



Our ref: CORP F2021/000371

2 September 2021



CORPORATE SERVICES
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Dear 

Determination under the *Freedom of Information Act 1991*

I refer to your application made under the *Freedom of Information Act 1991* which was received by the Department of Primary Industries and Regions (PIRSA) on 3 August 2021, seeking access to the following:

"Any and all formal written arrangement, MOU, agreements including any service level agreement and related documents that is relevant for the time period stated below, between RSPCA SA and PIRSA to administer the POCTA and subsidiary legislations/AW Regulations/Codes of Practice.

Any and all policies and procedures including standard operating procedures, that is relevant for the time period stated below, for PIRSA staff, veterinarians, inspectors, animal health officers or advisors in relation to their management and or enforcement of POCTA and subsidiary legislations/AW Regulations/Codes of Practice."

Timeframe: 1/01/2019 to 1/08/2021

On 6 August 2021, contact was made with you by PIRSA's A/Freedom of Information Officer seeking clarification on the scope of the second part of your application. You advised that the reference to the POCTA should be taken as reference to the *Animal Welfare Act 1985* and provided a substituted paragraph as follows:

"I would like any and all documents as in policies, procedures, advice, SOP's or other materials that have been issued by PIRSA both internally and externally to assist an officer, vet, advisor or otherwise staff member to assess compliance by industry with the Animal Welfare Act 1985, the AW Regulations (transport) and COP for animals at saleyards. This should include but is not limited to documentation accessed and used by officers in relation to how assessments of fitness to transport are made for animals. For example, if an animal has a condition, what documentation is referred to and used in order to make an assessment of fitness to transport."

As you are aware, on 11 August 2021, the first part of your application, as specified below, was transferred to the Department for Environment and Water pursuant to Section 16(1) of the Freedom of Information Act:

“Any and all formal written arrangement, MOU, agreements including any service level agreement and related documents that is relevant for the time period stated below, between RSPCA SA and PIRSA to administer the POCTA and subsidiary legislations/AW Regulations/Codes of Practice.”

Accordingly, the following determination has been finalised relating to the remainder of your application, as amended.

I have located four documents that are captured within the scope of your request.

Determination 1

I have determined that access to the following documents is **granted in full**:

Doc No.	Description of document	No. of Pages
1	PIRSA Animal Health Manual – Section 2.6, Conducting Inspections at Livestock Markets dated April 2019	21
2	PIRSA Animal Health Manual 2014 – Section 6.1, Livestock Welfare	13
4	PIRSA Compromised Livestock Assessment form	8

The information removed from Document 1 is outside of the scope of your request.

Determination 2

I have determined that access to the following document is **granted in part**:

Doc No.	Description of document	No. of Pages
3	PowerPoint Presentation – Animal Welfare – Biosecurity SA Roles and Responsibilities	19

The information removed from the above document is pursuant to Clause 5(1)(a)(i) and (b) of Schedule 1 of the Freedom of Information Act which states:

“5—Documents affecting inter-governmental or local government relations

(1) A document is an exempt document if it contains matter—

(a) the disclosure of which –

(i) could reasonably be expected to cause damage to intergovernmental relations; and

(b) the disclosure of which would, on balance, be contrary to the public interest.”

The information removed from the above document consists of photographs taken by Commonwealth Department of Agriculture staff which have been inserted into the presentation material for the purposes of an internal audience.

In addressing the public interest test for this exemption, I have balanced the following factors:

In favour of the public interest:

- Meeting the objects of the Act favouring access to documents.
- The importance of transparency and openness and the interest that the public has in the decision-making processes of Government.
- High level of community interest in the welfare of animals.

Contrary to the public interest:

- PIRSA does not have appropriate approval to release this material into the public domain.
- The photographs were obtained for insertion into the presentation for internal purposes only.
- Disclosure of this information without approval could reasonably be expected to hamper Commonwealth/State relations.

Having considered the various factors weighing for and against disclosure, I have determined that disclosure of this information would, on balance, be contrary to the public interest.

If you are dissatisfied with this determination, you are entitled to exercise your right of review and appeal as outlined in the attached documentation <https://archives.sa.gov.au/finding-information/information-held-sa-government/making-freedom-information-application#Review>, by completing the "FOI Application Form for Internal Review of a Determination" and returning the completed form to:

Freedom of Information Principal Officer
Department of Primary Industries and Regions
GPO Box 1671
ADELAIDE SA 5001

or via email PIRSA.FOI@sa.gov.au

Should you require further information or clarification with respect to this matter, please contact Ms Lisa Farley, Freedom of Information and Privacy Officer on (08) 8429 0422 or email PIRSA.FOI@sa.gov.au.

Yours sincerely



Michelle Griffiths

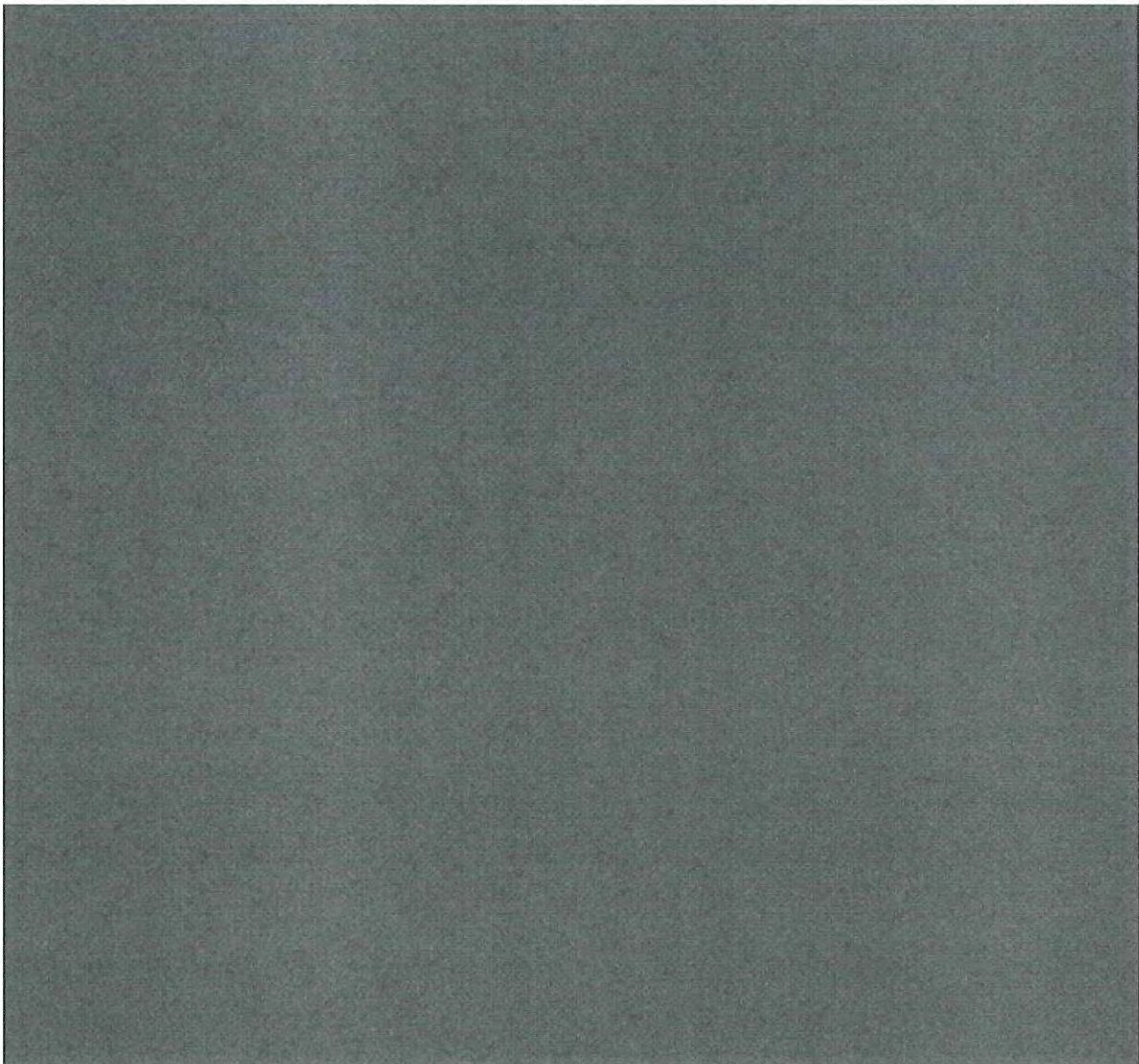
Accredited Freedom of Information Officer
DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONS

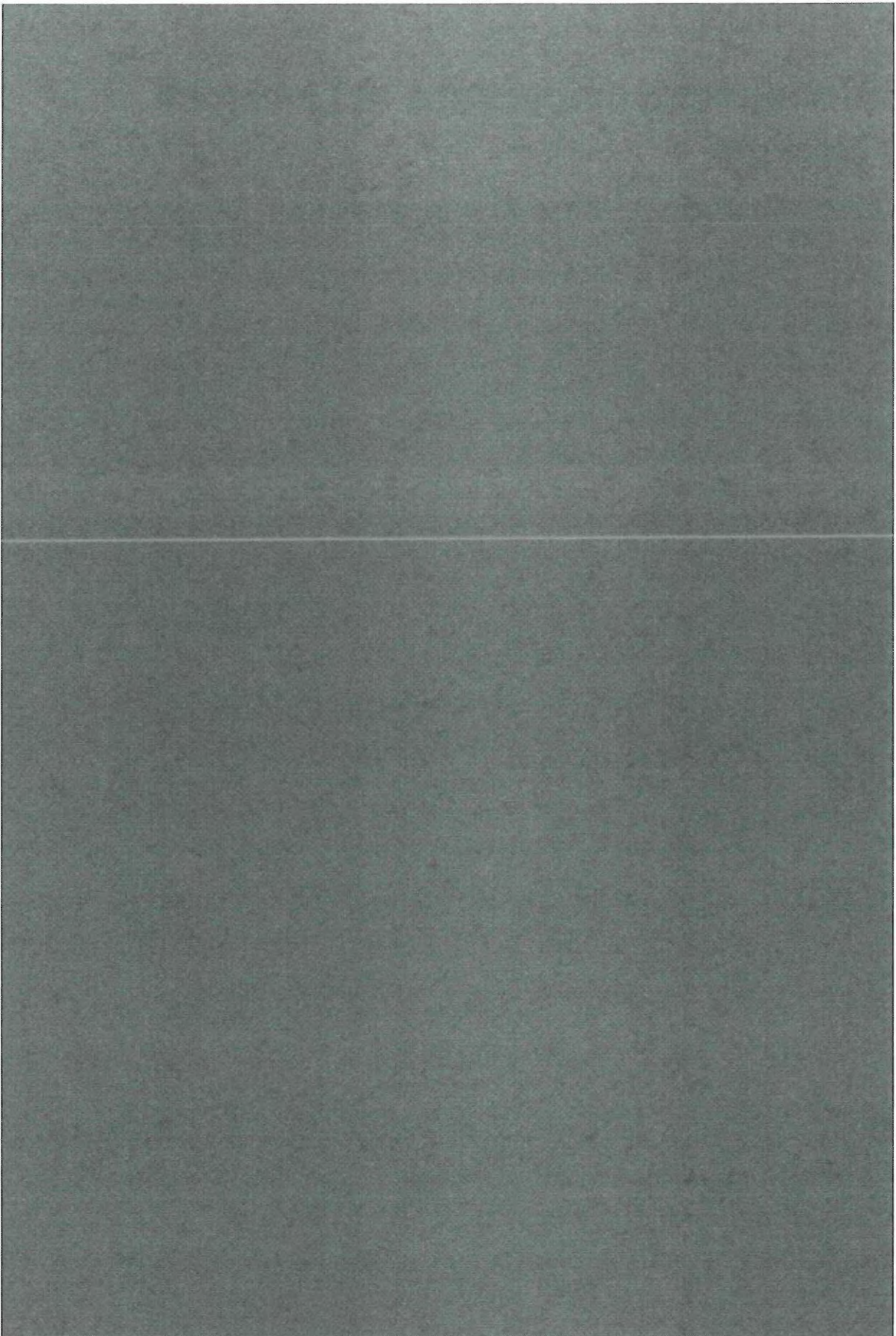
SECTION 2.6

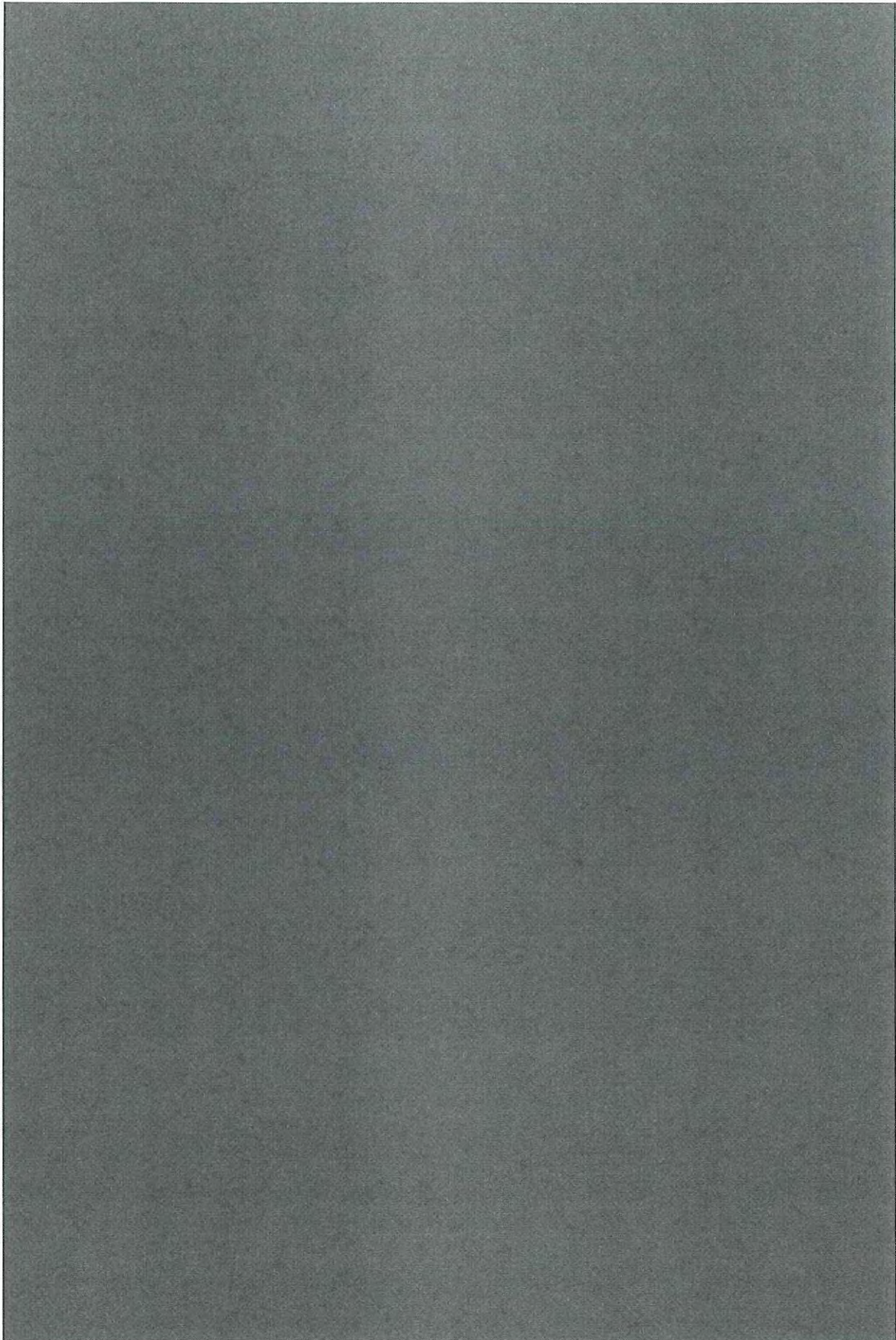
Conducting Inspections at Livestock Markets

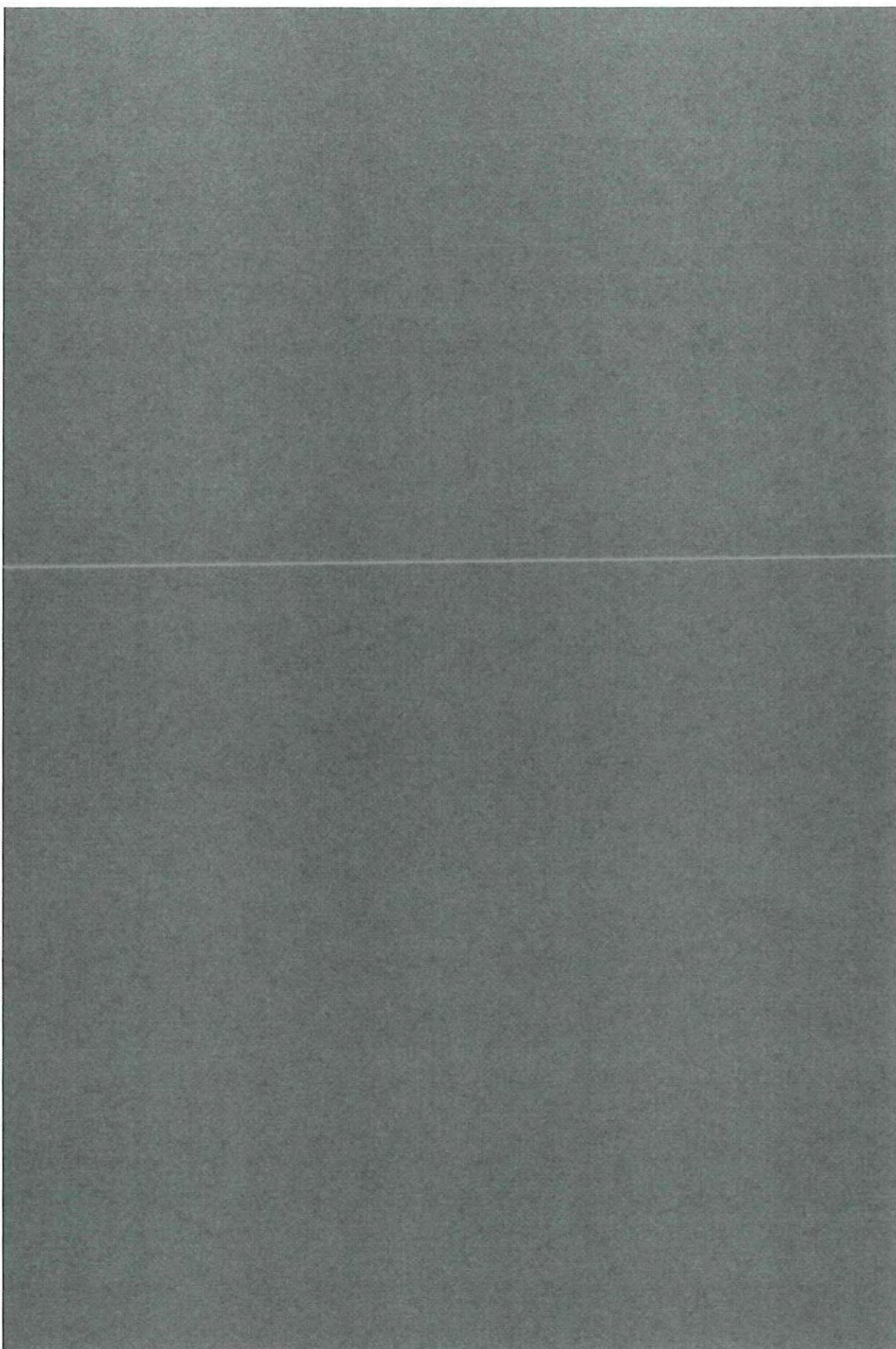


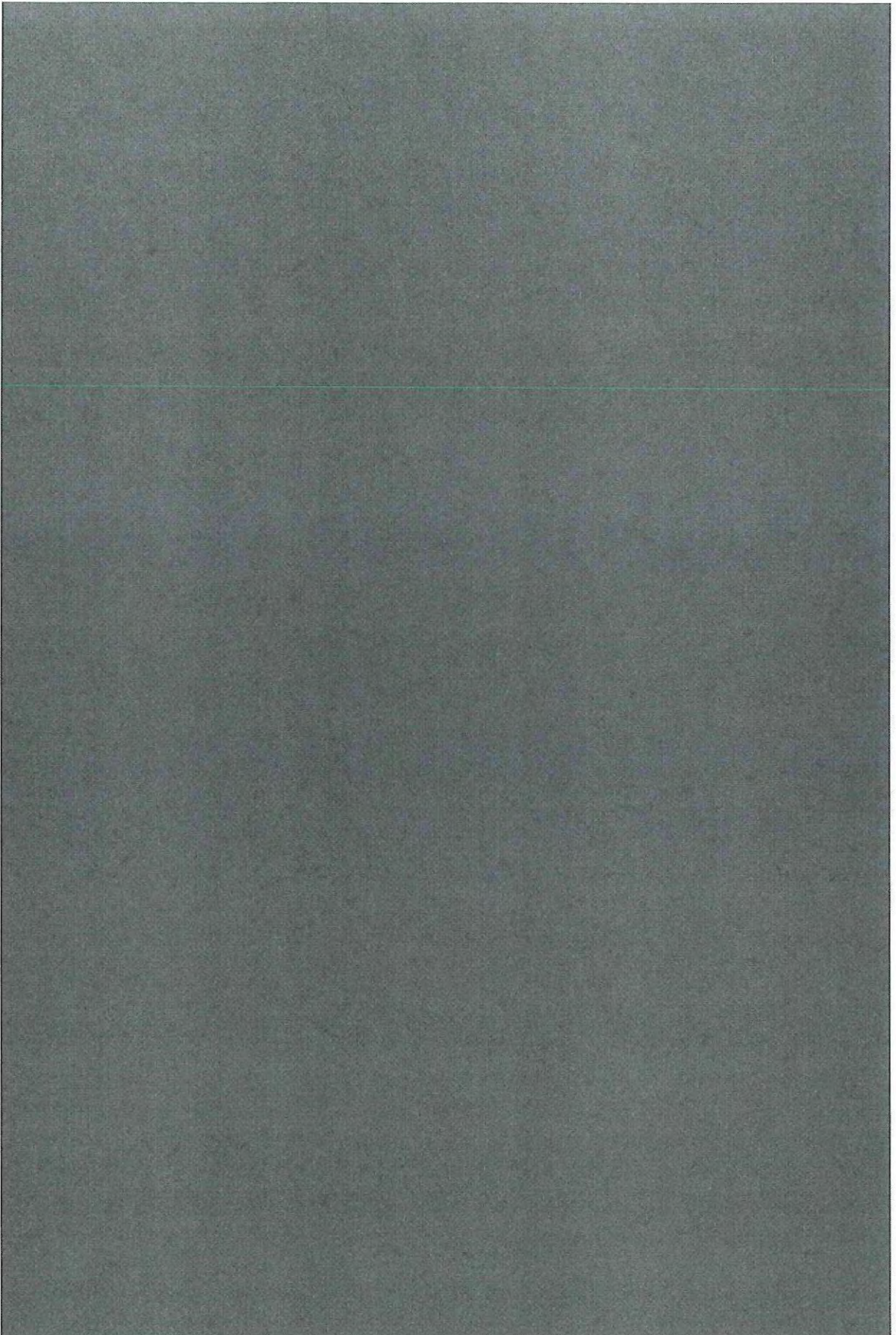
3. ANIMAL WELFARE 10

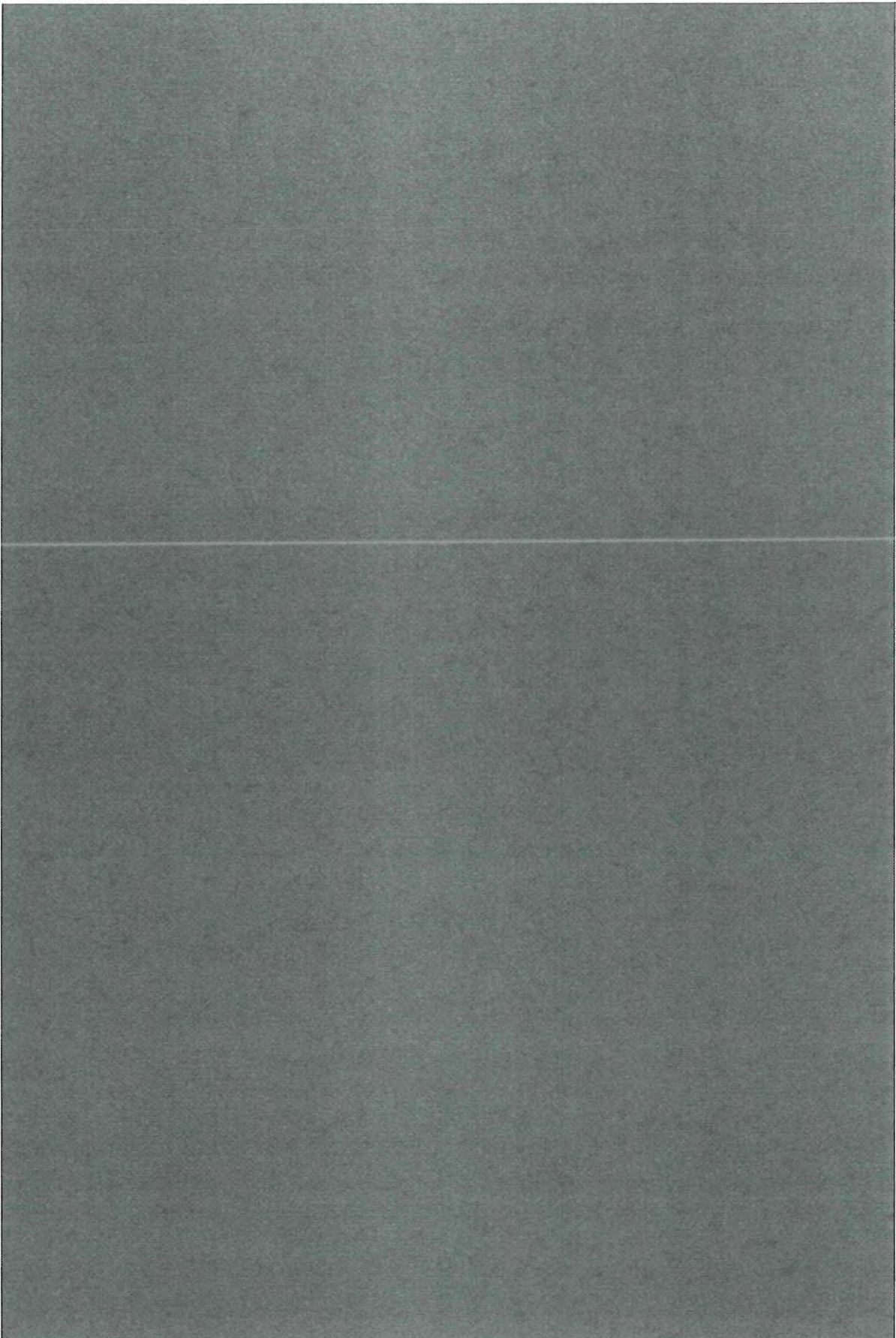


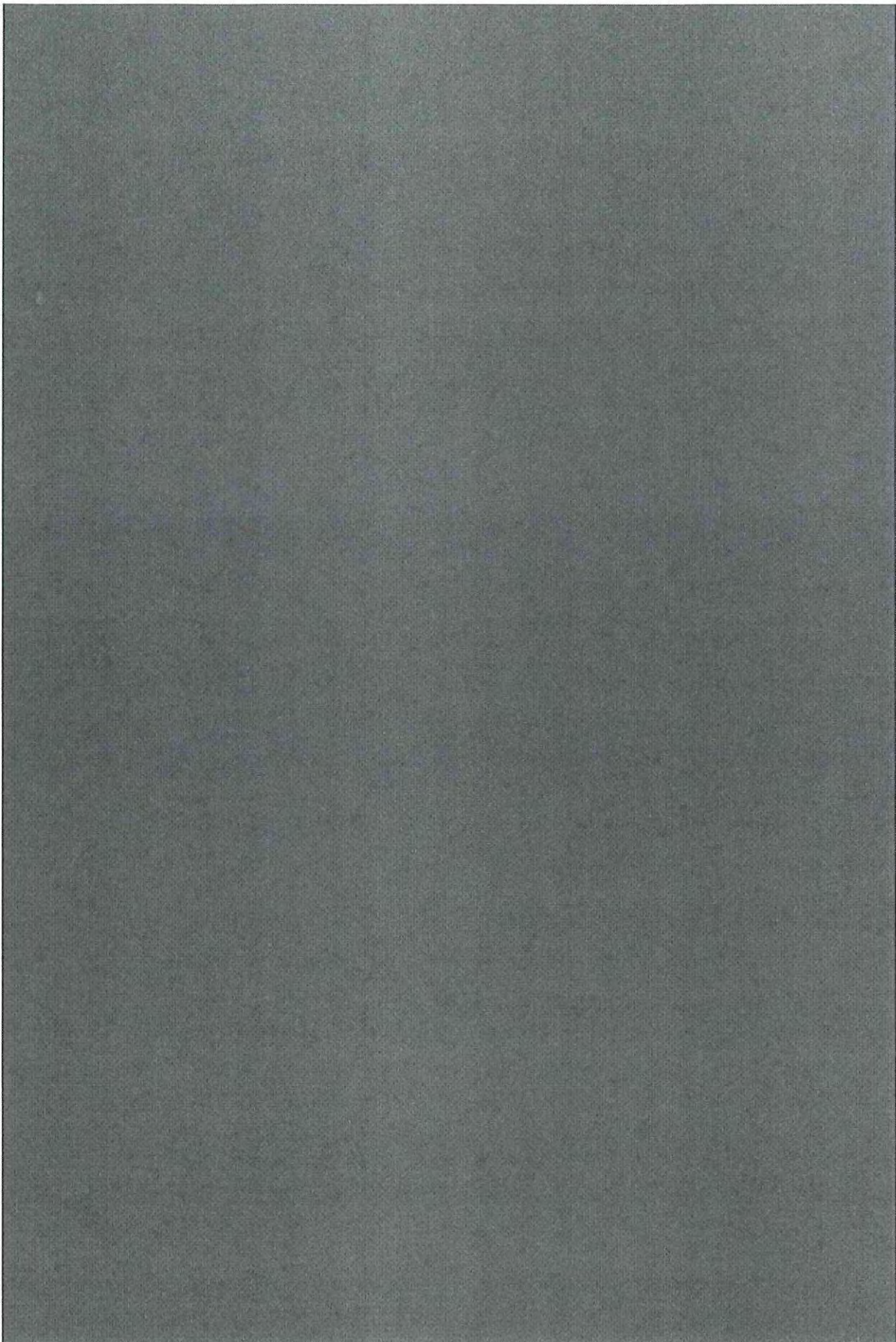


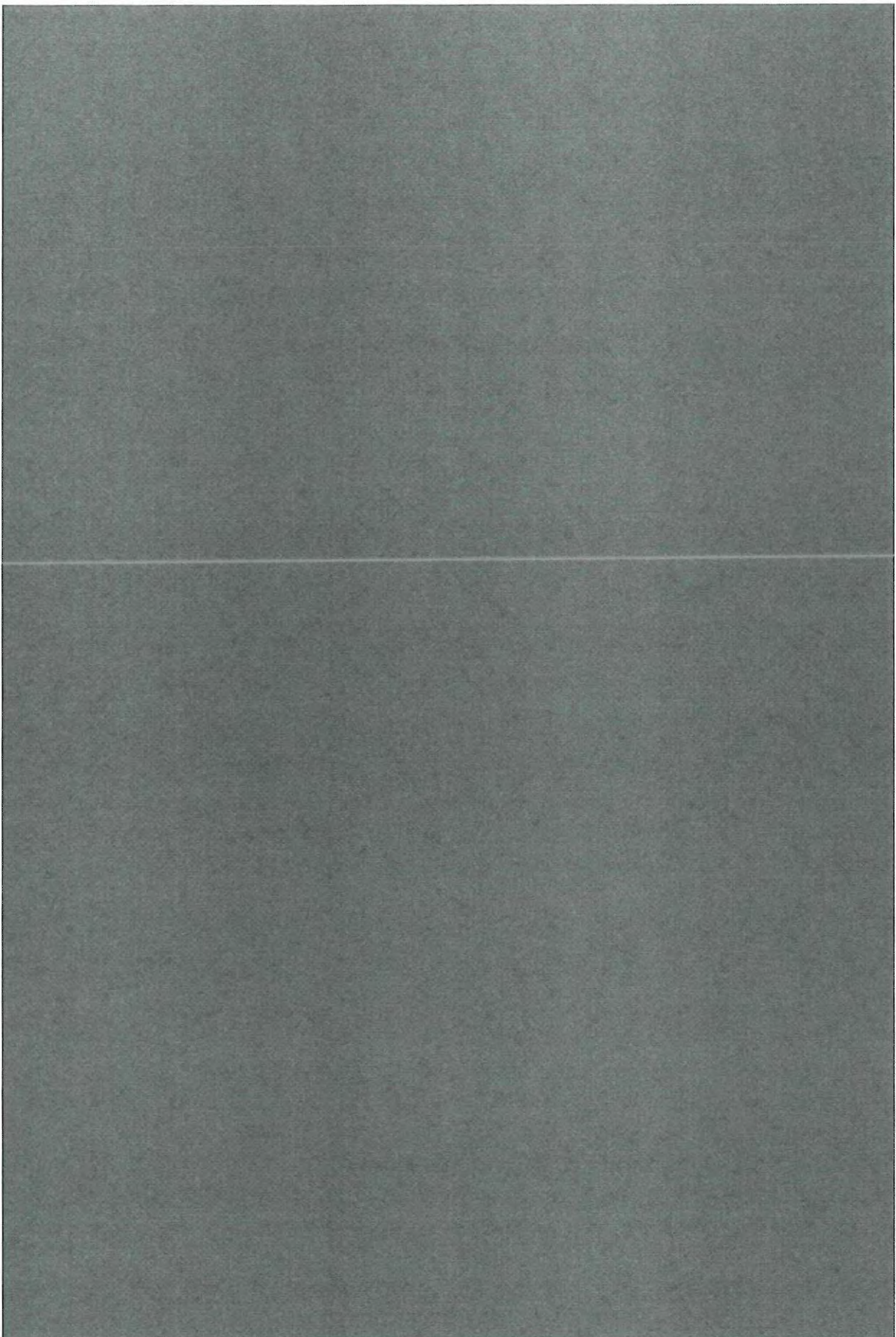


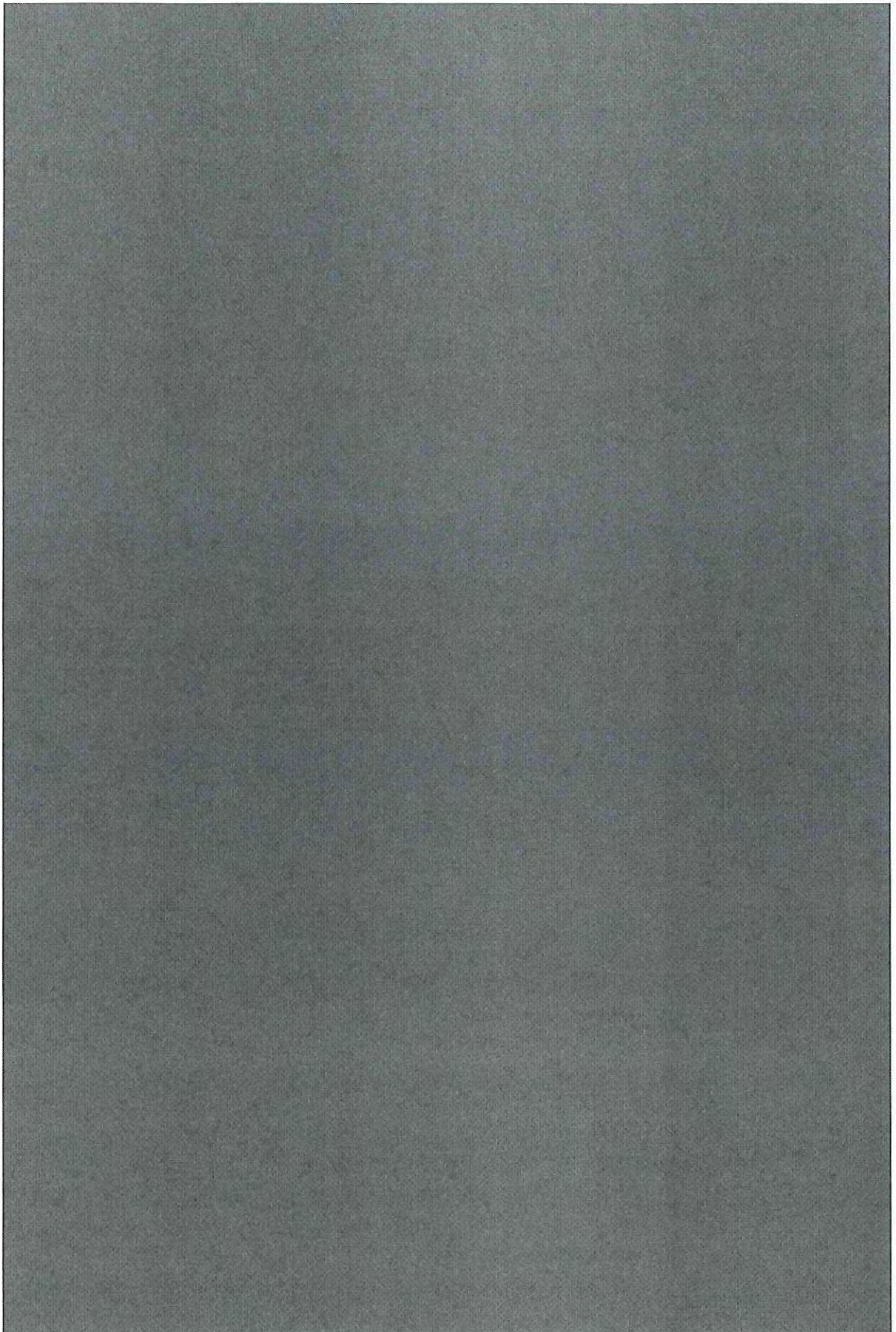


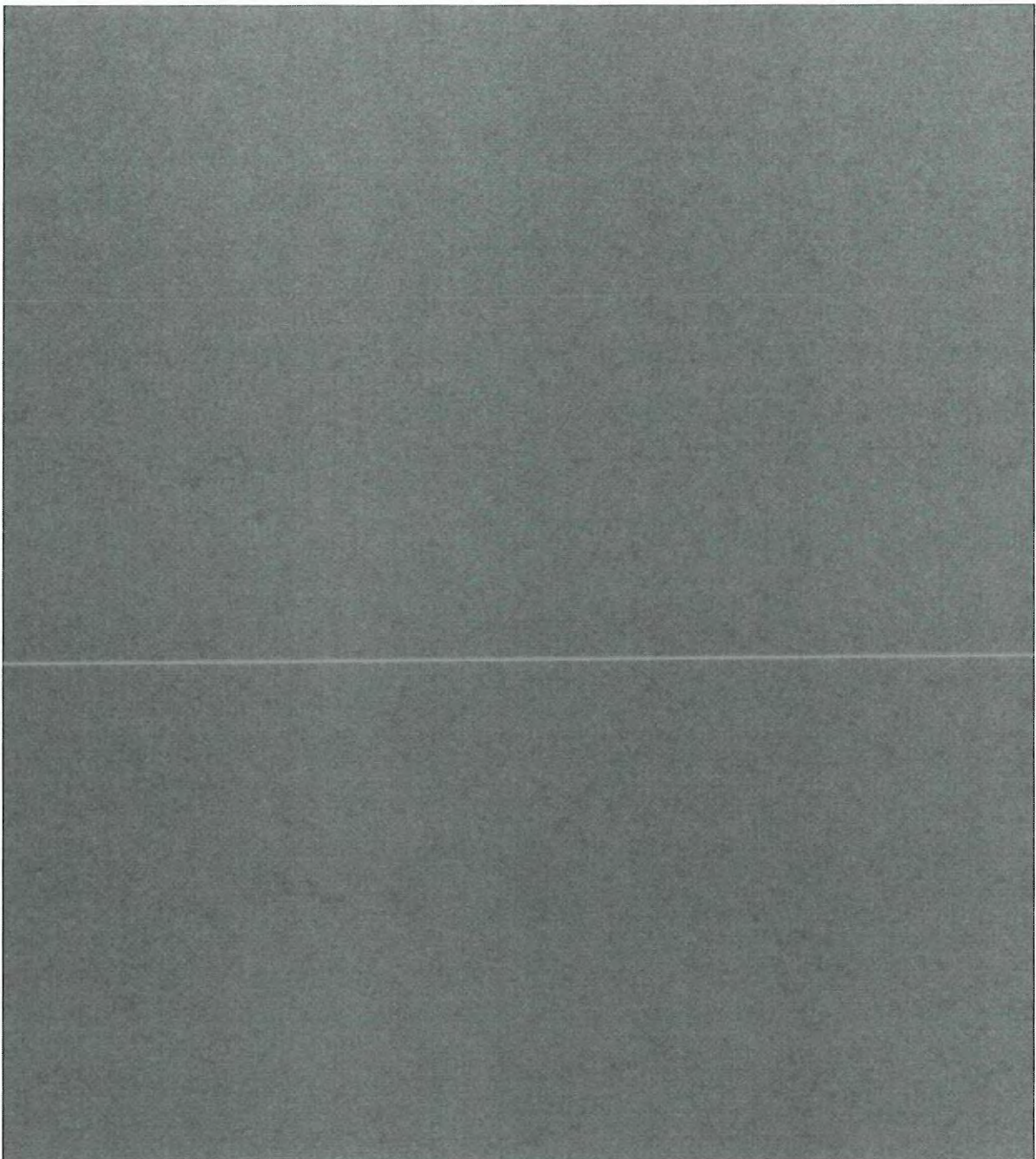












3. ANIMAL WELFARE

As stock are inspected any breaches of welfare should be documented and addressed. Such breaches include animals:

- Severely dehydrated
- Blind in both eyes
- Unable to bear weight on any single leg
- Emaciated

- Showing visible signs of a severe injury, open wound or distress
- Late pregnant
- Suffering from conditions likely to cause increased pain or distress (e.g. cancer eye)
- Ingrown horn
- Hernias (abdominal, inguinal, scrotal)
- Flystrike

The *Animal Welfare Guidelines for Animals in Poor Condition* (see references) provides a detailed description of the types of conditions sheep and cattle may be observed in at saleyards and should be used as a guide for AHA's for recommending appropriate action. The *Fit To Load* guide <https://publications.mla.com.au/login/redirectFrame> is also a good reference.

Where significant animal welfare breaches have occurred the incident is to be referred to the RSPCA who are responsible for animal welfare in SA. The Manager Field Operations (MFO) must be notified of the situation to provide further guidance or instruction, if possible before the AHA leaves the saleyard.

In order to assist the RSPCA with an investigation a copy of the completed PIRSA *Animal Welfare Incident Report – Form for Animal Health Staff* [A4154485](#) is to be attached to the PIIMS entry (the PAW will be automatically notified of this PIIMS entry and will action forwarding the report to the RSPCA).

The PIRSA *Animal Welfare Incident Report – Form for Animal Health Staff* has been developed to capture important key information pertaining to the event and to prompt staff as to what information is required to be collected, this includes:

- Animal identification
- Owner's full name, address and PIC number
- Copy of the associated waybill, NVD and health declaration if applicable
- Digital photograph/s (dated) of the animal/lesion
- Video footage should be taken where it is difficult to demonstrate the welfare problem with still images. Such conditions may be lameness, rapid respiration rates and exhaustion, falling or tremors etc.
- Documented description of the specific welfare issue

Where animals are significantly distressed by unreasonable or unnecessary treatment, the matter must be reported immediately to the RSPCA, in all instances this must be done by calling the RSPCA Emergency Hotline on **1300 477 722**.

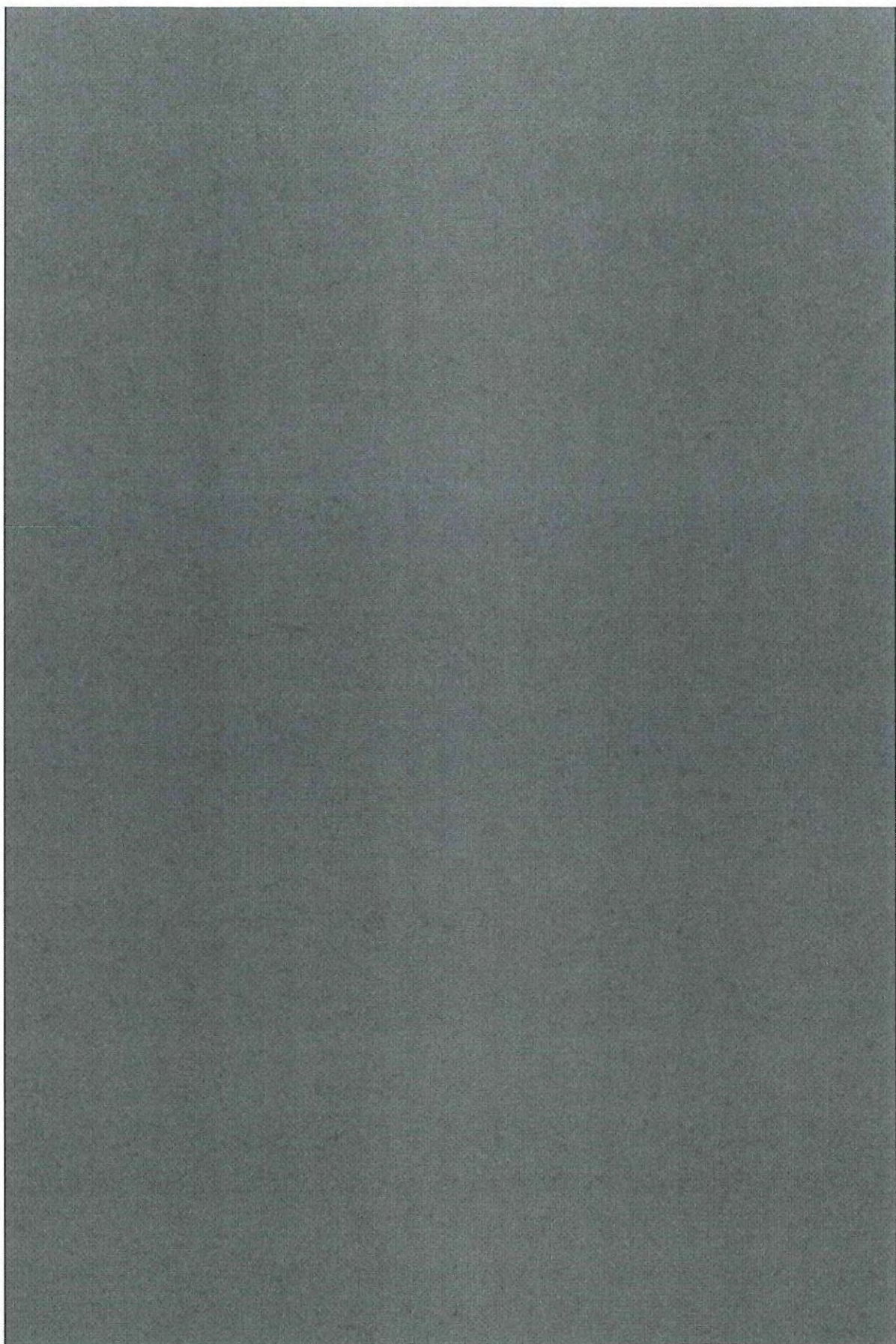
In the event that it would be inhumane to keep an animal alive without treatment they should be humanely destroyed and this should be attended to immediately. Humane destruction is the responsibility of the person in charge of the animal/s and in the case of saleyards, this is the saleyard manager. t larger saleyards there is often a specific employee dedicated to dealing with stock requiring euthanasia, AHA's should familiarise themselves with these people in order to facilitate quick and efficient destruction of stock suffering from welfare issues. An AHA should only take responsibility for humane destruction of stock when there is an immediate requirement for emergency euthanasia and there is nobody else competent who can perform the destruction. Humane destruction of animals should only be performed by a competent person and either by the person in charge of the animal/s or with permission of this individual. Species specific humane destruction guidelines are outlined in Section 4.1 of this manual. It is the responsibility of the saleyard to dispose of the carcass.

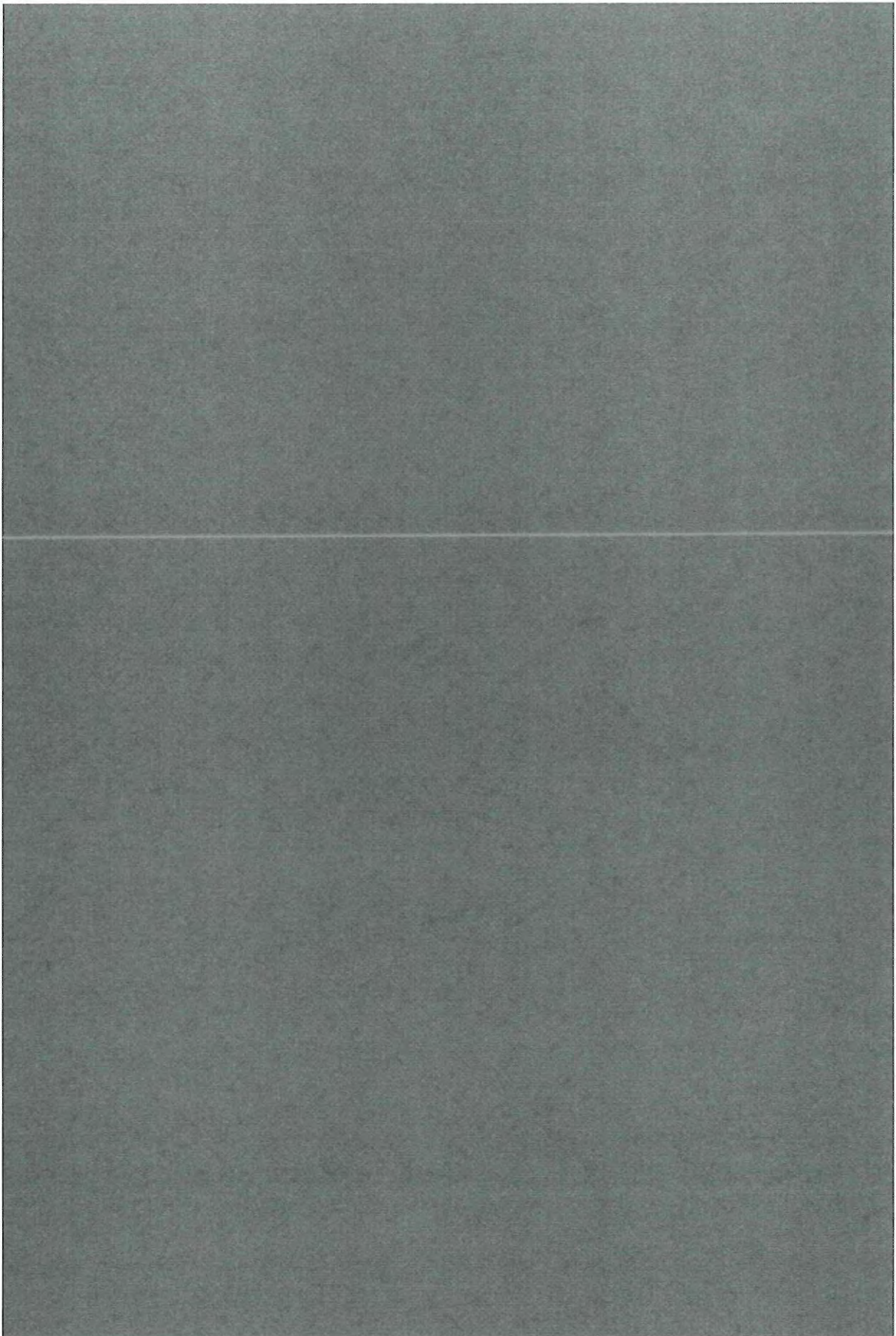
Where animals are removed from sale due to welfare issues the clerk of the agent responsible should always be notified of the removal and the reasons for removal so they can document it in their sales records. Animals removed from sale on welfare grounds for conditions that were present pre-transport should be listed by the agent's clerk as NCV's (No Commercial Value), this will ensure the vendor does not receive any insurance entitlements for stock they should never have presented for sale.

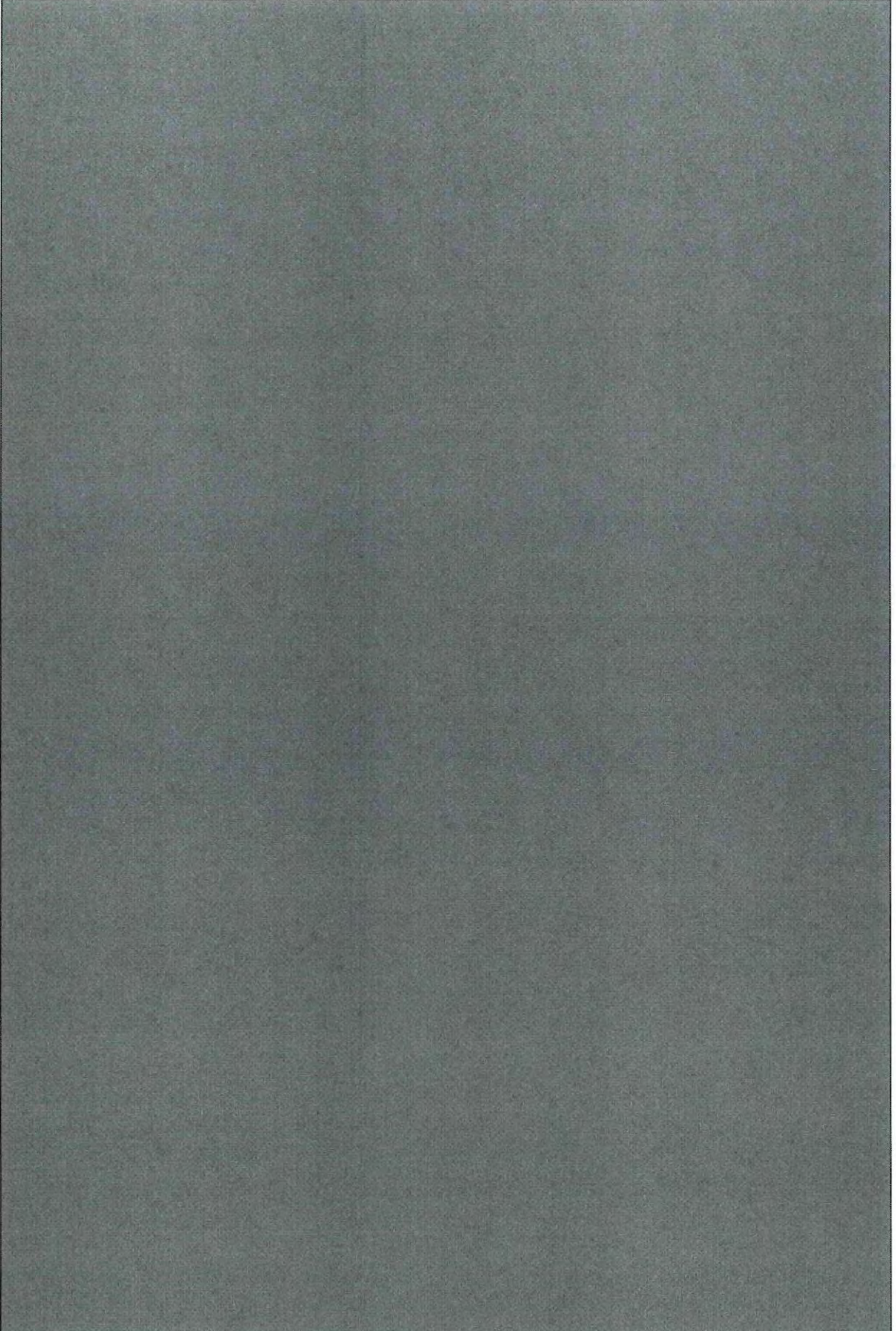
Welfare conditions detected at saleyards should be recorded in the "Market Statistics" event in PIIMS as well as against the PIC of the vendor as an "Expiable Offence" report with details recorded in sections 44 to 46 of that report event project "Welfare". AHA's may contact producers about menial welfare incidents but by and large these incidents should be referred to the RSPCA to follow up via reporting of the incident to the PAW. A copy of the completed PIRSA *Animal Welfare Incident Report – Form for Animal Health Staff* [A4154485](#) is to be attached to the PIIMS entry as this will be forwarded to the RSPCA for actioning.

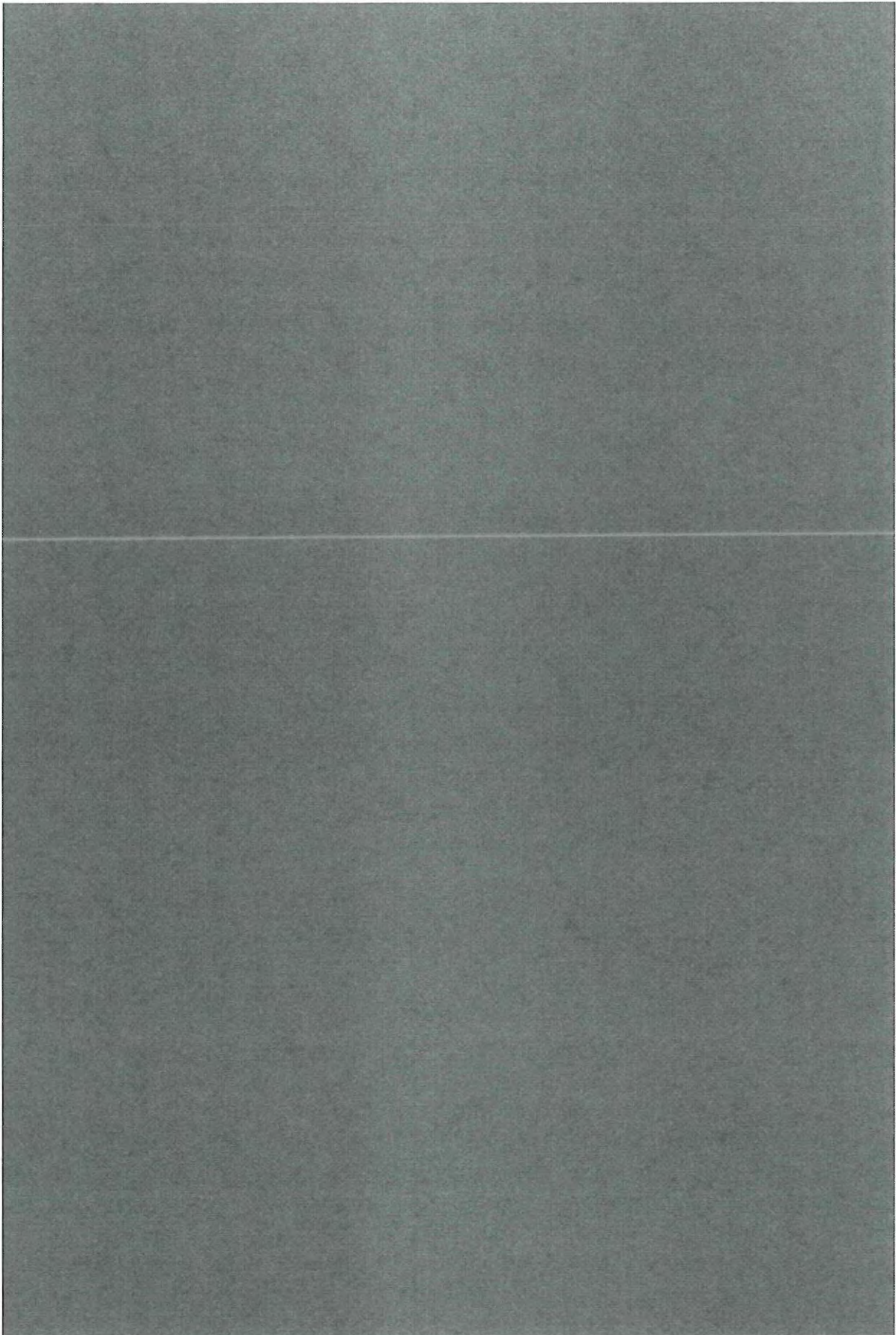
For more details on animal welfare refer to section 6.1 of this manual.

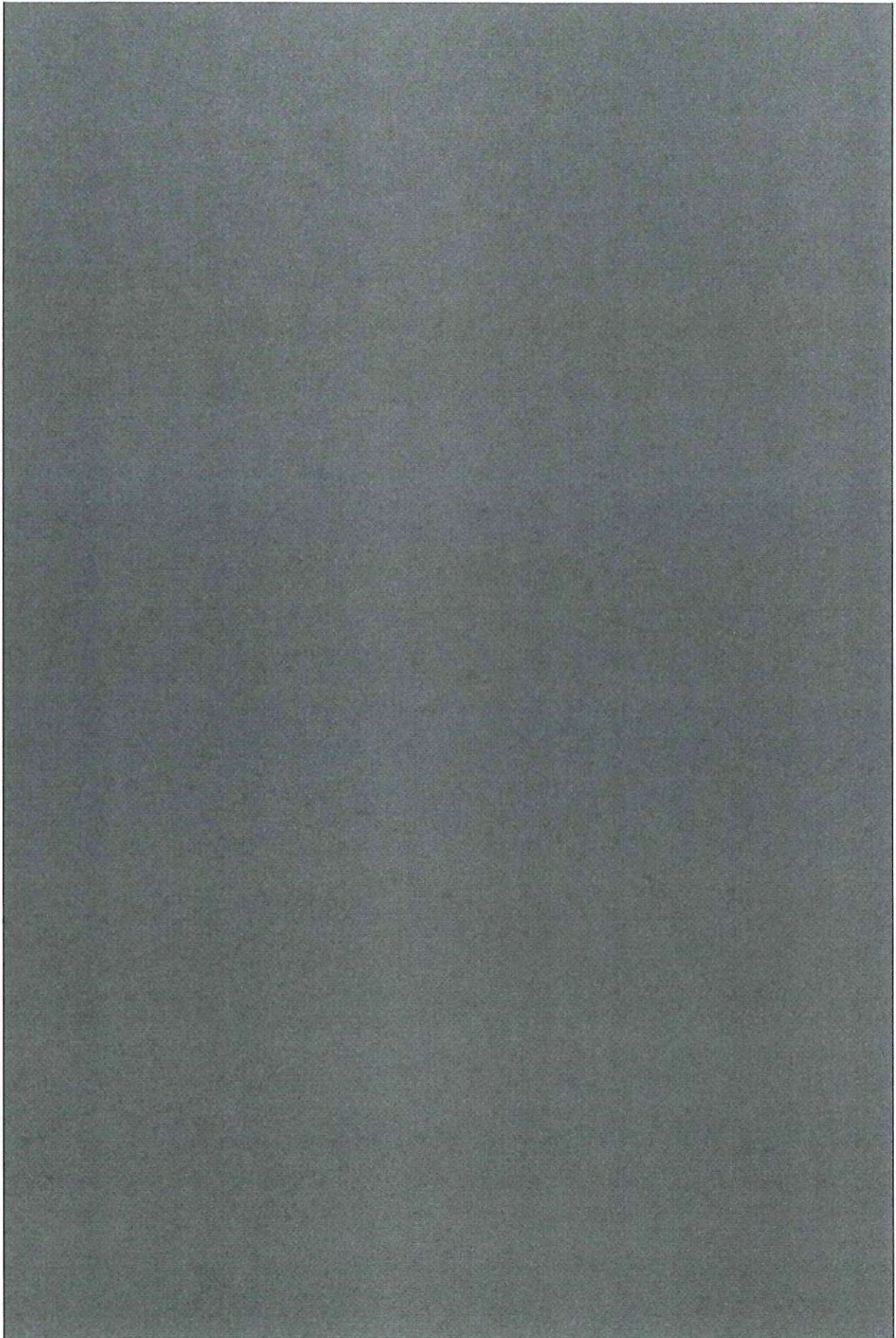


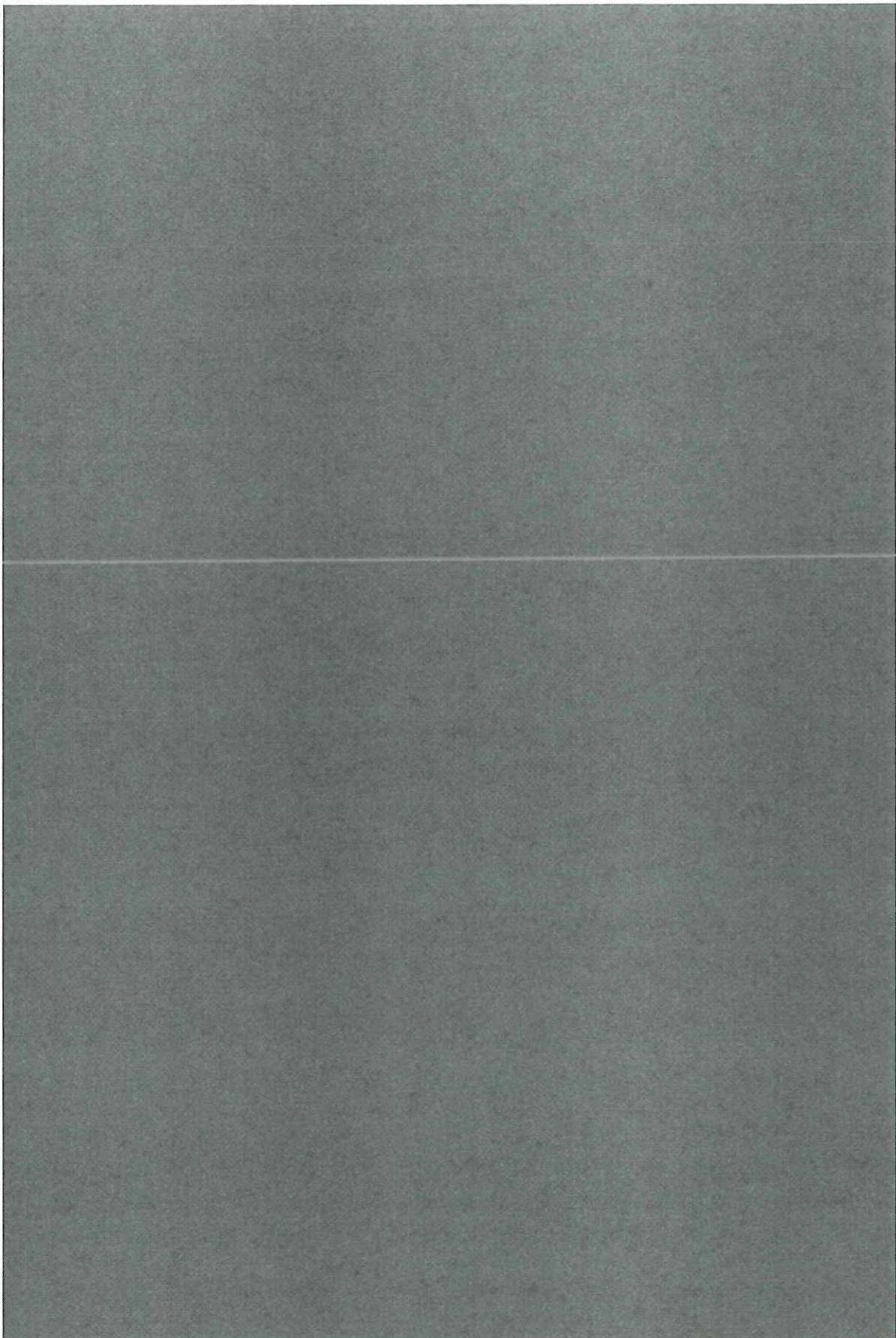


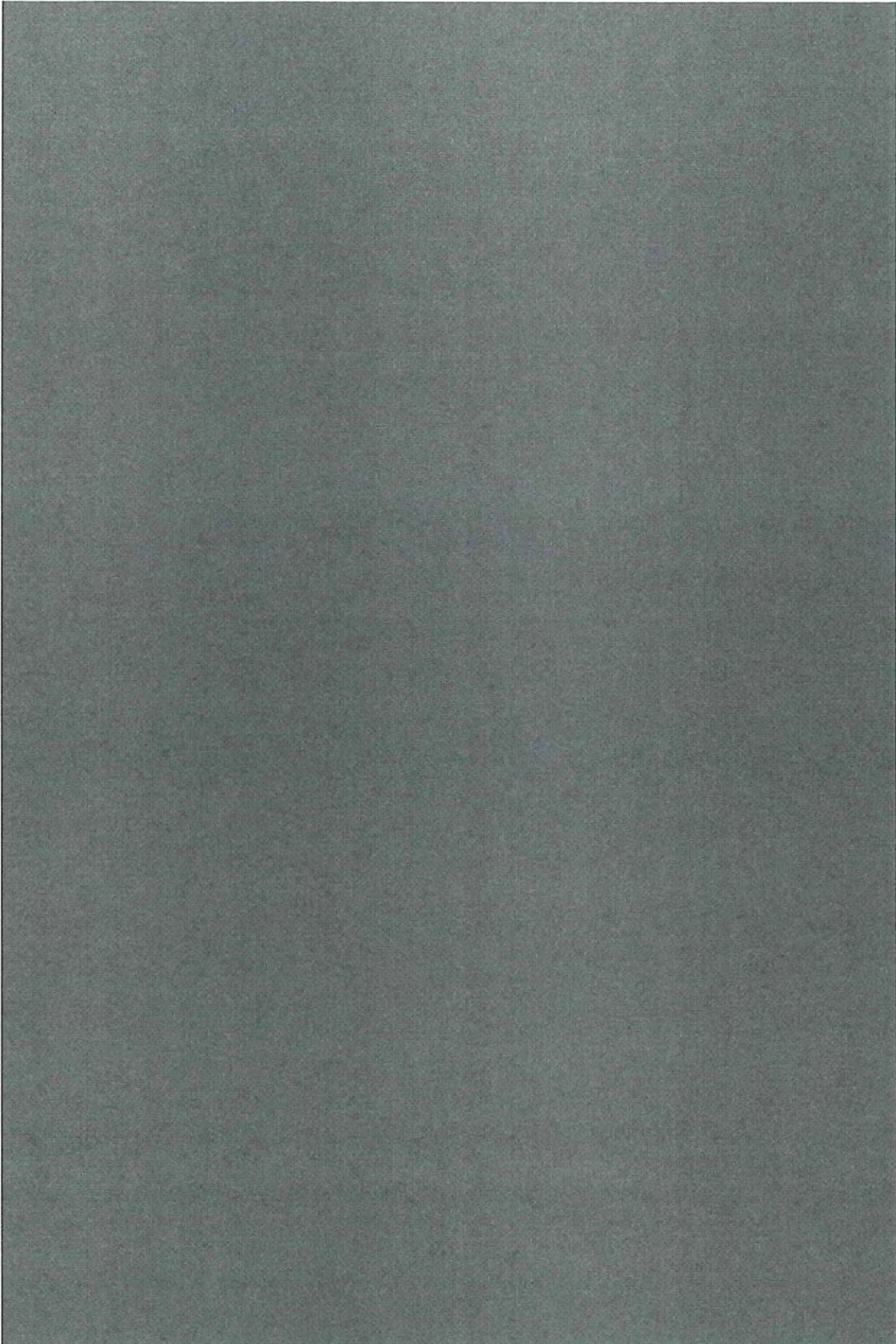


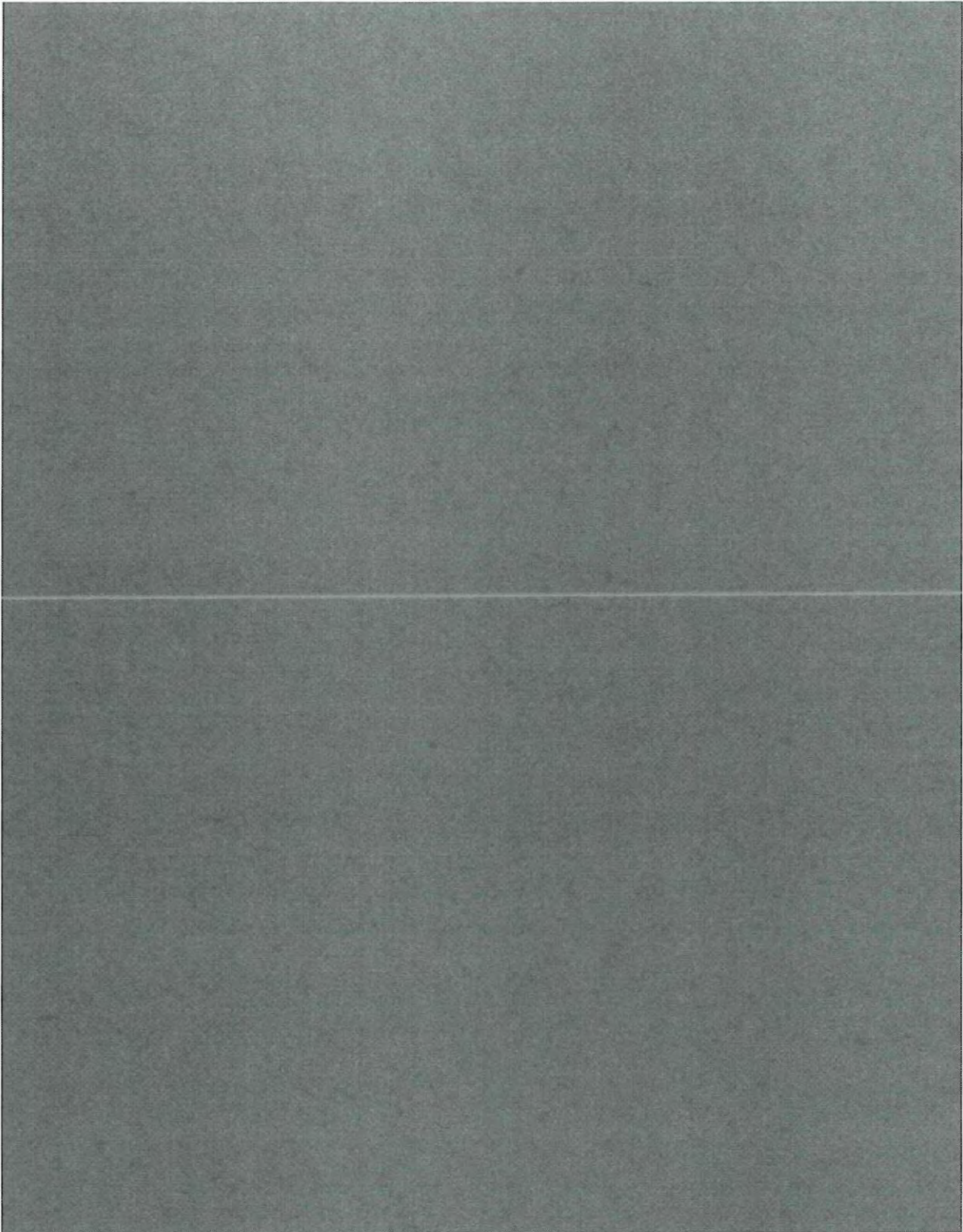






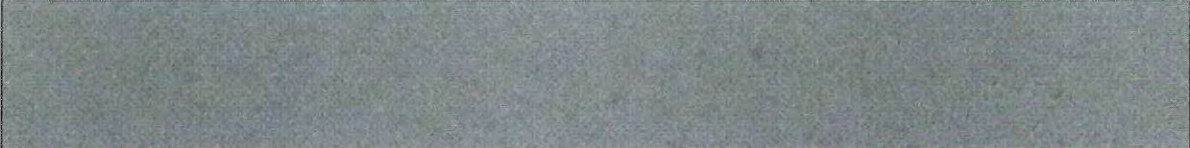








7. REFERENCES



- 
- *Animal Welfare Guidelines for Animals in Poor Condition*
http://www.agric.wa.gov.au/objectwr/imported_assets/content/pw/ah/welfare/welfare_guidelines_for_animals_in_poor_condition.pdf 
 - *Fit to Load* <http://www.mla.com.au/News-and-resources/Publication-details?pubid=5873>
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SECTION 6.1

Livestock Welfare

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Document Control	
Approved by	
Approval date	
Responsible Officer	Elise Spark

The purpose of this procedure is to provide Biosecurity SA - Animal Health (BSA – AH) staff specific guidance on their responsibilities with regards to animal welfare incidents and their management. The procedure will ensure that BSA - AH's responsibilities are appropriately discharged and incidents affecting the welfare of livestock are appropriately investigated and reported.

There is a memorandum of understanding (MOU) in place between PIRSA, the Department of Water and Natural Resources (DEWNR) and RSPCA SA. This MOU states that PIRSA staff will, when available, provide assistance and advice to the RSPCA with any reasonable request relating to livestock welfare. Requests for assistance must only come from the Manager Field Operations (MFO). PIRSA staff must ensure they act within the authority they have been given.

A copy of this MOU can be located on Objective Id [A2362937](#).

1. RECOGNITION AND HANDLING OF ANIMAL WELFARE BREACHES

BSA - AH personnel observe husbandry practices first hand and have the expertise to recognise sub-standard treatment of livestock as well as overt cruelty. They are consequently in a position to significantly influence producer attitudes and improve livestock welfare.

BSA - AH staff may find intervention into a producer's livestock handling difficult because of concerns that comment will adversely affect future communication with that or other producers. However necessary action to address unacceptable husbandry practices is a responsibility that cannot be ignored.

Incidents relating to stock welfare should be handled carefully. Advice to producers should emphasise the positive results achieved from proper animal management. Experience has shown that changes in behaviour are readily adopted where the consequences of actions are pointed out in an objective manner at the time of the event.

Assistance to producers by BSA - AH staff in an advisory capacity is encouraged, e.g. to discuss acceptable standards at saleyards, on farm, during transport, in emergency situations such as fire and flood, or in drought.

If stockowners ignore advice and warnings and continue to neglect or ill-treat livestock, it will be necessary to take further enforcement action in terms of the MOU. Where animals are significantly distressed by unreasonable or unnecessary treatment, the matter must be reported immediately to the RSPCA, in all instances this must be done by calling the RSPCA Emergency Hotline on **1300 477 722**. Notification of the following key BSA – AH staff must also occur for all welfare related incidents:

- Manager Field Operations (MFO) – currently Chris Van-Dissel
- Principal Policy Officer Animal Welfare and Biosecurity (PAW) – currently Elise Spark

The Chief Veterinary Officer (CVO) – currently Mary Carr must also be notified, this will occur by the PAW or MFO however if the incident is extremely serious, politically sensitive for some reason or likely to attract media attention the CVO must be notified immediately.

When BSA- AH are approached or contacted by a member of the public or by a producer wanting to report a welfare concern, staff must provide the advice that in South Australia it is the RSPCA who are responsible for animal welfare, including livestock, and that a report must be made by calling the RSPCA Hotline on 1300 477 722 or by making an online report at www.rspcasa.org.au/services/inspectorate/report-cruelty/

In some instances it may be appropriate, if the report relates to a property within a reasonable distance of the BSA AHA's office, to conduct preliminary ground truthing of the report. Any such activity must first be approved by the MFO.

Where there is any doubt about how to proceed in any given case refer to your manager, PAW, MFO or the CVO until a clear plan on how to proceed is devised.

2. LEGISLATIVE PROVISIONS

Upon completion of agreed training in enforcement procedures and the legislation, BSA - AH personnel are recommended for appointment as authorised Stock Inspectors by the Minister for Environment and Water, pursuant to the *Animal Welfare Act 1985* (hereafter referred to as the *Act*). It is essential that all staff members are aware of their powers under this *Act* before taking any action, see Part 5 – Enforcement of the *Animal Welfare Act 1985*. BSA - AH personnel must also ensure they are familiar with the associated regulations, the *Animal Welfare Regulations 2012*. These documents can be found at:

<http://www.legislation.sa.gov.au/LZ/C/A/Animal%20Welfare%20Act%201985.aspx>

<https://www.legislation.sa.gov.au/LZ/C/R/Animal%20Welfare%20Regulations%202012.aspx>

Appendix 1. Key Provisions relevant to Animal Health Staff under the *Animal Welfare Act 1985*) has been included to assist in outlining the most relevant sections of legislation for BSA – AH staff.

3. REPORTING AND RECORDING BREACHES OF ANIMAL WELFARE

Ill treatment of animals is considered to be a serious criminal offence and evidence for a prosecution must always be collected. Ill treatment is defined in Part 3, Section 13 of the *Act* and has been included

as Appendix 2 for easy reference. Correct procedures in the collection and storing of evidence and interviewing witnesses of alleged offences is fundamental in achieving correct outcomes and in maintaining PIRSA's reputation of professionalism. Full details of this process can be found in Section 9.2 of this manual.

Where it is likely that a prosecution may result, the RSPCA should be engaged at the earliest opportunity to manage the investigation process. This ensures all required evidence can be collected by the RSPCA and BSA – AH staff play an advisory role only, to assist in decision making (rather than taking the lead in the investigation). The exception to this approach is for serious welfare detections at saleyards or cases in remote areas where timely attendance by the RSPCA is not possible. In these situations AHA's should seek guidance from the RSPCA or a veterinarian as to the appropriate action to take. If at any stage you are unsure of how to proceed the MFO, PAW or CVO should be consulted. Unless advised otherwise staff must never attend welfare investigation unaccompanied even in remote locations (by either RSPCA, fellow PIRSA staff member, veterinarian or a police officer).

All livestock welfare incidents must be documented, recorded in the Primary Industries Information Management System (PIIMS) and reported to the CVO, MFO and PAW. Instruction on how to record information in PIIMS can be found in section 18.1 of this manual. The report must be recorded as an Event Type: Expiable Offence and Project(s): Welfare selected. A copy of the completed PIRSA *Animal Welfare Incident Report – Form for Animal Health Staff* [A4154485](#) is to be attached to the PIIMS entry.

All animal welfare saleyard incidents must be recorded against the "Market Statistics" in PIIMS and the appropriate affected registration recorded. Questions 70 to 76 in the "Market statistics" event should be used to summarise the nature of the incident(s) and the action taken. If warranted the incident must also be recorded as an Event associated with a PIC as outlined above.

The PAW is responsible for forwarding the relevant case information to the RSPCA for actioning.

The RSPCA then make a decision whether to take further action. If the matter proceeds to prosecution, the officer may be requested to give evidence and be cross-examined about the detail provided in the report or statement. A guideline for writing a statement to be used in court is currently in development.

All requests for BSA – AH staff to attend court must be requested through the Chief Executive (CE), any staff directly approached by the RSPCA must refer the matter to the CVO, MFO or PAW.

4. INCIDENT CATEGORIES

4.1 On-farm welfare incidents

Requests for assistance must never come directly to staff via the RSPCA, all investigation requests must be made by the MFO (with the knowledge of the CVO and PAW). It is the CVO who authorises assistance and instructions will be given to staff by the MFO. If approached directly by the RSPCA please advise the RSPCA to contact the MFO for all assistance requests. BSA's role in all investigations is to provide advice and assistance and support the RSPCA, therefore in all circumstances our staff must attend only in the company of an RSPCA inspector, if this is not possible, seek advice from the MFO as to how best to proceed.

When any inspector is requested to attend a property and investigate a welfare report the following should be checked prior to the arrival at the property:

- The *Animal Welfare Act 1985*
- *Animal Welfare Regulations 2012*
- The relevant Welfare Standards and Guidelines, these can be found at:
www.animalwelfarestandards.net.au/

Unless urgent action is required to assist an animal in distress, it is unlawful for an inspector to enter a property (or vehicle) without an entry warrant. A warrant will only be provided on reasonable suspicion of an offence. It is lawful however for any person with a genuine purpose to directly approach the main (public) entry of a residence, or to enter the property on the invitation of the owner.

Where a welfare report indicates that there are multiple mortalities or symptoms observed that may indicate a notifiable disease is present, AHA's may use their Inspectorial powers under the *Livestock Act 1997*, to investigate the report without a warrant. These powers should only be exercised with prior permission of the CVO. This investigation would then constitute a disease or contaminant investigation.

Often BSA – AH staff are requested to attend livestock welfare investigations relating to malnutrition, disease and other causes of poor body condition, especially on drought affected properties. They may also be asked for an opinion as to the "Fit to Load" status of individual or consignments of stock.

There are some useful guidelines which can assist in the decision making process when these requests occur. The "Fit to Load" can be found at <https://publications.mla.com.au/login/redirectFrame> and details those conditions of livestock which render them unfit for transport. Only a veterinary surgeon can authorise transport of an animal that is unfit to load. In situations where a veterinary surgeon is inaccessible due to time and distance constraints, PIRSA have developed a *Compromised Livestock Assessment Sheet* [A4154504](#), to help guide producers, carriers and stock agents who need to transport compromised sheep and cattle.

The *Animal Welfare Guidelines for Animals in Poor Condition* [A1444209](#) a very useful document for assisting staff make decisions on the “Fit to Load” status of sheep and cattle in a compromised body condition.

Animal welfare can be a sensitive subject, particularly when it involves people’s livelihoods or when there are allegations which may cause offence. Personal safety is paramount, and staff must either attend in pairs or with Police where there is a legitimate concern that a property owner or resident may be unstable or aggressive.

The personal details or any information that may identify the reporter of alleged ill treatment to animals must be kept confidential.

There is a legal presumption of innocence, and allegations are untrue unless they can be verified in person or by reputable witnesses.

Allegations of neglect or ill treatment of livestock can be divided into 4 general categories:

a) Trivial or false (including malicious) reports

Like all reports, these need to be handled carefully, as the livestock owner may be understandably unhappy or angry at the allegations, and may demand to know the source of them. The PIIMS record should clearly state that the allegation made in the report was not substantiated. Be aware that often people make reports from ignorance or through a genuine false belief. It is an offence against the *Act* to make a malicious report.

b) Minor reports

On investigation, it is determined that the level of suffering caused to livestock is minimal, or the matter was caught before serious harm resulted. These matters are resolved by providing information and advice to the owner. The attitude of the owner will determine whether there is any follow up required.

c) Moderate reports

On investigation, it is determined that the level of harm and/or number of animals involved is significant. The cause is usually a clear breach of the *Act*, but may have occurred through ignorance, lack of resources, or carelessness. Where the inspector considers that the situation can be successfully resolved, they should seek to work with the producer to address the particular issue as promptly as possible. The *Act* allows for expiations to be issued for a number of alleged offences, or for the issue of an *Animal Welfare Notice*, that requires compliance with specific written instructions about the required care to be given to the affected animals (that may include euthanasia). Revisits will be necessary to check cooperation. As expiations, as well as *Animal*

Welfare Notices may be challenged, it is important to collect sufficient evidence to substantiate the situation. Expiations and Notices under the *Act* are only issued by the RSPCA.

d) **Serious reports**

If upon investigation, it is found that serious harm has been caused to animals through a clear breach of the *Act*, which may be deliberate or through recklessness. The particular circumstances will determine whether immediate action is necessary by inspector. In any event, alleged offender/s should be cautioned appropriately and evidence collected. Suffering animals must be treated promptly. If euthanasia is required, this can be done either with the consent of the owner, or in absence of consent, on obtaining a destruction warrant or by a veterinarian (see Appendix 1 for further details).

4.2 **Saleyard welfare incidents**

Full information relating to the handling of welfare incidents detected at sale yards can be found in section 2.6 of this manual.

BSA - AH staff should be familiar with details of the legislated *Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock*. This can be found at:

www.animalwelfarestandards.net.au/files/2011/02/Land-transport-of-livestock-Standards-and-Guidelines-Version-1.-1-21-September-2012.pdf

BSA - AH staff who are likely to encounter saleyard incidents must also ensure they are aware of the endorsed *Australian Animal Welfare Standards and Guidelines – Livestock at Saleyards and Depots* (www.animalwelfarestandards.net.au/files/2016/03/AAW-SG_Livestock-at-Saleyards-and-Depots_2018.pdf). These Standards and Guidelines aim to minimise stress in all livestock by encouraging efficient and considerate treatment and handling, including unloading, pre and post-sale handling, the provision of feed, water, shelter and general care of each of the major livestock species at saleyards.

The endorsed *Australian Animal Welfare Standards and Guidelines – Livestock at Saleyards and Depots* are yet to be regulated into law in this state however compliance with the *Model Code of Practice for the Welfare of Animals, Animals at Saleyards* (<http://www.publish.csiro.au/ebook/download/pdf/367>) is a mandatory requirement under the *Animal Welfare Act 1985*.

It is important for BSA – AH staff to note that under the *Model Code of Practice for the Welfare of Animals, Animals at Saleyards*, the Saleyard Manager has overall responsibility for the welfare, care and handling of animals at the saleyard. Any action taken to alleviate pain or suffering for livestock at that premises must be under the authority of the saleyard manager or a veterinary surgeon.

4.3 Abattoir lairage incidents

A specific *Model Code of Practice for the Welfare of Animals – Livestock at Slaughtering Establishments* (<http://www.publish.csiro.au/Books/download.cfm?ID=2975>) applies and describes the handling and slaughter methods which result in the minimum stress in each species. Compliance with this *Model Code of Practice* is a mandatory requirement under the *Act*.

Abattoirs are private businesses and unlikely to be visited by BSA - AH personnel unless present as part of their normal duties. Specifically authorised RSPCA inspectors are able to conduct routine inspections of abattoirs or any animal facility. BSA - AH staff may be required to conduct a further investigation into a report originating from an abattoir lairage incident and should ensure they are familiar with the guidance contained in the *Model Code of Practice*.

At export establishments there are Department of Agriculture (DOA) On-Plant Veterinarian (OPVs) who are responsible for site welfare incidents in the following manner:

- Where blatantly cruel acts are detected during or following delivery of livestock to an abattoir, the OPV reports the incident to the RSPCA.
- Where practicable DOA OPVs promote good welfare standards by immediately discussing all incidents with the person in charge of the stock.
- In all cases a senior DOA regional officer is promptly advised of the incident.
- For cases where additional on-farm advice or expiation is considered appropriate, the DOA OPV will complete and forward an Animal Welfare Incident report to BSA PAW. These are accompanied by a copy of the NVD and photographs. All reports are forwarded to RSPCA SA for action or the relevant jurisdictional contact if not associated with stock of SA origin.

The PAW will then provide a report detailing the outcome of any RSPCA action and outcomes relating to the submitted AWIRs to the DOA every quarter.

5. EMERGENCY SLAUGHTER ON WELFARE GROUNDS

BSA - AH personnel will, from time to time, be required to carry out or supervise the destruction of injured stock following, for example, a bushfire or livestock transport accident.

The primary role of BSA - AH is to assess injuries to stock as quickly and efficiently as possible in order to terminate unnecessary suffering and achieve maximum salvage.

This should be done only with the knowledge and full cooperation of the owner or agent for the stock. If the owner is present and refuses to consent to the animal being destroyed, the inspector must obtain a warrant authorising the destruction of the animal. Inspectors who are not veterinary surgeons may only

destroy an animal if the degree of suffering warrants such an action without the consent of the owner if the inspector is unable to contact the owner after taking reasonable steps to do so. See Section 31A – Special powers relating to animals, subsection 4 and 5 for further details (also included in Appendix 1. Key Provisions relevant to Animal Health Staff under the *Animal Welfare Act 1985*).

Veterinary surgeons have the power to destroy an animal that is suffering at their absolute discretion with or without the consent of the owner, but do not have immunity under the *Act* and must ensure there are valid reasons for their decision. All details must be thoroughly documented and recorded on PIIMS.

An assessment of welfare compromised livestock should commence as soon as possible after the risk of personal danger has been removed. It is important to limit the indiscriminate destruction of stock either by distressed owners or overzealous volunteers.

It is essential that inspectors know the correct procedures for humane killing of different classes of stock and are able to instruct other people in those procedures. Detailed information regarding livestock euthanasia can be found in Section 4.1 of this manual.

Further detailed information relating directly to livestock transport accidents and bushfires can be found in Sections 15.2 and 15.3 of this manual.

6. PROVISION OF REPORTS AND ADVICE TO RSPCA

At the conclusion of an investigation RSPCA will often seek advice or evidence in the form of a report or statement to assist in resolution of an incident. Advice or instructions need to be in the form of a report which can if need be, be forwarded to the person who has been investigated and must also be in a form which could be used to prepare a statement for prosecution by RSPCA.

Any formal statement prepared is to be provided to the PAW prior to submission.

7. STAFF ACTING AS EXPERT WITNESSES

In the event that the RSPCA proceeds to prosecution with a matter BSA-AH staff who assisted with the investigation may be subpoenaed to appear in court as expert witnesses.

Upon receiving a subpoena your manager, the MFO and the PAW must be advised of this as soon as possible. The PAW will subsequently advise the CVO, the ED and the Crown Solicitors Office (CSO) of the subpoena. The CSO will determine how the request will be responded to and if the CSO needs to be present in court with BSA-AH staff at the time of giving evidence.

The PAW will also arrange for the staff member/s to be briefed by the CSO prior to the court date regarding the general court process and giving evidence. This will ensure staff are supported and feel confident in what is being requested of them, it will also assist in the best chance of a successful prosecution.

8. REFERENCES

- *PIRSA-DEWNR-RSPCA SA memorandum of understanding (MOU)* (Objective Id [A2362937](#))
- *Animal Welfare Act 1985*
<http://www.legislation.sa.gov.au/LZ/C/A/Animal%20Welfare%20Act%201985.aspx>
- *Animal Welfare Guidelines for Animals in Poor Condition* (Objective Id [A1444209](#))
- *Animal Welfare Regulations 2012*
<http://www.legislation.sa.gov.au/LZ/C/R/Animal%20Welfare%20Regulations%202000.aspx>
- *Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock*
<http://www.animalwelfarestandards.net.au/files/2011/02/Land-transport-of-livestock-Standards-and-Guidelines-Version-1.-1-21-September-2012.pdf>
- *Australian Animal Welfare Standards and Guidelines – Livestock at Saleyards and Depots*
www.animalwelfarestandards.net.au/files/2016/03/AAW-SG_Livestock-at-Saleyards-and-Depots_2018.pdf.
- *Model Code of Practice for the Welfare of Animals, Animals at Saleyards*
<http://www.publish.csiro.au/ebook/download/pdf/367>
- *Model Code of Practice for the Welfare of Animals – Livestock at Slaughtering Establishments*
<http://www.publish.csiro.au/Books/download.cfm?ID=2975>
- *Compromised Livestock Assessment Sheet* (Objective ID [A4154504](#))

APPENDIX 1. KEY PROVISIONS RELEVANT TO ANIMAL HEALTH STAFF UNDER THE *ANIMAL WELFARE ACT 1985*

29—Identification of inspectors

- (3) An inspector appointed under this Part must, at the request of a person in relation to whom the inspector intends to exercise powers under this or any other Act, produce for the inspection of the person his or her identity card.

30—General powers

- (1) An inspector may—

(a) enter and search and, if necessary, use reasonable force to break into or open—

(i) premises or a vehicle to which this section applies; or

(ii) part of, or anything in or on, premises or a vehicle to which this section applies; and

(b) give directions with respect to the stopping or movement of a vehicle to which this section applies; and

(c) require a person to produce a document, including a written record that reproduces in an understandable form information stored by computer, microfilm or other process; and

(d) examine, copy or take extracts from a document or information so produced or require a person to provide a copy of any such document or information; and

(e) take photographs, films or audio, video or other recordings; and

(f) seize and retain any animal or other thing that the inspector reasonably suspects has been used in, or may constitute evidence of, a contravention of this Act; and

(g) identify, by marking, tagging or otherwise, an animal or other property in respect of which powers have been exercised under this Act; and

(h) require a person who the inspector reasonably suspects has committed, is committing, or is about to commit, a contravention of this Act to state the person's full name and usual place of residence and to produce evidence of the person's identity; and

(i) require a person who the inspector reasonably suspects has knowledge of matters in respect of which information is required for the administration or enforcement of this Act to answer questions in relation to those matters; and

(j) require a person holding or required to hold a licence, permit or approval under this Act to produce it for inspection; and

(k) give a direction required in connection with the exercise of a power conferred by this Act or otherwise in connection with the administration or enforcement of this Act.

- (2) An inspector—

(a) may only exercise the powers conferred by subsection (1) as reasonably required for the administration and enforcement of this Act; and

(b) may only exercise the power to use force under subsection (1)(a) on the authority of a warrant issued by a magistrate or in circumstances in which the inspector reasonably believes that urgent action is required in order to prevent or mitigate serious harm occurring to an animal.

(3) An inspector may be assisted in the exercise of powers under this Act by such persons as the inspector considers necessary in the circumstances.

(4) An inspector may require an occupier of premises or a person apparently in charge of a vehicle, animal or other thing to give to the inspector or a person assisting the inspector such assistance as is reasonably required by the inspector for the effective exercise of powers under this Act.

(5) This section applies to the following premises and vehicles:

(a) premises or a vehicle in or on which an inspector reasonably suspects that an offence against this Act has been, is being or is about to be, committed;

(b) premises or a vehicle in or on which an inspector reasonably suspects there is an animal that is being, or has been, harmed unnecessarily or that will, if urgent action is not taken, be harmed unnecessarily;

(c) premises or a vehicle subject to, or being used for the purposes of an activity that is the subject of, a licence, permit or approval under this Act;

(d) premises or a vehicle in or on which an inspector reasonably suspects there is an animal in respect of which an animal welfare notice or animal welfare order is in force;

(e) premises or a vehicle that an inspector reasonably suspects is being used for or in connection with a business, or organised event or activity, involving animals;

(f) premises or a vehicle in which an inspector reasonably suspects there may be records relating to a business or organised event or activity involving animals or an animal or other thing that has been used in, or may constitute evidence of, a contravention of this Act.

31A—Special powers relating to animals

(4) Subject to this section, an inspector may destroy an animal if of the opinion that the condition of the animal is such that the animal is so weak or disabled (whether physically or mentally), or in such pain, that it should be destroyed.

(5) An inspector must not exercise a power under subsection (4) unless—

(a) the owner of the animal consents; or

(b) the owner of the animal has refused or failed to give consent and a magistrate has, on application by an inspector, issued a warrant authorising the destruction of the animal; or

(c) the inspector has been unable to determine who owns the animal, or has been unable to contact the owner, after taking reasonable steps to do so; or

(d) the inspector is satisfied that the animal is wild.

34B—Power of veterinary surgeons to destroy animals

A veterinary surgeon may destroy an animal if of the opinion that the condition of the animal is such that the animal is so weak or disabled (whether physically or mentally), or in such pain or distress, that it should be destroyed.

APPENDIX 2. ANIMAL WELFARE OFFENCES UNDER THE *ANIMAL WELFARE ACT 1985*

Part 3—Animal welfare offences

13—Ill treatment of animals

(1) If—

- (a) a person ill treats an animal; and
- (b) the ill treatment causes the death of, or serious harm to, the animal; and
- (c) the person intends to cause, or is reckless about causing, the death of, or serious harm to, the animal,

the person is guilty of an offence.

Maximum penalty: \$50 000 or imprisonment for 4 years.

(2) A person who ill treats an animal is guilty of an offence.

Maximum penalty: \$20 000 or imprisonment for 2 years.

(3) Without limiting the generality of subsection (1) or (2), a person ill treats an animal if the person—

(a) intentionally, unreasonably or recklessly causes the animal unnecessary harm; or

(b) being the owner of the animal—

(i) fails to provide it with appropriate, and adequate, food, water, living conditions (whether temporary or permanent) or exercise; or

(ii) fails to take reasonable steps to mitigate harm suffered by the animal; or

(iii) abandons the animal; or

(iv) neglects the animal so as to cause it harm; or

(c) having caused the animal harm (not being an animal of which that person is the owner), fails to take reasonable steps to mitigate the harm; or

(f) causes the animal to be killed or injured by another animal; or

(g) kills the animal in a manner that causes the animal unnecessary pain; or

(h) unless the animal is unconscious, kills the animal by a method that does not cause death to occur as rapidly as possible; or

(i) carries out a medical or surgical procedure on the animal in contravention of the regulations; or

(j) ill treats the animal in any other manner prescribed by the regulations for the purposes of this section.

(4) A person charged with an offence against subsection (1) (the **aggravated offence**) may be convicted of an offence against subsection (2) (the **lesser offence**) if the court is not satisfied that the aggravated offence has been established beyond reasonable doubt but is satisfied that the lesser offence has been so established.

(5) It is a defence to a charge of an offence against subsection (2) if the defendant proves that the offence did not result from any failure on the part of the defendant to take reasonable care to avoid the commission of the offence.

(6) In this section—

cause—a person's act or omission causes the death of, or harm to, an animal if the act or omission substantially contributes to the death or harm.

Compromised livestock assessment

Submit assessments to your nearest Veterinarian or PIRSA Animal Health Officer (see page 3)

Property of origin

PIC S..... Person responsible for movement and phone number

Physical location

Animal details

Number of animals: Age of animals:

Class of livestock:

Body condition score of worst animals in consignment Choose an item.

Physical description of animals

Take photographs of a representative sample of the consignment poorest to best condition.

Pre-transport information

Weather conditions:

Stressors (husbandry/yarding/shearing mustering treatment):

Nutrition and supplementation

Curfew (feed/water):

Weather forecast for transport period:

Carrier (name/phone number):

Proposed date and timing of movement:

Destination property

PIC

Physical location

Name and phone number

Responsible person who will be present at unloading

Estimated time of total travel

Details of travel route to be used (incl any spelling)

Situation post arrival at destination (supplementary feed/shelter/forecast weather)

Veterinary surgeon Name: -

Movement Choose an item. approved / not approved

Subject to the following conditions:

Signed:..... Date: .../.../.....

Compromised livestock assessment

Guidelines on the use of this assessment

Animal Details

Age and class of livestock: Stock should be loaded like with like in terms of age, BCS, species, type wool length and pregnancy status with specific consideration given to loading densities.

Body condition score: Refer to the attached guide for condition scoring sheep / cattle. Group animals of the lowest BCS and record their score as well as an estimation of the percentage of that consignment in that condition.

Physical description on animals: Use the "Guidelines for animals in poor condition" (attached) and describe the physical appearance of the consignment using the "general description" categories to rate the poorest animals. **Take photographs of a representative sample of the consignment poorest to best condition.**

Pre-transport information

Weather conditions: Record details of the weather conditions at the property of origin as well as the destination. Light (recently shorn) livestock from drier, warmer areas may be further compromised at their destination if the weather is cold, wet and or windy. Consideration needs to be given to appropriate shelter / coverage and supplementary feeding at destination.

Stressors: Livestock that have been recently mustered, shorn, weaned or worked in yards may need a period of spelling, preferable on supplementary feed in order to recover some condition prior to transport.

Sometimes yards or holding paddocks that have not been used for a while contain undesirable weeds that may be toxic and attractive to hungry livestock. Avoid placing hungry stock in yards with weeds like sour sob, marsh mallow, castor oil plant or black bush, which if consumed in quantity can cause illness and deaths.

Nutrition and Supplementation: It is entirely acceptable to allow access to dry cereal hay (where available) right up until loading on transport, provided appropriate water restrictions are observed immediately prior to movement. The use of other feeds such as grain or higher protein hay should be introduced gradually if these rations constitute a significant ration change, to avoid issues such as acidosis and enterotoxaemia.

Curfew (feed and water): Depending on the class of livestock water restrictions of up to 48 hours from arrival at the destination are acceptable to minimized staining, contamination and wind chill / hypothermia during transport. Animals in compromised condition, young lambs and calves or females in advanced pregnancy or lactating should not be restricted from water for more than 24 hours total (including time on transport). Cereal hay may be fed right up until loading as this not only assists with energy demand during transit but also assist in drying up the rumen contents to reduce contamination of the decks and slippage.

Weather forecast during transport period: If wet, windy or excessively hot weather is forecast for the transport period, consideration should be given to either postpone the movement or only load stock in compromised conditions on lower decks where there is more protection from the elements.

Destination property

Appropriate feed water and shelter must be available for stock immediately upon reaching their destination. Responsible person at destination properties and the carrier must assess stock thoroughly upon unloading and treat / euthanise any stock that have succumb to welfare problems during transport. Responsible person must ensure they are present at unloading and have necessary equipment and expertise to perform humane destruction.

Cereal hay must be made available immediately and access to water monitored to prevent rushing at the trough and animals taking in too much water in a short time.

Sale yards should be avoided unless arrangements have been made to feed, water and monitor stock for at least 3 days prior to any auction, longer if necessary. It may be preferable to arrange for a short period of agistment close to sale yards prior to marketing, to allow stock time to recover condition prior to sale.

These guidelines are general in nature only, more detailed information can be obtained from the AUSTRALIAN ANIMAL WELFARE STANDARDS AND GUIDELINES for the LAND TRANSPORT OF LIVESTOCK at-

<http://www.animalwelfarestandards.net.au/land-transport/>

and the

ANIMAL WELFARE GUIDELINES FOR ANIMALS IN POOR CONDITION (attached)

or

Fit to Load Guidelines-

<https://www.mla.com.au>

District Animal Health Officers

Eyre Peninsula

Pat Lawler

Pat.lawler@sa.gov.au

8688 3436 or 0408 539 060

Far North and Pastoral

Trent Scholz

Trent.scholz@sa.gov.au

8648 5166 or 0427 970 453

Mid North

Annabel Cox

Annabel.cox@sa.gov.au

8842 6259 or 0428 113 460

Yorke Peninsula/Adelaide Plains

Jessie Thomson

Jessie.thomson@sa.gov.au

85 686 403 or 0427 274 102

Riverland / Murray Mallee

Amelia Gillen

Amelia.gillen@sa.gov.au

85392113 or 0408 897 583

All Regions

Chris van-Dissel

Chris.van-dissel@sa.gov.au

85 686 415 or 0427 183 165

Animal welfare guidelines for animals in poor condition

Animals may be in poor condition because of drought, poor season, neglect or other reasons. Drought or poor seasonal conditions will usually affect many properties whereas neglect or mismanagement will usually involve only one property at a time. When feed supplies are not limiting, individual animals may be in poor condition for various reasons. Although the following guidelines apply primarily to drought or poor seasonal conditions, they can also be applied to other circumstances such as mismanagement or neglect that result in animals being in poor condition.

Agency response

In the event of a widespread or prolonged dry season, the State or Territory agency responsible for agriculture, together with industry representatives, needs to mount a targeted extension campaign to meet the information needs of livestock producers. This should include as a minimum; management options, feed and water requirements, animal welfare information and sources of further information including counselling services. Planning and early action are key issues

Animal welfare

- It is the responsibility of property managers to ensure the welfare of their livestock as seasonal conditions deteriorate.
- It is essential that plans are in place to adequately manage the welfare of livestock in deteriorating seasonal conditions.
- Transport of livestock should be undertaken before animals' body condition deteriorates to a stage where their welfare would be endangered during the transport.
- Where feed and water requirements for livestock are not being met due to a poor season, owners must (i) supply supplementary feed, and/or (ii) agist or sell stock that are fit to travel, and (iii) humanely destroy stock that are unfit to travel and cannot be treated.

Allowing animals to lose condition to the point where their strength is significantly impaired could constitute an offence under animal welfare legislation.

It is not acceptable to allow animals to starve to death.

Criteria for destruction on property

Where other reasonable management options have been carefully considered, some animals may require humane destruction on property. It is strongly recommended that animals are humanely destroyed if they are in high risk categories as described in tables 1 and 2, and they meet any of the following conditions:

- They fall down or are knocked over easily;
- They are unable to stand without assistance;
- They have an unsteady gait;
- Adequate good quality feed cannot be provided;
- Adequate good quality water cannot be provided;
- The animals cannot be closely monitored;
- It is uneconomical or not possible to transport, sell or feed due to circumstances.

Only load fit animals

Livestock should be transported before their condition deteriorates to the extent that transport may compromise their welfare. When deciding to agist or sell stock, first assess whether or not they are fit to transport. Do not transport livestock if they are not fit for the intended journey. Owners or transporters who load unfit animals could face prosecution for cruelty under animal welfare legislation.

Managers must plan the journey carefully and make suitable allowances for drought affected stock. Managers must adequately prepare stock prior to transport. For stock in poor condition this may involve time on good quality feed to bring their strength and vigour to a suitable level. Truck drivers may have to load at lower densities to suit the condition of the stock.

Before loading any animal for transport, ensure that it:

- ✓ can bear weight on all legs
- ✓ is not severely emaciated
- ✓ is not visibly dehydrated
- ✓ is free from visible signs of severe injury or distress
- ✓ is free from conditions that are likely to cause increased pain or distress during transport
- ✓ can see out of at least one eye
- ✓ is not known to be, or visually assessed to be within 2 weeks of parturition unless the water deprivation time and journey is less than 4 hours duration

If you are not sure whether the animals are fit or not, do not load them. If animals are assessed as being unfit for transport, owners must either feed on site until they are stronger or humanely destroy them.

The pocket guide, *Is it fit to load?*, outlines some of the conditions that make an animal unfit to load. This guide is available free from www.mla.com.au . The Australian Standards and Guidelines for the Welfare of Animals: Land Transport of Livestock is at www.animalwelfarestandards.net.au/

Table 1: Welfare decisions for sheep

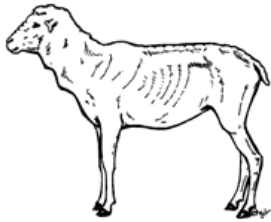
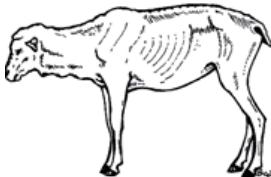

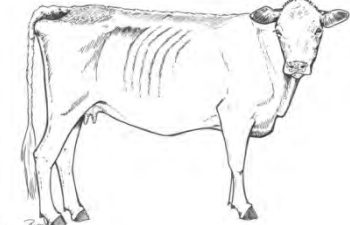
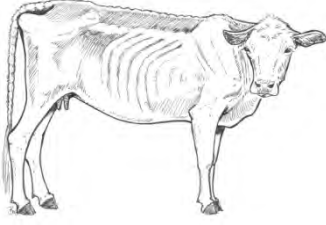

	At risk	High risk 1	High risk 2
			
General description	Lean but strong and healthy, with limited muscle wastage. Reduced reproductive performance likely.	Significant muscle wastage. Unlikely to conceive. At risk of death from cold, wet weather or other stress. Recovery is dependent on high quality care.	Weak with extremely low body reserves. Animal is recumbent. At point of death.
Backbone	Visible.	Spines of backbone identifiable.	Spines of backbone easily identifiable.
Short ribs	Slightly visible individually, more so in Merino sheep.	Prominent and very sharp to touch.	Very prominent and easy to see individually.
Inside pin bones	Slightly sunken.	Sunken.	Deeply sunken to the bone.
Muscle wastage	Rump muscle concave.	Rump muscle concave. Muscle wastage in loin and leg muscle evident.	Obvious over whole body. Rump and leg muscles deeply concave.
Stifle joint	Stifle joint not identifiable.	Stifle joint not identifiable.	Stifle joint identifiable.
Tail bones	Individual bones not identifiable.	Individual bones just able to be felt.	Individual bones easily felt.
Appearance	Bright, alert.	Able to stand but listless, dull.	Lacking energy, dull and listless, recumbent, may not be able to raise head off the ground.
Mobility	Normal gait.	Mobile, able to lie down and rise but may have some difficulty	Unsteady gait, may drag feet or 'teeter'. Difficult to lie down and rise
Critical issues			
Lambing requirements & risks associated with lambing	Some assistance required, high possibility of losing lamb during birth or on first day after birth. High possibility of pregnancy toxaemia and/or hypocalcaemia. Separate pregnant animals within this condition score range and care for and feed a high energy supplement separately. Necessary to seek advice on adequate feeding from a professional (e.g. veterinarian, Development Officer).	Will need a lot of assistance – ewe and lamb may not survive. Very high possibility of pregnancy toxaemia.	Extremely unlikely that lamb and ewe will survive lambing.
Transport, sale	Suitable for transport and sale but with minimum time off feed.	Unsuitable for sale through saleyards or transport over long distances.	Cannot travel.
Action required	Must be fed adequately to prevent further weight loss. Suitable for transport to agistment. Suitable for sale but must not be kept off feed or water for extended periods. Supervise and be ready to assist during lambing – supervise lamb after birth.	Must be fed adequately immediately to prevent weight loss. Not suitable for transport over long distances.	Destroy on-farm or seek veterinary assistance to do so.

Table 2: Welfare decisions for beef cows

Cow condition	At risk	High risk 1	High risk 2
			
Description	Lean but strong and healthy and with noticeable muscle wastage. Reduced reproductive performance likely.	Healthy but with significant muscle wastage. Unlikely to conceive. Able to recover in time if adequately fed.	Weak, with very low body reserves. At risk of death from cold, wet weather or other stress. Recovery dependent on high quality care and will be slow.
Backbone	Easily seen.	Spines of backbone individually identifiable.	Spines of backbone individually identifiable.
Short ribs	Visible. Fairly sharp to touch	Prominent and very sharp to touch	Very prominent and easy to see individually.
Inside pin bones	Slightly sunken	Sunken	Deeply sunken to the bone
Muscle wastage	Rump muscle concave (between hooks and pins).	Rump muscle concave. Muscle wastage in loin and leg muscle evident.	Muscle wastage obvious over whole body. Rump and leg muscles deeply concave.
Stifle joint		Stifle joint not identifiable	Stifle joint identifiable
Tail bones	Individual bones not identifiable.	Individual bones just able to be felt.	Individual bones easily felt.
Skin	Pliable.	Less pliable.	Tight.
Appearance	Bright, alert.	Healthy.	Lacking energy or dull.
Mobility	Normal gait.	Mobile, able to lie down/rise	Unsteady gait, may drag hind feet or plait hind legs. Difficulty lying down/standing up.
Ability to calve	Some assistance required.	Moderate assistance required.	High level of assistance required.
Transport, sale	Suitable for transport and sale but with minimum time off feed	Unsuitable for sale through saleyards or transport over long distances	Not fit to travel
Actions required	Must be fed adequately to prevent further weight loss. Suitable for transport to agistment. Suitable for sale but must not be kept off feed for extended periods. Supervise and be ready to assist during calving.	Must be fed adequately to prevent weight loss. Suitable for transport direct to agistment. Suitable for sale only direct to farm or abattoir with appropriate management.	Do not transport. Must be given high-quality feed, water and care; OR Destroy on farm. Supervise closely and be ready to assist during calving.

Supervise closely and be
ready to assist during
calving.

Acknowledgement: derived from Primefact 619 (May 2007) Welfare decisions for beef cows, Industry and Investment, Government of NSW

Document 3

PIRSA

Animal Welfare Biosecurity SA Roles & Responsibilities

Elise Spark
September 18, 2019



SA Animal Welfare Structure



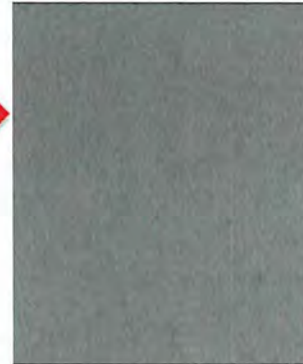
PIRSA roles and responsibilities under the MOU

- Assist in development and review of Australian Standards and Guidelines for the welfare of animals
- Promote good animal welfare practices
- When available, provide assistance and advice to the RSPCA with any reasonable requests relating to livestock welfare
- Appear as expert witnesses in welfare prosecutions
- Assist in livestock management in emergency situations
- Advice to persons involved in minor breaches of the Act
- Report serious alleged breaches of the Act to the RSPCA
- In urgent circumstances utilise the powers and authority of an inspector under the Act



MOU

- Most important aspect for BSA staff
 - *PIRSA will, when available, provide **assistance and advice** to the RSPCA with any reasonable requests relating to livestock welfare*
- Recognised BSA staff have the skills, experience, producer/saleyard/agent relationships
- BUT any request **MUST** go through Manager Field Operations
- Not all welfare issues require RSPCA involvement – simple advice/education at time of incident often sufficient



ANIMAL WELFARE INCIDENT REPORT – BIOSECURITY SA

Date		Animal Health Officer/s	
Location of incident (home property, saleyard etc.)		Phone/Email	

NATURE OF INCIDENT (tick as appropriate)

Unable to walk on its own by bearing weight on all legs	<input type="checkbox"/>
Severely emaciated	<input type="checkbox"/>
Visibly dehydrated	<input type="checkbox"/>
Blind in both eyes	<input type="checkbox"/>
Showing visible signs of severe injury or distress	<input type="checkbox"/>
Suffering from conditions that are likely to increase pain and suffering as a result of transport process	<input type="checkbox"/>
Known to be or visually assessed to be near (within 2 weeks of parturition) as specified in the species requirements of the LTS, unless time off water and journey is less than 4 hours duration to another property	<input type="checkbox"/>
Other (add comment in the comment section below)	<input type="checkbox"/>
Comments	

<p>Chronological description of observations and events</p> <p>(if injuries during transport, include: details of delays, lay-overs, stops during the trip, dogs used & if so were they muzzled, no. of decks, transport density, truck/trailer condition, approx. head/sacrum clearance)</p>	
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DETAILS OF AFFECTED ANIMAL(S)

No. affected		Species	
Sex		Ear Tag	
Breed		Ear mark/brand/tattoo (if used)	
Age		Other information	

CONDITION OF AFFECTED ANIMAL(S)

Body condition score	
Behaviour/demeanour	

PROPERTY OF ORIGIN

Owner's name	
PIC	
Property street address	
Contact number	
Previous incidents (if yes, provide PIIMS reference and brief summary – date and nature of incident)	

SALEYARD DETAILS (if relevant)

Saleyard name		Date of sale	
PIC		Pen no.	
Contact name		Phone no.	

TRANSPORT DETAILS (if relevant)

Transport Company			
Phone no.		Drivers name	
Vehicle Registration no.		Driver's phone no.	

AGENT DETAILS (if relevant)

Agent name		Phone no.		
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ACTIONS TAKEN (to alleviate suffering, remove from sale, advice given etc.)

Detail of action taken/advice given	
-------------------------------------	--

SIGNATURES (if applicable)

	Name	Position	Signature
Witness of incident			
Witness of incident			
Witness of incident			

DOCUMENTATION ATTACHED (tick attached)

- ☐ Photo(s) of incident
- ☐ Video(s) of incident
- ☐ Copy of NVD

Reporting Protocols

1. **Malicious reports** – ensure recorded as such and not substantiated, it is an offence against the Act to make such a report
2. **Minor incidents** – advice only (depending on attitude) e.g. minimal harm - rough handling, dog bites
 - Not cases liable to lead to prosecution, serious breaches of the Act or repeat offenders
3. **Moderate incidents** – PIRSA report required to notify RSPCA e.g. emaciated stock, truck overcrowding
 - Where urgent action not required and prosecution not appropriate
4. **Severe incidents** – full report for RSPCA investigation e.g. advanced cancer eye, starving animals
5. **Urgent incidents** – act independently e.g. blatant cruelty, truck rollovers
 - Use powers under the Act
 - Immediate report to RSPCA 1300 477 722



Advice to the public

1. Call the RSPCA

- Responsible for Animal Welfare in SA 1300 477 722, or submit an online form www.rspcasa.org.au/services/inspectorate/report-cruelty/
- Give handout

2. Ground truth/drive-by appropriate in some situations

- If repeated reports, nearby property etc. contact MFO to seek permission to ground truth/drive-by => report as appropriate

Thank you for making an animal cruelty report

We rely on people like you to provide our inspectors with information about the possible abuse and neglect of animals in South Australia.

Our small team of inspectors respond to more than 4,000 reports of animal cruelty every year, investigating complaints against all kinds of animals in all kinds of situations.

[Learn more about our Inspectorate](#)

We understand that you may have some questions about the report you have just made. Here are our answers to FAQs about our Inspectorate work and processes.

I've made an official report, what happens now?

Based on the information you have provided to us, all animal cruelty reports are immediately prioritized into one of three categories:

1. **Urgent** jobs involving animals that have suffered serious physical injury are attended to within 24 hours.
2. **ASAP** complaints regarding serious but not life-threatening issues (such as an animal with very poor body condition) are usually actioned within 48 hours.
3. **Routine** jobs, such as pet shop inspections or dogs continually tethered, are attended to when the urgent and ASAP complaints have been managed.

Please note: If you witness any change (good or bad) to the situation, please advise us immediately by calling 1300 4 777 22.

Will an Inspector visit the property I have reported?

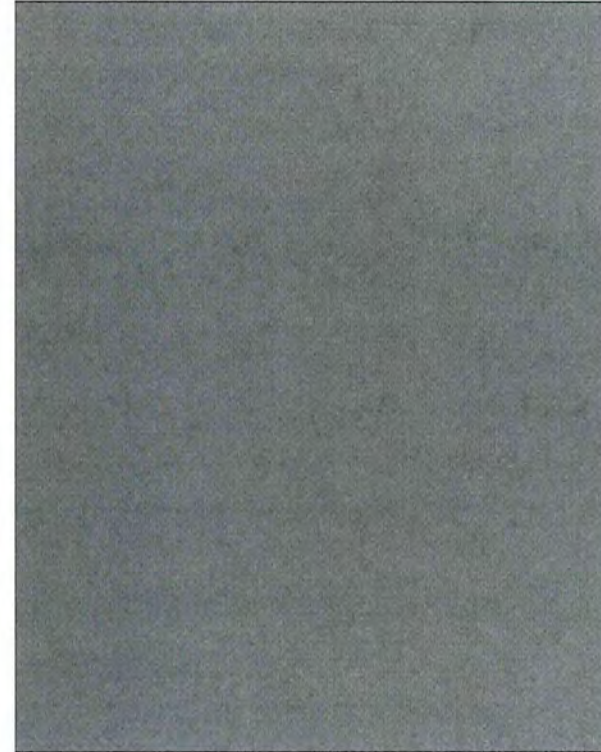
Our Inspectors will investigate all reports, which in most cases involves a site visit. (In some areas of country South Australia, police will assist us by making the visit.)



Starving horses Dog blinded through neglect

Assisting the RSPCA

- All requests **MUST** come from MFO
- If RSPCA call you directly for assistance tell them they must call MFO as all requests must come through this means
- Attending to provide assistance/advice ONLY, assist in decision making
- RSPCA lead and manage the investigation, collect evidence etc.
- Do not investigate on behalf of the RSPCA
- Never attend a property alone



Saleyard Incidents

- Australian Animal Welfare Standards and Guidelines for the Land Transport of Livestock – key provisions **legislated**
- Australian Animal Welfare Standards and Guidelines – Livestock at Saleyards and Depots – **endorsed**
 - Model Code of Practice for Welfare of Animals Animals at Saleyards – **legislated**

2. Management Personnel

2.1 The Manager, Superintendent or Saleyard Supervisor

The manager, superintendent or saleyard supervisor of a saleyard complex has overall responsibility for the welfare, care and handling of animals at the saleyard. He is in charge of the day to day activities at the saleyard, either directly through the supervision of actions of saleyard staff or indirectly through the livestock agents and contract stockhandlers. He should ensure that high standards are maintained in relation to:

Saleyard Incidents

- Responsibility of the saleyard manager (person with care, control & management) to arrange for care/treatment/humane destruction – as soon as reasonably practical, also responsible for disposal
- BSA staff are not responsible for this, simply advise and document
- Always notify agent clerk of removal and reason for removal so can be documented in sales record
- Welfare issue pre-transport (e.g. existing condition) must be listed by the agent's clerk as NCV's (No Commercial Value), to ensure the vendor doesn't receive insurance entitlements for stock they should never have presented for sale.



Fit to load



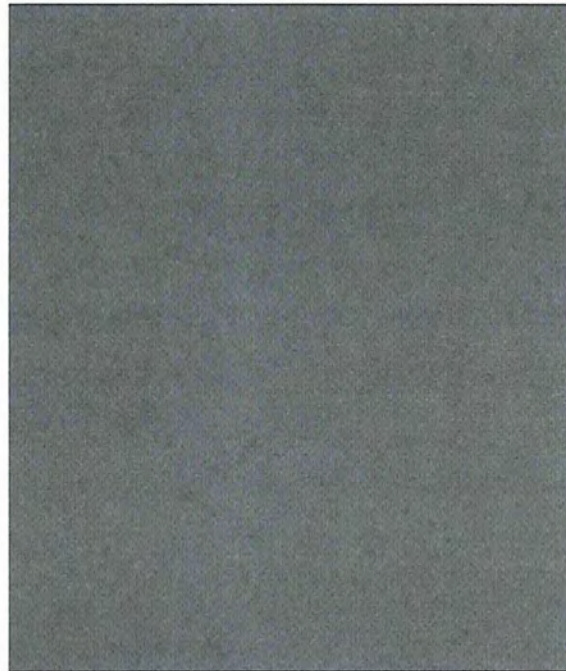
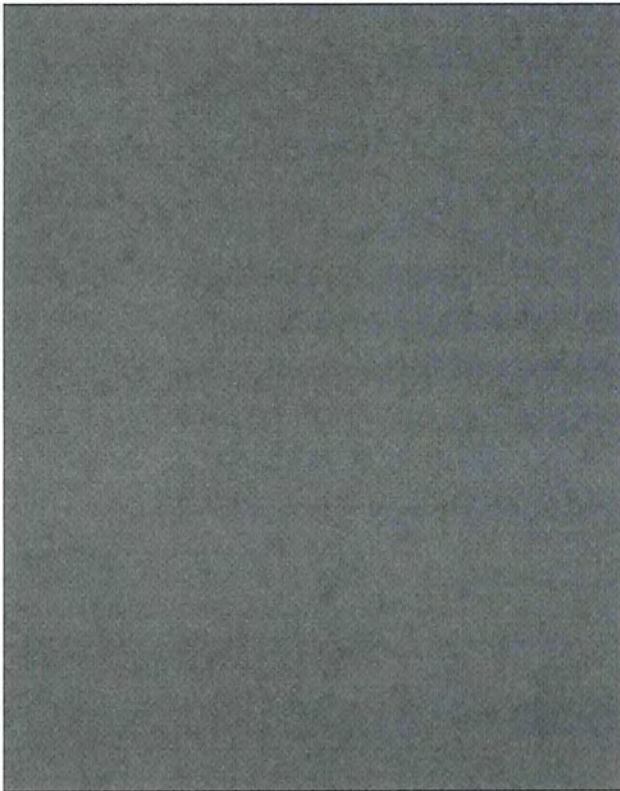
- Unable to walk independently by bearing weight on all legs
- Cattle - within 4 weeks of calving if time off water/journey time >4hrs
- Other livestock – within 2 weeks of parturition if time off water/journey time >4hrs
- Severely emaciated
- Visible dehydrated
- Visible signs of severe injury/distress
- Suffering from a condition likely to result in an increased in pain/distress by reason of undertaking the journey
- Blind in both eyes

Utilise your DVO to assist in assessment



Cancer eyes – can load if <2cm and no discharge/maggots but advise no cancer eyes go through yards as can bleed when knocked.

Public perception..!



Administration – documentation and notifications

PIIMS

- Event type: Expiable Offence
- Project(s): Welfare
- Attach copy of PIRSA Animal Welfare Incident Report, photos etc.
- For market events also record in the 'Market Statistics'

Notify

- MFO (Chris)
- PAW (Elise)
 - (=> CVO (Mary))
 - PAW will forward to RSPCA for actioning

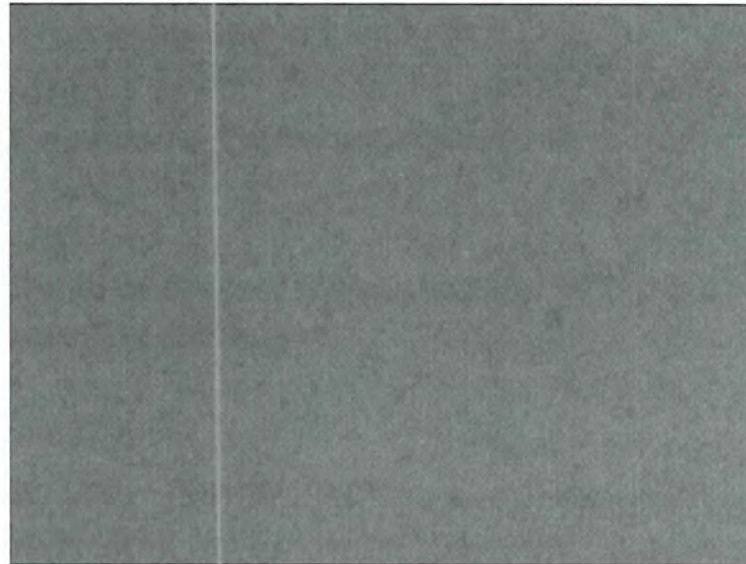


Legislation – Animal Welfare Act and Regulations

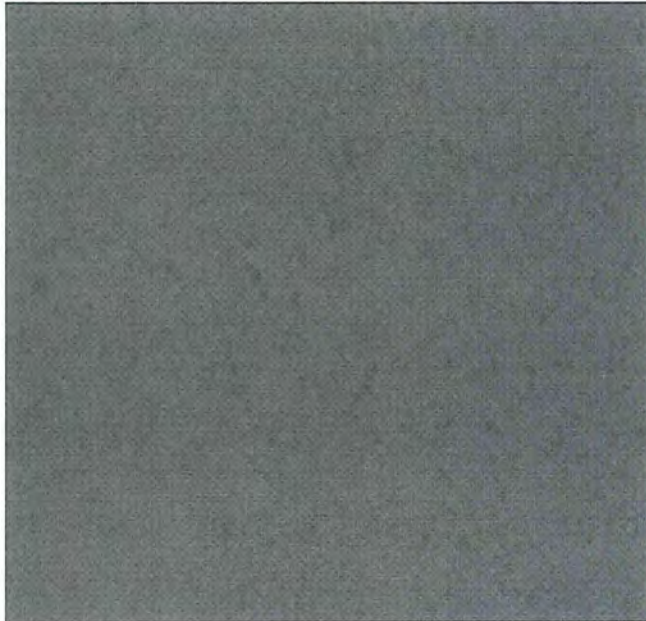
- When exercising powers must produce identity card
- Enter and search premise or vehicle, stop vehicle movement, take photographs, other recordings etc. etc. – unlikely to use
- Destruction of an animal – if weak/disabled or in such pain that it should be destroyed, only if:
 1. Owner consents (or if a warrant is issued)
 2. Unable to determine ownership or contact the owner after reasonable steps to do so
 3. The animal is wild
- Veterinary surgeons can destroy an animal if weak/disabled or in such pain that it should be destroyed
- Investigate under *Livestock Act* – if welfare report indicates multiple mortalities/symptoms indicative of notifiable disease (CVO permission)

Legislation – Fit to Load

- Covered by *Animal Welfare Regulations*
- Only a veterinary surgeon can authorise transport of an animal deemed not fit to load
- Person with **care, control or management of livestock must make arrangements** for care/treatment/humane destruction
- Compromised Livestock Assessment Sheet – helpful guide



Take Home Messages



- Livestock Animal Welfare in SA is the responsibility of the DEW and RSPCA
- PIRSA play an advice and assistance function only
- Follow the same approach for all cases
- All assistance requests must come through and from MFO – never directly from the RSPCA
- Ensure incidents are documented properly and the correct notifications have occurred
- The system isn't ideal, we must work within it – document +/- evidence, forward for actioning
- If ever in doubt -> MFO, PAW, CVO

