Guidelines for Livestock at Processing Establishments are currently being developed by the national Animal Welfare Task Group (AWTG). The use of side-loader carbon dioxide stunning systems will be considered as part of this process. The Victorian Government is actively contributing to this project, which is being led by the Queensland Government via the AWTG.

National agreement is important for consistent standards and implementation across Australian jurisdictions. The consistency provides clarity and facilitates the understanding of animal welfare requirements across industry, the community and trading partners.

Once the Australian Animal Welfare Standards and Guidelines for Livestock at Processing Establishments are developed, it is up to each state and territory government to implement the standards as appropriate for their jurisdiction. Victoria will adopt agreed standards into regulations once endorsed. It is intended that all endorsed Australian Animal Welfare Standards and Guidelines would be adopted into regulations under the proposed new Animal Care and Protection Act.

Recommendation 8

That the Victorian Government work with industry to innovate research and development opportunities to commercially viable alternatives to the use of CO₂ in stunning pigs prior to slaughter and report on alternatives with a reporting date no later than May 2026.

Support in principle

The Victorian Government supports the intent of this recommendation and will work with the pig industry to explore opportunities for commercially viable alternatives to the use of CO₂ stunning.

Both nationally and internationally, CO₂ gas stunning is currently considered the best practice method for stunning pigs prior to slaughter. Despite a substantial amount of Australian and international research into stunning alternatives, there has been no success to date in developing a less aversive practical viable alternative.

The Victorian Government acknowledges that the Australian pork industry has previously funded research into novel stun technology at a Victorian research facility (Jongman et al, 2000¹, Channon et al, 2003²). Later in 2021 industry-funded observations compared gas stunning systems at five existing pig abattoirs (Jongman et al, 2021³). The industry has also invested in a scientific review of pre-slaughter stunning methods for pigs (APL Annual Report 2022–2023, p. 27⁴).

In Europe, a consortium involving collaborations between welfare and physiology researchers, commercial processing companies and machinery manufacturers across four countries is currently investing in the development of practical solutions, with the advantage of an existing research and development base in this field. While this research has a focus on novel stunning methods and equipment (for example, Nielsen et al, 2024⁵), a substantial amount of work is investigating lower-cost opportunities to improve existing methods, such as through changes in pig handling and management techniques (for example, Jongman et al, 2021; Bonnichsen et al, 2024⁶). There is opportunity to monitor this work and encourage uptake of any outcomes.

¹ [Jongman EC, Barnett JL, and Hemsworth PH. \(2000\) The aversiveness of carbon dioxide stunning in pigs and a comparison of the CO₂ stunner crate vs. the V-restrainer. Applied Animal Behaviour Science 67:67-76](#)

² [Channon HA, Payne AM & Warner R \(2003\) Effect of stun duration and current level applied during head to back and head only electrical stunning of pigs and pork quality compared with pigs stunned with CO₂. Meat Sci 65 : 1325-1333](#)

³ [Jongman EC, Woodhouse R, Rice M, and Rault J-L. et al \(2021\) Pre-slaughter factors linked to variation in responses to carbon dioxide gas stunning in pig abattoirs. Animal 15:2 100134](#)

⁴ [Australian Pork Limited \(2023\) Annual Report 2022-23.](#)

⁵ [Nielsen SS, Alvarez J, Bicout DJ, et al \(2024\). The use of high expansion foam for stunning and killing pigs and poultry. EFSA Journal: e8855.](#)

⁶ [Bonnichsen R, Hansen C, Sondergaard JR, Schroder-Petersen DL \(2024\). Effect of stocking density during CO₂ stunning of pigs on induction time and activity level measured using AI. Animals 14:13, 1953.](#)

The Victorian Government would support consideration of international and national research outcomes, in conjunction with current and international best practice, in the development of the stunning requirements for the Australian Animal Welfare Standards and Guidelines for Livestock Processing Establishments.

The Victorian Government notes that industry funding will be critical for progressing alternative stunning options.

Recommendation 9

That the Victorian Government mandate reporting on the methods of procurement and extraction of semen from boars, and the frequency of each boar used, the method, dates, and frequency of the artificial semination of each sow.

Not supported

Artificial insemination (AI) of companion, zoological and livestock animals including pigs is not currently regulated in Australia. There are currently no prohibitions on non-surgical AI practices.

Non-surgical AI is the standard method of AI used in the pork industry and the use of AI can support pig welfare by reducing injuries received during natural mating. In the absence of any specific concerns about the welfare of sows or boars in relation to AI, it is not clear how the reporting of AI data would benefit pig welfare.

Artificial insemination is a widely used practice in many animal industries and is not routinely reported on. There appears to be little justification for mandating the reporting of AI practices in the pork industry. The Victorian Government does not support this recommendation due to the lack of benefit to pig welfare and the administrative burden created for producers.

Recommendation 10

That the Victorian Government legislate a complete ban on the use of sow stalls.

and

Recommendation 12

That the Victorian Government legislate a complete ban on the use of farrowing crates.

and

Recommendation 13

That the Victorian Government mandate a complete ban on the use of boar crates, mating stalls and any other restrictive confinement.

Support in principle

The Victorian Government acknowledges that animal welfare groups and many in the community are seeking a phase out of restrictive confinement systems for pigs and supports the phasing out of sow stalls,

farrowing crates, boar crates and other restrictive confinement (Recommendations 10, 12 and 13) in principle. The Government notes however, the significant impacts on industry that would need to be managed and supports consideration of these issues at a national level to support consistency across Australian jurisdictions.

Establishing national standards is important for the continual improvement of welfare outcomes for animals in a way that promotes consistency across jurisdictions and is sustainable for industry and producers. This process is currently achieved through the AWTG, who oversees the development of national animal welfare standards and guidelines, which are then implemented into jurisdictional regulatory frameworks.

The national process to develop standards and guidelines involves extensive consultation with state and territory governments, livestock industry organisations, animal welfare groups, and the public. To support an evidence-based approach, consideration is given to the latest animal welfare science, industry costs, practicalities, Australian community standards as well as international expectations.

The development of the Pig S&G is on the national AWTG workplan. The Victorian Government is an active participant in the AWTG and will support and participate in the process of developing the Pig S&G. Victoria will seek consideration of whether the use of farrowing crates, boar stalls, mating stalls and other restrictive confinement should be phased out. In supporting these recommendations, the Victorian Government looks forward to working with the Commonwealth Government, other jurisdictions and stakeholders to develop Pig S&G.

The draft ACP Bill introduces basic care requirements that are reasonably necessary to maintain the health and wellbeing of an animal, including requirements for the physical environment. The care requirements in the draft Bill are high level. Any detailed requirements needed for a species or activity would be set out in the regulations.

Once the Pig S&G are developed, it is up to each state and territory government to implement the standards as appropriate for their jurisdiction. Once nationally agreed, Victoria would adopt the Pig S&G into regulations under the proposed new ACP Act.

The Government notes the industry committed to a voluntary phase out of sow stalls by 2017. Many pig farmers have phased out or are minimising use of sow stalls and other stall-based housing systems. The Victorian Government is also aware of recent industry led research investigating alternatives to conventional sow stalls (including the development of 'maternity rings'⁷, which has been welcomed by the Royal Society for the Prevention of Cruelty to Animals (RSPCA) Australia⁸).

The Victorian Government encourages these developments and will continue to work with the industry and Victorian producers who choose to transition from the use of sow stalls and other stall-based housing systems to other housing systems.

Recommendation 11

That the Victorian Government support farmers to transition to outdoor group housing.

Support

The Victorian Government will support farmers who have chosen to transition to outdoor group housing.

The Government acknowledges that animal welfare groups and many in the community prefer the use of outdoor housing systems for pig production. However, there are many factors impacting producer decisions

⁷ Plush et al (2024): A five domains assessment of sow welfare in a novel free farrowing system. *Frontiers*, Vol 11.

⁸ [RSPCA Australia welcomes crate-free farrowing innovation to benefit sows and her piglets | RSPCA Australia](#)

regarding their use of indoor or outdoor housing systems, including the pig welfare advantages and disadvantages of each system.

The choice to transition a production system from indoor to outdoor housing is a decision for individual producers to make based on their business model and factors such as site suitability (including the amount of land available), ability to change systems in location, labour availability, local planning restrictions and personal management preferences.

When a producer chooses to move to an outdoor production system, the Victorian Government already provides a range of practical supports to assist, including:

- Planning and advisory services that provide independent and trusted advice to farmers and councils on planning requirements for the establishment of a new agricultural development or the expansion of an existing agricultural business (such as a pig farm). This includes customised farm system advice, guidance on navigating regulation as well as compliance support.
- Online resources and webinars such as the Planning Pathways for Pig Farms eGuide and online planning tools and Navigating farm developments
- Farm field days and demonstrations
- Rural financial counselling services
- Pig Bytes – a quarterly newsletter produced in collaboration with other state governments that provides pork producers with pig health, nutrition and management information.

The Victorian Government has recently reviewed the local planning requirements for piggeries and has proposed changes that would streamline and clarify the planning application process for all piggery types. The application assessment would be tailored to the individual farm site and provide modern best practice guidance to industry. A simplified planning application process and expanded outdoor piggery production system options would make the transition to an outdoor system easier if producers choose to make the change.

Recommendation 14

Refer to combined response for Recommendations 4 and 14 [above](#).

Recommendation 15

That the Victorian Government work with industry to find an alternative to the use of blunt force trauma as a suitable method of piglet euthanasia.

Support

Manual blunt force trauma is currently a permitted method of killing young piglets weighing up to 15 kilograms and is considered a humane method when correctly carried out to achieve immediate unconsciousness, with death occurring without the piglet regaining consciousness.

There is a risk of animal suffering if manual blunt force trauma is not correctly carried out. In addition, operators may fatigue if killing or stunning multiple animals by blunt force trauma, leading to reduced effectiveness, and the method can be unpleasant for the operator which can impact their ability to correctly carry out the procedure as well as having human welfare impacts.

The Victorian Government notes research currently underway in industry to explore options for the humane euthanasia of piglets. This research has considered alternative options to manual blunt force trauma, including non-penetrative captive bolt devices as well as the introduction of specialised processes and training to provide the best animal welfare outcomes for sick or injured piglets which also considers the wellbeing of staff.

The Victorian Pig Welfare Standards and Guidelines require that pigs must be cared for by suitably qualified personnel or be under the supervision of such personnel. Suitably qualified means holding a Certificate III in Agriculture – Pig Production or equivalent (on the job training with demonstrated competency). This requirement is supported by various industry training, including the Australian Pork Limited (APL) Pork Industry Stockpersons Skill Set.⁹

The Victorian Government will engage with industry to understand the effectiveness of industry training programs and what barriers might exist to using non-penetrative captive bolt as an alternative. It is proposed that engagement on this issue will take place while developing new regulations to support the proposed new Animal Care and Protection Act.

The suitability of using manual blunt force trauma for piglets will be considered as part of national processes to develop Australian Animal Welfare Standards and Guidelines for Pigs (Pig S&G), and Australian Animal Welfare Standards and Guidelines for Livestock at Processing Establishments.

Victoria is an active participant in these national processes which involve extensive consultation with state and territory governments, livestock industry organisations, animal welfare groups and the public. To support an evidence-based approach, consideration is given to the latest animal welfare science, industry costs, practicalities, Australian community standards as well as international expectations.

Recommendation 16

That the Victorian Government mandate straw bedding substrate to stimulate natural pig behaviours to prevent injury and abrasion.

Support in principle

The Victorian Government supports a review of housing and enrichment standards for pigs but does not support the mandating of one specific bedding substrate, that may not work effectively in all farming systems and would stifle innovation and improvements to the types of enrichment aids that could be used to support pig welfare and enrichment.

Straw is one of many enrichment aids available to farmers that can enhance welfare outcomes and allow pigs to display natural behaviours. Alternatives include, but are not limited to, hay, silage and hessian bags.

To address this recommendation, the Victorian Government will actively participate in the national process to develop the Australian Animal Welfare Standards and Guidelines for Pigs (Pig S&G). It will seek the consideration of housing and enrichment standards, including – but not limited to - the use of straw bedding.

Additionally, the draft ACP Bill requires people to meet the care requirements for an animal, being the care that is reasonably necessary to maintain the health and wellbeing of an animal. This includes requirements for the physical environment and opportunities to engage in behaviour that is normal for the animal.

⁹ [Australian Pork Limited website \(accessed 30 September 2024\) – Stockperson Competency](#)

The care requirements in the Bill are high level. Any detailed requirements needed for a species or activity would be set out in the regulations. The development of regulations requires consultation and regulatory impact assessments.

The current POCTA Regulations and the POCTA Codes of Practice, the Victorian Pig Welfare Standards and Guidelines, and the Australian Animal Welfare Standards and Guidelines would be the basis of the new regulations. Consideration of the need to mandate bedding substrates will be considered in the development of the regulations to support the new Animal Care and Protection Act.

Recommendation 17

That the Victorian Government investigate enrichment aids for farmed pigs for inclusion in the Animal Care and Protection Bill.

Support

The Victorian Government supports the investigation of enrichment aids for farmed pigs and will work with scientists, animal advocacy bodies and industry to explore available aids for implementation.

The Victorian Government will actively participate in the national process to develop the Australian Animal Welfare Standards and Guidelines for Pigs (Pig S&G). It will seek consideration of enrichment aids for farmed pigs for inclusion in the Pig S&G.

As outlined in Recommendation 16, the draft ACP Bill introduces a requirement to meet the care requirements for an animal into Victorian law for the first time.

While the current POCTA Act is modelled on a more traditional 'cruelty-prevention' framework, the draft Bill aims for a more proactive approach.

It does this by requiring people to meet the care requirements for an animal, being the care that is reasonably necessary to maintain the health and wellbeing of an animal. The requirements include but are not limited to nutrition, physical environment, health and veterinary care, and behaviours.

The care requirement related to behaviour includes providing opportunities to engage in behaviour that is normal for the animal. For some animals this may include enrichment.

The care requirements in the ACP Bill are high level. Any detailed requirements needed for a species or activity would be set out in the regulations.

The current POCTA Regulations and the POCTA Codes of Practice, the Victorian Pig Welfare Standards and Guidelines, and the Australian Animal Welfare Standards and Guidelines would be the basis of the new regulations.

The development of regulations requires consultation and impact assessments. A regulation must be demonstrated as necessary and feasible.

Recommendation 18

That the Victorian Government require industry to implement the regular surveillance monitoring and public reporting of antibiotic use on Victorian farms.

Support in principle

The Victorian Government supports this recommendation in principle. Considerable work is underway to develop a national reporting and surveillance system for antimicrobial usage and resistance in Australia's animal industries.

Developing methods to enable accurate and meaningful reporting of antimicrobial usage (AMU) across different livestock sectors is a complex task and may require different reporting mechanisms for different animal sectors. For instance, the monitoring of AMU may be more effective at the veterinary prescription level for grazing and free-range farms, but on-farm or feed batch records may be more applicable for intensive animal production systems under veterinary supervision.

A key objective of the *Australian Animal Sector Antimicrobial Resistance Action Plan 2023 to 2028* is to develop a national AMU and antimicrobial resistance (AMR) reporting and surveillance system across all animal sectors. The Australian Government is leading implementation of the action plan through governance and active engagement with all jurisdictions and various animal industries to develop a system for the accurate and reliable reporting of usage and resistance monitoring. Significant progress in the development of this framework is expected over the next 18 months.

Additionally, the Victorian Government is currently developing a Victorian Antimicrobial Resistance Strategy. A comprehensive consultation process has been taken to inform the Strategy, and more detailed information is available at: <https://www.health.vic.gov.au/infectious-diseases/antimicrobial-resistance-victorias-response>.

The Australian and state governments consider that the development of a voluntary national reporting system for AMU across all animal sectors will provide a more robust system for monitoring AMR rather than mandating the reporting of antibiotic use on Victorian farms. Some amendments to Victorian legislation may be required to enable the implementation of a national AMU monitoring framework in Victoria, but this will depend on the reporting system agreed to by governments and industry.

Implementation

Following the release of this response, the Victorian Government will work with the Victorian pig industry, animal advocacy groups and animal scientists to develop an implementation approach for supported recommendations. This engagement will commence in early 2025.

Implementation of supported recommendations will consider evidence-based and up-to-date national and international research, the need for cross-jurisdictional collaboration to develop standards and guidelines for pig welfare, and practical considerations for the phasing of recommendation implementation.

Appendix

Appendix 1 – Purposes, objects and principle of sentience in the draft ACP Bill

Purposes

The draft ACP Bill states the purposes of the legislation (clause 1) are to provide for:

- Animal care and protection by setting out:
 - Care requirements for animals and offences for failing to meet those requirements
 - Offences and other requirements for carrying out certain types of activities relating to animals, including but not limited to the carrying out of scientific procedures on animals
- The control and regulation of certain uses of animals and practices involving animals
- The enforcement of offences under the Act and other related requirements
- Funds to provide for payments relating to the care and protection of animals and to pay for enforcement of the Act and education activities relating to animal care and protection
- Committees to give advice on animal care and protection
- Other related matters
- The repeal the POCTA Act
- Consequential and related amendments to other Acts

Objects

The draft ACP Bill also states that the object of the Act (clause 2) is to promote:

- An understanding that people have a duty to care for animals they own or control
- Responsible and acceptable treatment of animals and deter unacceptable treatment of animals
- Community awareness about the care and protection of animals.

Principle of sentience

The principle of animal sentience is set out the draft ACP Bill:

It is the Parliament's intention that in the administration of this Act and the regulations, regard should be given to the capacity of animals to subjectively perceive their environments, and to experience positive and negative physical and mental states.

